



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, November 3, 2010, Immediately
following the CRA Board Meeting
Lake Park Town Hall
535 Park Avenue

Desca DuBois	—	Mayor
Patricia Osterman	—	Vice-Mayor
Steven Hockman	—	Commissioner
Jeanine Longtin	—	Commissioner
Kendall Rumsey	—	Commissioner
.....		
Maria V. Davis	—	Town Manager
Thomas J. Baird, Esq.	—	Town Attorney
Vivian M. Lemley, CMC	—	Town Clerk

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

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. ADDITIONS/DELETIONS - APPROVAL OF AGENDA
- F. CERTIFICATE OF APPRECIATION:
John Lineweaver
- G. PUBLIC and OTHER COMMENT
This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

- H. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

For Approval:

- | | |
|--|-------|
| 1. Regular Commission Meeting Minutes of October 6, 2010 | Tab 1 |
| 2. Street Closure Workshop Meeting Minutes of October 13, 2010 | Tab 2 |
| 3. Resolution No. 50-11-10 Revise the Town of Lake Park Uniform Classification System to Amend the Job Description for the Position of Library Monitor | Tab 3 |
| 4. Resolution No. 51-11-10 Sign a Purchase and Sales Agreement to Acquire a Parcel of Land Located at 115 Federal Highway, Lake Park | Tab 4 |

I. **PUBLIC HEARING(S):**

ORDINANCE ON SECOND READING:

5. ORDINANCE NO. 12-2010– Swale Maintenance

Tab 5

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING VARIOUS AMENDMENTS TO THE TOWN CODE TO ADDRESS SWALE AREAS IN THE TOWN; PROVIDING FOR THE AMENDMENT OF SECTION 16-10 OF THE CODE TO REQUIRE THE MAINTENANCE OF SWALES, DRIVEWAYS, DRIVEWAY APRONS, ALLEYS, AND CURBS BY THE PROPERTY OWNERS WHOSE PROPERTIES ABUT OR ARE ADJACENT TO SUCH AREAS; PROVIDING FOR THE AMENDMENT OF SECTION 34-2 OF THE CODE CREATING A DEFINITION OF THE TERM “SWALE OR SWALE AREAS”; PROVIDING FOR THE AMENDMENT OF SECTION 54-74 OF THE CODE, ENTITLED “ADDITIONAL LANDSCAPE AND PROPERTY STANDARDS” TO APPLY THESE STANDARDS TO SWALES, SWALE AREAS, SIDEWALKS, DRIVEWAY APRONS, AND DRIVEWAYS; PROVIDING FOR THE AMENDMENT OF SECTION 72-2 OF THE CODE, ENTITLED “OBLIGATION OF PROPERTY OWNER TO MAINTAIN PUBLIC SIDEWALKS ADJACENT TO PROPERTY OWNERS PROPERTY” TO PROHIBIT THE DAMAGE OR ALTERATION BY PAINTING OR MARKING OF SIDEWALKS, DRIVEWAY APRONS, DRIVEWAYS, CURBS, SWALES, OR SWALE AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

K. **ADJOURNMENT:**

Presentation



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 3, 2010

Agenda Item No.

PUBLIC HEARING

RESOLUTION

ORDINANCE ON FIRST READING

DISCUSSION/POSSIBLE ACTION

ORDINANCE ON SECOND READING

BID/RFP AWARD

PRESENTATION/PROCLAMATION

CONSENT AGENDA

Other: **Certificate of Appreciation**

SUBJECT: Certificate of Appreciation in Honor of John Lineweaver

RECOMMENDED MOTION/ACTION: Approval of Certificate

Approved by Town Manager *W. J. Davis* Date: *10/28/10*
Bambi McKeever - Person
 Name/Title *HR DIRECTOR* Date of Actual Submittal *10/28/10*

Originating Department: Parks and Recreation	Costs: \$ -0- Funding Source: Acct. #	Attachments: Copy of Certificate
Department Review: <input type="checkbox"/> Attorney _____ <input type="checkbox"/> Community Development _____ <input type="checkbox"/> Finance _____ <input type="checkbox"/> Fire Dept _____	<input type="checkbox"/> Grants _____ <input type="checkbox"/> Human Resources _____ <input type="checkbox"/> Information Technology _____ <input type="checkbox"/> Library _____ <input type="checkbox"/> Marina _____	<input type="checkbox"/> PBSO _____ <input type="checkbox"/> Public Works _____ <input type="checkbox"/> Recreation _____ <input type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: 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 <u>GRD</u> OR Not applicable in this case _____ Please initial one.

Summary Explanation/Background:



TOWN OF LAKE PARK

CERTIFICATE OF APPRECIATION

is hereby granted to

John Lineweaver

*for Devoting His Time and Effort in the Baseball Clinic
and Teaching the Basics of Baseball to Lake Park Children*

Awarded: November 3, 2010

Mayor Desca DuBois

Consent Agenda

TAB 1

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

Meeting Date: **November 3, 2010**

Agenda Item No. **1**

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input checked="" type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: **Regular Commission Meeting Minutes of October 6, 2010.**

RECOMMENDED MOTION/ACTION: Approve the Regular Commission Meeting Minutes of October 6, 2010.

Approved by Town Manager *W. Davis* Date: *10/28/10*
 Deputy Clerk *[Signature]* Date of Actual Submittal: *10/20/10*

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: 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 <u><i>YML</i></u> <input type="checkbox"/> Town Manager _____
Advertised: 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 <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, October 6, 2010, 7:00 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, October 6, 2010 at 7:00 p.m. Present were Mayor Desca DuBois, Commissioners Kendall Rumsey, Steven Hockman and Jeanine Longtin, Town Manager Maria Davis, Town Attorney Thomas Baird, and Town Clerk Vivian Lemley. Vice-Mayor Patricia Osterman was absent.

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

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None

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

Vote on Motion:

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

Motion passed 4-0

PRESENTATION

Palm Beach County Fire Department

Town Manager Davis introduced Battalion Chief Mike Wells from Lake Park Station 68. She explained that the presentation would be regarding staffing levels in the Fire Department which the Commission had requested at a previous meeting. She stated that she looked at the contract and it called for a maximum of three personnel on staff. The Commission requested that the Fire Department come in to discuss the contract because the Fire Department was reluctant to modify it.

Battalion Chief Mike Wells began a PowerPoint presentation titled "PBC Station 68 Staffing" (see Exhibit "A"). He explained and reviewed "PBC Station 68 Calls" (see page 2 of Exhibit "A"). He explained that different calls received and broke them down into totals and percentages. He gave a brief history of the "PBC Station 68 Staffing" (see pages 3 through 4 of Exhibit "A"). He stated that there were currently 6 people staffed at the Lake Park Fire Station and there were currently no plans to make a change. He explained that their decision was based on several factors and he explained each including the two in two out rule (see page 5 of Exhibit "A"). He stated that a letter had been drawn up by Palm Beach County Fire Rescue Chief Jerauld (see page 6 of Exhibit "A") outlining his intent to maintain current staffing levels.

Commissioner Hockman asked if there were six people on staff at all times.

Chief Wells stated yes.

Commissioner Hockman stated that if there was a house fire then there wouldn't be a situation of only three people showing up.

