

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
September 21, 2005 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, September 21, 2005 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor Garretson, Commissioners Balius, Carey, and Daly, Town Manager Paul Carlisle, Town Attorney Karen Roselli, and Town Clerk Stephanie Thomas.

Town Clerk Stephanie Thomas led the Invocation.
 Mayor Castro led the Pledge of Allegiance.
 Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

Ordinance 10-2005 was removed from the agenda.

Motion: A motion was made by Vice-Mayor Garretson to approve the September 21, 2005 Regular Commission Meeting Agenda as amended; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC and OTHER COMMENT

The following person(s) addressed the Commission:

Merilee Tutcik, 623 7th Street – Expressed her concerns with the following issues: Stewart Toyota advertisement, Rezoning of 10th Street, Harbor Marina, Main Street programs, and Venetian Isles.
Ed Kiess, United Way – Updated the Commission on the United Way programs.

Katherine Lampkin, 618 Date Palm Drive – Expressed her concerns with the goal posts at the ball fields.

Joe Glisson, 850 Greenbriar Drive – Requested copy of the Resolution and Easement of the 7 foot Easement in the One Park Place project.

Roselyn Giordano, 211 E. Ilex Drive – Thanked the Commission for the Sexual Predator Ordinance on the agenda.

PRESENTATIONS:

Presentation by the Kiwanis Club

Mayor Castro recognized the Kiwanis Club for being chosen as Kiwanis of the year for Palm Beach County. A check was presented to the Town of Lake Park for its Teen Achieved program at the Lake Park Library for \$6,400.00 from the Sharkie Foundation. Mayor Castro thanked the Kiwanis Club for its outstanding work with the children.

CONSENT AGENDA:

Commission Meeting Minutes of September 7, 2005.

Approval to apply for the Public Access Computer Hardware Upgrade Program.

Commissioner Carey request the Minutes of September 7, 2005 be pulled from the Consent Agenda.

Motion: A motion was made by Vice-Mayor Garretson to approve the Public Access Computer Hardware Upgrade Program from the Consent Agenda; Commissioner Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Commissioner Carey requested the new Harbor Marina slip rate of \$17.50 be added to the Regular Commission Meeting Minutes of September 7, 2005.

Motion: A motion was made by Commissioner Carey to approve the Regular Commission Meeting Minutes of September 7, 2005 as amended from the Consent Agenda; Commissioner Balias made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC HEARING(S)

ORDINANCE(S) ON SECOND READING:

ORDINANCE NO. 07-2005- Adoption of Millage Rate.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING A MILLAGE RATE FOR THE TOWN OF LAKE PARK FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; STATING THE ROLLED-BACK RATE FOR THE TOWN OF LAKE PARK; STATING THE PERCENT BY WHICH THE TOWN MILLAGE RATE EXCEEDS, IF ANY, THE ROLLED-BACK MILLAGE RATE; AND LEVYING FOR AD VALOREM TAXES ON ALL TAXABLE REAL AND TANGIBLE PERSONAL PROPERTY IN THE TOWN OF LAKE PARK FOR FISCAL YEAR 2005/2006; PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Vice-Mayor Garretson to approve Ordinance 07-2005; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor			

Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES:

ORDINANCE NO: 08-2005- Adoption of Budget.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ADOPTING THE TOWN BUDGET AND APPROPRIATING VARIOUS FUNDS FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; PROVIDING FOR A EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Vice-Mayor Garretson to approve Ordinance 08-2005; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE NO. 09-2005 – Budget Amendment

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN BUDGET FOR FISCAL YEAR 2004-2005 AS PREVIOUSLY ADOPTED BY ORDINANCE NO. 19-2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance 09-2005; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE(S) ON FIRST READING:

