



**Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, June 2, 2010, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, June 2, 2010 at 7:00 p.m. Present were Mayor DuBois, Vice-Mayor Osterman, Commissioners Rumsey, Hockman and Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Mayor DuBois led the Invocation and the Pledge of Allegiance. Town Clerk Vivian Lemley performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

Motion: A motion was made by Commissioner Rumsey to approve the Agenda; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin	X		
Commissioner Hockman	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0

PROCLAMATIONS

Captain Douglas Reece

Mayor DuBois read the Proclamation to Captain Douglas Reece.

Captain Reece thanked the Commission, Town staff, and the residents of Lake Park.

PUBLIC AND OTHER COMMENTS:

Chris Price, 644 Date Palm Dr. – thanked Captain Reece for his service and stated that he would be missed. He thanked Recreation Director Greg Dowling and Public Works

Director David Hunt for being diligent in getting signs up around Bert Bostrom Park regarding the parking issue around the west side of the park. He stated that he spoke to Town Manager Davis and Mayor DuBois regarding having DVD copies of the Commission Meetings available for public viewing at the Library. He stated that he wanted to discuss the stop sign at 7th St. and Park Ave going west to east. The sign is parallel to the clock tower at the intersection and most of the time people going east on Park Avenue do not pull up far enough into the intersection to see the northbound traffic. He stated that he almost got t-boned at that intersection two weeks ago. He recommended that Public Works check into the matter. He addressed Commissioner comments that were made at the past few meetings. He addressed Commissioner Longtin's comment at the April 7, 2010 Commission Meeting where she stated that she liked to voice resident's opinions because they were afraid to speak and come up and ask the Commission questions. He stated that he was shocked that Commissioner Longtin was unable to inspire residents to come out and question the Commission and Town Staff on their own. He stated that she also brought up the discussion of the Signatories on the Town's bank account. He stated that she wasted a lot of time to bring up a silly point that didn't need to be discussed and he was curious of who she needed to prove a point to on the topic. He was also surprised that she stated that she was unable to take on extra assignments or meetings during her first year on the Commission since he believed that was a requirement of a Commissioner.

Ross Caranci, 829 Greenbriar Dr. - stated that he received a Code Compliance notice regarding his backyard fence. He explained how he installed his fence and explained why he received the notice which asked him to move the fence. He asked for leniency in the matter.

Mayor DuBois asked Mr. Caranci for clarification of the permit he obtained for the fence.

Mr. Caranci clarified and explained how and where he installed the fence.

Mayor DuBois explained to Mr. Caranci that the Commission would need an opportunity to review the matter further. She explained that there were other properties in question regarding their fencing and the Community Development Department would give the information to the Commission for their review.

Public Comment Closed.

CONSENT AGENDA:

1. Regular Commission Meeting Minutes of April 7, 2010
2. Regular Commission Meeting Minutes of April 21, 2010
3. Regular Commission Meeting Minutes of May 5, 2010
4. Regular Commission Meeting Minutes of May 19, 2010
5. Resolution No. 22-06-10 Recognition of May 25, 2010 as National Missing Children's Day
6. Resolution No. 23-06-10 Fee Schedule Changes
7. Follow Up Letter to the Army Regarding the Use of Property on Congress Avenue for an Army Reserve Center

Public Comment Open.

None

Public Comment Closed.

Commissioner Longtin asked that items 1, 3, and 7 be pulled from the Consent Agenda for discussion.

Motion: A motion was made by Commissioner Rumsey to approve item numbers 2, 4, 5 and 6 of the Consent Agenda; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0.

Commissioner Longtin stated that the April 7, 2010 Commission Meeting Minutes which were done verbatim were "not correct" but the "jist" of what was said was there. She referred to page 21 of the minutes where it stated that she did not want to take on additional duties her first year on the Commission. She stated that it was not that she did not want to, but was unable to. She explained that she needed to be careful of what she takes on the first year as a Commissioner for personal reasons and that the first time she was a Commissioner she attended every board meeting including Planning and Zoning.

She referenced the Commission Meeting Minutes of May 5, 2010 and clarified that when she mentioned the "mean lady" she was bringing her comments down to the children's level of understanding because that was how the children had referred to the person who was involved in the incident at the Community of Hope Garden.