Chief Wells explained that stations run together and when there is a house fire or commercial fire three engines, two rescue trucks, a District Chief and EMS Captain responds to the call.

Commissioner Longtin asked if there were always six people at the station.

Chief Wells stated yes.

Commissioner Longtin asked if the two in two out rule was not an issue.

Chief Wells explained that the rule was done for that reason.

Commissioner Longtin asked if the two in two out rule was a state rule.

Chief Wells explained that it was and that Florida was an OSHA state and the two in two out rule was a law.

Commissioner Longtin asked if at any time Lake Park would have to wait on North Palm Beach to respond to a fire.

Chief Wells stated that Lake Park would respond but if the unit was already on call, North Palm Beach would come in to back it up.

Commissioner Rumsey stated that there were six people per shift but by contract there only has to be three people. He asked if since the law stated two in two out which was a minimum of four employees then why couldn't the contract be changed to reflect that.

Chief Wells explained that they did not know what the future holds for them economically and that it was difficult to change the contract without a change in cost.

Commissioner Rumsey asked if the contract was revised in 2002. He asked if there had been any other changes to the contract since then.

Chief Wells stated that he did not know of any other changes.

Mayor DuBois asked if it was 2004 or 2006 when Lake Park started partnering with North Palm Beach.

Chief Wells stated that it was 2006.

Mayor DuBois asked if a fire that happened in Lake Park that did not have enough response took place before or after the Town partnered with North Palm Beach.

Chief Wells stated that it was after Lake Park partnered with North Palm Beach.

Commissioner Rumsey asked that the two in two out law be clarified.

Chief Wells explained that the two in two out law determines if they can go inside of a building to fight a fire when they pull up. He gave an example of the two in two out requirement. He stated if an engine pulled up by itself and there were people inside an immediate rescue would be required. If no one was inside they would have to assemble the fourth person at the point in order to go in.

Commissioner Rumsey asked if Chief Wells if he understood where their concern was coming from.

Chief Wells stated that he completely understood but the plan was to keep the station staffed.

Commissioner Rumsey stated that he appreciated the working relationship that Lake Park has had with them. He stated that the Fire Department could have good intentions but things could always happen and as a community they would feel safer changing the contract.

Chief Wells stated that they were willing to make changes according to changes in economic times. He stated that Lake Park was fortunate to have six people on staff. He stated that a lot of stations only have five personnel.

Commissioner Rumsey stated that he did not want it to be perceived that the Commission or the Town did not like the services that the Fire Department was providing.

Commissioner Longtin stated that she did not understand how the contract was not in line with the state law and how that could be possible.

Chief Wells explained that the contract states three persons at the station but during a fire people are assembled at that point.

Commissioner Longtin stated that firefighters were waiting for the fourth person to show up from North Palm Beach during a fire that occurred in 2003 in which the house burned down.

Chief Wells explained the details of the fire and how it occurred.

Mayor DuBois asked if it made a difference on how quickly North Palm Beach responds. She stated that she wanted to understand the advantage of the partnership.

Chief Wells explained the process of how both Fire Departments respond to a fire.

Commissioner Longtin stated that she understood the intent but what if something happened and only three people could be at the station instead of the six and the contract states that only three need to be there. She stated that the Town would not have recourse if something were to happen as a result of the Fire Department being understaffed.

Chief Wells explained that they would come back and discuss it at that point.

Discussion ensued between Chief Wells and Commissioner Longtin regarding the contract between the Town and the Fire Department.

Chief ? explained in detail the two in two out rule and discussed the house fire that occurred in Lake Park in 2003.

Mayor DuBois spoke about how her nephew was a firefighter. She stated that she appreciated what Commissioner Longtin said regarding the 2003 house fire. She explained how she knew that there certain policies and procedures that firefighters need to follow.

Commissioner Rumsey discussed the response that was given by the Fire Department at one of the houses in his neighborhood last year. He stated that within three minutes there was a fire truck and within ten minutes the street was covered with fire trucks. He stated that he felt confident and hopeful that the incident that took place in 2003 would not happen again.

Lifeline Assistance and Link-Up Florida by Ava Parker

Ava Parker introduced herself and stated that she worked with the Office of Public Council for the state of Florida and the Florida Public Service Commission through education and outreach for Lifeline Assistance and Link-Up Florida programs which are programs that provide economically disadvantaged citizens with monthly assistance with their telephone bill or provide them with a free cell phone with free minutes. She stated that they go out and try to make citizens aware of the programs throughout the state of Florida. She explained the program and its benefits. She stated that they wanted to provide information about their programs to different communities and they were not looking for any contributions or donations.

Commissioner Longtin asked how the program reaches out to the community.

Ms. Parker explained that they try to work with different entities such as community centers or senior centers where economically challenged people may live and they work with those constituents to make them aware of their services.

Commissioner Longtin recommended putting information about the program in the Town newsletter.

Commissioner Rumsey asked if there was a date assigned to the endeavor.

Ms. Parker explained that the first step was to see if she could partner with the Town and then work with the Town Manager to come up with a date for the program set up an opportunity for members of the community to come by and learn about the program.

Commissioner Rumsey recommended using Commissioner Longtin's idea to advertise the event in the newsletter and set a date for it then. He asked when the next newsletter was due to come out.

Town Manager Davis stated that the next newsletter would be out at the end of November.

Ms. Parker stated that the end of November would be fine.

Mayor DuBois asked Ms. Parker to coordinate with Town Manager Davis.

American Cancer Society Relay for Life

Town Manager Davis introduced Anthony Robinson and Adrian Orozco as representatives for the American Cancer Society.

Mr. Robinson introduced himself and thanked the Commission. He began a PowerPoint presentation (see Exhibit "B"). He stated and explained their "Mission Statement" (see page 2 of Exhibit "B"). He reviewed and explained the "Research" portion of the presentation (see page 3 of Exhibit "B") He stated that they have provided 3.1 billion dollars to research since 1946 and have funded 44 Nobel Prize Winners. He reviewed and explained "Education" (see page 4 of Exhibit "B"). He explained the American Cancer Society from an "Advocacy" standpoint (see page 5 of Exhibit "B"). He explained the "Services" they provide (see pages 6 through 7 of Exhibit "B"). He introduced Adrian Orozco. Mr. Orozco continued the presentation and reviewed their "Volunteer Opportunities" (see page 8 of Exhibit "B") He concluded the presentation and gave contact information (see page 9 of Exhibit "B"). He explained that they were requesting to have two separate events in the Town. One would take place on May 20-21, 2011 and the other on October 19, 2010 which would be the kickoff party. He requested that both events take place at Lake Shore Park.

Mayor DuBois asked what time the kickoff party would start on October 19th.

Mr. Robinson stated that the party would begin at 7 p.m. but they would like to arrive by 6 p.m.

Mayor DuBois asked Town Manager Davis if there was anything already scheduled for those dates.

Town Manager Davis stated that she did not have the calendar in front of her but didn't think there would be any conflict with those dates.

Mr. Robinson stated that they spoke to staff in the Recreation Department beforehand and confirmed that there were no conflicts with those dates.

Mayor DuBois asked how the Commission felt about having the event.

Commissioner Rumsey stated that he was fine with waiving all fees for the event.

