



**Minutes  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, January 4, 2012 8:23 p.m.  
Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, January 4, 2012 at 8:23 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman, Jeanine Longtin and Tim Stevens, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley.

Vice-Mayor Rumsey led the Invocation and Mayor DuBois led 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 Longtin to approve the Agenda; Commissioner Stevens made the second.**

Vote on Motion:

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

Motion passed 5-0

**PUBLIC AND OTHER COMMENTS:**

None

**CONSENT AGENDA ITEMS:**

1. Regular Commission Meeting Minutes December 7, 2011
2. Regular Commission Meeting Minutes December 21, 2011
3. Resolution No. 01-01-12 Event Assistant

Commissioner Longtin requested that each item be discussed separately.

### 1. Regular Commission Meeting Minutes of December 7, 2011

**Motion: A motion was made by Commissioner Hockman to approve item number 1 on the Consent Agenda; Commissioner Stevens made the second.**

Vote on Motion:

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

Motion passed 4-1

### 2. Regular Commission Meeting Minutes of December 21, 2011

**Motion: A motion was made by Commissioner Hockman to approve item 2 on the Consent Agenda; Commissioner Stevens made the second.**

Vote on Motion:

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

Motion passed 4-1

### 3. Resolution No. 01-01-12 Event Assistant Job Description

Town Manager Davis explained that this job description was created to clarify the roles and duties of personnel assisting with events. She noted that the former Recreation Director was using Camp Counselors to perform this duty. She states that as personnel

leave the position of Camp Counselor a job description has become necessary in order to solicit applications for this position. The person hired will work on an as needed basis. She advised that the job description for a Camp Counselor does not fit with what an Event Assistant does. Therefore, an Event Assistant job description was created.

Commissioner Hockman asked if there are persons in mind for this position or will the Town be advertising for the position being created.

Town Manager Davis advised that there is one person on staff whom the Town has used in the past on an as needed basis. She stated that the Town would like to advertise this position to create a pool of individuals to be used on an as needed basis and that they would be paid by the hour. She explained that for the Town events the funds needed are already budgeted. She noted that the Town cannot advertise for a Camp Counselor and then have the person hired perform Event Assistant activities; a specific job description is required. She noted that this does not impact the budget.

Commissioner Hockman asked for clarification of job duties and asked if we are not trying to get a Recreation Director.

Town Manager Davis advised that this would just be an hourly worker who would assist the Recreation Director by setting up tables, chairs, putting out barricades, setting up tents and related activities.

Commissioner Hockman asked if there is a limit to the hours and times this individual would work.

Town Manager Davis explained that the position is budgeted for Town events and that there is oversight of the position and that the budget would not be exceeded. She further advised that when facilities are rented, the renter pays for the labor related to the use of the facility. She noted that this item would have no effect on the budget.

Vice-Mayor Rumsey asked if we can advertise this position just online and not in the Palm Beach Post and use all the means available to advertise this position at no cost to the Town.

Town Manager Davis responded "yes".

Vice-Mayor Rumsey asked that we not spend any money on this ad.

Commissioner Stevens asked how much was budgeted in Fiscal Year 2012 for this.

Town Manager Davis advised she did not have the budget amount at this time.

**Motion: A motion was made by Commissioner Stevens to approve item 3 on the Consent Agenda; Vice Mayor Rumsey made the second.**

Vote on Motion:

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

Motion passed 4-1

**Ordinance On First Reading:**

**4. Ordinance No. 01-2012 Remove Black Olive from Protected Tree List**

Town Attorney Baird explained that the Ordinance would remove the Black Olive from the list of protected trees.

Town Manager Davis explained that this is a housekeeping item that was brought to the Town's attention when a resident wanted to remove a Black Olive from their yard. She noted that the Black Olive tree should not be on the protected tree list.