She referenced item number 7 of the Consent Agenda and asked for clarification on the property that was being considered for the Army Reserve. She asked if the property was being reserved as Bioscience designated property.

Mayor DuBois explained and clarified that the property was reserved to be designated as Bioscience property. She stated that it would affect the Town if the property was taken and used as Army Reserve property since it could not be taxed by the Town therefore the burden would fall on the Town's residents and businesses.

Commissioner Longtin stated that the Town itself has taken so much property from the tax rolls. She asked where the Bioscience aspect of the property stood.

Commissioner Rumsey gave an update of what took place at the last Bioscience Board Meeting. He explained how the land was designated and stated that the Palm Beach County Commission has written a letter to Representative Alcee Hastings and a representative of the Army asking that they not take the designated land. He stated that the County has offered the Army free land that they could use instead. He asked Community Development Director Sullivan how much it would cost the Army in taxes if they took the designated property. He stated that he thought the cost was approximately \$6000 per year.

Community Development Director Sullivan stated that at the best possible build out for the property the Town could lose up to \$200,000 in yearly taxes and fees as opposed to receiving only \$6000 from the Army.

Commissioner Rumsey stated that if the Army takes the property it would be a great loss to the Town and its Bioscience opportunities would be over. He stated that the Mayor has been very proactive in trying to keep the property as Bioscience designated property.

Commissioner Longtin stated that she had a hard time with the idea. She stated that the land was owned by a private citizen and she was not comfortable with idea of keeping the private citizen from doing what he wants with his property. She stated that there was no guarantee that the Bioscience Project would come to Lake Park.

Community Development Director Sullivan explained that the property was zoned commercial industrial and that all of the uses that were available to other people in that district were also available to that piece of property.

Mayor DuBois asked if there was another Bioscience firm looking for another shovel ready piece of land in the Town's commercial district.

Community Development Director Sullivan stated that there was a Bioscience firm looking for property to begin construction in the Town.

Commissioner Longtin asked if there was anything preventing her from speaking to all involved regarding the issue.

Attorney Baird explained that depending on how the Commission voted she was certainly permitted to speak with anyone about the issue but was obligated to represent the majority of the Commission's position with respect to the Town's policy. He stated that there was a Resolution that the Commission adopted approximately six months ago regarding Commissioners representing the majority decision on any policy matters.

Vice-Mayor Osterman clarified and stated that there was a difference between representing yourself as a resident or as a Commissioner. She stated that every Commissioner had the right to speak as a resident but to not use their title. She stated that presently the Mayor was the only representative who had Commission approval to

Speak on the issue. She stated that the Commission has approved every letter that has gone out and she stated that the Commission needed to be careful with what they say and how they represent themselves.

Commissioner Longtin asked if she could speak with representatives regarding the matter.

Mayor DuBois explained the process that had taken place so far and stated that she was welcome to talk with the representatives.

Commissioner Longtin stated that she would probably be in sync with the Commission once she talked with them. She stated that she would presently vote against the issue with the knowledge that in hindsight her decision should have been for the issue.

Vice-Mayor Osterman stated that she wanted to address the idea of telling someone what to do with their property. She stated that that was what the Commission does every day and she was glad that they did so because she did not want her neighbors and Town businesses doing things that were against the Town code. She stated that the Town's residents and businesses all have individual rights but have community rights as well. She stated that the Army's use of the designated land would not comply with Town code.

Community Development Director Sullivan explained that the Army would have to apply for a variance because the land was not designated for the type of use that the Army would use it for.

Vice-Mayor Osterman expressed her concerns regarding the proposed use of the property by the Army.

Commissioner Longtin stated that she would like to give the Army the opportunity to give their side of the story.

Motion: A motion was made by Commissioner Rumsey to approve item numbers 1, 3, and 7 of the Consent Agenda; Vice-Mayor Osterman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X	X to item #7 only	
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 4-1.

Public Comment Open.

None

Public Comment Closed.