Commissioner Longtin stated that they would have to pay for the parking meters.

Mr. Robinson stated that they would have no problem with paying for the parking meters and were willing to abide by the Town's wishes regarding the event.

Town Manager Davis stated that the parking meters only have to be paid for until 8 p.m.

Mr. Robinson asked at what time the parking meters start collecting money.

Town Manager Davis stated that they started at 6 a.m.

Commissioner Hockman recommended waiving the parking meter fees for the event.

Commissioner Rumsey stated that the organization made it clear that they did not have a problem with paying for parking meters.

Mayor DuBois stated that she was at the 5K run event and did not receive or hear of any complaints about the parking meters.

Mr. Robinson stated that the American Cancer Society takes pride in saying that 81% of every dollar they raise goes back towards their mission and very few organizations can say that and they do try to keep costs down as much as they can. He stated that he appreciated Commissioner Hockman's recommendation.

Commissioner Hockman stated that most areas that have meters such as West Palm Beach waive the meters for certain events.

Commissioner Rumsey stated that that was not true.

Commissioner Longtin stated that she agreed with Commissioner Hockman but they did not waive fees for the Association of Retarded Citizens (ARC) so that would mean they wouldn't waive fees for anybody.

Mr. Robinson stated that he appreciated the Town's involvement and presence in the event.

Commissioner Longtin stated that she was okay with waiving the rental fees.

The Commission came to consensus to waive the rental fees for both American Cancer Society Relay for Life events on October 19, 2010 and May 20-21, 2011.

PUBLIC AND OTHER COMMENTS:

Albert Key 3643 Betty Ann Court – stated that he was born and raised in Lake Park. He stated that he was the Republican Candidate for District 84 for the House of Representatives. He explained why he was running for candidacy. He stated that he wanted to know the Commission's ideas and plans. He gave a brief background of his experience and knowledge. He gave his ideas of how to create jobs.

Mayor DuBois thanked Mr. Key for introducing himself and speaking with them.

CONSENT AGENDA:

1. 1st Public Hearing on the Tentative Budget Meeting Minutes of September 8, 2010
2. Special Call Commission Meeting Minutes of September 8, 2010
3. Final Hearing on the Budget Meeting Minutes of September 15, 2010
4. Regular Commission Meeting Minutes of September 15, 2010
5. Resolution No. 43-10-10 Florida City Government Week
6. Resolution No. 44-10-10 FECC Commuter Rail
7. Resolution No. 45-10-10 Library Custodian Job Description
8. Resolution No. 46-10-10 Revised Ball Field Fee Structure
9. Resolution No. 47-10-10 Renewal of Northlake Boulevard Task Force Interlocal Agreement
10. Hurricane Debris Removal Contract between PBC Solid Waste Authority and Malcolm Pirnie, Inc.
11. Hurricane Debris Removal Contract between PBC Solid Waste Authority and Phillips & Jordan, Inc.

Public Comment Open.

None

Public Comment Closed.

Commissioner Hockman pulled items number 8 and 9 for discussion.

Commissioner Longtin pulled item number 6 for discussion.

Motion: A motion was made by Commissioner Rumsey to approve item numbers 1 through 5, 7, 10 and 11 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 4-0

Commissioner Longtin stated that she erred at the last meeting by announcing that there would be a meeting at the Kravis Center for the Hi Speed Rail when it was actually for the FECC Commuter Rail. She stated that after attending that meeting she decided that she was not in favor of the Resolution for the FECC Commuter Rail.

Motion: A motion was made by Commissioner Rumsey to approve item number 6 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 3-1

Commissioner Hockman asked if staff has talked to the patrons currently renting the facilities at the ball field to see how the fee changes would affect them.

Town Manager Davis stated that staff did an extensive survey of other cities but Commissioner Hockman had a question and she asked Recreation Director Dowling to explain.

Recreation Director Dowling explained that the patrons currently using the field were the local high school LaCrosse teams. He stated that he spoke to the director who stated that

it would not hurt them as much and they may just cut back their days from six days per week to two to three days per week. He explained that he increased the rate because he had called other municipalities and found that they were charging anywhere from \$10 to \$40 per hour. He stated that he felt that the \$10 was justified to help out with maintenance costs.

Commissioner Hockman expressed his concerns and was afraid that the park might not get used.

Recreation Director Dowling explained that the LaCrosse Director charges for clinics in the summertime and it should not become a financial burden.

Commissioner Hockman asked what the normal hours of the ball field were.

Recreation Director Dowling stated that the hours at the ball field were from 8:30 a.m. to 5 p.m.

Motion: A motion was made by Commissioner Rumsey to approve item number 8 of the Consent Agenda; Commissioner Hockman made the second.

Vote on Motion:

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

Motion passed 3-1

Commissioner Longtin stated that she was against raising the fee at the ball field because it seemed that when times were tough government raises taxes and fees. She felt that it was nickel and diming.

Mayor DuBois stated that she understood what Commissioner Longtin was saying but wanted to clarify that the Town has been paying for the maintenance of the ball fields and the Town did not increase taxes for the year. She stated that the ball fields were recently refurbished and that was why people enjoy coming there. The new fees were to offset the maintenance costs and upkeep of the refurbished ball fields.

Commissioner Hockman stated that he noticed that some municipalities had pulled out of the Northlake Boulevard Task Force Interlocal Agreement.

Commissioner Rumsey stated that no municipalities have pulled out of the Agreement and that no municipality would be asked to contribute funds to the Agreement this year.

Commissioner Longtin asked if that was only for this year and if they had put money in over the past several years.

Commissioner Rumsey stated that the municipalities have not had to contribute any monies for the past two years.

Commissioner Longtin asked how much had been contributed in the past.

Commissioner Rumsey stated that some municipalities contributed \$10,000 and Lake Park had contributed \$5,000.

Commissioner Longtin stated that the Northlake Boulevard Task Force Interlocal Agreement was an issue back in 2000 and 2001 when she was a former Commissioner.

Commissioner Rumsey asked Commissioner Longtin if she had not seen any improvements done to Northlake Boulevard since 2001.

Commissioner Longtin stated that she did not see a lot of improvement and that was why the municipalities were complaining about contributing money and not seeing any results.

Commissioner Hockman stated that Palm Beach Gardens had written letters stating that they felt that they had gotten nothing out of the money they contributed.

Commissioner Rumsey explained that Palm Beach Gardens had felt that they did not get any benefit out from their contributions but it had been explained to them that the Interlocal Agreement had been split into three phases and Palm Beach Gardens was the third phase. They were informed that they shouldn't pull out of the agreement since they were about to receive the benefits of their contributions.

Motion: A motion was made by Commissioner Rumsey to approve item number 9 of the Consent Agenda with the stipulation that the Town does not contribute money into the Interlocal Agreement; Commissioner Hockman made the second.

Vote on Motion:

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

DuBois	X		
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Motion passed 4-0

ORDINANCE ON 1st READING:

ORDINANCE NO. 11-2010 - Change in Code for New Town Logo

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 2 (ADMINISTRATION) ARTICLE I (IN GENERAL) SECTION 2-1, CHANGING THE OFFICIAL TOWN LOGO AND PROVIDING FOR LAWFUL MANUFACTURE, USE AND DISPLAY OF SAID LOGO; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Town Manager Davis explained the reason for Ordinance No. 11-2010.

