



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
July 16, 2008 7:30 p.m.**

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, July 16, 2008 at 7:30 p.m. Present were Mayor DuBois, Vice-Mayor Daly, Commissioners Balius, Carey, and Osterman, Attorney Thomas Baird, Town Manager Maria Davis and Town Clerk Vivian Mendez.

Mayor DuBois led the Invocation.

Mayor DuBois led the Pledge of Allegiance.

Town Clerk Vivian Mendez performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Item #10 Business Tax was deferred to the next Commission Meeting of August 6, 2008.

Motion: A motion was made by Vice-Mayor Daly to approve the Agenda; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PRESENTATION:

Solid Waste Authority – Recycling Program Appreciation of the Town

Susan Chapman thanked the Commission and citizens of Lake Park for partnering with Solid Waste Authority and the community in recycling. She stated that through Palm Beach County's recycling efforts, 108,000 tons of recyclable material were recovered last year. She presented an award to the Commission in appreciation of the Town's participation in recycling.

PUBLIC and OTHER COMMENT

Rick Goodsell 410 9th St. – stated that he had been having trouble with the Post Office. He stated

that through the Town Manager's efforts he was able to get in contact with someone at the Post Office to voice his complaint. He encouraged other residents that were having problems to voice and document their issues. He personally thanked Town Manager Maria Davis and staff for their efforts in obtaining a meeting for him with a contact person at the Post Office.

Mr. Goodsell gave a brief history of the 10th Street LLC property. He stated that zoning needed to be addressed on the property.

Commissioner Balius stated that the 10th St. LLC property was being rezoned to commercial property.

Community Development Director Patrick Sullivan explained that the 10th St. LLC property was in the process of being rezoned and the process should be completed by next month.

Chris Price 644 Date Palm Dr. – stated that he wanted to install a sprinkler system on his property and wanted to place pyramid lawn savers on his lawn.

Town Manager Maria Davis stated that the oval dome shape lawn saver was permitted in the Town code. She stated that pyramid lawn savers would do damage to a vehicle should someone run over them.

Mr. Price stated that a dome shaped lawn saver would do damage to a vehicle just the same as a pyramid shaped lawn saver.

Discussion ensued between Mr. Price and the Commission regarding the prohibition of certain types of lawn savers in the Town.

Mr. Price asked if he would need to obtain a permit to install the dome shaped lawn savers.

Mayor DuBois stated that the dome shaped lawn savers did not require a permit for installation.

Richard Sarafan Esq. 100 S.E. 2nd St. Miami, FL – stated that he was an attorney for Earl Stewart Toyota. He thanked the Commission for deferring the Business Tax Agenda item. He stated that it would provide additional time for him to meet with Town Staff, the Town Attorney, and Town Manager Maria Davis to ask questions and discuss his concerns.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor DuBois stated that she received information about a Centennial Celebration from Palm Beach County. She asked the Historical Society to contact her and give her input on the event.

Commissioner Balius wished Vice-Mayor Daly a Happy Birthday. He stated that he, Vice-Mayor Daly and Marina Manager Mike Pisano met with Commissioner Hubbard from Riviera Beach and they had a great meeting.

Commissioner Carey stated that the Fireworks Festival was great.

Commissioner Osterman

None

Vice-Mayor Daly

None

Town Manager Maria Davis thanked Landscape Architect Jeff Blakely for designing the north end of Lake Shore Park free of charge. She stated that he did a beautiful job and thanked him for his contributions as a Planning and Zoning Board Member.

Town Attorney Thomas Baird thanked Mr. Saraphan for his kindness that evening and stated that he looked forward to speaking with him and resolving any issues.

CONSENT AGENDA:

1. Nomination of Kimberly Ann Alexander for the Florida League of Cities City Employee of the Year Award
2. Regular Commission Meeting Minutes of June 18, 2008
3. Resolution No. 35-07-08 Support of the Nicole Hornstein Act
4. Confirmation of Professional Marine Engineering Services for a Submerged Aquatic Vegetation Survey and Turbidity Monitoring for South Breakwater Construction Project
5. Resolution No. 36-07-08 Marina Utility Rate Adjustment
6. Resolution NO. 37-07-08 Confirmation of Contract Award to Creative Fireworks Company, Inc.
7. Award Contract for Holiday Decorations to Clark Sales Display, Inc. Utilizing a City of St. Petersburg Contract #037-37
8. Change Order #1 – Landscape Installation Contract Award for Lake Shore Park to Chris Wayne and Associates

Item #7 Holiday Decorations Contract was pulled for discussion.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve the Consent Agenda as modified; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor			

DuBois	X		
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Motion passed 5-0.

