



# AGENDA

Lake Park Town Commission  
Town of Lake Park, Florida  
Regular Commission Meeting  
Wednesday, April 20, 2011, 7:00 P.M.  
Lake Park Town Hall  
535 Park Avenue

<b>Desca 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>Patricia Osterman</b>	—	<b>Commissioner</b>
.....		
<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.**

**For Approval:**

- 1. Regular Commission Meeting Minutes of March 16, 2011** **Tab 1**
- 2. Resolution No. 13-04-11 Amend the Job Description of the Deputy Town Clerk** **Tab 2**
- 3. Resolution No. 14-04-11 Amend the Job Description of the Town Clerk** **Tab 3**

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

**I. ADJOURNMENT:**

# Consent Agenda

# TAB 1



**Town of Lake Park Town Commission  
Agenda Request Form**

Meeting Date: **April 20, 2011**

Agenda Item No. *Tab 1*

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING              | <input type="checkbox"/> RESOLUTION                       |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION                       |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> BID/RFP AWARD                    |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input checked="" type="checkbox"/> <b>CONSENT AGENDA</b> |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    |   |
| <input type="checkbox"/> Other: Board Appointment    |   |

**SUBJECT:** Regular Commission Meeting Minutes of March 16, 2011

**RECOMMENDED MOTION/ACTION:** To Approve the Regular Commission Meeting Minutes of March 16, 2011.

Approved by Town Manager *Heather Davis* Date: *4/13/11*  
 Deputy Clerk *[Signature]* Date of Actual Submittal *4/13/11*

<b>Originating Department:</b> Town Clerk	Costs: \$0 Funding Source: Acct. #	<b>Attachments:</b> Meeting Minutes
Department Review: <input type="checkbox"/> City Attorney _____ <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____	<input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Personnel _____ <input type="checkbox"/> Public Works _____ <input checked="" type="checkbox"/> Town Clerk <i>YML</i> <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> 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 <u><i>[Signature]</i></u> : Please initial one.

**Summary Explanation/Background:**



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**Wednesday, March 16, 2011, 7:00 p.m.**  
**Town Commission Chamber, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, March 16, 2011 at 7:00 p.m. Present were Vice-Mayor Kendall Rumsey, Commissioners Patricia Osterman, Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Mayor Desca DuBois was absent.

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

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

Item #10 Designation of Voting Delegate and Alternate to the Palm Beach County League of Cities was pulled from the Agenda and deferred to the next Commission Meeting of April 6, 2011.

**Motion: A motion was made by Commissioner Osterman to approve the Agenda as modified; Commissioner Hockman made the second.**

Vote on Motion:

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

Motion passed 4-0

**PUBLIC AND OTHER COMMENTS:**

*Chris Price 644 Date Palm Dr., Lake Park* – stated that there was a parking issue at Bert Bostrom Park. He stated that cars were still parking along the sidewalks despite the “No Parking” signs. He stated that the problem has not been addressed because the events and activities there occur at night and Code Enforcement does not work past 5 p.m. He expressed his concerns with the issue and asked that an evaluation of the issue be considered. Secondly, he stated that there was an area on 7<sup>th</sup> Street just north of Park

Avenue on the West side there are two trees that hang over the sidewalk and if you are over 4 feet tall you have to get in the grass or duck down to get past it. He expressed his concerns and asked if it could be addressed. Lastly, he stated that in the CRA District along 10<sup>th</sup> Street, it did not seem pedestrian friendly on the east and west side of the road. There were not any dip downs for people in wheelchairs or on bicycles. He stated that the sidewalks were all curb high and asked that the situation be evaluated.

**CONSENT AGENDA:**

1. Regular Commission Meeting Minutes of March 2, 2011
2. Proclamation Declaring April as Florida's Water Conservation Month and May 15-21 as Water Re-use Week
3. Resolution No. 08-03-11 FIND Grant Submission
4. Resolution No. 09-03-11 Change to Fine Fee Schedule
5. Resolution No. 10-03-11 Change to Development Review Fee Schedule

**Public Comment Open.**

*None*

**Public Comment Closed.**

Vice-Mayor Rumsey stated that he had comment cards for Item Number 3 of the Consent Agenda and would therefore pull the item for discussion.

Commissioner Hockman requested that Item Number 2 of the Consent Agenda be pulled for discussion.

Commissioner Longtin asked that Item Number 5 be pulled from the Consent Agenda for discussion.

**Motion: A motion was made by Commissioner Osterman to approve Item Numbers 1 and 4 of the Consent Agenda; Commissioner Hockman made the second.**

Vote on Motion:

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

Motion passed 4-0

Commissioner Hockman asked if the confirmation for Water Reuse Week was received because the memo stated that it had not yet been set.

Town Manager Davis stated that she would have to find out and bring the item back to the Commission.

**Motion: A motion was made by Commissioner Hockman to approve the Proclamation for Water Conservation Month and to table the Proclamation for Water Reuse to be heard at the next Commission meeting of March 16, 2011; Commissioner Longtin made the second.**

Vote on Motion:

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

Motion passed 4-0

Vice-Mayor Rumsey explained that there were comment cards for Item Number 3 of the Consent Agenda, Resolution No. 08-03-11 FIND Grant Submission. He explained the process by which the public comment would be heard and when a response would be given.

**Public Comment Open.**

*Jorge Quintero, 301 Lake Shore Dr. Apt. 211* – “Good evening, my name is Jorge Quintero. I live at 301 Lake Shore Dr. Apt. 211. I’m here tonight to ask some questions with respect to this Resolution and also perhaps give some of my comments. As I understand the funding request for this Resolution anticipates the improvements to the section of Lake Shore Drive south of Cypress Drive with the creation of a pedestrian promenade.

Commissioner Osterman: “Excuse me, Vice-Mayor, may I just ask that you speak a little... with the A/C there’s an echo or something, I’m having a really hard...”

Mr. Quintero: “Sure, I’ll speak a little louder.”

Commissioner Osterman: “Thank you because I want to hear you and I just can’t.”



Mr. Quintero: "If...I'll speak a little closer to the microphone. It's my understanding that this relates to a funding request for improvements to the section of Lake Shore Drive south of Cypress Drive with the intent of closing that road and turning it into a pedestrian mall. There is also a reference to a proposal in the Resolution that would describe exactly what is to be done except that that proposal was not part of the agenda package. So I would request that those of us that are in that neighborhood understand exactly what it is that is being proposed. The concept of closing down that section of road for us along Lake Shore Drive, many of us, many that I have spoken to, and in my own case is problematic because basically it cuts off access to the only signalized intersection on the south end of the old Lake Shore Drive neighborhood. It is very difficult for a lot of our residents to make a left hand turn onto US 1 during most of the working day and particularly during the peak hours. Many of our elderly residents specifically rely on that intersection to make that south bound left turn movement. Closing off that road would not allow access to that signal and it's my understanding based on the requirements of FDOT as far as separation between traffic lights that there would not be the possibility of adding an additional signal along that corridor, especially the south end of the corridor which is really the area in question. Also, previous funding requests did detail more information about what was proposed for that area once the road was closed that included restaurants and restaurants with the potential for outdoor music. This is an area that is very residential. It's been residential for over 50 years and personally I would object to that and I know that many of my neighbors would as well."

Vice-Mayor Rumsey: "Thank you Mr. Quintero, thank you for coming tonight." The next person to speak is John Mede".