Commissioner Rumsey asked that the only change to the logo was the addition of the date of when the Town was chartered.

Commissioner Longtin stated that she would be voting against the logo because she felt that money should be saved right now and the logo was recently changed approximately ten years ago.

Mayor DuBois stated that what put the idea of the new logo in motion was the merchants and businesses of the Downtown District were wishing to have a directional sign for people to find their businesses. She stated that she did not have a problem with the new logo.

Commissioner Rumsey asked if it was not discussed at the last meeting that there would be no expenditures on the logos until it was needed.

Town Manager Davis stated that was correct.

Motion: A motion was made by Commissioner Rumsey to approve Ordinance No. 11-2010; Commissioner Hockman made the second.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Longtin		X	
Commissioner Hockman	X		
Commissioner			

Rumsey	X		
Vice-Mayor Osterman			Absent
Mayor DuBois	X		

Motion passed 3-1

Town Attorney Baird read Ordinance No. 11-2010 by caption-only.

PUBLIC HEARING(S):

ORDINANCE ON SECOND READING:

ORDINANCE NO. 10-2010 – Amending Chapter 54 to Add Additional Nuisances to be Abated

A ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54 “BUILDINGS AND BUILDING REGULATION”, ARTICLE III, SECTION 54-131 TO ADD ADDITIONAL CONDITIONS OR ACTIVITIES WHICH MAY BE DECLARED TO BE A NUISANCE; PROVIDING FOR THE AMENDMENT OF SECTION 54-132 TO AUTHORIZE THE TOWN TO TAKE SUCH METHODS OR ACTIVITIES AS MAY BE NECESSARY TO ABATE A DECLARED NUISANCE; PROVIDING FOR SEVERABILITY, PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Comment Open.

None

Public Comment Closed.

Community Development Director Sullivan explained the reason for Ordinance No. 10-2010.

Motion: A motion was made by Commissioner Hockman to approve Ordinance No. 10-2010; Commissioner Rumsey made the second.

Vote on Motion:

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

Motion passed 4-0

Town Attorney Baird read Ordinance No. 10-2010 by caption-only.

DISCUSSION AND POSSIBLE ACTION:

Red Light Cameras Report by Community Development Director Patrick Sullivan

Community Development Director Sullivan explained that he was asked to do research on the red light camera issue. He stated that he found that it was a "moving target" that changes daily. He stated that the Village of Royal Palm Beach would be having a meeting tomorrow night on whether or not to stop their red light camera program. He stated that he contacted 11 municipalities and most of them did not have operational cameras. Three of those communities did have operational cameras and two were issuing warnings only and the City of West Palm Beach was the only city currently using the red light camera program and they consider it very successful. He stated that another issue that had come up was that prior to the legislation everyone seemed to gravitate toward charging their own fees but legislation set the fees. He stated that there was not much history on the red light cameras programs in other communities yet. He explained that when ATS came and did their presentation they stated that they were revenue neutral and if you did not make enough revenue to make the \$4700 monthly cost the Town would not have to pay it but they did not say that the cost would be deferred until the Town could pay them back.

Attorney Baird explained that that was assuming the Town accrued enough money to pay them back. In the event that the Town could not pay the money back, the terms of the contract stated that the Town would still be responsible for their fees although they will forgive you the fees which you are entitled to.

Commissioner Rumsey stated that it was his understanding that Palm Beach County was now looking at doing red light cameras in different areas of the County and he believed that it was approved. He asked if Palm Beach County put a red light camera in Lake Park; would the Town receive a percentage of the ticket fee or would they take the whole fee.

Attorney Baird stated that it would depend upon the contract and in all likelihood the contract would be between the County and ATS and if the contract did not stipulate that the Town would receive funds then it would not receive any. He stated that the State Statute does not contemplate revenue sharing between local governments.

Commissioner Rumsey asked why Royal Palm Beach was pulling out of their red light camera program.

Attorney Baird stated that he was unsure and could only speculate.

Commissioner Rumsey stated that the red light camera was his idea but he was not married to it and if the Commission wanted to pull back and wait for awhile he was fine with that.

Mayor DuBois expressed her concerns regarding the running of stop signs. She stated that there was also the possibility of looking into cameras for stop sign runners. She stated that right now there did not seem to be a solid legal basis yet to support the red light camera program. She stated that she was in favor of putting the idea on hold.

Commissioner Hockman stated that the red light program should be put on the shelf for now. He expressed his concerns with the program.

Commissioner Longtin stated that she was not in favor of the red light camera program at all, but stated that she agreed to shelf the idea for now to wait and see what happens with the program.

Way Finding Signage Design

Town Manager Davis explained that when the Commission directed staff to have the way signage designed, Commissioner Longtin requested that the final designs be brought back to the Commission. She showed samples on the projector of the signage (see page 2 of Exhibit "C").

Commissioner Rumsey chose design #2.

Mayor DuBois stated that she liked design #'s 2 and 3.

Commissioner Longtin chose design #2.

Commissioner Hockman chose design #2.

Town Manager Davis showed a picture of what the sign would look like on U.S. Highway One going south just before Park Avenue (see page 3 of Exhibit "C").

Commissioner Rumsey asked if way signage would be installed on Northlake Blvd.

Town Manager Davis stated that staff looked into installing way signage on Northlake and found that there was very little room and DOT makes it very difficult to put signage on their poles.

Commissioner Rumsey asked what the DOT time frame was.

Town Manager Davis stated she did not know but the pole for U.S. Highway One would be easier since the Town owns that pole.

Commissioner Hockman asked if the sign was being placed on the light pole. He recommended not placing the signage on the light pole because of wind loading.

Town Manager Davis explained that Commissioner Hockman was right and that was why they were having it engineered.

Commissioner Rumsey expressed his concerns with installing the sign on a light pole. Commissioner Hockman expressed his concerns with installing the sign on a light pole.

Discussion ensued between the Commissioners and Town Manager Davis regarding the installing of the way signage.

The Commission came to consensus to implement way signage design #2.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Vice-Mayor Osterman

Absent

Commissioner Hockman stated that the 5K run event was a great success and he was looking forward to the next event.

Commissioner Longtin asked for the status on the sprinkler system.

Public Works Director David Hunt explained that the contractor commenced work on the sprinkler system approximately three and a half weeks ago. He installed the new pumps and new controllers but there was a 10 day hiatus due to wet weather and there was flooding in one of the houses that protects the pump. The contractor was informed, and they removed it and will have to reinstall the pump on a stand. He explained that work has commenced on the zones on the west side of Flagler Blvd. Two zones were confirmed as not holding pressure. He explained what work needed to be done to correct all of the issues that have arisen with the system. They anticipate having the west side completed by the end of the week and will commence the east side.

Commissioner Longtin announced the Street Closure Workshop for October 13, 2010.

Commissioner Rumsey stated that he was disheartened to have received an e-mail informing him that the Dockside Sea Grille would not be coming to Park Avenue. He stated that he was more upset that he got the information from a resident four days before hearing about it from staff. He asked when staff found out about Dockside.

Town Manager Davis stated that she was not sure of the date and would look on her calendar to see when she spoke with them.