Commissioner Osterman explained the breakdown of the expenses for the Holiday Decorations for Town Hall. She stated that she did not agree with a \$5200 expense for a decorative arch for the front of Town Hall. She recommended spending between \$500 to \$1000 for decorations and poinsettia plants.

Mayor DuBois agreed and stated that \$5200 was a lot of money to spend on a decorative Christmas arch.

Commissioner Balius stated that it has been a large expense to store Christmas décor.

Town Manager Maria Davis stated the money spent in the past for Christmas displays could have been spent toward purchasing the Town's own decorations.

Commissioner Balius recommended getting a price on the purchase of the Town's own decorations for the light poles.

Motion: A motion was made to approve Christmas decorations for the Town's light poles, eliminating the Christmas archway decoration in front of Town Hall and giving permission to Town Manager Maria Davis to purchase Christmas décor for the front of Town Hall at a cost totaling between \$500 and \$1000; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

PUBLIC HEARING(S)

**ORDINANCE NO. 09- 2008 – Storm Water Utility
 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, CREATING A NEW ARTICLE IN CHAPTER 32 OF THE TOWN CODE ENTITLED "UTILITIES" TO PROVIDE FOR STORMWATER MANAGEMENT; PROVIDING FOR AUTHORITY OF THE TOWN TO CREATE A STORMWATER UTILITY SYSTEM; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROCEDURES FOR THE OPERATION OF**

A STORMWATER SYSTEM; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Maria Davis explained the purpose of Ordinance No. 09-2008. She stated that the Town did not currently have the means to fund maintenance of its drainage system. Ad Valorem tax dollars are being used to pay for the maintenance and cleaning of the drains. She stated that the Town needed to implement a comprehensive storm drainage maintenance program. She explained that it would be a fee based utility that would be on the tax bill at a rate of \$6.00 per month per household which totals \$72 per year per household. She stated that this money will enable the Town to begin the proper maintenance of its storm drainage and install future storm drainage throughout the Town. She stated that she would bring in a consultant to do a drainage master plan. The last time an analysis was done on the Town was in 1999. She stated that the Town was in need of 10 million dollars to implement the proper drainage in 1999.

Public Works Director Abu Canady explained that he was in the process of obtaining quotes. The quote he received so far was \$250,000 for an 11 cubic yard vacuum system truck. He stated that the vehicle would suck up the debris with the water and then the water could be drained back out while the debris is left in the vacuum.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 09-2008; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance 09-2008 by caption-only.

ORDINANCE NO. 11-2008 - Signage

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES FOR THE

TOWN OF LAKE PARK, FLORIDA BY AMENDING CHAPTER 70 ENTITLED “SIGNS”, ARTICLE 1 ENTITLED “IN GENERAL”; BY REPEALING SECTION 70-2 ENTITLED “RELATIONSHIP TO STATE BUILDING CODE”; AMENDING SECTION 70-4 ENTITLED “MAINTENANCE”; AMENDING SECTION 70-6 ENTITLED “DEFINITIONS”; AMENDING ARTICLE II ENTITLED “LICENSE AND PERMIT REQUIREMENTS BY REPEALING SECTION 70-31 ENTITLED “LICENSE REQUIRED”; AND AMENDING SECTION 70-32 ENTITLED “PERMITS”; AMENDING ARTICLE III ENTITLED “CONSTRUCTION”; BY AMENDING SECTION 70-61 ENTITLED “GENERAL PROVISIONS”; AMENDING SECTION 70-64 ENTITLED “REMOVAL, REPAIR OR ALTERATION”; REPEALING SECTION 70-65 ENTITLED “REINSPECTION”; AMENDING SECTION 70-66 ENTITLED “STOP WORK ORDERS”; AMENDING SECTION 70-67 ENTITLED “VIOLATIONS”; AMENDING ARTICLE IV ENTITLED “SIGN REGULATIONS”; AMENDING SECTION 70-101 ENTITLED “EXEMPT SIGNS”; AMENDING SECTION 70-102 ENTITLED “PROHIBITED SIGNS AND RELATED EQUIPMENT”; AMENDING SECTION 70-103 ENTITLED “PERMITTED SIGNS”; AMENDING SECTION 70-104 ENTITLED “LEGAL NONCOMPLYING SIGNS”; AMENDING SECTION 70-105 ENTITLED “COMPUTATION OF SIGN AREA”; AMENDING SECTION 70-107 ENTITLED “EXTERIOR ARCHITECTURAL LIGHTING”; REPEALING SECTION 70-108 ENTITLED “REINSPECTION”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained the reason for Ordinance No. 11-2008. He stated that it was reviewed by the Planning and Zoning Board and they recommended that the Commission move forward with approval. He stated that the two most important additions to the ordinance were the elimination of poll signs in the community and the permitting of commercial real estate signs. He stated that there was a timeline in the ordinance stating that business owners have until 2013 to bring their signs into compliance.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance No. 11-2008; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		

Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance 11-2008 by caption-only.

