

Minutes
Town of Lake Park, Florida
Town Commission Meeting
March 19, 2003 at 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, March 19, 2003 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor G. Chuck Balius, Commissioners Longtin, Otterson and Garretson, Town Manager Jason R. Nunemaker, Town Attorney Thomas J. Baird and Town Clerk Carol Simpkins.

Mayor Castro called the Meeting to order at 7:30 p.m.

Mayor Paul Castro gave the Invocation.

Commissioner Paul Garretson led the Pledge of Allegiance.

Town Clerk Carol Simpkins called the Roll Call.

SWEARING IN CEREMONY

Town Clerk, Carol Simpkins swore in Commissioner Paul Garretson and Commissioner G. Chuck Balius. Commissioner G. Chuck Balius was nominated to serve another term as Vice Mayor and was re-elected by a vote of 4-0.

ADDITIONS/DELETIONS

Town Manager Jason Nunemaker requested that Resolution No. 08-03-03 be added to the Agenda under RESOLUTIONS.

MOTION: A motion to approve the Agenda as modified was made by Vice-Mayor G. Chuck Balius and seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		

Vice-Mayor Baluis	X		
Mayor Castro	X		

Motion passed 5-0

PRESENTATIONS:

MOTION: Commissioner Jeanine Longtin made a motion to honor Captain Joseph Berkery by Proclamation, seconded by Commissioner Bill Otterson.

Motion passed 5-0.

Proclamation for Captain Joseph Berkery.

The Town Commission expressed that they are very proud of Captain Berkery and honored him publicly with a proclamation for the service that he, along with the Palm Beach County Sheriff's Office is providing to District 10, Lake Park, Florida. They feel that his promotion from Lieutenant to Captain is well deserved. In response, Captain Berkery commended his Deputies and his Administrative Assistant, Kara Mendez, for their help in providing service to the Town of Lake Park. He then dedicated his Proclamation to his Staff and the men and women serving this country.

Presentation by the Martin Luther King Jr. Committee

Dorothy Taylor, Representative of the Martin Luther King Jr. Committee, presented a Power Point presentation of the Martin Luther Jr. Celebration. She thanked the Commission for their partaking and support. She provided a detailed summary of the daily festivities along with the many participants, locally and nationally, that participated in the Celebration to honor the life, walk and dream of the late Dr. Martin Luther King Jr.

Scott Porter, The Annual Financial Report for 2001

Mayor Castro raised concerns that the Commission had just received the completed audit on March 19, and felt that there had not been enough time to review the material. Scott Porter, Independent Auditor for the Town of Lake Park, informed the Commission that the purpose for his presentation is to have it officially known that the Audit is now completed and available for the Commission and Public review. Commissioner Jeanine Longtin specified that she was very interested in hearing the presentation and asked for Scott's return in the future with a presentation accompanied by slides for the purpose of back up for Public awareness of the Town's financial stance.

PUBLIC COMMENT:

Mayor Castro opened Public Comment, calling attention to the fliers that were passed throughout the Town by certain employees of the Public Works Department. He felt that the statements in the fliers were inadequate, false and very offensive to the Town Commission.

Paul Mathis, Public Works Employee, 422 50th Street, West Palm Beach, Florida, Publicly apologized on behalf of the Public Works Department Employees that were responsible for passing out the fliers. He then clarified that the intent of the flyer was not to mislead the citizens or to offend anyone. The purpose of the fliers was to inform the public that there was a possibility that the Sanitation Department will be outsourced.

Jay A. Lauterborn, 1407 Flagler Blvd, Wanted to know why the issue with the outsourcing of the Sanitation Department isn't put on referendum to be voted upon. He understands that costs will continue to rise and is willing to pay higher taxes to keep the Sanitation Department here in Lake Park.

Kelisha Buchanan, 933 West Jasmine Drive, She is highly concerned about the crime here in Lake Park. She communicated to the Commission that since PBSO has taken over crime seems to be rising. She still has concerns over response time and the lack of efficient PBSO services.

Eugene Johnson, 1130 Seminole Blvd., Wishes to keep the Sanitation Department due to their outstanding service as opposed to the service of surrounding communities. Expressed that the Town of Lake Park has not been as safe as it was when we had our own Police services.

Betty Collins, 526 Redwood Drive, In response to the Commission, Ms. Collins informed the Commission that in the event that there is an emergency, the person is not always in the state of mind to contact Sergeants or Patrol officers after calling 911. She says that the employees are very respectable, reliable and do a great job, therefore, she strongly opposes the outsourcing of the Sanitation Department.