Commissioner Rumsey stated that his concern was that it was the second time he was informed on the street about a restaurant that was not coming to Park Avenue before staff informed him. He requested that the Commission be informed as soon as staff is informed. He asked if there was a CRA Meeting for October.

Town Manager Davis stated that there was not a CRA Meeting scheduled for October.

Commissioner Rumsey requested a CRA Meeting for the month of October to discuss different issues with CRA businesses and events.

The Commission came to consensus to have a CRA Meeting at the next meeting in October.

Mayor DuBois stated that the ARC race was a wonderful event. She stated that the dedication of the Art on Park Gallery had a wonderful turnout. She thanked everyone who attended and staff for all of their hard work.

Town Attorney Baird stated that tomorrow was the continuation of Randy Aberns sober house request at 711 W. Ilex Dr. and 834 West Jasmine Dr. He stated that they expected to complete the hearing tomorrow. He stated that he would be attending the Social Media Workshop on Friday in Ft. Lauderdale and stated that he would be bringing back a report. He stated that he may have a conflict with the Street Closure Workshop scheduled for October 13, 2010. He stated that if it was important for him to attend he would make arrangements to do so.

Discussion ensued between Town Manager Davis and the Commissioners regarding whether or not Attorney Baird would need to attend. It was determined that he would not be required to attend.

Commissioner Hockman requested a status on the street lighting study from Town Manager Davis so that they could meet the deadline to get the question on the ballot.

Town Manager Davis stated that a schedule had been a schedule establish. She stated that she did not have it with her but stated that she would provide that information to the Commission.

She stated that she needed clarification on Commissioner Rumsey's request regarding leases in the CRA District.

Commissioner Rumsey stated that he would like to discuss where they are in the process of bringing businesses to the CRA. He stated that he wanted to see something that would show how many businesses were actively looking at a location and what they were looking for and how staff was going about the process.

Town Manager Davis stated construction commenced at West Ilex Park and the concrete would be poured tomorrow.

Commissioner Longtin stated that the Commission was a little out of order in their speaking and she thanked Mayor DuBois for her patience with them.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Hockman and seconded by Commissioner Longtin, 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 _____, 2010

TAB 2

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

Meeting Date: **November 3, 2010**

Agenda Item No. **2**

- | | |
|--|---|
| <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"/> CONSENT AGENDA |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | |
| <input type="checkbox"/> Other: | |

SUBJECT: Street Closure Workshop Meeting Minutes of October 13, 2010.

RECOMMENDED MOTION/ACTION: Approve the Street Closure Workshop Meeting Minutes of October 13, 2010.

Approved by Town Manager W. Davis Date: 10/28/10

[Signature]
Deputy Clerk

10/27/10
Date of Actual Submittal

Originating Department: Town Clerk	Costs: \$ N/A Funding Source: Acct. #	Attachments: 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 <u>VML</u> <input type="checkbox"/> Town Manager
Advertised: 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 <input checked="" type="checkbox"/> _____: Please initial one.

Summary Explanation/Background:



Minutes
Town of Lake Park, Florida
Street Closures Workshop
Wednesday, October 13, 2010, 7:02 p.m.
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Street Closure Workshop on Wednesday, October 13, 2010 at 7:02 p.m. Present were Vice-Mayor Osterman, Commissioners Rumsey, Hockman and Longtin, Town Manager Maria Davis, and Town Clerk Vivian Lemley. Mayor DuBois was absent.

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

Vice-Mayor Osterman stated that Mayor DuBois sends her regrets that she could not attend the workshop as she was "under the weather."

PRESENTATION:
Street Closure Workshop

Community Development Director Patrick Sullivan began a PowerPoint presentation titled "Street Closure Workshop" (see Exhibit "A"). He began with discussing and reviewing "Temporary Closures" (see pages 2 through 4 of Exhibit "A"). He stated that the cost of a temporary closure per street would be approximately \$2,500 to \$3,000 per street. He showed examples of temporary barricades and other types of closures (see pages 5 through 9 of Exhibit "A"). He discussed and reviewed the "Costs for Temporary Street Closures w/Clay Pots" (see page 11 of Exhibit "A"). He began discussing "Permanent Street Closures" and their costs (see pages 11 through 16 of Exhibit "A"). He reviewed "Traffic Counts" (see pages 17 through 19 of Exhibit "A"). He reviewed and discussed "Individual Street Closures" (see page 20 of Exhibit "A"). He stated that he would review each street on the next three slides (see pages 21 through 24 of Exhibit "A") and mark which streets that Commission would like to close and those they do not want to close.

Vice-Mayor Osterman asked if Community Development Director Sullivan had a hard copy of the traffic counts for the Commission.

Community Development Director Sullivan stated that he did not have them and would need to go get them.

Vice-Mayor Osterman recessed the meeting at 7:13 p.m.

Vice-Mayor Osterman reconvened the meeting at 7:20 p.m.

Commissioner Longtin asked for the costs of the terra cotta pots and the palms.

Town Manager Davis stated that the terra cotta pots cost \$800 and the Robellini Palms cost \$200 to \$250.

Vice-Mayor Osterman asked about irrigation to the potted palms.

Town Manager Davis explained that there would be no irrigation to the pots but Public Works would be responsible for watering them. She stated that if the Commission chose to use plant material, she would recommend a Bouganvilla since it does not require much water.

Commissioner Rumsey asked Community Development Director Sullivan to bring up page 3 of the presentation. He asked if Mr. Sullivan was proposing all three options or showing different options that could be used.

Community Development Director Sullivan stated that he was just showing the Commission ideas and options.

Commissioner Rumsey asked what fund the street closures would come out of.

Town Manager Davis explained that the street closure options were not budgeted for but that they would try to find the money in Cash Reserves.

Vice-Mayor Osterman stated that she recalled talking about the possibility of having the street closures go to referendum and getting the money at the same time they do the street lighting.

Town Manager Davis stated that the residents would be choosing to tax themselves for both the street lighting and the street closures.

Commissioner Rumsey asked why the Pergolas that were given as a street closure example on 3rd Street were more expensive than a permanent wall.

Community Development Director Sullivan explained that CRA Director Richard Pittman brought him the cost estimates and he was not sure why that option was more expensive.

Commissioner Rumsey stated that one of the comments he's heard from residents on the south end was that people on bikes were still coming through the street closures and a lot of times those people on bikes were causing problems as well. He asked what the issue was on Jasmine Drive.

Vice-Mayor Osterman stated that the Texaco gas station was bringing high traffic. She explained that a stop sign was installed because it was the one east west street along the north side that did not have a stop sign and people would fly and they would choose specifically to get on Jasmine because there was no stop sign.

Commissioner Rumsey asked when the stop sign was installed.

Vice-Mayor Osterman stated that the stop sign was installed after the Traffic Counts were done.

Community Development Director Sullivan explained where the Traffic Counts were done on Jasmine Drive.

Attorney Baird stated that the traffic was high on Jasmine Drive because it goes all the way through to Northlake Boulevard.

Commissioner Hockman stated where the traffic counts were high was where the businesses were located and near the park and school. He stated that if they started closing the streets at Silver Beach Rd. then all of that traffic will have to go somewhere. He expressed his concerns with traffic bottlenecks on those streets that remain open. He recommended using an option that would slow traffic instead. He expressed his concerns with closing roads that lead to businesses.