ORDINANCE NO. 12-2008 – Special Events Permits

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE IV, OF THE TOWN CODE PERTAINING TO THE ISSUANCE OF SPECIAL EVENTS PERMITS FOR NON-TOWN SPONSORED EVENTS TO CREATE NEW CODE SECTION 18-120 TO BE ENTITLED “PURPOSE”; AMENDING SECTION 18-121 ENTITLED “APPLICATION FOR PERMIT; SPECIFIC USES; CONDITIONS”; AMENDING SECTION 18-122 PRESENTLY ENTITLED “CRITERIA FOR ISSUANCE OF PERMIT”; AMENDING SECTION 18-123 ENTITLED; “CONDITIONS FOR PERMIT APPROVAL”; AMENDING SECTION 18-125 ENTITLED “TRAFFIC CIRCULATION PLAN”; AMENDING SECTION 18-126 ENTITLED “CANCELLATION OF PERMIT”; AMENDING SECTION 18-127 ENTITLED “APPEAL OF CANCELLATION OF PERMIT”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Patrick Sullivan explained that he changed the requirement for the review of special event permits by the Town Manager because it was duplicating efforts. He stated that any events that go beyond a normal small event would come before the Commission for approval. He explained the other changes he made to the ordinance which included commercial events. He recommended setting a limit of four special events per year per entity.

Discussion ensued between Mr. Sullivan and the Commission regarding setting limits for special events.

Commissioner Osterman recommended setting the limit of special events to 12 per entity.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Ordinance No. 12-2008 as modified; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		

Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance 12-2008 by caption-only.

ORDINANCE No. 13- 2008 – Planned Unit Development
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-77 PERTAINING TO PLANNED UNIT DEVELOPMENT REGULATIONS; PROVIDED FOR USES ALLOWED IN PLANNED UNIT DEVELOPMENTS; PROVIDING FOR THE WAIVER OF CERTAIN STANDARD ZONING REGULATIONS FOR PROPERTIES DEVELOPED AS A PLANNED UNIT DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

Jamie Gentile 1907 Commerce Lane #101 Jupiter, FL – stated that he was from Gentile, Holloway, and O’Mahoney and stated that he wanted to reserve the right to speak if necessary since his firm had a client that has a vested interest in the text change of Ordinance No. 13-2008.

Public Comment Closed.

Community Development Director Patrick Sullivan explained the reason for Ordinance No. 13-2008 and the changes made would allow business to subdivide their property and create a Planned Unit Development.

Commissioner Osterman asked if a property could be subdivided if they did not have enough parking. She asked how they would address parking if they were to sell part of their property.

Mr. Sullivan explained that the property owner would have to enter into a Unity of Control Agreement that would make sure that there would be one entity to oversee that all common areas would remain the same.

He stated that he wanted to change the term construction to development in section #4 of the ordinance.

Motion: A motion was made by Commissioner Carey to approve Ordinance No. 13-2008 as modified; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balias	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

QUASI-JUDICIAL HEARINGS

RESOLUTION NO. 38-07-08 – Congress Avenue Time Extension

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A REQUEST BY CONGRESS AVENUE PROPERTIES, LTD., FOR AN AMENDMENT TO CONDITION NO. 7 OF THE CONCEPTUAL PLAN APPROVAL PREVIOUSLY GRANTED PURSUANT TO RESOLUTION NO. 06-03-3, TO EXTEND THE BUILD OUT DATE FOR THE DEVELOPMENT OF AN 511,000 SQUARE FOOT OFFICE/WAREHOUSE COMPLEX ON 49.81 ACRES OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WATERTOWER ROAD AND CONGRESS AVENUE IN THE TOWN OF LAKE PARK, FLORIDA AND WHICH IS LEGALLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, FROM DECEMBER 31, 2008 UNTIL DECEMBER 30, 2011, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Ex-parte communication was declared as follows:

- Mayor DuBois – none
- Vice-Mayor Daly –none
- Commissioner Balias – none
- Commissioner Osterman – none
- Commissioner Carey – none

Town Clerk Vivian Mendez swore in all witnesses.