ORDINANCES ON SECOND READING:

ORDINANCE NO. 05-2010 Amendment to Town Code of Ordinance Section 2-151 et. Seq. Regarding Rules Governing the Library Board

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE TOWN CODE ENTITLED "LIBRARY BOARD"; PROVIDING FOR THE AMENDMENT OF SECTIONS 2-154, 2-158, 2-160 AND 2-161 PERTAINING TO THE LIBRARY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Motion: A motion was made by Vice-Mayor Osterman to approve Ordinance No. 05-2010 upon 2nd reading; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0.

Town Attorney Baird read Ordinance No. 05-2010 by caption-only.

ORDINANCE NO. 06-2010 Mobile Food Vendors

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES, ENTITLED "SOLICITATION" TO CREATE A NEW ARTICLE III PERTAINING TO MOBILE VENDORS PROVIDING FOR DEFINITIONS; PROVIDING THAT A LICENSE IS REQUIRED; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR LIMITATIONS ON

CERTAIN ACTIVITIES; PROVIDING FOR A LICENSE APPLICATION AND LICENSE FEE; PROVIDING FOR THE EXPIRATION OF LICENSES; PROVIDING FOR THE REQUIREMENT THAT LICENSES BE DISPLAYED IN PLAIN VIEW; PROVIDING FOR THE TRANSFER OF LICENSES; PROVIDING FOR CERTAIN HEALTH REGULATIONS; PROVIDING FOR MOBILE VENDOR STANDARDS; PROVIDING THAT MOBILE VENDORS SHALL HAVE AND MAINTAIN INSURANCE; PROVIDING FOR THE REVOCATION OF LICENSES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

Public Comment Open.

None

Public Comment Closed.

Community Development Director Patrick Sullivan stated that he would like to make two changes to the Ordinance. The first change would be to the definition of Mobile Vendor in the Ordinance itself. He stated that the last three words “on public streets” of the definition would be removed and changed to state “public or commercial streets” as well as “residential or commercial parking lots”. The other change would be under “motor vehicle”. He stated that he wanted to add after “it shall mean a motorized vehicle or trailer.”

Motion: A motion was made by Vice-Mayor Osterman to approve a revised Ordinance No. 06-2010 upon 2nd reading; Commissioner Rumsey made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Hockman	X		
Commissioner Longtin	X		
Commissioner Rumsey	X		
Vice-Mayor Osterman	X		
Mayor DuBois	X		

Motion passed 5-0.

Town Attorney Baird read Ordinance No. 06-2010 by caption-only.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTOR

Commissioner Hockman stated that it was nice to see everybody out at the Sunset Party and that it was a nice evening. He recommended continuing the Sunset Party through the summer. He stated that he was able to take a boat tour of the area. He stated that there

Marina which was next to the Riviera Beach Marina. He stated that they were in the process of having a mega yacht marina. He stated that it would be pretty significant because there were currently not any mega yacht marinas on the entire east coast of the United States. He stated that it would be a big plus for the Town. He stated that the amount of money generated would be well over 30 billion dollars. He discussed the costs of maintaining and running a mega yacht. He stated that on the other hand he was concerned with some of the comments he had heard and how people perceive the Town of Lake Park. He recommended trying to change the Town's working relationship with the Riviera Beach Marina. He stated that there was a perception that the Town was not willing to work with its neighbors on projects and other issues. He stated that he hoped that the Town could work with Riviera Beach to see some of the boat traffic directed toward the Town and its Marina.

Vice-Mayor Osterman thanked Marina Director Michael Pisano for the various activities and events at the Marina.

Commissioner Longtin stated that she was surprised at the turnout of the Street Closure Workshop. She stated that she thought it would turn out differently. She stated that another workshop was scheduled for June 15, 2010 and she hoped to see people come out and voice their opinions on the subject. She stated that she agreed with Mr. Price's concern about the stop sign at 7th St. and Park Avenue. She recommended bringing down the shrubs at the clock tower to improve the situation. She stated that a hard copy of the entire Commission Meeting Agenda used to be available at the Town's Library for those who did not have use of a computer. She recommended that the Library begin providing a hard copy of the Agenda again for viewing. She stated she was sad to hear that there were people ticketed at the parking meters on Memorial Day but the tickets had since been rescinded. She stated that staff should be more mindful to not ticket on such holidays.