Vice-Mayor Osterman stated that the Commission should discuss the types of closures and then determine which streets to close.

Commissioner Longtin stated that she was confused as to whether the workshop was for street closures or traffic calming.

Town Manager Davis explained that it was determined at the last meeting that the workshop would be called what it is which was street closures and they would vote which street to close up and down. She explained that she had information available regarding temporary bumps for traffic calming.

Vice-Mayor Osterman stated that she wanted to also talk about traffic calming in addition to street closures. She recommended talking about the closures first and then discussing calming measures.

Commissioner Rumsey asked if traffic calming would not have to go to referendum but street closures would.

Vice-Mayor Osterman stated that the street closures would not have to go to referendum.

Commissioner Rumsey clarified and stated that the Commission decided to send the street closures to referendum.

Discussion ensued regarding how to proceed with street closures and traffic calming.

Vice-Mayor Osterman stated that there had been adequate time to discuss the different matters related to street closure and that it was time to begin making the decisions on what streets to close and what type of closures they would use. She asked the Commission how they would prefer to proceed.

Commissioner Longtin recommended choosing which streets to close and not close first and then discuss the types of closures.

Street Closures

4th Street & Silver Beach Rd.

Commissioner Rumsey - Yes
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois - Absent

5th Street & Silver Beach Rd.

Commissioner Rumsey - Yes
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois - Absent

6th Street & Silver Beach Rd.

Commissioner Rumsey - Yes
Commissioner Longtin - Yes
Vice-Mayor Osterman - Yes
Commissioner Hockman - Yes
Mayor DuBois - Absent

7th Street & Silver Beach Rd.

Commissioner Rumsey - Yes
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois - Absent

8th Street & Silver Beach Rd.

Commissioner Rumsey - Yes
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois - Absent

10th Street & Silver Beach Rd.

Commissioner Rumsey - No
Commissioner Longtin - No

Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Bayberry Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Cypress Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Evergreen Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Foresteria Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Ilex Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Jasmine Drive & 10th Street

Commissioner Rumsey - Yes
Commissioner Longtin - No

Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Kalmia Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Laurel Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Magnolia Drive & 10th Street

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Poplar Court & Prosperity Farms Rd.

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Poplar Court & Northlake Blvd.

Commissioner Rumsey - Yes
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Flagler Drive & Northlake Blvd.

Commissioner Rumsey - No
Commissioner Longtin - No

Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Crescent Drive & Northlake Blvd.

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Kalmia Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

East Jasmine Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

East Ilex Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Hawthorne Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Greenbriar Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No

Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Foresteria Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Evergreen Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Date Palm Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Cypress Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - No
Commissioner Hockman - No
Mayor DuBois – Absent

Bayberry Drive & U.S. Highway One

Commissioner Rumsey - No
Commissioner Longtin - No
Vice-Mayor Osterman - Yes
Commissioner Hockman - No
Mayor DuBois – Absent

Commissioner Longtin recommended rescheduling the workshop since a tie breaker vote was needed for certain streets.

Commissioner Rumsey recommended bringing back only the streets that have a 2/2 vote and need a tie breaker.

The Commission came to consensus to bring back only those streets that had a 2/2 vote and needed a tie breaker vote to the next scheduled Street Closure Workshop.

The Commission discussed which streets had a 2/2 vote and would need to come back for a tiebreaker decision at the next scheduled workshop.

Discussion ensued between Commissioner Hockman and Vice-Mayor Osterman regarding the street closure at 6th Street and Silver Beach Rd.

Vice-Mayor Osterman named the following streets that would come back to the next meeting for a tiebreaker vote:

4th Street & Silver Beach Road
5th Street & Silver Beach Road
7th Street & Silver Beach Road
8th Street & Silver Beach Road
Jasmine Drive & 10th Street
Poplar Court & Northlake Boulevard

Commissioner Rumsey stated that 26 streets were originally considered for closure and they are now down to seven streets one of which they already voted yes to. He asked if seven streets would be put to referendum.

Vice-Mayor Osterman stated that she wanted to think about it and not make a decision that night.

Commissioner Hockman stated that he felt that the traffic counts were high on the roads connected to Silver Beach Rd. because of the school. He expressed his concern with closing those streets and redirecting the traffic.

Discussion ensued between the Commissioners regarding the proposed street closures and traffic counts for the roads connected to Silver Beach Road.

PUBLIC AND OTHER COMMENTS:

Christopher Price 644 Date Palm Dr. – stated that traffic calming or street closures would be an issue when it comes to drivers going too fast through the neighborhoods. He stated that his concern was the children's safety. He recommended slowing the volume of traffic in the areas that would be most dangerous to the children.

Commissioner Hockman stated that the children's safety was why he was more for traffic calming rather than street closing.

James DuBois 316 Sabal Palm Dr. – stated that he opposed street closures in the Town without first doing a proper traffic study by a professional traffic engineer.

Vice-Mayor Osterman asked Community Development Director Sullivan for a figure on the temporary speed bumps.

Community Development Director Sullivan stated that it would be approximately \$7000 for a concrete speed bump.

Vice-Mayor Osterman asked for that Community Development Director Sullivan bring back a figure for the rubber speed bumps as well.

Commissioner Rumsey asked for clarification as to why the speed bumps were so costly.

Public Works Director Hunt explained the reasons why the speed bumps were costly. He stated that they would have to be engineered and designed correctly.

Commissioner Rumsey asked if Park Avenue currently had speed tables.

Community Development Director Sullivan explained that there were currently speed tables on Park Avenue and that he was wrong on the cost of speed bumps or tables. He stated that they cost approximately \$3,000 not \$7,000.

Vice-Mayor Osterman explained that speed tables require approval from law enforcement.

Lieutenant Wells of the Riviera Beach Police Department stated that he thought that the traffic calming was a better option for the Town. He discussed some of the potential traffic problems in the Town in the event of a hurricane and issues that his department has had with emergency response to the Town.

Vice-Mayor Osterman asked the Commission when they would like to revisit the street closure issue.

Discussion ensued between the Commissioners, Town Manager Davis and Town Clerk Lemley regarding choosing a meeting to continue discussion on the street closure issue and how to proceed with both street closure and/or traffic calming.

Commissioner Longtin recommended having the street closure discussion item at the next meeting of October 20, 2010.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Commissioner Rumsey

None

Commissioner Longtin

None

Vice-Mayor Osterman

None

Commissioner Hockman

None

Attorney Baird

None

Town Manager Davis asked for clarification on what to bring back regarding street closures and traffic calming at the next meeting of October 20, 2010.

Commissioner Rumsey requested that Town Manager Davis bring back the same presentation they heard that night and all options for traffic calming.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rumsey and seconded by Commissioner Hockman, and by unanimous vote, the meeting adjourned at 8:20 p.m.