Community Development Director Patrick Sullivan gave a slide presentation of Congress Avenue and explained the surrounding properties. He stated that the 40 acre undeveloped parcel was under consideration in the Resolution. He explained the history of the parcel. He stated that there was a master plan approval by the County on the site that would expire on December 31, 2008. The Resolution allowed for the Commission to approve an extension of the deadline. He stated that Congress Avenue Associates had requested an extension on their project. He

recommended an extension of 18 months to initiate construction upon the Commission's approval and then 18 months to complete construction which would amount to a three year extension. The code would allow for another extension in the midst of construction.

Mayor DuBois recommended the extension so that Congress Avenue Associates would not have to pay for or wait for another traffic study and master plan approval.

Jamie Gentile of Gentile, Halloway and O'Mahoney asked if the extension would begin at the expiration date of the initial Resolution.

Commissioner Balius stated that the extension would begin from the expiration date of the initial Resolution.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 38-07-08 and to extend the expiration date from December 31, 2008 to June 30, 2010; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

**RESOLUTION NO. 39-07-08 – Storm Water Rate Fiscal Year 2008-2009
A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA SETTING THE RATE FOR AN EQUIVALENT STORMWATER UNIT (ESU) TO BE CHARGED FOR STORMWATER MANAGMENT FOR FISCAL YEAR 2008-2009; AND PROVIDING AN EFFECTIVE DATE.**

Town Manager Maria Davis stated that Resolution No. 39-07-08 established the storm water rates for 2008 through 2009. She stated that she wanted to strike the word tentative from the title of the Resolution and from the Agenda Request Form. She stated that the rates were the actual proposed rates not tentative rates.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Osterman to approve Resolution No. 39-07-08; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

RESOLUTION NO. 40-07-08 – Reimbursement of Certain Expenditures with Proceeds of Tax Exempt Debt

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK FLORIDA EXPRESSING THE INTENT OF THE TOWN TO REIMBURSE CERTAIN EXPENDITURES WITH PROCEEDS OF TAX EXEMPT DEBT.

Finance Director Anne Costello explained the purpose of Resolution No. 40-07-08. She stated that the Town would acquire a bank qualified tax exempt loan for various projects completed earlier in the year already approved for financing. She stated that there were also future projects that the Town could obtain a bank qualified tax exempt loan in which the bank would offer the Town a lower interest rate. She stated that she would bring back an item to the first Commission Meeting in August to award the loan to a specific lending institution.

Commissioner Balius asked how much the Town would save in interest.

Ms. Costello stated that the Town would save approximately one million thirty-five thousand dollars in interest over the course of the loan.

Commissioner Osterman asked if money was included in the property purchase to demolish the building for a parking lot.

Town Manager Maria stated that they were still unsure as to what they would do with that piece of property.

Vice-Mayor Daly stated that the property would need to be fenced off until the Community Redevelopment Agency and/or Commission decide how to develop the

property. She stated that adequate dollars were factored in for demolition, environmental studies, and appraisals.

Discussion ensued among the Commission regarding the amount of funding necessary for the development of the property.

Ms. Costello stated that as a municipality the Town could obtain up to 10 million dollars per calendar year. The total for the year so far for the current projects was 5 million dollars.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution No. 40-07-08; Vice-Mayor Daly made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Balius	X		
Commissioner Carey	X		
Commissioner Osterman	X		
Vice-Mayor Daly	X		
Mayor DuBois	X		

Motion passed 5-0.

Discussion and Possible Action:

Establishment of Lake Park Tennis Academy

Town Manager Maria Davis stated that she was approached by Tennis Pro Itamar Macedo, Alberto Perez, and Daniel Scotti regarding their interest in establishing a tennis academy and instituting some renovations to the Town’s parks.

Alberto Perez, Itamar Macedo and Daniel Scotti introduced themselves to the Commission.

Mr. Perez stated that the Commission was given an outline of a proposal to the Town to create a foundation called the Lake Park Tennis Foundation which would be a non profit foundation funded by his donation of \$150,000 for the purpose of improving the tennis facilities in Lake Park. He stated that they were proposing to add two additional tennis courts with lighting, refurbish the two existing tennis courts, install additional lighting, refurbish the restrooms, and add water fountains and canopies where needed. He stated that the purpose of the foundation was to seek, find, and help young children of the community to improve their tennis skills. He

stated that he was seeking an agreement from the Town should the Town accept the proposal that he, Mr. Macedo and Mr. Scotti run the facilities for a period of 10 years.

