



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, May 16, 2012 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, May 16, 2012 at 7:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kendall Rumsey, Commissioners Steven Hockman, Jeanine Longtin and Tim Stevens, Interim Town Manager Jamie Titcomb, 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:

Interim Town Manager Titcomb requested that under Discussion and Possible Action an item regarding the Army Reserve Emergency Operation Center (EOC) planning meeting representation.

Motion: A motion was made by Commissioner Stevens to approve the Agenda as amended; Commissioner Hockman 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

PROCLAMATION:

1. 2012 National Public Works Week - May 20-26, 2012

Mayor DuBois presented the Proclamation to Public Works Director David Hunt. Public Works Director Hunt accepted the Proclamation on behalf of the Public Works Department.

PUBLIC AND OTHER COMMENTS:

None

CONSENT AGENDA ITEMS:

- 2. Regular Commission Meeting Minutes of May 2, 2012
- 3. Special Call Commission Meeting Minutes of May 9, 2012

Motion: A motion was made by Commissioner Stevens to approve Consent Agenda; Commissioner Hockman 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

BOARD MEMBERSHIP APPLICATIONS:

4. Reappointments of Planning and Zoning Board Memberships

Mayor DuBois stated that the Commission received ballots and all the ballots have been turned in.

Town Clerk Vivian Lemley stated that the ballots have been counted and that Judith Thomas and Robin Maibach have been reappointed to the Planning and Zoning Board. The ballots are attached as Exhibit "A".

Mayor DuBois stated that Ms. Thomas and Ms. Maibach have been reappointed to two year terms and thanked them for their service to the Town.

DISCUSSION AND POSSIBLE ACTION:

5. Hedge Plant Selection for Downtown Town Alleyway 7th to 8th Street

CRA Project Manager Richard Pittman explained that this item is regarding the type of hedge plant materials for the Downtown Alleyway from 7th to 8th Streets. He stated that the original plan was to plant Ficus as the hedge material. He stated that the current Ficus

hedge in the Downtown Alleyway has become a high maintenance issue because of the whitefly. He stated that the CRA Board requested that the item be taken to the Planning and Zoning Board for consideration and input. He stated that at the May 7, 2012 Planning and Zoning Board meeting he presented the item and requested that the Board select three top choices. He stated that the Planning and Zoning Board did not select a top three choices of hedge material as requested however, the Planning and Zoning Board did agree on the criteria for which the hedge material should be selected. The criteria are as follows: 1. able to meet height requirement of 6', 2. drought tolerant, low water requirements when established, 3. Root system not damaging to adjacent asphalt, 4. low maintenance while having good appearance and 5. pest resistant. He stated that he will be seeking professional assistance to formulate a short list of plants that meet this criterion and that the hedge plant list would then be placed on the agenda for the next meeting of the Planning and Zoning Board. He stated that the cost for the professional would be no more than \$300.00.

Mayor DuBois asked if the Commission needed to take any action tonight.

CRA Project Manager Pittman stated "no".

Mayor DuBois stated that he discussed this item with CRA Project Manager Pittman after the Planning and Zoning Board meeting and that he has developed a price range of \$2,000 to \$8,000 for the planting materials depending on the type, number and size of plants.

CRA Project Manager Pittman agreed. He stated that the original plan called for 211 Ficus and stated that just looking at the small size Podocarpus 264 plants would be needed.

Commissioner Stevens asked about the Cocoplum.

CRA Project Manager Pittman explained that the Podocarpus is the Cadillac of hedge plants and that there are cheaper plants such as the Cocoplum.

Commissioner Stevens stated that in his opinion that the Cocoplum would meet all the requirements.

Mayor DuBois questioned the height.

Commissioner Stevens stated that the Cocoplum would eventually reach six feet it just takes awhile.

CRA Project Manager Pittman stated that Mr. Blakely commented at the Planning and Zoning Board meeting that the Cocoplum may have trouble looking good at six feet.

Mayor DuBois stated that he would have Public Works staff make the recommendation of the type of plant instead of hiring a professional.

Commissioner Longtin stated that she does not think a professional needs to be hired that that there are professionals in Town and that she spoke with someone and that he estimated 290 plants would be needed and suggested the Gumbo Limbo, Cherry and Schefflera. She stated that at a minimum the plants only could cost \$10.00 each and that she agreed with Mayor DuBois' cost estimation.

Mayor DuBois stated that he does not have a preference on the type of plant and his preference would be to leave the decision to staff.