*John Mede, 220 Lake Shore Drive* – "Good evening. I'm requesting clarification for the funding from FIND regarding the parking lot and U.S. 1 and to provide half of the pedestrian walkway along Lake Shore Drive by the Marina. What is not understood is 'Provide half of a pedestrian walkway along Lake Shore Drive and the Marina'. What does that area encompass and how was the \$500,000 figure arrived at as the requested amount? As a neighbor and resident, what plans are available for view? Ms. Davis replied to an e-mail from my neighbor on 3/15 in which she refers to conceptual plans being available from the PowerPoint presentation made from the Town meeting on August 4, 2010. Are these the only renderings provided to the Commission to authorize this grant request, or has a further and more detailed set of plans been submitted? If so, by whom, to whom, and under what circumstances? Additionally, what is the zoning classification for the proposed restaurant site? The Palm Beach County Appraiser has it's the use code as 0/100 Residential. Has Leasing of South Florida requested a zoning change for this location? Please note into the meeting minutes of record that the residents of Harbor View Condominium located at 220 Lake Shore Drive, Lake Park wish to be included in notifications regarding future Town Commission decisions impacting the development and/or changes to the Lake Park Harbor Marina Promenade project as these decisions affect our residences and the quality of life in Lake Park. As indicated in the meeting minutes of August 4, 2010, the adjacent neighbor to the south had been contacted by Mr. Creber. Also reflected in those meeting minutes, both Commissioners Rumsey and Longtin expressed concern for the resident who did not want to sell. Quote, 'She stated that they may want to shield the home from extra noise and traffic from the

restaurant. Community Director Sullivan stated that they could install a fence of concrete wall if they so choose’.

Mr. Mede continued: “Where was the same consideration to the adjacent neighbors at 220 Lake Shore Drive. Never once has a Commissioner, Town Manager, Community Development Director, the Mayor, or a South Florida Yacht representative approached residents at 220 Lake Shore Drive indicating the plans in a formal capacity. How are we to interpret this blatant snub? In Ms. Davis’ response to Mr. Hedburg’s e-mail, Ms. Davis wanted to address a wild rumor being circulated regarding the funding of the restaurant and tiki bar. Ms. Davis replied that it was important that the facts be on the record. Ms. Davis, the fact is that you and the entire Counsel were complicit in fostering an environment promoting such rumors by not being good neighbors and apprising the residents of 220 Lake Shore Drive of the impact of the project. You selectively informed one adjacent property to the south of the proposed restaurant location and ignored the adjacent property to the north as evidenced in the meeting minutes of August 4, 2010. There was continued disregard, and Ms. Davis refused to meet with both neighbors simultaneously this past Monday choosing to meet with just the owner at 126 Lake Shore Drive and threatened to call off the meeting if Mr. Hedburg showed. I understand the motive and the need for consideration and cooperation from the homeowner at 126 as a request to alter their driveway configurations required to accommodate the proposed promenade. We wish to be good neighbors and request transparency from our Commissioners, Town Manager and Mayor so as to know what direction they are leading us to avoid any potential misunderstandings showed to us by our experiences by Abacoa Town residents and Jumby Bay and neighbors of Guanabanas Restaurant in Jupiter for example. Thank you.”

Vice-Mayor Rumsey: “Mr. Mede, thank you. Mr. Jim Lloyd.”

*Jim Lloyd, 220 Lake Shore Dr.* – “Good evening. I’ve handed all of you folks a letter which I wrote and I would like that if possible to be put into the minutes of tonight’s meeting. I will read it now if you want and we’ll go from there.

Mr. Lloyd read his letter to the Commission (see Exhibit “A”). He then stated, “I basically, in my letter, am not going to read it verbatim from now on, but I’d like you Commissioners to figure, to look at it this way. If this was happening to you, if you found out Monday that a tiki bar was being built adjacent to your home, how would you feel tonight when you hadn’t been told about it? I think you need to vote with that in your mind, that we were shut out and it’s just not right. Again, I would ask you to table discussion on this until the public can find out what’s going on. Thanks for your time.”

Vice-Mayor Rumsey: “Mr. Lloyd, thank you. Our next speaker is James DuBois.”

*James DuBois, 516 Sabal Palm Dr.* – “Hi, I’m James DuBois, 516 Sabal Palm Dr. I just wanted to speak for a second or two in support of the FIND grant. It’s been a long time coming, we’ve been seeking funds from the County which were approved I think at the August meeting and those were a large amount of funds and I think the redevelopment of the U.S. 1 Corridor is vital in this area and the funds from the FIND grant would be a strong capital investment here. I worked a little bit on the Evaluation and Appraisal

Report for the Comprehensive Plan and one of our key considerations during that EAR process was redevelopment of the U.S. 1 Corridor. I think it's absolutely vital that we are able to bring capital investment to the Town and the Marina here and we hear it over and over again in this period of the economy where economic development where you just can't say it enough. I worked on a task force out west that is working on economic development for three communities, Wellington, Royal Palm Beach, Greenacres and unincorporated Palm Beach County. It's all we do and we are working very hard with the BDB to attract economy to the western communities and if we are working half that hard here in Lake Park we would make some real accomplishments and I think the U.S. 1 Corridor is one place where it really needs to be done. Years ago there was a proposal to redesign the traffic flow that was originally designed for the Lake Park Marina and it encouraged the original design, not encouraged but made available and possible the potential for more traffic flow through the Marina, and many of the community members on Lake Shore Drive came out at that point and asked for a redesign. In fact they asked for a "promenade design" that reduced the number of parking spaces at the Marina and that design was accepted, adopted and it cost the Town about \$70,000 to change the Marina plans. So I am a little concerned now when I hear an objection to a promenade design and I'm just wondering what about that plan is not acceptable and I certainly hope that everything goes through with the planning of this in such a way that all of the neighbors are included in this and they are happy with the plan and supportive as I am."

Vice-Mayor Rumsey: "Thank you Mr. DuBois. At this time I'm going to ask Ms. Davis to respond to some of the questions that have been addressed in this and also give us a brief overview of what the FIND grant is applying for."

Town Manager Davis: "Thank you Vice-Mayor and good evening Vice-Mayor and Commission members and Mr. Attorney and the public and thank you for coming. I appreciate the concern. First of all before I get into talking about the FIND grant I would like to discuss what I was hearing as far as some of the concerns. I had a very, very preliminary meeting with the property owners at 126 Lake Shore Drive on Monday night to discuss the potential of a project that may happen on Lake Shore Drive and the potential impact to their property. For the public's edification, we had been approached by a developer who is interested in developing several parcels of land that front not only Lake Shore Drive but the U.S. 1 Corridor. We have not received a formal application for development. This is very preliminary. I understand the fear factor of hearing about a grant going in for a promenade that you may of just heard about this past Monday, but it was publicly advertised and we did a PowerPoint presentation with these conceptual plans on August 10<sup>th</sup> of 2010 and that presentation was open to the public. It was publicly advertised, and we had reruns of that PowerPoint presentation for two weeks on Channel 18. So it is not a brand new concept, the concept was discussed at length in August of 2010. The plans have been on the web and I think one of the questions was "Are the conceptual plans the only plans"? Yes, those are the plans that we submitted to the Town Commission and to the public on August 10, 2010 and those are the plans I discussed with the property owners at 126 Lake Shore Drive. The conceptual plan consisted of a pedestrian promenade on Lake Shore Drive which would mean closing either half of the street or the full street from Cypress Drive down to the very southern end of the road and one of the reasons why I sat down and discussed it with your neighbors at 126 Lake Shore Drive because I wanted to get their input as far as how they

felt about that since they are the ones that if this project came through, they would be the most impacted of anyone. Again, it was conceptual. I sat down with them on a preliminary basis to talk with them on how they would feel about this. Secondly, and I was very candid with everyone, yes, we've been speaking with a developer. There is no doubt that he has spoken with a number of the residents on Lake Shore Drive to discuss concerns and let them know about the project. There will be nothing that happens without adequate public input. In my e-mail to, in response to Mr. Hedburg, Mr. Hedburg was concerned, he had a number of concerns and this process is going to go through the full disclosure process if an application is even submitted to us. At this point in time, there has been no application for development on Lake Shore Drive. In the event that it is submitted, the residents as I had said in the e-mail today, all of the residents on Lake Shore Drive will receive notice. Residents within a 300 foot radius will receive certified mail advising them of public workshops we will have for that process. As far as the grant, as most of you are aware we just acquired a parcel of land at 115 Federal Highway and it is to expand boat trailer parking. We are going to use that parcel to add 30 parking spots for boat trailer parking and I think 15 or 16 spots for automobile parking. The grant was a combination grant and you asked how we arrived at the half million. When we did the conceptual drawings back in August of 2010, we asked the engineers to provide us with a budget per se for renovating the parking lot and also for renovating Lake Shore Drive. So we utilized those line items as a basis to submit the grant. This is very preliminary even in the grant process. The agenda item tonight is to not discuss whether we are going to close down Lake Shore Drive. It was simply asking the Commission for authority to apply for a grant. This Commission and the public is going to have plenty of time for input as to whether if there are grant dollars granted, as to whether or not we even accept the grant dollars. This is just a simple request to apply for grant dollars and there's a deadline coming up and that's why it's on the agenda tonight."