**Motion: A motion was made by Vice Mayor Rumsey to approve the Ordinance on First Reading; Vice Mayor Rumsey made the second.**

Vote on Motion:

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

Motion passed 5-0

Town Attorney Baird read the Ordinance into the record by caption only.

**5. Ordinance No. 02-2012 Interest Rate for Code Violations**

Nadia DiTommaso, Community Development Director, explained that the Code currently contains an interest rate for Code liens and that State Statutes 55.03 was changed in 2011 requiring that the interest rate be changed on a quarterly basis instead of on a yearly basis. Therefore, instead of bringing back an Ordinance to change the rate on a quarterly basis this Ordinance would change the Code to reference the State Statutes and provide for staff to use the interest rate in effect at the time the lien is levied. She noted that the interest rate is set by the Palm Beach County Chief Financial Officer on a quarterly basis.

Mayor DuBois asked how this will be handled administratively.

Ms. DiTommaso responded that a member of the Community Development staff will be handling this.

**Motion: A motion was made by Commissioner Hockman to approve the Ordinance on First Reading; Commissioner Stevens made the second.**

Vote on Motion:

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

Motion passed 5-0

Town Attorney Baird read the Ordinance into the record by caption only.

**COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

**Commissioner Hockman** wished everyone a Happy Holiday and a Happy New Year.

**Vice-Mayor Rumsey** asked if we were on track for the Kelsey Park Green Market on Sundays beginning on January 22, 2012.

Ms. DiTommaso responded "yes".

**Commissioner Stevens** thanked staff for providing the Florida League of Cities Salary Survey. He asked about the Town Manager's contract and re-negotiation of salary.

Town Manager Davis advised that the contract specifically states to re-negotiate the contract sixty (60) days' advance notice must be given or it automatically renews. She advised notice would have been required in November of 2011.

Commissioner Longtin stated she thought the Town Manager contract could be re-negotiated at any time.

Town Attorney Baird explained that termination requires 60 days' advance notice or it automatically renews.

**Commissioner Longtin** stated she still does not know what the funds donated to the Community Garden are being used for or the function and purpose of the CDC and what affiliation the CDC has to the Town. She wished everyone a happy Martin Luther King Jr. Day.

**Mayor DuBois** thanked everyone for the holiday decorations around Town. He advised that on December 20, 2011 he was appointed by the Palm Beach County Board of County Commissioners to the Treasure Coast Regional Planning Council. He stated that he attended a presentation by the Florida Department of Transportation of the Fast Start Program, which would provide rail transportation to Northern Palm Beach County using the CSX railroad tracks. He noted that he has requested that the Florida Department of Transportation and the Florida East Coast Railway both present their plans before the Town Commission in the near future.

**Town Manager Davis** advised that the tree planting and plaque unveiling in memory of former Mayor Desca DuBois would be on Saturday January 7, 2012 at 10:00 a.m. at Kelsey Park immediately followed by refreshments at the Evergreen House. She stated that at the last Commission Meeting, Coach Michael O'Rourke spoke about volunteers being required to submit for drug screening and physicals. She advised she reviewed the policy and that the procedure requiring volunteers to submit to a drug screening and physical has been suspended. She noted that criminal background screening would be continued but the drug screening and physical requirement was onerous. She also stated that Coach O'Rourke had voluntarily consented to take the drug test and physical. She congratulated Mayor DuBois for his appointment to the Treasure Coast Regional Planning Council. She noted his appointment is important for the Town. She noted that there will be a sewer construction project beginning approximately January 9, 2012 in the 700 block of West Ilex and West Jasmine in the easements and alleyway during the evening.

Vice Mayor Rumsey asked for a status update on the Army Corp of Engineers.

Town Manager Davis stated that the Army had a bid protest and that has delayed the design of the project. She advised she would follow-up.

Vice Mayor Rumsey advised he had noticed equipment on the property.

Nadia DiTommaso, Community Development Director, advised that Palm Beach County is currently doing median improvements on West Park Avenue and that they are storing equipment for the project on the property.