Vice-Mayor Rumsey stated that he supports using in-house staff to select the plants and that there are professionals in Town that would be happy to provide their opinion and that he trust staff's selection.

Commission Longtin stated that she would like more information such as what plant is going to be chosen, what the options are and how much it is going to cost because some plants are \$10.00 and others are very expensive. She stated that she wants to know what the ultimate decision is going to be that she does not want to just leave it to staff.

CRA Project Manager Pittman stated that he suggested to the Planning and Zoning Board that the Board provide their top three choices and that he put in the bid all three and the Town could pick any of the three.

Vice-Mayor Rumsey stated that he thinks that the decision will have to come back to the CRA Board at which time CRA Project Manager Pittman can make his recommendation.

6. Army Reserve Emergency Operations Center (EOC) Planning Meeting

Interim Town Manager Titcomb explained that this item is being added because there is a meeting scheduled for June 4, 2012. He stated that this meeting is an initial planning meeting to coordinate with the designer and planners of the Army Reserve Center Project. He stated that there have been discussions regarding accommodations of an EOC component with the construction of the Center. He stated that he is asking for the Commission to designate a Commissioner to represent the Town.

Vice-Mayor Rumsey stated that he would like to be the representative for this project. He stated that he had long conversations with the Army Reserve in the negotiation stages and brought this issue up with them and he would like to follow through on this project.

Mayor DuBois stated that he has met with the Army Reserve several times also and thinks that Vice-Mayor Rumsey's input would be greatly appreciated.

Commissioner Longtin stated that she would like for it to be the Town Manager so that person can converse with all the Commissioners and provide input. She stated if it is just one Commissioner there would not be a lot of feedback.

Mayor DuBois asked if the Commission representative in addition to a representative from the administration.

Interim Town Manager Titcomb stated that is the intention. He stated that there are several persons from Town staff that have been working on this project and will attend these meetings regularly and keep the Town Manager up to date. He explained that the intention was to have an elected official be involved. He stated that if all the Commissioners were to attend these meetings that the meetings would have to be governed by the Sunshine Law. He suggested a designated point person and an alternate to have a person from the Commission to call on to attend these meetings.

Commissioner Longtin asked if the Army Reserve was open to providing an EOC.

Interim Town Manager Titcomb stated that he was not a part of the initial conversations but it is his understanding that there is a possibility.

Commissioner Longtin stated that she would prefer Commissioner Hockman because he has building experience and that he is more knowledgeable in these types of things.

Mayor DuBois stated that there is a nomination for Vice-Mayor Rumsey and a nomination for Commissioner Hockman. He asked for all in favor of Vice-Mayor Rumsey being the representative.

Vice-Mayor Rumsey, Mayor DuBois and Commissioner Stevens said aye.

Mayor DuBois asked for all in favor of Commissioner Hockman.

Commissioner Hockman said aye.

Mayor DuBois asked Commissioner Longtin for her vote.

Commissioner Longtin stated that Vice-Mayor Rumsey, Mayor DuBois and Commissioner Steven has decided that it will be Vice-Mayor Rumsey first and Commissioner Hockman second.

Interim Town Manager Titcomb stated that both Vice-Mayor Rumsey and Commissioner Hockman will be notified of the meetings as they are scheduled.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Hockman had no comments.

Commissioner Stevens had no comments.

Commissioner Longtin stated that the Army Reserve Center Groundbreaking is Saturday, May 19, 2012 from 10:00 a.m. to 11:00 a.m. She stated Memorial Day is May 28, 2012 and wished everyone a Happy Memorial Day. She stated that there will be no Sunset Celebration in May and will resume the last Friday of June.

Vice-Mayor Rumsey had no comments.

Mayor DuBois stated that he hoped everyone had a nice Mother's Day. He stated that on Thursday, May 17, 2012 Kiwanis is hosting a luncheon and that he will be presenting a State of the Town address. He stated that on Thursday, May 17, 2012 there will be a Bioscience Preservation meeting with an open house for Florida Public Utilities. He stated that there is an Inspector General meeting on Friday, May 18, 2012. He stated that the groundbreaking for the Army Reserve Center is on Saturday, May 19, 2012 and should be a nice event. He stated that he hoped that preliminary numbers for the budget will be forthcoming.

Commissioner Longtin asked that if at the groundbreaking there will be drawings or renderings of the project.

Mayor DuBois stated that he thinks it is just groundbreaking and that a site plan has not been developed yet.

Community Development Director Nadia DiTommaso stated that the preliminary meetings for the site plan are just beginning. She stated that the June 4, 2012 meeting will start the discussion with staff and the official site plan will be developed and the public hearing process.