Vice-Mayor Rumsey: "Thank you".

Town Manager Davis: "I'm sorry there's something else I need to address. One of the speakers said that the Town Manager continuously refused to meet with residents. No, that's not factual. There was a miscommunication on my part the other night when I left a message for the residents at 126 Lake Shore Drive and I said I would like to meet with you and whomever. I did not mean the neighborhood, I meant anyone that was interested in that property and that was misunderstood and that was my fault so when I learned that the neighborhood was going to come to this meeting I said I really wanted it to be a private meeting and that's the only time I have ever said that I would not meet with someone. I'm willing to meet with anyone in the community at any time and we can discuss the project, we can discuss whatever you would like to discuss but for the record I have not continuously refused to meet with anyone, and with that Mr. Chair, I hope I've answered the questions."

Vice-Mayor Rumsey: "Thank you Madam Manager. I wanted to ask you a question real quick, at the August 10<sup>th</sup> meeting..."

Commissioner Longtin: "I'm sorry it was the August 4<sup>th</sup> meeting."

Vice-Mayor Rumsey: "I'm sorry we'll recognize you when you have the floor. At the August 4<sup>th</sup> meeting was there a vote taken by the Commission on any part of what we discussed or consensus given?"

Town Manager Davis: "Yes."

Vice-Mayor Rumsey: "Can you tell me what the vote was?"

Town Manager Davis: "It was unanimous."

Vice-Mayor Rumsey: "And the representatives who are on the dais now were also elected at that time, is that correct?"

Town Manager Davis: "I believe so, yes."

Vice-Mayor Rumsey: "I did want to just make a couple of comments, and again I want to thank the public for coming out. Listen, I understand the concern and I understand where you're coming from. Do I want a tiki hut built right next to my house? Probably not. Okay. However, I think we all know as a community that one of the things that we have tried to do with our Marina since it was built is put a restaurant there and that is something that this community has worked towards for many years and we have an opportunity now to possibly get there. Now what we're doing tonight is voting on whether or not to apply for a grant. That's all we're doing. We will come back to the public and we will come back as a Commission if an item is brought to this Commission with an agenda saying this is the plan for this property if something comes back. I can assure you that this Commission will move forward and have charrettes and many discussions on what this property will be if we go that route, and I hope that the public who entrusted us beyond the Commission will also entrust us and entrust enough to know that we will have community input on anything that we do there because in my opinion, the Marina is one of our greatest assets in our community and we want to do something that we can all be proud of if we do something there. We also will look at what is best for the entire community. So I hope that you all will understand that tonight it's just applying for a grant. That's all this vote is about. There is no plan before that has been turned in or finalized. So, I hope that you all will go through this process with us if we get to that level tonight. Does any of my fellow Commissioners have any comments?"

Commissioner Longtin: "Yes."

Vice-Mayor Rumsey: "Ms. Longtin."

Commissioner Longtin: "I'm going to read from this directly a couple of sentences regarding this if we vote for it. 'That it will accept the terms and conditions set forth in FIND Rule 66b 2FAC in which will be a part of the project agreement for any assistance awarded under the attached proposal.' There is no attached proposal. 'That it is in complete accord with the attached proposal.' Again, no attached proposal. 'And that it will carry out the program in the manner described in the attached proposal. Any plans and specifications attached thereto...' This is reminding of, we voted to put bathrooms at the Bert Bostrom Park and we voted to accept to go for grant money for bathrooms and

somebody took me to task on that because they said 'What did you vote for?' Bathrooms at the park. 'Yea, how many stalls? What does it look like?' Um, I don't know, bathrooms at the park. So, I don't know what I voted for. I know I'm being told that is what it's going to be used for but without a set of plans...I don't know, I don't know. We are going for, I forget what the amount of that was...\$50,000. But without a set of plans, you don't know what it's going to cost. This is exactly the same thing. If we vote for this, we are voting for something that we have not read because it speaks of an attached proposal. There is no attached proposal. It speaks of the promenade project and yea, I saw conceptual plans but I don't think we're going to be sending out conceptual plans. So, and I'm going to have to vote to table this. I agree with the gentleman that asked that we table it until of course the citizens can have more time to look at it that they too can also see this attached proposal.

Vice-Mayor Rumsey: "Mr. Hockman, do you have anything?"

Commissioner Hockman: "Yes, first of all to go back I heard several things here in the past few weeks. I actually did meet with the Manager as well as the developer with the proposed plans and looking at his preliminary plans that he was looking at, the first question I had made a comment to him was how are you putting a tiki hut out over the road? The road is enclosed. It was said to me that yes, we approved to close the road. He has been told at that time that the road was approved to be closed and I said again, and Nadia was there as well. I questioned it myself. I honestly don't recall that. I do recall the slide presentation and it was consensus if I was correct as far as what we liked the best. It wasn't a vote for anything. With that said, actually by the records in the minutes from that meeting it specifically says what we did vote on was the approval of the bond. That was it. There was nothing in the minutes from that meeting on the 4th or anything in regard to what was voted on as far as closure of the road or any of that stuff. So I want to say that. As far as the bond, I would rather, if we're going to do the bond, I think at this point, I think the bond should be written to before the modifications of the parking lot that we just bought. The reason I say that is we bought this lot for 2.4 million dollars, three times the face value. The problem of it is, the last meeting, now we have more work to have to do to put pavement and do work because of all this. We have to get rid of the building and so forth. Have we spoken to Seacoast at this time with what needs to be done on the road pavement wise? For example, there is a manhole that sits approximately right out the front door and I'm sure the gentleman from Southern Yacht would probably know what I'm talking about, but according to Seacoast drawings there is a manhole sitting in the middle of the property though. Well that manhole is going to have to be changed. Unfortunately that manhole has sewer lines coming into it not only from this building but it's got sewer lines coming in from the buildings to the north according to Seacoast and their engineering drawings. Those water lines on the property that not only feed the building, but it feeds through the property to the buildings to the north. We have to abandon these lines you just don't cap it. This is more cost and what I was afraid of like I said, I'm afraid that these costs are going to start climbing. We're talking about having to cut it at the slowest point meaning at the road. Have the re-route lines to any buildings whether it goes to the house down there on the corner or where they go I didn't get into all that. I think the money is going to end up needing to go strictly to doing a parking lot that all we had to do was pave and this is what I was afraid of when we bought this thing, and I think we really need to look at that firstly because

Seacoast is not going to let us just rip the building down and just put a cap in the sewer line. That is not going to be allowed. They don't want any contaminants getting into the sewer. We got to do the water lines. We got to cap it at the property line. We got to cap the fire hydrant, the sprinkler system. This is going to add a tremendous amount of cost. It's not a hundred dollar job just to put a cap. We have to get the contractor out there. They'll have to dig it all up and reroute lines as well. So if we go forward with this grant, my recommendation is that it is specifically for the parking and redoing what needs to be done in the parking lot to make it usable and not have any mention of the promenade since nothing has been approved for the promenade and keep that out of it at this time. I actually got a lot more if we want to go on. I have a lot of questions."

Vice-Mayor Rumsey: "That's what we are here for, if you want to ask questions."

Commissioner Hockman: "You know, again, as Commissioner Longtin had said, it talks about plans being submitted. I'm assuming that we have to submit the application with something. I can't believe that they would allow us to submit without plans. Whether it's conceptual or not but I believe we have to submit something."

Town Manager Davis: "Commissioner, we met with FIND today and the very package that you saw on August 4<sup>th</sup> of 2010 is what we presented to them today and they indicated to us that it was acceptable, and the very package that the engineers provided for the renovation of the parking lot and the renovation of I think it was half of the promenade. They are very excited about the project. They spoke very favorably about it. They are very familiar with our Marina and I walked out of there feeling quite confident of their view of the project."

