



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Special Call Commission Meeting  
Wednesday, May 9, 2012, 6:30 p.m.  
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>Jamie Titcomb</b>	—	<b>Interim Town Manager</b>
<b>Thomas J. Baird, Esq.</b>	—	<b>Town Attorney</b>
<b>Vivian Mendez 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. **PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL**

**THE TOWN COMMISSION WILL CONVENE AN ATTORNEY - CLIENT SESSION TO DISCUSS PENDING MEDIATION IN THE CASE STYLED, TOWN OF LAKE PARK, ET. AL. VS. DEFENDANTS, APPLIED TECHNOLOGY MANAGEMENT, BRIDGE DESIGN ASSOCIATES, MURPHY CONSTRUCTION, THIRD PARTY DEFENDANTS CURRENT CONNECTIONS, DRAWDY CONSTRUCTION, FLORIDA FLOATS AND FOURTH PARTY DEFENDANT CARTER & SLOOPE.**

**AFTER THE ATTORNEY - CLIENT SESSION THE COMMISSION WILL RECONVENE THE SPECIAL CALL MEETING OF THE TOWN COMMISSION.**

- D. **RECONVENE THE SPECIAL CALL MEETING OF THE TOWN COMMISSION**
- E. **ORDINANCE ON FIRST READING:**  
**Ordinance No. 08-2012 Amending Section 2-81 of the Code to Provide that the Town Manager is Hired and Fired by a Majority of the Membership of the Commission**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II OF THE TOWN CODE, ENTITLED "TOWN COMMISSION"; PROVIDING FOR THE AMENDMENT OF SECTION 2-81(a) PERTAINING TO THE APPOINTMENT AND REMOVAL OF THE TOWN MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**F. ADJOURNMENT:**



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: May 9, 2012

Agenda Item No.

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING                        | <input type="checkbox"/> RESOLUTION                 |
| <input checked="" type="checkbox"/> ORDINANCE ON FIRST READING | <input type="checkbox"/> DISCUSSION/POSSIBLE ACTION |
| <input type="checkbox"/> ORDINANCE ON SECOND READING           | <input type="checkbox"/> BID/RFP AWARD              |
| <input type="checkbox"/> PRESENTATION/PROCLAMATION             | <input type="checkbox"/> CONSENT AGENDA             |
| <input type="checkbox"/> Other:                                |   |

**SUBJECT:** Amendment to section 2-81 of the Code to provide that the Town Manager is hired and fired by a majority of the membership of the Commission

**RECOMMENDED MOTION/ACTION:** Approval

Approved by Town Manager *James Titus* Date: 5/4/12  
*Vinny Lly* Name/Title May 4, 2012 Date of Actual Submittal

<b>Originating Department:</b>  Town Attorney	Costs: \$ 0.00  Funding Source:  Acct. #	<b>Attachments:</b> Email from Attorney Baird Ordinance
<b>Department Review:</b> [X] Attorney – <u>Email attached</u> [ ] Community Development [ ] Finance [ ] Fire Dept	[ ] Grants [ ] Human Resources [ ] Information Technology [ ] Library [ ] Marina	[ ] PBSO [ ] Public Works [ ] Recreation [X] Town Clerk <u>YML</u> [ ] Town Manager
<b>Advertised:</b> Date: _____ Paper: _____ [X] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case _____ <b>Please initial one.</b>

**Summary Explanation/Background:** At the Regular Commission Meeting of May 2, 2012 the Commission came to consensus to have the Attorney draft an Ordinance amending section 2-81 of the code to provide that the Town Manager is hired and fired by a majority of the membership of the Commission.

**ORDINANCE NO. 08-2012**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2, ARTICLE II OF THE TOWN CODE, ENTITLED "TOWN COMMISSION"; PROVIDING FOR THE AMENDMENT OF SECTION 2-81(a) PERTAINING TO THE APPOINTMENT AND REMOVAL OF THE TOWN MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, Chapter 2, Article II, of the Town Code establishes certain powers and duties pertaining to the Town Commission and the Town Manager; and

**WHEREAS**, Section 2-81 of the Code of Ordinances of the Town of Lake Park sets forth the specific powers and duties of the Town Commission; and

**WHEREAS**, the Town Commission has determined that it is necessary and advisable to amend Section 2-81 of the Code of Ordinances of the Town of Lake Park with respect to the appointment and removal of the Town Manager; and

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK FLORIDA:**

**Section 1.** The whereas clauses are incorporated herein as true and correct.

**Section 2.** Section 2-81(a) of the Code of Ordinances of the Town of Lake Park is hereby amended to read as follows:

(a) Appointment and removal. The Town Commission shall appoint and remove the Town Manager by a majority of the membership of the commission ~~by a four-fifth majority vote of its members~~ The Town Manager shall hold office at the pleasure of the commission. The Town Manager shall give the Town Commission at least 30 days notice in writing before resigning from such position. The Town Commission may then remove the Town Manager from office at once or permit the ~~city~~ town manager to serve out the time in office.

**Section 3. Conflicts.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4. Codification.** The sections of the ordinance may be renumbered or relettered to accomplish codification, and the words “ordinance,” “section,” “article,” or “paragraph” may be changed to provide for continuity.

**Section 5. Severability.** If any section, subsection, sentence, clause, phase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 6. Effective Date.** This ordinance shall take effect immediately upon adoption.

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