Attorney Baird stated that an Attorney/Client session was held on May 9, 2012 to discuss the Marina lawsuit. He stated that the Commission authorized him to make an offer to the mediator in term of a settlement range that would be acceptable. He stated that he is pleased to report that the mediator was able to negotiate a settlement that would result in the Town being paid \$880,000. He stated that if the Commission wanted to accept the settlement a motion would be needed to accept the settlement and authorize the Mayor to execute all appropriate documents including releases that would be necessary to facilitate and finalize the settlement.

Commissioner Longtin asked if this had to done by a vote and not by consensus.

Mayor DuBois asked for a motion.

Motion: A motion was made by Vice-Mayor Rumsey to approve settlement as discussed; Commissioner Stevens made the second.

Commissioner Hockman stated that he must abstain from voting.

Commissioner Stevens stated that the lawsuit has been going on since 2007 and that the Town has racked up a lot of construction deficiency costs and legal costs. He stated that he is disappointed in the result but, that it is what it is and that as far a moving forward a resolution has been found and that the Code has been changed so that this cannot happen again.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner			

Hockman			Abstain
Commissioner Longtin	X		
Commissioner Stevens	X		
Vice-Mayor Rumsey	X		
Mayor DuBois	X		

Motion passed 4-0

Attorney Baird stated that there will be a mediation regarding the Inspector General Lawsuit on May 18, 2012 at 9:00 a.m. in West Palm Beach. He stated that Mayor DuBois and he will be attending the mediation on behalf of the Town. He stated he has talked with the mediator in the case.

Commission Hockman asked if West Palm Beach dropped out of the lawsuit.

Attorney Baird stated “no” that Wellington dropped out. He stated that he spoke with the West Palm Beach City Attorney and is sure that he would have been told if they dropped out.

Commissioner Longtin asked when she can answer questions from the Public regarding the lawsuit.

Attorney Baird stated to wait until the settlement agreement has been executed.

Commissioner Longtin asked when the settlement agreement would be executed.

Attorney Baird stated that Special Counsel Cook will notify the mediator and defendants tomorrow of the Commissions vote and that will start the process.

Commissioner Longtin asked to be notified when the settlement is executed.

Attorney Baird stated that he would do so and discuss the case with her so that she has all the information that she needs.

Interim Town Manager Titcomb provided the Commission an Interim Progress Report (Exhibit “B”). He requested that each Commissioner schedule a meeting with Finance Director Blake Rane through the Town Manager’s office. He stated that there is no longer a Friday or Sunday Market as Mr. Welsh provided the Town notice that he would be continuing with the market in Lake Park.

Mayor DuBois asked how to follow-up with Public Works Director Hunt regarding the comments he provided on the Silver Beach Road Improvement Project.

Interim Town Manager Titcomb asked how the comments were submitted.

Mayor DuBois stated via e-mail.

Interim Town Manager Titcomb stated that Public Works Director Hunt was been directed to archive all comments, considerations and concerns regarding the project and to forward those to the appropriate parties at the County.

Mayor DuBois stated that he would be happy to meet with Public Works Director Hunt to review his comments.

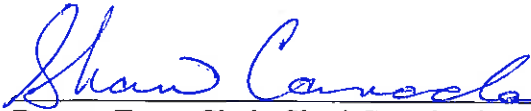
Public Works Director Hunt stated he would be willing to meet with Mayor DuBois.

ADJOURNMENT

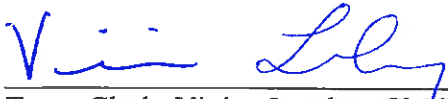
There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Rumsey and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 7:40 p.m.



Mayor James DuBois



Deputy Town Clerk, Shari Canada, CMC



Town Clerk, Vivian Lemley, CMC



FLORIDA

Approved on this 6 of June, 2012

BALLOT

Mayor
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES. THE TOWN COMMISSION MAY CHOOSE THE FOLLOWING APPLICANTS FOR REAPPOINTMENT.

Applicants:

	Yes	No
Judith Thomas (Regular)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robin Maibach (Regular)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

BALLOT

Hockman

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES. THE TOWN COMMISSION MAY CHOOSE THE FOLLOWING APPLICANTS FOR REAPPOINTMENT.

Applicants:

	Yes	No
Judith Thomas (Regular)	<u>✓</u>	_____
Robin Maibach (Regular)	<u>✓</u>	_____

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

BALLOT

Rumsey

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES. THE TOWN COMMISSION MAY CHOOSE THE FOLLOWING APPLICANTS FOR REAPPOINTMENT.