Ordinance No. 11-2005 – Regulation of Sexual Predators

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCE OF THE TOWN OF LAKE PARK, CHAPTER 14, ENTITLED MISCELLANEOUS, ARTICLE I, IN GENERAL TO CREATE NEW CODE SECTION 14-12 TO BE ENTITLED SEXUAL PREDATOR AND SEXUAL OFFENDER REGULATIONS; DEFINITIONS; CREATING NEW CODE SECTION 14-13 TO BE ENTITLED SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCY PROHIBITIONS TO PROVIDE A SEPARATE REQUIREMENT OF 2500 FEET FROM THE RESIDENCES OF SEXUAL OFFENDERS AND PREDATORS AND CERTAIN USES; NEW CODE SECTION 14-14 TO BE ENTITLED RENTAL OF CERTAIN REAL PROPERTY TO SEXUAL OFFENDERS/PREDATORS PROHIBITED; AND NEW CODE SECTION 14-14 TO BE ENTITLED ANNUAL REGISTRATION OF PRIVATE SCHOOL BUS STOPS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Ordinance 11-2005; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other

Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE NO. 14-2005 – Permitted Hours of Operation for the LP Harbor Marina
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CODE AT CHAPTER 8, ARTICLE III, SECTION 8-42, “ENTITLED PERMITTED HOURS OF USE”; TO CHANGE THE HOURS OF PERMITTED USE OF THE LAKE PARK HARBOR MARINA TO PREVENT USE OF, AND VEHICULAR PARKING AT, THE MARINA FROM 9:00 P.M. TO 6:00 A.M.; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Vice-Mayor Garretson to approve Ordinance 14-2005; Commissioner Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION(S)

RESOLUTION NO. 32-09-05- Abandoning portions of Easement

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ABANDONING PORTIONS OF UTILITY EASEMENTS, WHICH ARE LOCATED WITHIN THE PLAT OF EARL STEWART TOYOTA.

Public Hearing Opened.

Richard Sapir Esq., 712 US Highway 1, NPB – Available to answer any questions.

Public Hearing Closed.

Motion: A motion was made by Commissioner Daly to approve Resolution 32-09-05; Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTION NO. 33-09-05 – Property Casualty and Liability Insurance

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE APPLICATIONS PROVIDING PROPERTY, CASUALTY AND LIABILITY INSURANCE BETWEEN FLORIDA MUNICIPAL INSURANCE TRUST AND THE TOWN OF LAKE PARK; AND PROVIDING AN EFFECTIVE DATE.

Kurt Gehring, Gehring Group – Explained the new insurance program, which offers a \$20,000.00 savings.

Public Hearing Opened.

None.

Public Hearing Closed.

Motion: A motion was made by Commissioner Balius to approve Resolution 33-09-05; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other

Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION

Award of the CDBG Grant Phase II to Chaz Equipment Company, Inc.

Town Manager Paul Carlisle stated that the Town is in an entitlement program with the Community Development Block Grant, which is providing the Town with about \$99,000.00 worth of funding. The project was bided as Drainage Improvement on Bayberry between 7th Street and 8th Street, installing new drainage, sidewalk repair, swales, and sodding. The Town received one bid from Chaz Equipment for \$145,000.00 and the balance will be funded.

Public Comment Opened.

None.

Public Comment Closed.

Motion: A motion was made by Commissioner Balius to approve an Award of the CDBG Grant Phase II to Chaz Equipment Company, Inc.; Vice-Mayor Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Discussion about rejoining the Northlake Boulevard Task Force

Mayor Castro stated that he is in full support of rejoining the Task Force.

Town Manager Paul Carlisle stated he provided the agreement but did not have any of the funding information in it. Town Manager Paul Carlisle stated that Palm Beach County Commissioner Karen Marcus stated at the Regular Commission Meeting of September 7, 2005 that she would work with the Town on the funding issues. Palm Beach County Commissioner Marcus is very excited that Lake Park is considering rejoining the Task Force.

Town Manager Paul Carlisle indicated that, with the consensus of the Commission, an agreement would need to be presented to the Commission and also a Resolution appointing an elected official and an alternate member needed for the Task Force.

Motion: A motion was made by Commissioner Balius to move forward with the process to rejoin the Northlake Boulevard Task Force; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Town Manager list of priorities.