Commissioner Hockman: "So, if we're talking about only half of the promenade, are we talking about this half to where the parking is, the meters that we would do? Again, we have multiple packages and I'm sure they kind of want to know what are actual..."

Town Manager Davis: "Who is they?"

Commissioner Hockman: "FIND".

Town Manager Davis: "I'll be happy to provide you with a copy of what we provided to FIND."

Commissioner Hockman: "I mean again, it's not really broken down as far as how much money is allotted for the parking, how much for the promenade?"

Town Manager Davis: "Because we haven't applied for it yet. You don't do that until you apply for it."

Commissioner Hockman: "But my concern is if we're applying for it and we don't seem to have a number 250 for the parking 250 for the promenade, are they going to put stipulations on it that we got to do? What I don't want to do is thinking that we could use a portion of it or use three-quarters to do the parking lot and then find out after the fact...no we could only use \$200,000 on the parking lot."

Vice-Mayor Rumsey: "Commissioner Hockman, I'd like to recognize Gini Martin who is our grants writer for a moment, please."

Grants Writer Virginia Martin: "Thank you. The numbers actually that were presented today, the promenade is only \$322,000 which is minimal start on that, and the parking lot was \$177,904.02. So that's what was presented and those numbers we can provide."

Vice-Mayor Rumsey: "Thank you Gini."

Commissioner Hockman: "So if I understand \$175,000 is for the parking. Are we able to change that and do the flow of the traffic in the Marina correctly? I guess some of my concerns, we're working to get this parking lot, the ways the plans were showing it, when the boat trailer leaves to go get his boat, he's going go out to the north onto U.S. 1. Unfortunately at this time there is a building sitting basically 8 or 10 feet from the fence. It could create some problems with somebody trying to maneuver a big boat trailer trying to get out onto U.S. 1. So it goes back to as I've said before the flow of the traffic trying to keep the people with the boat. And again, keep in mind that if a guy's got to go out and if we're closing the promenade, now this guy's got to cross U.S. One, he's got to go to Silver Beach; he's got to sit in traffic. You may have a guy sitting with his boat in the ramp for a half hour before he comes down there and gets his boat out of the water because he's fighting traffic to get across U.S. One and make the U-turn to come back. Is that going to be a problem? We keep talking about how the boat ramp is highly used and we want to increase it. Is that going to be practical? Again, as I've said before, the flow of the traffic trying to minimize traffic getting out. I think a lot more money is going to be needed for the parking lot rather than the promenade to really utilize this property. Now I don't know what the schedule is for Southern Yacht to remove that building to the north, if that's slated, I mean right now it's got a sign for lease whether they're going to lease it or rip it down you know they haven't approached or I haven't seen anything as far as...we're going to rip it down this summer once we open up this lot to be used for parking. I do not think we want guys trying to back a 30 or 35 foot trailer out backing out onto Silver Beach trying to make his turn and get it down to the Marina. I do not think we want to do that, so this is something we got to really look at for the use. Because if people cannot use the Marina in an easy manner they're not going to come to the Marina they are going to go to Phil Foster Park. If they find it too difficult to launch the boat and get the boats out of the water. I mean I've done it myself because of that. So that is something we definitely need to look at. I really honestly feel that we do need to change the grant and I don't know if that means they wouldn't give us the \$500,000 and keep it to the parking lot and revamping the other lot because I honestly think the utility costs are going to cost us a lot more if we start having to move man holes and sewer lines and water lines. That's it."

Vice-Mayor Rumsey: "Is that it?"

Commissioner Hockman: "That's it for now."

Vice-Mayor Rumsey: "Thank you Commissioner Hockman. One thing I did want to say is in your comments you referenced that we bought this land for 2.4 million dollars. Yes,



we did buy this land for 2.4 million dollars. That was a grant to us from the County. We did not go into our coffers and just pull 2.4 million dollars out and buy this land and I want to make sure that whenever we reference that we are being up and up on how that land was purchased. Commissioner Osterman, do you have any comments?"

Commissioner Osterman: "I have a couple of questions for the Town Manager and that is if we apply for the \$500,000 and it's basically a two-fifths three-fifths split; the \$200,000 for the parking lot roughly and the \$300,000 for the promenade. You said something earlier about that we could... all we're doing at this point is applying, not accepting."

Town Manager Davis: "That's correct."

Commissioner Osterman: "So if we later wanted to accept only the portion that was for the parking lot. Is that a possibility?"

Town Manager Davis: "I'd have to ask the Grants Writer. This is Virginia Martin by the way for the public's edification. She is an excellent Grants Writer."

Grants Writer Virginia Martin: "In answer to your question, yes we could just take part of the grant."

Commissioner Osterman: "Is there a possibility then to attempt to reallocate funds at that point and ask them to move some from A to B and vice-versa?"

Grants Writer Virginia Martin: "In the list of things that we requested for the parking lot, we pulled everything we could that FIND is able to fund. They won't fund landscaping, they won't fund certain things so anything that's on our list ...those are the things that they will fund and there was nothing in the parking lot that they will fund that we didn't put in."

Town Manager Davis: "Thank you for clarifying that because you brought out a very good point."

Commissioner Osterman: "I also would like to ask our Town Attorney about the legality of taking action tonight regarding the 72 hours that Mr. Lloyd mentioned."

Town Attorney Baird: "There's no prohibition in the Code or Florida Statutes regarding the Commission adding an agenda item within 72 hours. That's why you have additions, deletions, and approval of the agenda so that if there are items that come up after the agenda has been published you still have the flexibility to add those items or delete those items. The caveat to that would be to an item that requires public notice or published public notice in the newspaper. In those instances, that notice would have to be published in the time frame in advance of the meeting in order for that item to be heard but the Resolution that's being proposed tonight does not require public notice in that capacity or in accordance with the Town's Code."

Commissioner Osterman: "So just to clarify, for example in the future if we were to move forward with something like this and we were actually looking at the plans and we would

have to do public notice. That's the kind of situation that you're talking about. Where the homeowners would be invited. That is when it has to be noticed."

Town Attorney Baird: "Right, in your Town Code for zoning proposals for example, it sets forth in the Code the required notice and also Florida Statutes provides for a required notice and in addition the Code, and I think the Manager referenced this, the Code references what is usually called a courtesy notice that goes out by Certified Mail to property owners within 300 feet of an area proposed for zoning."

Commissioner Osterman: "Vice-Mayor, I would just like to make a comment, in that I remember for myself, my childhood home is on South Lake, and the Dockside Seafood restaurant had asked for permission to do a backside deck and a tiki bar on the back of their restaurant and my knee jerk reaction was oh my god how much noise is going to be coming across the water and it's ...just tonight before coming to the meeting I was with my son in the back feeding the seagulls and can I hear music? Yea, lightly, what I hear more of is traffic quite honestly off of Northlake and I know that when we are right next to a property it's going to affect us most directly but I also think that it's very important that we consider everyone in the community because this is an asset that belongs to the entire community and it's probably our most valuable asset. The reason that the County just invested 2.4 million dollars in our Town is because water access is so critical. There has been so much development so fast that the average person who can't afford a water side home doesn't have access and so governments are really trying to provide that for everyone. That was the Florida amendment that we voted on. So it's critical not just for the residents that are on Lake Shore. It's critical for the whole Town and it's critical for our whole county and the County has said that by investing 2.4 million dollars in our Town. I think that we need to proceed with care and analysis, but I think that we need to improve the values of our Town as much as we can. We need to develop where we can in a smart way. This is a gateway location to our Town. This is an opportunity to say "Hey, you've reached Lake Park and it's great, stay awhile." It's a really wonderful opportunity if we do it correctly and if we can do it with grant funding then we're able to improve our Town as opposed to some other Town improving their Town, and I would like to see us get a piece of that pie. Thank you."

Vice-Mayor Rumsey: "Any other comments?"

Commissioner Longtin: "Mr. Vice-Mayor."

Vice-Mayor Rumsey: "Yes, Ms. Longtin."