**Attorney Baird** advised that as part of the Inspector General lawsuit, the parties are required to participate in mediation. He advised that the required mediation would be held on February 9, 2012, assuming all parties agree to the date. He explained that all the cities involved in the lawsuit are being requested to have a quorum present at the mediation. His recommendation is that at least one member of the Commission be present at the meeting. He advised that the mediation would be after 10:00 am and the possible location is Palm Beach State College. He would advise more when information is available.

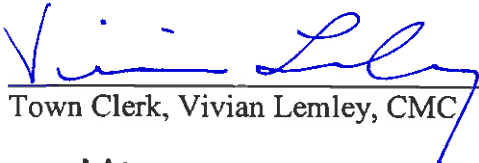
Mayor DuBois asked if the Commission members need to advertise attendance at mediation meeting prior to the day of the meeting.

Attorney Baird advised the meeting will be an advertised sunshine meeting and any member of the Commission can attend and notice of attendance was not required. He recommended that at least the Mayor attend and other members if possible. He advised that mediation of the Marina case would be on January 23, 2012. He advised he has received no additional information regarding the Sober House legislation. He advised that there was a bill ready to file in the House by Representative Hager from Boca Raton. He stated that the Cities of Boca Raton and Delray Beach expressed concerns about the legislation and the concerns could not be alleviated and that Representative Hager had withdrawn support for the bill. He then received a call from Representative Hager's aide requesting that support from all the stakeholders be sought and advised that the legislation would amend chapter 397 instead of chapter 419 of State Statutes. He advised that he needs to talk with Mr. Gomez regarding any conflicts with changing the Statute with the Department of Children and Families as that is the entity that regulates chapter 397 State Statutes. He advised that at this point it is a pending issue and that there appears to be support for the amended legislation.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Stevens and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 9:03 p.m.

  
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Mayor James DuBois

  
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Town Clerk, Vivian Lemley, CMC



Approved on this 18 of January, 2012





# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, January 4, 2012,  
Immediately Following the  
CRA Board Meeting,  
Lake Park Town Hall  
535 Park Avenue

<b>James DuBois</b>	—	<b>Mayor</b>
<b>Kendall Rumsey</b>	—	<b>Vice-Mayor</b>
<b>Steven Hockman</b>	—	<b>Commissioner</b>
<b>Jeanine Longtin</b>	—	<b>Commissioner</b>
<b>Tim Stevens</b>	—	<b>Commissioner</b>
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<b>Maria V. Davis</b>	—	<b>Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian M. Lemley, CMC</b>	—	<b>Town Clerk</b>

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. **CALL TO ORDER**

B. **INVOCATION**

C. **PLEDGE OF ALLEGIANCE**

D. **ROLL CALL**

E. **ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

F. **PUBLIC and OTHER COMMENT:**

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a **TOTAL** of three minutes.

G. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items

unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

**Recommended For Approval:**

1. Regular Commission Meeting Minutes December 7, 2011 Tab 1
2. Regular Commission Meeting Minutes December 21, 2011 Tab 2
3. Resolution No. 01-01-12 Job Description for the Position of Event Assistant Tab 3

**H. ORDINANCE ON FIRST READING:**

4. Ordinance No. 01-2012 Remove Black Olive from Protected Tree List Tab 4  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 34, ARTICLE I; SECTION 34-2 OF THE TOWN CODE, ENTITLED "DEFINITIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

5. Ordinance No. -2012 Interest Rate for Code Violations Tab 5  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 9, ARTICLE II, SECTION 9-37, OF THE TOWN'S CODE OF ORDINANCES PERTAINING TO THE STATUTORY INTEREST RATE TO BE APPLIED TO FINES WHICH HAVE ACCRUED FROM CODE ENFORCEMENT PROCEEDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**I. COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:**

**J. ADJOURNMENT:**