Commissioner Osterman expressed her concerns regarding the location of the two tennis courts on the proposal. She stated that she was concerned about the current rental agreement for the tennis courts and office and stated that it was in need of renegotiation. She expressed concern over the profitability of the tennis facilities.

Mr. Perez stated that the foundation was not for profit. The professional coaches would only need to be paid. Should the foundation make a profit it would be rolled back into financing improvements of the facilities. He explained the reasons for the proposed location of the new tennis courts.

Vice-Mayor Daly expressed concern over the amount of funding received from the rental facilities at Lake Shore Park and discussed his concerns over implementing the new tennis facilities.

Commissioner Balius stated that he has known Itamar Macedo for approximately 14 years and Itamar taught tennis to his twin daughters who placed in the state. He stated that he was not against the tennis program but he could not see placing two additional courts within a water retention area. He stated that the best location for two new tennis courts would be Lake Shore Park not Kelsey Park.

Commissioner Carey recommended refurbishing the existing tennis courts and waiting to see how the program does before investing in two new tennis courts.

Mr. Macedo stated that there was an existing junior program and that they were open to suggestions on the location of the two new courts.

Mr. Perez stated that they wanted to add the two additional courts so that the program would not take away tennis time from the public.

Mayor DuBois asked what time of the evening would the program would last.

Mr. Macedo stated that there would be no activities past 9 p.m.

Discussion ensued between the Commission and Mr. Perez regarding the proposed tennis foundation.

Vice-Mayor Daly requested that staff investigate what Lake Shore Park property was worth as rental property.

Commissioner Osterman stated that she requested the same from staff and received a breakdown based on square footage which reflected that the office space on Lake Shore Park was worth \$25,000 per year. She stated that for the tennis foundation to be implemented the Town would need to be compensated in rental income and be paid what the rental property is worth. She asked if the initial costs were greater than \$150,000 would Mr. Perez compensate for any financial deficiencies.

Mr. Perez stated that he would do what would need to be done with regards to the funding of the new facilities but they already have bids on the project.

More discussion ensued regarding the proposed tennis foundation.

Mayor DuBois stated that the Commission and staff would research and evaluate all the information presented before making a decision.

The Commission came to consensus to bring back the discussion of the establishment of a Lake Park Tennis Academy to a future Commission meeting.

Public Comment Open.

JoAnn Doll, 801 Lake Shore Dr. – expressed her concerns regarding the proposed tennis academy and recommended that the Commission table the item for discussion at a later date to give residents time to comment and express their concerns.

Public Comment Closed.

Design Options for Drainage Project on Lake Shore Drive

John Downs of Calvin Giordano and Associates explained the drainage project for Lake Shore Dr. He explained that option one was to close Lake Shore Drive, create a promenade between Greenbriar Blvd. and Foresteria Dr. and change the elevation by raising the road 16 to 18 inches. This option would pump the water out to the Intracoastal. He stated that option two would be a good option but the downside would be that the reflecting pond would become a dry basin during the dry season and would create a safety hazard in the park. Option three would be to leave Lake Shore Dr. as is except the elevation would be raised.

Commissioner Balius asked where the lift stations would be located.

Mr. Downs stated that there would be lift stations on the north side and the south side. He stated that generators would also need to be considered in the event of power outages.

Discussion ensued amongst the Commission regarding the options for drainage improvements on Lake Shore Dr.

Mr. Downs continued to discuss different options for drainage on Lake Shore Dr.

Vice-Mayor Daly asked which option would be most cost effective.

Mr. Downs stated that option one or three would be most cost effective. He discussed the various reasons for each one.

The Commission expressed their concerns regarding the drainage issues on Lake Shore Dr. to Mr. Downs.

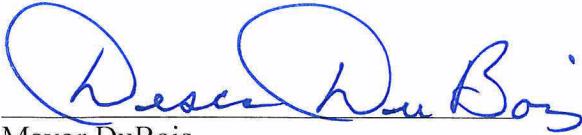
Mr. Downs addressed the Commission's concerns regarding the drainage issues.

Town Manager Maria Davis stated that she would schedule a meeting with the residents of the Lake Shore Drive Condominiums and Mr. Downs to discuss the proposed drainage project.

The Commission came to consensus to have a workshop and invite all residents of the Town to discuss the proposed drainage project on Lake Shore Dr.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Osterman, and by unanimous vote, the meeting adjourned at 9:56 p.m.



Mayor DuBois



Deputy Clerk Jessica Shepherd



Town Clerk Vixian Mendez



FLORIDA

Approved on this 20 of August, 2008.