Commissioner Longtin: "It also states on the paperwork that the Town Manager and the Grants Writer will be meeting with the Palm Beach County FIND Commissioner and the FIND Assistant Director on Wednesday, today to determine the exact scope of work allowable under FIND guidelines. I have no idea what those meetings were about. I have no documentation on that and again grant money is just taxpayer's money redistributed. Now we've been told that we've got \$322,000 scheduled for the promenade, \$177,904.02 for the parking lot. Those are pretty exact numbers. I have no idea what makes those numbers up and again I'd like to think we will table this until we get more information and it's not just us but that our bosses, the citizens and the

taxpayers of this Town and because this is grant money and not just them but the county citizens have more time to look at this and maybe give more input into this decision.”

Vice-Mayor Rumsey: “Ms. Osterman.”

**Commissioner Osterman: “I’d like to make a motion that we table this item, if we need to call a Special Call Meeting, I don’t know when the deadline is, but motion to table as long as we have the opportunity to vote on it prior to submission deadline.”**

Vice-Mayor Rumsey: “Is there a second?”

**Commissioner Hockman: “I’ll second it to table it.”**

Vote on Motion:

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

Motion passed 4-0

Town Manager Davis: “Vice-Mayor, for the Commission’s information, the application deadline for this grant is April 1<sup>st</sup>. I think the next meeting is April 5<sup>th</sup> or 6<sup>th</sup>. What we can do is talk to FIND and see if they will allow us to submit late. If not, I would respectfully request a Special Call Meeting so that you could vote it up or down so that we know. I’m going to ask staff to proceed with the grant application process. We just won’t submit it until we have a Special Call Meeting and get your approval to submit it if that’s okay with you.”

Vice-Mayor Rumsey: “With no objection?”

Commissioner Hockman: “No objection.”

Commissioner Longtin: “I would like to add that it be made available online with all documentation, all numbers, conceptual, everything, the entire grant.”

Vice-Mayor Rumsey: “Thank you Commissioner Longtin.”

Commissioner Hockman: “The only thing I would like to add to it is that I don’t know if FIND will help pay for any of the you said landscaping but the redoing of the roadways, the sewer, the water. I think we definitely need to look at that, get with Seacoast, look at

what needs to be done so that if we can include those costs, we have it, that the Town doesn't have to come up and pay that money out of pocket just to be able to use this lot as a parking lot."

Vice-Mayor Rumsey: "Thank you Mr. Commissioner Hockman and we will go ahead and check into the next meeting if we can push this forward and get an extension we will do that and if not we will go ahead and plan on a Special Call Meeting."

Town Manager Davis: "Thank you."

Vice-Mayor Rumsey: "Thank you. I would like to thank the public for coming out tonight. We do appreciate you coming out sincerely. We're going to work on this together and make it something that we can all be proud of. We want you all to stay in there with us on this but it will be something the entire community can be proud of. We thank you all for coming out tonight and we are going to move on with our agenda at this time."

Commissioner Osterman: "Vice-Mayor may I make one comment?"

Vice-Mayor Rumsey: "Absolutely."

Commissioner Osterman: "I would just like to ask that those of you who came please do pay attention to the Town's website in the event that there needs to be a Special Call. We're going to ask for an extension. If that's possible we'll do it at our first meeting. If not, it will have to be a Special Call because we can't not vote on an item that could potentially bring in a half a million dollars to our Town that would be foolish. Saying that, if there is a possibility of making a phone call to at least a couple of the HOA presidents so that they have a heads up that the Special Call Meeting will happen. I think that will put them at ease a little bit more."

Town Manager Davis: "Absolutely."

Vice-Mayor Rumsey: "Thank you Commissioner Osterman. At this time we are going to move on with our Agenda. The next item on Consent that was pulled is Item Number 5 Resolution No. 10-03-11 Change to Development Review Fee Schedule. Who pulled the item?"

Commissioner Longtin: "I did sir."

Vice-Mayor Rumsey: "Go ahead Commissioner Longtin."

Commissioner Longtin asked if the Resolution was based on an Ordinance that they have yet to vote on.

Town Manager Davis explained that she made an assumption that the Commission would pass the Resolution since there were no prior objections to passing the Ordinance and if the Ordinance did not pass it would be a moot item.

Commissioner Longtin asked Attorney Baird if it was proper procedure to place the Resolution before the Ordinance that needed to be passed.

Attorney Baird stated that the Commission could vote to reorder the Agenda and place the Resolution item after the Ordinance, adopt the Ordinance and then pass the Resolution.

**Motion: A motion was made by Commissioner Osterman to reorder the Agenda and to place the Resolution item after Ordinance No. 02-2011 upon 2<sup>nd</sup> reading; Commissioner Hockman made the second.**

Vote on Motion:

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

Motion passed 4-0

**PUBLIC HEARING:**

**ORDINANCE ON 2<sup>nd</sup> READING**

**ORDINANCE NO. 02-2011 Bank Registration**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE III OF THE CODE OF ORDINANCES ENTITLED "HOUSING CODE" TO CREATE A NEW DIVISION 4, TO BE ENTITLED, "ABANDONED REAL PROPERTY;" PROVIDING FOR SECTION 54-101, ENTITLED "INTENT AND PURPOSE"; PROVIDING FOR SECTION 54-102, ENTITLED "DEFINITIONS"; PROVIDING FOR SECTION 54-103, ENTITLED "APPLICABILITY"; PROVIDING FOR SECTION 54-104, ENTITLED "REGISTRATION OF ABANDONED REAL PROPERTY"; PROVIDING FOR SECTION 54-105 ENTITLED "MAINTENANCE REQUIREMENTS"; PROVIDING FOR SECTION 28-106, ENTITLED "SECURITY REQUIREMENTS"; PROVIDING FOR SECTION 54-107, ENTITLED "IMMUNITY OF ENFORCEMENT OFFICER"; PROVIDING FOR SECTION 54-108, ENTITLED "ADDITIONAL AUTHORITY"; PROVIDING FOR SECTION 54-109, ENTITLED "REMOVAL OF ABANDONED PERSON PROPERTY AUTHORIZED"; 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 Commissioner Osterman to approve Ordinance No. 02-2011 upon 2<sup>nd</sup> reading;**

**Vice-Mayor Rumsey passed the gavel to Commissioner Hockman and made the second.**

Vote on Motion:

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

Motion failed 2-2

Attorney Baird read Ordinance No. 02-2011 by caption-only.

The Commission asked what would happen now since the motion failed.

Attorney Baird explained that a member of the prevailing side could bring back the Ordinance for consideration at the next meeting. If that is not done the Ordinance would not be adopted and there would not be a Bank Registration.

Town Manager Davis stated that she rarely weighs in on decisions that are made by the Commission; however, the Ordinance would enable staff to handle houses that are going into foreclosure with Code enforcement issues in an expedited fashion. She explained that the intention of the Ordinance is the hope that they can fine the property owners and tug on the banks' coat tails to go out and do the right thing and take care of the property. She stated that what has been happening is that the banks have told the Town that the properties are not in foreclosure yet and to go after the property owners. She stated that the Town has had to spend many of the taxpayers' dollars to clean up the properties. She stated that the Ordinance was a step in the right direction as far as enabling the Town and many other municipalities have adopted that same Ordinance. She stated that she wanted to make the Commission aware that by not adopting the Ordinance it sets the Town back in its ability to be able to deal with some health and welfare issues in a more expeditious and cost effective manner.

Vice-Mayor Rumsey explained to residents that because the Ordinance did not pass, the Town now does not have the power to make the banks mow the grass and clean the pools

of foreclosed homes in the Town. The Town's code enforcement officers would now have to be the ones who go out and mow the lawns and shock the pools. He stated that there were Commissioners who speak about watching every penny spent on that budget and the public just witnessed those same Commissioners add money on to the budget of the Town because they have decided that they do not want to make the bank who owns the foreclosure keep it clean and healthy for the residents of the community.

Commissioner Osterman stated that she would like Commissioners Hockman and Longtin to explain their position because she did not understand their objection. She read the explanation of the Ordinance from the agenda for the public's edification. She stated that Commissioner's Hockman and Longtin had a responsibility to explain to the public their stance.

Attorney Baird explained that if there were changes that either of the Commissioners would like to make to the Ordinance to make it more acceptable it could be brought back with those changes.

Commissioner Hockman explained that if the Town could not get the banks to come out now and take care of the properties he did not see the point in putting another law into place that would change anything to make the bank take care of the properties.