Tom Lobsinger, 911 W. Kalmia Drive, Wanted direction from the Town Commission on how to resolve a Code Enforcement Issue.

Catcheta Bennett- Seville, 1115 Seminole Blvd., Wanted to communicate her concerns to the Commission over the PBSO service, and feels that the Town isn't being protected as it was when the Lake Park Police Department was here.

Betty Valkenburg, 1119 3rd Street, Concerned about the Commission getting a raise at a time when the entire economy isn't doing so well. She also wishes to keep the Sanitation Department in the Town of Lake Park.

Richard Ahrens, 1461 Kinetic Road, Publicly commended Town Manager Jason Nunemaker for the outstanding service that he has provided. He hopes that Jason's

departure does not affect the projects that he is presently working on and the future projects he plans to bring to the Town of Lake Park.

Emma Kai, 122 Evergreen Drive, Very concerned with the flier that was passed out regarding the Sanitation Department. She stated that she came to the meeting to get the truth about the accusations that were mentioned on the fliers.

Jeremy Chapman, 1602 West Road, Communicated to the Commission that there are great things taking place in the Town of Lake Park. He doesn't want to see the Sanitation Department outsourced because similar cases such as the Police Services and the Fire and Rescue Department have not received good results after the changes. He expressed that the citizens would like to see a *good community* remain a *good community*.

Jackie Harris, Public Work Employee, 1343 W. 36th Street, Riviera Beach, Strongly opposes the outsourcing of the Sanitation Department. Says that the Sanitation Department not only provides Sanitation services to the Town in Sanitation duties but they are heavily involved in the crime watch of the area. Explained to the Commission that since PBSO has taken over Lake Park's reputation for "*heavy Police Patrolling*" has been diminished and criminals are no longer afraid to come through the Town Lake Park. Stated that they are preparing fliers to correct the misleading information.

Diane Munroe, 722 Hawthorne Drive, Wanted to share a positive story involving an emergency situation and the PBSO response. She appreciates the service that they are providing and encourages her neighbors and peers to come to more Commission Meetings and become more involved in their community.

Bert Bostrom, 1451 Flagler Blvd., Concerned about the misleading fliers. Addressed the issues of the mishandling of funds from previous Town employees that resulted in the Town being in a very bad financial situation. As a result, the Police and Fire Rescue services had to be contracted out to other agencies. Suggests that it will take unity, hard work and dedication to make this a better place.

Verdree Patterson, Public Works Department, Commended Paul Mathis on his explanation of the intent of the fliers. He feels that if the Sanitation Department is outsourced, this Town will never receive the type of service that they are currently receiving.

During Public Comment, the Commission, Town Manager and Captain Berkery answered questions and had brief discussions on the topics that were brought up by the Public.

CONSENT AGENDA:

The Commission Goal Setting Workshop minutes of February 5, 2003, Commission Meeting Minutes from March 5, 2003, Commission and Palm Beach County Sheriff's Workshop Minutes from March 12, 2003 and the National Pollution Discharge Elimination System Inter-local Agreement were approved with a correction to the February 5 minutes by Vice Mayor Chuck Balius.

MOTION A motion to approve the Consent Agenda as corrected was made by Commissioner Jeanine Longtin and seconded by Vice Mayor G. Chuck Balius.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

PUBLIC HEARINGS:

ORDINANCES ON FIRST READING

ORDINANCE NO. 05-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 13-35 OF THE TOWN CODE TO DELETE THE REQUIREMENT FOR PAYMENT OF AN OCCUPATIONAL LICENSE RENEWAL FEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff presented the ordinance.

Public Hearing opened

No speakers.

Public Hearing closed.

MOTION: A motion to approve Ordinance 05-2003 was made by Vice Mayor G. Chuck Balias and seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0

ORDINANCE NO. 06-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ESTABLISHING REGULATIONS FOR THE LOCATION OF NEWSRACKS IN THE TOWN; PROVIDING FOR DEFINITIONS; PROVIDING FOR STANDARDS FOR THE PLACEMENT OF NEWSPAPER RACKS; PROVIDING FOR STANDARDS FOR THE INSTALLATION AND MAINTENANCE OF NEWSRACKS; PROVIDING ENFORCEMENT PROCEDURES; PROVIDING PROCEDURES FOR ABANDONED NEWSRACKS; PROVIDING FOR THE REQUIREMENT OF A CERTIFICATE OF INSURANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Staff presented the ordinance.

Public Hearing opened

No speakers.

Public Hearing closed.