The pleasure of the Town Commission was to list the top five priorities for the Town Manager. Town Manager Paul Carlisle read the list of priorities as follows: 1)Code Rewrite 2)Promote Downtown 3)Improve local parks 4)Complete the Comp Plan rewrite 5)Promote Youth Activities 6)Create a friendly atmosphere.

The Commissions list included: 1)Zoning rewrite 2)Park Avenue 3)Park Avenue Alleyways 4)Signage Code 5)Emergency Management.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro

- Mayor Castro wanted to know if the equipment has been fixed? Town Manager Paul Carlisle stated that the equipment has not been repaired yet. Mayor Castro suggested renting the equipment.
- Mayor Castro wanted to know the status of Wal-Mart, Town Manager Paul Carlisle stated that Wal-Mart is breaking ground, they anticipate opening August 2006.

Vice-Mayor Garretson

- Vice-Mayor Garretson wants to move forward with a home color pallet. Town Manager Paul Carlisle stated that Larry Szykowski, Community Development Director, is collaborating one.
- Vice-Mayor Garretson wanted a status on the traffic study. Town Manager Paul Carlisle indicated that they are working on this project now that school has started. Vice-Mayor Garretson wanted to know about the widening of Silver Beach Road. Town Manager Paul Carlisle stated that the County's current plan is to widen it to a three (3) lane road. The Town Commission has asked the Palm Beach County Commission to consider widening the road to a four (4) lane road with the anticipation of the growth in that area.
- Vice-Mayor Garretson wanted to know the status of the five (5) points of security at the Marina. Town Manager Paul Carlisle stated that the new Security Bid is being advertised, the current security company has been invited to bid and all bidders will give a presentation to the Commission; an Ordinance for the hours of operation at the Marina was approved on first reading and will be back for second reading at the next Commission Meeting, the bid for lighting has been awarded and the project will begin in the next two (2) weeks, Hoa Hoang, Assistant to the Town Manager, is working on getting the pricing for the cameras, the Town is still awaiting pricing on the gates for the fishing pier and floating ramp. The landscaping company will be meeting with the Town Manager in the morning and will begin the project next week.

Commissioner Carey

- Commissioner Carey wanted a status on the Town issuing citations. Town Manager Paul Carlisle stated that the citations should currently be at the printer company. Once received back, the Palm Beach County Sheriff's Office can start issuing citations.

Commissioner Balius

- Commissioner Balius would like to have a Code Compliance workshop for staff.
- Commissioner Balius wants better control of the Ball Fields.
- Commissioner Balius stated that he received a complaint that a staff member is complaining to resident. Mayor Castro and Commissioner Daly also have received similar calls.
- Commissioner Balius wanted to know if there are any type of insurance issued for renting the Mirror Ball Room. Town Manager Paul Carlisle stated that there is a contract that a renter will sign pertaining to insurance. Commissioner Balius wanted to know if it is the same for the ball fields. Town Manager Paul Carlisle stated that organized groups have to provide the Town with certificate of insurance and background checks of the coaches including copy of certificate of liability. Town Manager Paul Carlisle stated that one organized group has given the paperwork, but not the other.
- Commissioner Balius wanted to know if the code are going to be enforced in the Town. Mayor Castro stated that it is up to the Town Manager to make sure that the code is enforced and if that is not happening, they will need to speak to him about it.

Commissioner Daly

- Commissioner Daly stated that they will have a Proclamation for the Fire Rescue on October 5th, 2005, October is Fire Rescue month. The Fire department will be available at the meeting to show the new equipment and to provide free blood pressure screenings for anyone that would like to come to Town Hall.


Town Attorney

- None.

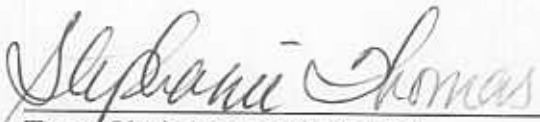
Mayor Castro wanted to express, on behalf of the Town, the very best wishes to those in Texas and Louisiana whom are about the deal with Hurricane Rita.

ADJOURNMENT

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



Mayor Paul Castro



Town Clerk Stephanie Thomas



Deputy Town Clerk Vivian Mendez

Approved on this 5th day of October 2005.