Mayor Desca DuBois

Deputy Town Clerk, Jessica Shepherd, CMC

Town Seal

Approved on this _____ of _____, 2010

TAB 3



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: November 3, 2010

Agenda Item No. **3**

- | | |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING | <input checked="" type="checkbox"/> RESOLUTION |
| <input 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 checked="" type="checkbox"/> CONSENT AGENDA |
| <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 Library Monitor

RECOMMENDED MOTION/ACTION: Approval of Resolution

Approved by Town Manager *W. Davis* Date: *10/28/10*
Bambi McKeithan Purman
 Name/Title *HR DIRECTOR* Date of Actual Submittal *10/28/10*

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

Summary Explanation/Background:

Currently, a job description exists in the Town of Lake Park Uniform Classification System entitled Library Monitor. The purpose of this item is to amend this job description and change the job title to Children's Services Assistant to more accurately reflect the current duties and requirements of this position in response to customer service needs, technical trends, and library best practices. The salary range for this position will remain the same. Therefore, there will be no additional financial burden on the budget of the Town of Lake Park as a result of this action as the staff person occupying the position of Library Monitor on a part-time basis will be reclassified as Children's Services Assistant with no change in salary.

RESOLUTION NO. 50-11-10

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 LIBRARY MONITOR; 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 Library Monitor and change the title to Children's Services Assistant. A copy of the amended job description is attached hereto as Exhibit A.

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

CHILDREN'S SERVICES ASSISTANT

EXHIBIT A

JOB CODE: 340
DEPARTMENT: LAKE PARK PUBLIC LIBRARY

CHARACTERISTICS OF THE CLASS:

Under the general supervision of the Library Director and the Librarian I, assists youth services staff with planning and implementing preschool story times, family programs and summer reading programs as well as after-school programming. Performs general library duties. Performs other work as requested. 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 any one position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the Children's Services Assistant position.

- Assists youth staff with promoting and producing children's programs
- Coordinates the assignment of computers for use in the in children's library section
- Checks out children's materials, collect fines, and performs other assigned tasks at the children's circulation desk
- Listens to and reads to children as assigned by supervising staff
- Oversees activities such as puzzles and games as assigned by supervising staff
- Provides effective, efficient, courteous and pleasant assistance to the public

MINIMUM REQUIREMENTS:

1. Training and Experience:

High school diploma or GED, and at least three years of experience working with children in a library setting

2. Knowledge, Skills and Abilities:

- Ability to follow oral and written instructions
- Ability to effectively interact with children and adults
- Ability to establish and maintain effective and positive working relationships with library patrons, associates and other Town staff
- Ability to read, speak, write and understand the standard English language
- Ability to communicate effectively with a diverse population
- Ability to conduct several tasks at once and adapt to changing needs
- Some knowledge of library terminology and organization
- Ability to work a varied work schedule including some evenings

3. **Physical Requirements:**

Work involves some physical effort, i.e. standing, walking or frequent light lifting (five to twenty pounds). Work involves periods of time at a computer keyboard and monitor; squatting and reaching low shelves.

4. **Environmental Requirements:**

Work is performed in a library environment without exposure to adverse environmental conditions, e.g., dirt, cold, rain, fumes, etc.

5. **Sensory Requirements:**

Work requires color and form perception and discrimination.

6. **Blood Borne Pathogens:**

Category II – Minimal to No Risk of Exposure

It is the policy of the Town of Lake Park 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 4

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

Meeting Date: November 3, 2010

Agenda Item No. **4**

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

SUBJECT: Resolution to Approve and Sign a Purchase and Sales Agreement to Acquire a Parcel of Land Located at 115 Federal Highway, Lake Park

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager W. Davis Date: 10/28/10

Patrick Sullivan CD Director

Name/Title [Signature] Date of Actual Submittal 10/28/10

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Resolution
Department Review: <input checked="" type="checkbox"/> Town Attorney <u>[Signature]</u> <input type="checkbox"/> Community Affairs <input checked="" type="checkbox"/> Community Development P&S	<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 type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input 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 <u>[Signature]</u> Or 10/26/2010 Not applicable in this case _____: Please initial one.

Summary Explanation/Background: This is a request to enter into a Purchase and Sales Agreement with Leasing of South Florida, Inc. (South Florida Yachts) to purchase a parcel of land located at the southeast corner of Silver Beach Road and US Highway 1 (115 US Highway 1). The price is \$2,400,000. Closing costs are expected to be \$1,250 for a survey and \$1,100 for attorney's fees and recordings. Arrangements have been made to remove the metal building down to the concrete slab at no cost to the Town.

The Town will be given a grant of \$2.4 million dollars from Palm Beach County's Water Access Bond to purchase the property. The property will have certain restrictions that require it to remain available for

water access in perpetuity. The requirements are set forth in an interlocal agreement between the Town and the County and which was approved by the Town Commission on October 20, 2010.

The Purchase and Sales Agreement is still being reviewed by the attorney. The Agreement will be available for the meeting.

RESOLUTION NO. 51-11-10

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PURCHASE AND SALES AGREEMENT WITH LEASING OF SOUTH FLORIDA, INC. TO ACQUIRE A PARCEL OF LAND LOCATED AT 115 FEDERAL HIGHWAY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park, Florida ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has the authority to and wants to purchase a parcel of land located at the southeast corner of Silver Beach Road and US Highway 1 (the address of which is 115 Federal Highway) to be used to create additional boat trailer parking, vehicle parking and a pedestrian promenade (the Project) for the Lake Park Harbor Marina; and

WHEREAS, the Town has negotiated a contract a contract to purchase property owned by Leasing of South Florida, Inc. (the Owner), a copy of which is attached hereto as Exhibit "A"

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

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

Section 2. The Town Commission hereby confirms its desire and intent to purchase the real property of the Owner and directs the Town Attorney or his designee to prepare any and all documents which may be necessary to consummate the purchase and closing of the Owner's property.

Section 3. This Resolution shall be effective upon adoption.

TAB 5

Town of Lake Park Town Commission
Agenda Request Form

Meeting Date: November 3, 2010

Agenda Item No. **5**

- | | |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING
<input checked="" type="checkbox"/> Ordinance on Second Reading
<input type="checkbox"/> Public Hearing

<input type="checkbox"/> ORDINANCE ON FIRST READING

<input type="checkbox"/> GENERAL APPROVAL OF ITEM

<input type="checkbox"/> Other: | <input type="checkbox"/> RESOLUTION

<input type="checkbox"/> DISCUSSION

<input type="checkbox"/> BID/RFP AWARD

<input type="checkbox"/> CONSENT AGENDA |
|---|---|

SUBJECT: Changes to Swale Ordinance

RECOMMENDED MOTION/ACTION: Approval

Approved by Town Manager *W. G. Davis* Date: *10/28/10*

Patrick Sullivan CD Director

[Signature]
Name/Title

10/27/10
Date of Actual Submittal

Originating Department: Community Development	Costs: \$ N/A Funding Source: Acct. #	Attachments: Ordinance Staff Report
Department Review: <input type="checkbox"/> Town Attorney _____ <input type="checkbox"/> Community Affairs _____ <input checked="" type="checkbox"/> Community Development <i>PKS</i>	<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 type="checkbox"/> Town Clerk _____ <input type="checkbox"/> Town Manager _____
Advertised: Date: _____ Paper: _____ <input 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 <u><i>[Signature]</i></u> Or <u>10/27/2010</u> Not applicable in this case _____: Please initial one.