Commissioner Rumsey stated that he agreed with Commissioner Longtin with regards to the shrubs at the clock tower. He stated that the plantings were beautiful but had gotten too large and hindered the view from a traffic standpoint. He stated that he agreed with Commissioner Hockman regarding having the Sunset Parties year round. He stated that his concern was that the parties had not been budgeted and he recommended waiting until the October 2010 budget and promote it as a larger event with more vendors and more activities for the children. He stated that the new landscaping at the Art Co-op looked wonderful. He asked when the Commission would be seeing a presentation on the red light cameras.

Town Manager Davis stated that a red light camera presentation would be done at the next Commission Meeting of June 16, 2010.

Mayor DuBois stated she hoped everyone had a good Memorial Day. She stated that it was hard to know whether to party or celebrate on Memorial Day and that her husband mentioned to her that when he celebrated Memorial Day in the past with his family, it was a different mood and observance of the day. She stated that it should be remembered for the price that was paid for our freedom.

Attorney Baird stated that he had a conflict with the date of the next June 15, 2010 workshop. He stated that since no action would be taken he would not need to be present, but if the Commission wanted an attorney present he could make arrangements for another attorney to be there.

Vice-Mayor Osterman stated that if there were any questions for the attorney they could be postponed to the next meeting.

The Commission came to consensus to not require the presence of an attorney at the June 15, 2010 workshop.

Town Manager Davis announced the KBW Dolphin Challenge Fishing Tournament on Saturday, June 19, 2010 which benefits the Riviera Beach Maritime students. The event will be family focused with a bounce house, water slide, live entertainment and food vendors. She stated that a photography exhibit titled "Images of Cambodia and Thailand" was currently at the Library through June. The Library will also be featuring the works of Penny Sheltz and her images of Africa on July 6, 2010 with an opening reception from 5:30 p.m. to 8 p.m. in the Skylar Room. The Children's Summer Reading Program begins on June 7, 2010, Mondays through Thursdays from 2:30 p.m. to 4:30 p.m.

Marina Director Michael Pisano invited everyone to the Marina on Saturday, June 12, 2010 from 11 a.m. to 2 p.m. to celebrate National Marina Day. He stated that it would be a great family event with a water slide and food vendors.

Public Comment

Chuck Balius, 148 Date Palm Dr. – stated that he was under the impression that a comment made at the last Commission Meeting by Commissioner Longtin accusing him of threatening to burn Commissioner Hockman's home down would be addressed at this meeting. He stated that he did not make that statement and someone needed to correct the statement.

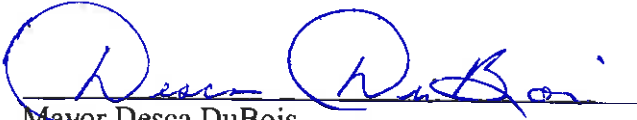
Vice-Mayor Osterman stated that she watched the recording of the meeting several times and knew verbatim what Mr. Balius had said which was that he had heard other people make the comment of wanting to burn Commissioner Hockman's home down. She stated that at the last meeting very clearly and she would say it again. Mr. Balius did not threaten anyone. He repeated a threat that he had heard.

Mr. Balius stated that he had gotten several calls from residents when Commissioner Longtin made that statement. He stated that they were shocked that he would say that, but he did not say that.

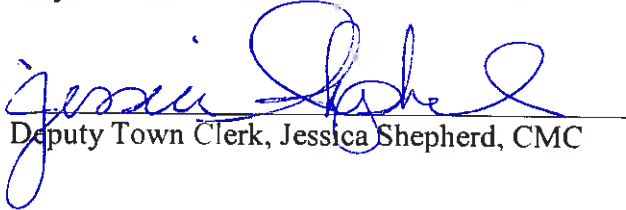
Mayor DuBois apologized to Mr. Balius for the incident.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rumsey and seconded by Vice-Mayor Osterman, and by unanimous vote, the meeting adjourned at 7:50 p.m.



Mayor Desca DuBois



Deputy Town Clerk, Jessica Shepherd, CMC



Approved on this 16th of June, 2010