Attorney Baird stated that the Commission reached the point where it was out of order. He stated that debate was taking place that should have taken place before the motion was made. He stated that unless there was any direction on whether or not to make changes to the Ordinance; they were finished with the agenda item. He stated that if the Commission should determine that an Ordinance like it or similar to it was appropriate in the future then they could bring another Ordinance back for a bank registration fee with whatever changes the Commission deemed appropriate.

Commissioner Osterman asked what the requirement for bringing the Ordinance back would be.

Attorney Baird explained that the motion on second reading failed. If the Commission decided to bring the Ordinance back for reconsideration, the Commission would have to vote at a future meeting in order to do so. He explained that the Ordinance would need to come back in its present form or with changes.

### **ORDINANCE ON 1<sup>ST</sup> READING**

#### **ORDINANCE NO. 03-2011**

**ORDINANCE NO. 03-2011 – Non-Conforming Signage Expiration Date  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF  
LAKE PARK, FLORIDA, AMENDING ARTICLE IV, SECTION 70-  
104(e)(3) OF CHAPTER 70 PERTAINING TO LEGAL NON-  
CONFORMING SIGNS; PROVIDING FOR THE EXTENSION OF  
THE AMORTIZATION DATE FOR LEGAL NON-CONFORMING  
SIGNS TO JULY 5, 2016; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CODIFICATION; PROVIDING FOR THE**

**REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Public Comment Open.**

*None*

**Public Comment Closed.**

Town Manager Davis explained the reason for the Ordinance. She stated that the Ordinance would change the expiration date for non-conforming signs from July 1, 2013 to July 5, 2016. She stated that it was an effort to help those businesses that are not in compliance with their signs by relaxing the expiration date for which they would have to bring their signs into compliance.

Commissioner Longtin asked for clarification of which businesses and where.

Town Manager Davis stated that the Ordinance was for businesses in the entire Town. She explained that an Ordinance was adopted by the Commission requiring that all businesses come into compliance with their signs by July of 2013 and staff was now recommending that the expiration date be relaxed.

**Motion: A motion was made by Commissioner Hockman to approve Ordinance No. 03-2011 upon 1st reading; Commissioner Longtin made the second.**

Vote on Motion:

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

Motion passed 4-0

Attorney Baird read Ordinance No. 03-2011 by caption-only.

**DISCUSSION AND POSSIBLE ACTION**

**Resolution Adopted by the Town of Palm Beach, Palm Beach County**

Commissioner Longtin asked that Town Manager Davis discuss the item.

Town Manager Davis explained that the elected body of the Town of Palm Beach adopted a Resolution requesting that the Palm Beach County Sheriff's come under the oversight of the Inspector General.



Attorney Baird explained that there was a task force set up that is trying to shape legislation to apply the Inspector General's Office and the Commission on Ethics to the municipalities. He stated that it already applies to the County. One of the issues of great concern to the municipalities is funding because the County is asking the municipalities to fund that provision. He explained that he believed that the Town of Palm Beach was doing a tactical maneuver by asking the two largest public entities in the County which is the School District and the Sheriff's Office that they also be required to come under the Inspector General and Commission on Ethics as well. He stated that the added benefit to that would be that those entities would also be required to contribute to funding the Inspector General and Commission on Ethics which would mean that some of the burden would be taken off of the municipalities.

Commissioner Hockman stated that he assumed what would happen was the Sheriff's Department would attach the amount they have to pay to the Commission on Ethics and Inspector General to taxpayers' bills thus raising taxes.

Attorney Baird explained that the Inspector General and Commission on Ethics offices already have staff and what has happened at the municipal level is that the Inspector General has said in order to cover the new responsibility they would need 36 new staff member. The cities that are reacting are saying they are all for ethics but proportionate to the County their staffs and funding is much smaller. He explained that if the larger entities such as the School District and Sheriff's Office came under the same requirements then the funding would be more proportionate.

Commissioner Hockman asked if the Palm Beach County Fire Department was one of the entities included into the pool for funding the Inspector General and Commission on Ethics.

Attorney Baird stated that the Palm Beach County Fire Department was already included because they are a department of Palm Beach County and was always covered. He explained that the Palm Beach Sheriff's Office was a separate constitutional office. He explained that the School Board was also a separate legal entity.

Commissioner Osterman asked if the School District and Palm Beach County Sheriff's Office were added in, then would the Inspector General and Commission on Ethics need more than the 36 staff members that they are currently proposing.

Attorney Baird explained that the Inspector General would have to determine that.

Commissioner Osterman expressed her concerns regarding the Inspector General and Commission on Ethics.

Vice-Mayor Rumsey also expressed his concerns regarding the Inspector General and Commission on Ethics.

Commissioner Longtin asked that the Town also adopt a Resolution asking that the Palm Beach County Sheriff's Office and Palm Beach County School District be brought under the oversight of the Commission on Ethics and Inspector General's Office.

**The Commission came to consensus to bring back a Resolution stating that the Palm Beach County Sheriff's Office and Palm Beach County School District be brought under the oversight of the Commission on Ethics and Inspector General's Office for adoption at the next Commission Meeting.**

### **Re-assignment of Board Liaisons**

Vice-Mayor Rumsey explained that he asked for this item to be brought before the Commission. He stated that there were certain boards on which Commissioners have been assigned as liaisons and since a new term of the Commission had begun he felt it necessary to have re-assignments of those liaisons. He asked Town Clerk Lemley to state the current board liaisons.

Town Clerk Lemley stated that Commissioner Osterman was appointed as Planning and Zoning Board Liaison and Commissioner Hockman was appointed as the Library Board Liaison last year.

Vice-Mayor Rumsey asked those Commissioners if they would like to remain as liaisons on those boards or step down and allow another a Commissioner to serve as liaison.

Commissioner Osterman stated that she was willing to remain as liaison on the Planning and Zoning Board, but that Commissioner Longtin had stated last year that she did not want to serve as a liaison on a board in her first year as a Commissioner. She stated that she did not know if Commissioner Longtin was now willing to step up and serve as liaison in her now second year as a Commissioner.

Commissioner Longtin stated that she was not willing to become a liaison of those boards at this time.

Commissioner Osterman stated that she did not think that was fair.

Commissioner Longtin stated that the Commission was not addressing the Bioscience Land Protection Advisory Board and the Northlake Boulevard Task Force. She stated that she was not sure why just the Planning and Zoning Board and Library Board were being addressed because it was committee assignments that were requested.

Vice-Mayor Rumsey explained that the Bioscience Land Protection Advisory Board and the Northlake Boulevard Task Force were not committees of the Commission.

Commissioner Longtin stated that those boards should also be addressed every year.

Vice-Mayor Rumsey asked Commissioner Longtin if she was not willing for a second year in a row to serve on a board of the community.

Commissioner Longtin stated that that was correct.

Vice-Mayor Rumsey asked Commissioner Longtin if she was accepting a paycheck every two weeks just to sit as a Commissioner twice a month but not serve in on any committees or boards.

Commissioner Longtin stated that that was not true at all.

Vice-Mayor Rumsey asked Commissioner Longtin to explain.

Commissioner Longtin stated that she did not need to explain. She stated that she was still trying to figure out why one and one equals five and she is doing a lot of research to figure things out in this Town.

Vice-Mayor Rumsey asked Commissioner Longtin if she was saying that she was not willing to serve on a board of the community.

Commissioner Longtin stated that she was done with this “silly discussion.”

Commissioner Osterman stated that she did not think it was fair or acceptable. She stated that as elected officials they all have a responsibility to serve. She stated that they all do research and talk to members of the community. She stated that the Commission understood Commissioner Longtin’s reason for not serving the first year. She stated that she thought that Commissioner Longtin did have a responsibility to explain to the community why she was not stepping up. She stated that it was not fair, right, or acceptable.

Vice-Mayor Rumsey asked if Commissioner Longtin would like to say anything further.

Commissioner Longtin stated that she did not have anything further.

Vice-Mayor Rumsey asked Commissioner Hockman if he wanted to remain as board liaison of the Library Board.

Commissioner Hockman stated that he had no problem remaining as the board liaison on the Library Board.