Summary Explanation/Background: The present code is not clear on the property owner's responsibility to keep the sidewalks, driveways and swales that abut their property in a neat and clean condition. This ordinance amends those areas of the code that are concerned with swales, driveways, and sidewalks and clarifies the property owner's responsibility to maintain these areas.

A more comprehensive definition of swales and swale areas is included.

A final section prohibits painting and marking sidewalks and requires approval from the Community Development Department to paint, resurface or mark driveway aprons.

Please refer to staff report for a more detailed explanation.

ORDINANCE NO.: 12-2010

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING VARIOUS AMENDMENTS TO THE TOWN CODE TO ADDRESS SWALE AREAS IN THE TOWN; PROVIDING FOR THE AMENDMENT OF SECTION 16-10 OF THE CODE TO REQUIRE THE MAINTENANCE OF SWALES, DRIVEWAYS, DRIVEWAY APRONS, ALLEYS, AND CURBS BY THE PROPERTY OWNERS WHOSE PROPERTIES ABUT OR ARE ADJACENT TO SUCH AREAS; PROVIDING FOR THE AMENDMENT OF SECTION 34-2 OF THE CODE CREATING A DEFINITION OF THE TERM "SWALE OR SWALE AREAS"; PROVIDING FOR THE AMENDMENT OF SECTION 54-74 OF THE CODE, ENTITLED "ADDITIONAL LANDSCAPE AND PROPERTY STANDARDS" TO APPLY THESE STANDARDS TO SWALES, SWALE AREAS, SIDEWALKS, DRIVEWAY APRONS, AND DRIVEWAYS; PROVIDING FOR THE AMENDMENT OF SECTION 72-2 OF THE CODE, ENTITLED "OBLIGATION OF PROPERTY OWNER TO MAINTAIN PUBLIC SIDEWALKS ADJACENT TO PROPERTY OWNERS PROPERTY" TO PROHIBIT THE DAMAGE OF SIDEWALKS, DRIVEWAY APRONS, DRIVEWAYS, CURBS, SWALES, OR SWALE AREAS; TO PROHIBIT PAINTING OF TOWN SIDEWALKS; TO REQUIRE APPROVAL FROM THE COMMUNITY DEVELOPMENT DEPARTMENT TO PAINT, RESURFACE OR MARK DRIVEWAY APRONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR 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, the Town Commission has adopted general provisions pertaining to maintenance, vegetation, property standards and other improvements in swale or swale areas, sidewalks and driveways within the Town which, among other provisions, have been codified in Chapters 16, 34, 54 and 72 of the Code of Ordinances of the Town of Lake Park; and

WHEREAS, Town staff has recommended to the Town Commission that certain Sections of Chapters 16, 34, 54 and 72 be amended to provide additional guidelines, controls, and standards for the maintenance, vegetation and other improvements in swale or swale areas, sidewalks and driveways within the Town; and

WHEREAS, the amendments to Town Code Chapters 16, 34, 54 and 72 would preserve and protect property maintenance standards in swale or swale areas, sidewalks and driveways, and preserve and enhance property values within the Town; and

WHEREAS, the Town Commission, deems it to be in the interest of the public health, safety and general welfare to amend the Town's Code as detailed herein above, to provide for these amendments.

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

Section 1. The whereas clauses are hereby incorporated as true and correct findings of fact of the Town Commission.

Section 2. Chapter 16, Article 1, Section 16-10 of the Code of Ordinances of the Town of Lake Park, Florida is hereby amended to read as follows:

ARTICLE I. - IN GENERAL

Sec. 16-10. - ~~Maintenance of private property.~~ Property Maintenance.

(a) It shall be unlawful for the owner, occupant, lessee, or person in control of any land including the swales, sidewalks, driveways, alleys, driveway aprons, or curbs, which abut, or are adjacent or contiguous to the property owner's real property, which is within the town limits, whether the area is unoccupied or occupied, to permit, maintain, or allow to remain thereon any accumulation of undergrowth, rubbish, debris, and unsightly and unsanitary matters, including, but not limited to, any accumulation of debris, decayed vegetable matter, filth, overgrown vegetation, including trees, bushes, or brush, rubbish or trash, or growth of weeds or noxious plants.

(b) It shall be unlawful for the owner, occupant, lessee, or person in control of any land including the swales, sidewalks, driveways, alleys, driveway aprons, or curbs, which abut, or are adjacent or contiguous to the property owner's real property, which is within the town limits to allow grass ~~or weeds~~ to grow to a height in excess of eight inches on any property. All such areas shall be maintained in a neat and healthy condition, and reasonably free of weeds; any infringement of vegetation onto adjoining properties or public-rights-of-way is prohibited.

Section 3. Chapter 34, Article 1, Section 34-2 of the Code of Ordinances of Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 34-2. Definitions.

The following words and phrases shall have the meanings ascribed to them in this section:

.....

Swale or swale areas. A broad manmade depression or a grassed area designed to store, route or filter storm water runoff running parallel from a property line to a public street, roadway, or other form of right-of-way, and which may be used for among other things, retention or channeling of storm water runoff. Swale or swale areas includes sidewalks, and driveway aprons.

Section 4. Chapter 54, Division 1, Section 54-74 of the Code of Ordinances of Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 54-74. - Additional landscape and property standards.

(1) Developed lots including those swale, swale areas, sidewalks, driveway aprons, swales, swale areas, and driveways which are adjacent to, or abut a developed lot:

- (a) Shall be kept free of debris, rubbish, trash or litter.
- (b) Shall be maintained free of diseased or dead trees and plant materials.
- (c) Shall be kept free and clear of all exotic invasive pest plant species prohibited by the Florida Department of Environmental Protection.
- (d) Shall be maintained in a neat and healthy condition, and reasonably free of weeds; any accumulation of decayed, dead or dying vegetative matter; and bare (dead) areas (except that a reasonable bare area may be permitted along a property line to prevent the infringement of growth onto an adjoining property).
- (e) Lawns shall be maintained no higher than eight (8) inches in height.

Section 5. Chapter 72, Article 1, Section 72-2 of the Code of Ordinance of the Town of Lake Park, Florida is hereby amended to read as follows:

Sec. 72-2. - Obligation of property owner to maintain public sidewalks, driveways, alleys, driveway aprons, or curbs adjacent to a property owner's property.

(a) General prohibition. It is unlawful for the owner of real property, and/or his tenant, licensee, lessee, occupant, and/or agent and any other persons or entities who have the care, custody and/or control of the subject real property ("responsible parties"), to cause or allow to be caused damage to town sidewalks, driveways, alleys; driveway aprons, swales, swale areas, or curbs, which abut, or are adjacent or contiguous to the property owner's real property, where such damage renders such areas either defective, defaced, unsafe, dangerous, and/or detrimental to pedestrians, bicyclists, and motorists. ~~using these areas for the normal purposes for which they were intended.~~ Painting of town sidewalks is prohibited. Painting, re-surfacing or marking of driveway aprons requires approval from the Community Development Department; driveway apron painting, re-surfacing or marking must match the color, style, and design of the corresponding, abutting driveway.

Section 6. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 7. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 8. Codification. The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the Ordinance maybe renumbered or re-lettered to accomplish such.

Section 7. Effective date. This Ordinance shall take effect immediately upon passage.