Applicants:

	Yes	No
Judith Thomas (Regular)	<u>X</u>	_____
Robin Maibach (Regular)	<u>X</u>	_____

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

BALLOT

Longtin
MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES. THE TOWN COMMISSION MAY CHOOSE THE FOLLOWING APPLICANTS FOR REAPPOINTMENT.

Applicants:

	Yes	No
Judith Thomas (Regular)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robin Maibach (Regular)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

BALLOT

Stevens

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING & ZONING BOARD WITH TWO ALTERNATES. THE TOWN COMMISSION MAY CHOOSE THE FOLLOWING APPLICANTS FOR REAPPOINTMENT.

Applicants:

	Yes	No
Judith Thomas (Regular)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robin Maibach (Regular)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- NO OTHER APPLICATIONS HAVE BEEN RECEIVED

TOWN OF LAKE PARK

MEMO



To: Town Commission
From: Jamie Titcomb, Interim Town Manager
Date: May 16, 2012
Subject: Interim Progress Report

Positions & Updates:

- **Finance Director** – Blake Rane started May 2nd. We are making tremendous strides internally sifting through budget document, procedures and most importantly working toward a significant presentation on CRA Budget and Finance issues for presentation to that board on June 6th. Initial internal budget worksheets are being circulated to begin the FY13 process of data collection.
- **Recreation Director** – Kathleen Carroll, who started also May 2nd, has the Town's Summer Camp program almost completely configured and sign ups are coming in at a healthy pace. We are also working with pending sports leagues and other groups to build programming for the sports fields and other town programs.
- **Marina Director** - We have completed the hire process for our new Marina Director, James C. Hart, Jr. who is scheduled to start on June 19th. This is two weeks later than originally thought, but he is finishing major grant and project work at his current employment. James is a Certified Marina Manager and brings over two decades of direct marina industry experience to the table.
- **Army Reserve Center** – Ground breaking Ceremony will be held this Saturday to begin the project through its various phases. The Mayor and Town Manager are currently scheduled to attend and represent the town officially.
- **Army Reserve Center and EOC** – There is a meeting June 4th for initial planning to coordinate with designers/planners of the Army Reserve Center and talk about town plans and needs for a potential EOC operations room as part of the project. The commission should designate a point person to represent the town's interests.
- **Peace Officers Memorial Day** – was Monday, May 14th, by declaration from the President of the United States and the Governor of the State of Florida, flags were flown at half mast in remembrance and honor for those who have given and sacrificed in law enforcement related fields.
- **Memorial Day Weekend** – Friday, May 25th the Town's offices are closed for a town furlough day and Monday May 28th they are closed in observance of the Memorial Day holiday.
- **10th Street Incident** – PBSO and Fire Rescue cordoned off a two block area of Tenth Street Tuesday morning responding to an apparent cardiac arrest incident and a suspect chemical leak (reportedly unrelated). The gentleman was transported and passed. The chemical leak was unsubstantiated.
- **Silver Beach Road Improvement Project** – We have plans available for any member of the town and public to view in Community Development. All input on the project can be submitted accordingly there and we will designate Public Works Director Dave Hunt to be the point person to make sure all input gets forwarded to appropriate counterparts in the county's project team, until such time as formal public meetings are held by the county at various mileposts of the progression.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, May 16, 2012, 7:00 p.m.,
Lake Park Town Hall
535 Park Avenue

James DuBois	—	Mayor
Kendall Rumsey	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Tim Stevens	—	Commissioner
.....		
Jamie Titcomb	—	Interim Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian Mendez Lemley, CMC	—	Town Clerk

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. PROCLAMATION:

1. 2012 National Public Works Week – May 20-26, 2012

Tab 1

G. 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.

H. 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:

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| 2. Regular Commission Meeting Minutes of May 2, 2012 | Tab 2 |
| 3. Special Call Commission Meeting Minutes of May 9, 2012 | Tab 3 |
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| I. <u>BOARD MEMBERSHIP APPLICATIONS:</u> | |
| 4. Reappointments of Planning and Zoning Board Memberships | Tab 4 |
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| J. <u>DISCUSSION AND POSSIBLE ACTION:</u> | |
| 5. Hedge Plant Selection for Downtown Town Alleyway 7 th to 8 th Street. | Tab 5 |
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| K. <u>COMMISSIONER COMMENTS, TOWN ATTORNEY, TOWN MANAGER:</u> | |
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| L. <u>ADJOURNMENT:</u> | |