Vice-Mayor Rumsey thanked Commissioner Hockman for stepping up. He recommended that the Planning and Zoning Board sit empty without a liaison until Commissioner Longtin steps up to serve on one of the boards of the community.

Commissioner Osterman stated that she would like to consider that recommendation and review the matter at the next meeting.

Vice-Mayor Rumsey agreed and requested that the board liaison item be brought back for discussion at the next meeting.

Commissioner Osterman agreed and requested that all of the boards and special assignments be discussed. She stated that the public has a right to know what everyone is doing on each board.

Vice-Mayor Rumsey agreed and stated that the designation of the voting delegate could also be considered at the next meeting.

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

**Mayor DuBois**

Absent

**Commissioner Longtin** asked for the status of the parking meter study that was requested by a resident at the March 2, 2011 Commission Meeting.

**Town Manager Davis** stated that she was out of Town in Tallahassee the week prior but the report was done and she would get it to the Commission.

**Commissioner Longtin** stated that Gail English passed away last Sunday and that he was an upstanding person who had a long history of service in the Town. She blessed his family and all those who would miss him. She wished everyone a "Happy St. Patrick's Day" and a "Happy First Day of Spring."

**Commissioner Osterman** announced the 2<sup>nd</sup> Annual Art on Park Festival on Park Avenue. She stated that a lot was learned from last year and she believed that this year would be more successful with a greater turnout.

**Commissioner Hockman** stated that the art opening that took place last Saturday was a great event with a lot of people and very nice art.

He stated that he has heard a lot of complaints about the Town's cable provider Comcast. He recommended asking Comcast to send a letter to residents with a local number to contact if they are having problems with Channel 18.

**Town Manager Davis** explained that Comcast had been informed and that Mayor DuBois had contacted the Vice-President of Comcast. She stated that they came to Town Hall and initially found a weak line. She stated that they were not able to duplicate the complaints at Town Hall because they were not having a problem there. Once Comcast came out with three different cable boxes they were able to duplicate the problem, it was determined that it was a problem with the cable boxes and overall an individual problem with each resident's cable service.

**Commissioner Hockman** recommended that a local number for Comcast be distributed to the residents so that the issues with their cable service could get fixed in a timely manner.

He stated that he hoped to see everyone out at the Art Show this weekend.

**Vice-Mayor Rumsey** stated that he had an issue with his cable as well and Comcast came out and determined that it was a wiring issue in his home.

He thanked everyone for coming out to the meeting. He stated that he hoped everyone would come out to the Art Festival.

**Attorney Baird**

None

**Town Manager Davis** stated that she wanted to wish Mayor DuBois well. She stated that they had been in Tallahassee together lobbying on the sober house issue and the pill mill issue when the Mayor became ill. She has been in bed ever since.

She announced that Town Hall would be closed on Friday March 18, 2011 for an employee furlough day.

She stated that she wanted to acknowledge the Town's landscape company, Chris Wayne and Associates. She stated that she has rarely seen a company as generous as Chris Wayne and Associates has been in sponsoring events. She stated that they were also replacing sod and plant material along Park Avenue at no cost. She stated that she wanted to acknowledge them as the company that takes care of the landscaping downtown on Park Avenue and 10<sup>th</sup> Street and that they do a wonderful job.

She encouraged everyone to come out to the Art Show on Park Avenue between 7<sup>th</sup> Street and 10<sup>th</sup> Street. There will be live entertainment on Saturday and Sunday. There will also be events for the children, great art, and great food.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Hockman and seconded by Commissioner Osterman, and by unanimous vote, the meeting adjourned at 8:45 p.m.

\_\_\_\_\_  
Mayor Desca DuBois

\_\_\_\_\_  
Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this \_\_\_\_\_ of \_\_\_\_\_, 2011

# TAB 2

**Town of Lake Park Town Commission  
Agenda Request Form**

Meeting Date: April 20, 2011

Agenda Item No. Tab 2

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION                |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> BID/RFP AWARD             |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    |  |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution to Revise the Town of Lake Park Uniform Classification System to Amend the Job Description for the Position of Deputy Town Clerk

**RECOMMENDED MOTION/ACTION:** Approve

Approved by Town Manager W. Davis Date: 4/15/11  
Vin Pely April 15, 2011  
 Name/Title Date of Actual Submittal

<b>Originating Department:</b> Town Clerk	<b>Costs:</b> \$ -0-  Funding Source:  Acct.	<b>Attachments:</b> Copy of Resolution and Job Description
<b>Department Review:</b> <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Human Resources <u>BMT</u> <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input checked="" type="checkbox"/> Town Clerk <u>vmc</u> <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> 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 _____ <u>vmc</u> Please initial one.



**Summary Explanation/Background:**

**Currently, a job description exists in the Town of Lake Park Uniform Classification System entitled Deputy Town Clerk. The purpose of this item is to revise this job description to more accurately reflect the current duties and requirements of this position as they have evolved.**

**There will be no additional financial burden placed on the budget of the Town of Lake Park as a result of this action as the annual salary range for this position will remain the same, which is \$34,624.51 to \$54,653.13.**

**RESOLUTION No. 13-04-11**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE TOWN CLASSIFICATION AND PAY PLAN TO AMEND THE JOB DESCRIPTION FOR THE POSITION OF DEPUTY TOWN CLERK; PROVIDING FOR THE PUBLICATION OF AN UPDATED CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park is a duly constituted municipality organized and existing under the laws of the State of Florida and Chapter 166, Fla. Stat; and

**WHEREAS**, the Classification and Pay Plan is based upon similarity of duties performed and responsibilities assumed, so that the same qualifications are reasonably required for the same schedule of pay, and are equally applied to all positions in the same class; and

**WHEREAS**, it is necessary to provide an updated listing of certain current titles and classifications within the Town service,

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, AS FOLLOWS:**

**Section 1.** The foregoing recitals are hereby incorporated as if fully set forth herein.

**Section 2.** The Classification and Pay Plan is revised to amend the job description for the position of Deputy Town Clerk. A copy of the amended job description is attached hereto as Exhibit A.

**Section 3.** This Resolution shall become effective immediately upon adoption.

<b>DEPUTY TOWN CLERK</b>
--------------------------

**JOB CODE:** 195  
**DEPARTMENT:** TOWN CLERK

**CHARACTERISTICS OF THE CLASS:**

Under the administrative direction of the Town Clerk, performs administrative work and provides technical assistance and support in the daily activities of this office, including the development of the Commission meeting agendas, preparation of Commission meeting minutes, election preparation and research activities. Also, provides clerical support and interacts with the general public on the telephone and in person. Performs related duties as directed. This is a non-exempt position.

**EXAMPLES OF ESSENTIAL FUNCTIONS:**

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of all job duties. The omission of a job duty does not preclude management from assigning duties not listed herein if such duties are a logical assignment to the Deputy Town Clerk position.

- Attends Commission meetings as needed and records the minutes of such proceedings
- Transcribes Commission meeting minutes and prepares them for approval by the Town Commission
- Assists in preparing, tracking and publishing items for the Commission meeting agendas
- Assists in tracking and publishing Ordinances and Resolutions for the Commission meeting agendas
- Assists in ensuring that all Ordinances are codified in a proper and timely manner
- Responds to public records requests and response to inquiries from the general public
- Maintains the Town Clerk's website by ensuring that agenda packets, bids, requests for proposals, and other items are posted in a timely manner;
- Researches Code books and other records management systems or other resources as requested
- In the absence of the Town Clerk, performs the duties of the Town Clerk by exercising sound judgment and discretion
- Attends meetings, conferences, workshops, and training sessions to become and remain current on the principals, practices and new developments. Maintains departmental files and records
- Performs lien searches
- Performs other duties as directed

## REQUIREMENTS

### A. Training and Experience:

Graduation from an accredited high school or GED, supplemented by three (3) years of extensive and documented experience in transcribing minutes and in performing responsible clerical work in a governmental setting, which includes organization and coordination of multiple tasks. Florida notary public commission or the ability to become commissioned as a Florida notary public within six months is required. Certification as a municipal clerk preferred.

### B. Knowledge Skills and Abilities:

- Thorough knowledge of the procedures of the Town Clerk, Town Commission, and related Town operations
- Thorough knowledge of clerical and modern office practices and procedures
- Thorough knowledge of Florida election laws, procedures and activities
- Thorough knowledge of Code of Ordinances of the Town of Lake Park and the Florida State Code
- Ability to read and understand laws, resolutions, ordinances, codes, etc.
- Knowledge of standard business English, spelling, grammar and punctuation
- Ability to prepare business correspondence
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Proficiency in the use of transcription equipment
- Excellent organizational skills
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under pressure of time-sensitive deadlines
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology
- Ability to establish and maintain effective working relationships with employees, Town officials, citizens, and over governmental officials

## **PHYSICAL REQUIREMENTS:**

- While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear. The employee will be required to use hands to manipulate, handle, feel or operate objects or controls and reach with hands and arms. The employee is occasionally required to climb, stand or balance, stoop, kneel or crouch. Task may involve extended periods of time at the computer keyboard. The employee must occasionally lift and/or move up to 20 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. Extensive close work, and extensive PC monitor work are required.

It is the policy of the Town of Lake Park CRA to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.

# TAB 3

**Town of Lake Park Town Commission  
Agenda Request Form**

Meeting Date: April 20, 2011

Agenda Item No. Tab 3

- |  |  |
|--|--|
| <input type="checkbox"/> PUBLIC HEARING              | <input checked="" type="checkbox"/> RESOLUTION     |
| <input type="checkbox"/> Ordinance on Second Reading | <input type="checkbox"/> DISCUSSION                |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> BID/RFP AWARD             |
| <input type="checkbox"/> ORDINANCE ON FIRST READING  | <input checked="" type="checkbox"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM    |  |
| <input type="checkbox"/> Other:                      |  |

**SUBJECT:** Resolution to Revise the Town of Lake Park Uniform Classification System to Amend the Job Description for the Position of Town Clerk

**RECOMMENDED MOTION/ACTION:** Approve

Approved by Town Manager W. J. Davis Date: 4/15/11  
Vin Lely April 15, 2011  
 Name/Title Date of Actual Submittal

<b>Originating Department:</b> Town Clerk	Costs: \$ -0- Funding Source: Acct.	<b>Attachments:</b> Copy of Resolution and Job Description
<b>Department Review:</b> <input type="checkbox"/> Community Affairs _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____	<input type="checkbox"/> Fire Dept _____ <input checked="" type="checkbox"/> Human Resources <u>BMT</u> <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____ <input type="checkbox"/> PBSO _____	<input type="checkbox"/> Public Works _____ <input type="checkbox"/> Town Attorney _____ <input checked="" type="checkbox"/> Town Clerk <u>VML</u> <input type="checkbox"/> Town Manager _____
<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> 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 _____ <u>VML</u> : Please initial one.

**Summary Explanation/Background:**

**Currently, a job description exists in the Town of Lake Park Uniform Classification System entitled Town Clerk. The purpose of this item is to revise this job description to more accurately reflect the current duties and requirements of this position as they have evolved.**

**There will be no additional financial burden placed on the budget of the Town of Lake Park as a result of this action as the annual salary range for this position will remain the same, which is \$50,854.75 to \$78,943.41.**



**RESOLUTION No. 14-04-11**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REVISING THE TOWN CLASSIFICATION AND PAY PLAN TO AMEND THE JOB DESCRIPTION FOR THE POSITION OF TOWN CLERK; PROVIDING FOR THE PUBLICATION OF AN UPDATED CLASSIFICATION AND PAY PLAN; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park is a duly constituted municipality organized and existing under the laws of the State of Florida and Chapter 166, Fla. Stat; and

**WHEREAS**, the Classification and Pay Plan is based upon similarity of duties performed and responsibilities assumed, so that the same qualifications are reasonably required for the same schedule of pay, and are equally applied to all positions in the same class; and

**WHEREAS**, it is necessary to provide an updated listing of certain current titles and classifications within the Town service,

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, AS FOLLOWS:**

**Section 1.** The foregoing recitals are hereby incorporated as if fully set forth herein.

**Section 2.** The Classification and Pay Plan is revised to amend the job description for the position of Town Clerk. A copy of the amended job description is attached hereto as Exhibit A.

**Section 3.** This Resolution shall become effective immediately upon adoption.

<b>TOWN CLERK</b>
-------------------

**JOB CODE: 190**  
**DEPARTMENT: TOWN CLERK**

**CHARACTERISTICS OF THE CLASS:**

Under the administrative direction of the Town Manager, directly responsible for the management of the budget, personnel and all administrative aspects of this department. Provides customer service to all Town residents and customers in matters pertaining to Town government. Serves as the Supervisor of Elections for all municipal elections, as the Financial Disclosure Coordinator with the Florida Commission on Ethics, and the Records Management Liaison to the Florida Department of State. Performs related duties as directed. This is an exempt position.

**EXAMPLES OF ESSENTIAL FUNCTIONS:**

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of all job duties. The omission of a job duty does not preclude management from assigning duties not listed herein if such duties are a logical assignment to the Town Clerk position.

- Attends Commission meetings and records the minutes of such proceedings
- Transcribes Commission meeting minutes and prepares them for approval by the Town Commission
- Prepares, tracks and publishes items for the Commission meeting agendas
- Ensures that all Ordinances are codified in a proper and timely manner
- Issues public notification of all official meetings
- Prepares, maintains, and updates documents such as the Commission agendas, Town Code of Ordinances, the Town Charter, advertisements, public notices, Ordinances, Resolutions and proclamations
- Responds to information requests from the public and other municipalities, state officials, and federal legislative offices
- Supervises all Town municipal elections
- Maintains and updates fiscal records and contracts
- Maintains custody of the Town seal
- Serves as the Town's chief records custodian by protecting and preserving all official records and documents, such as Ordinances, Resolutions, Commission and board minutes, contracts and agreements.
- Develops the annual fiscal budget for the Town Clerk's Department for approval by the Town Manager and presentation to the Town Commission
- Performs other duties as directed

## **REQUIREMENTS**

### **A. Training and Experience:**

Graduation from an accredited high school or GED, supplemented by a minimum of five (5) years of experience in the maintenance of complex records and the preparation of official documents with at least three (3) of those years as a municipal clerk or deputy clerk, including a minimum of three (3) years of managerial experience. Must be a Florida notary public. Certification as a municipal clerk preferred.

### **B. Knowledge Skills and Abilities:**

- Thorough knowledge of the procedures of the office of the Town Clerk, Town Commission, and related Town operations
- Thorough knowledge of clerical and modern office practices and procedures
- Thorough knowledge of Florida election laws, procedures and activities
- Thorough knowledge of Code of Ordinances of the Town of Lake Park and the Florida State Code
- Ability to read and understand laws, resolutions, ordinances, codes, etc.
- Knowledge of standard business English, spelling, grammar and punctuation
- Ability to prepare business correspondence
- Ability to prepare and present accurate and reliable reports containing findings and recommendations
- Strong interpersonal skills
- Excellent organizational skills
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language
- Ability to understand and follow oral and/or written policies, procedures and instructions
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under pressure of time-sensitive deadlines
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology
- Ability to establish and maintain effective working relationships with departmental officials, associates, subordinates, Town officials, and the general public

## **PHYSICAL REQUIREMENTS:**

- While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear. The employee will be required to use hands to manipulate, handle, feel or operate objects or controls and reach with hands and arms. The employee is occasionally required to climb, stand or balance, stoop, kneel or crouch. Task may involve extended periods of time at the computer keyboard. The employee must occasionally lift and/or move up to 20 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. Extensive close work, and extensive PC monitor work are required.

It is the policy of the Town of Lake Park CRA to prohibit discrimination on the basis of race, color, religion, gender, national origin, age, political affiliation, physical or mental disability (where the disabled persons are able to perform the work they are seeking with reasonable accommodation), marital status, familial status, or sexual orientation, or any other form of unlawful discrimination, except when such condition is a bona fide occupational qualification. Such employment practices include, but are not limited to, the recruitment, hiring, compensation, assignment, training, promotion, demotion, discipline or dismissal of employees.