MOTION: A motion to approve Ordinance 06-2003 was made by Commissioner Paul Garretson and seconded by Vice Mayor G. Chuck Balius.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

ORDINANCE NO.07-2003

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 29.7(a) OF THE TOWN CODE REGARDING PROHIBITED PARKING ON CERTAIN PUBLIC STREETS AND SERVICE ALLEYS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff presented the ordinance.

Public Hearing opened

Diane Munroe, 722 Hawthorne Drive, Feels that there should be no parking on Park Avenue. There should also be better transition.

Lenny Cottrell, 550 Park Avenue, Communicated that there should be parking on Park Avenue for special occasions. He explained that the accidents that have taken place on Park Avenue are all due to drivers' error.

Public Hearing closed.

Vice Mayor G. Chuck Balius voiced that there should be exceptions with Park Avenue Parking.

Commissioner Paul Garretson likes the convenience of being able to park on Park Avenue. He feels that it provides a *Home Town* feeling.

Commissioner Jeanine Longtin would like to see nighttime parking alleviated.

Town Manager Jason Nunemaker suggested to budget funds to change traffic patterns on Park Avenue. He had major concerns regarding liability issues.

MOTION: A motion to approve Ordinance 07-2003 was made by Vice Mayor G. Chuck Balius. After passing the gavel to Commissioner Jeanine Longtin, Mayor Paul Castro seconded the motion.

After discussion Vice Mayor Balius withdrew his motion and Mayor Paul Castro withdrew his second.

Town Attorney Thomas Baird suggested postponing consideration of Ordinance No. 07, 2003 and suggested that staff bring back an ordinance that coincides with the Town Commissions discussion.

MOTION: Commissioner Paul Garretson made a motion for staff to create a parking Ordinance that would include from 7th Street to U.S. Highway 1, and that considers the business hours and operation. Motion was seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

RESOLUTIONS:

RESOLUTION NO. 08-03-03

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REQUESTING ASSISTANCE UNDER THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES, GRANTS-IN-AID PROGRAM.

Town Manager Jason Nunemaker gave the Commission a briefing on the details of the Resolution. He informed them that the funds from the grant would be for the design and the strapping so that in case of severe winds, the Town Hall roof would not come off.

MOTION: A motion to approve Resolution 08-03-03 was made by Commissioner Paul Garretson and seconded by Commissioner Jeanine Longtin.

Vote on Motion:

Commissioner Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0

DISCUSSION AND POSSIBLE ACTION:

Appointment of Mr. Waldeck Joseph from Alternate Education Board Member to a Regular Education Board Member.

Mr. Joseph was appointed to serve as a Regular Member of the Education Board based on a vote by Town Commission of 3 to 2.

Lake Park Elementary School Swales

Public Works Director Paul Carlisle, came before the Commission regarding the swale issue at Lake Park Elementary and informed the Commission that a representative from the Palm Beach County School District was present for questions and answers.

Sasha Bubanja, MSCE, Senior Projects Administrator, Palm Beach County School District, stated that he was looking to sign an Inter-local Agreement with modifications. Mr. Bubanja was questioned concerning who gave the School District the authority to cover the swales with asphalt. Mr. Bubanja explained to the Commission that although he could not furnish a written agreement, he believes previous Town employees gave consent to the School District. In

response to the Commission, after questioning regarding the Historic part of the school, he informed them that the project is almost complete.

The Town Commission would like to see an Indemnification Agreement for liability, elimination of some of the asphalt in the swale and drainage improvement.

Marina County expansion of trailer able boat parking

Ross Hering, Director of Real Estate, Palm Beach County, presented a proposal to acquire land for a Boat Ramp for the County. He stated that the County is willing to put up funds for the project, providing the Town of Lake Park with the opportunity to save \$350,000 to \$400, 000. They would also be responsible for the traffic control, providing a traffic light and sign.

Mayor Paul Castro opposed the idea due to the heavy boat traffic in the Marina, the impact on the residents, the *forever* ramps and the traffic that it would bring to the area.

Mayor Paul Castro left the meeting at that time and Vice Mayor Balius presided for the remainder of the evening.

Vice Mayor Chuck Balius expressed concern over the *forever* clause. Commissioner Paul Garretson questioned if the change would affect the permit that has been issued for the Marina. Town Attorney, Thomas J. Baird, Esq. stated that the inter-local would help with the current issues with the Department of Environmental Protection, and suggested that the Commission proceed with working with the County to obtain information on the project and have the Marina Board review the project.

Commissioner Jeanine Longtin stated that she needed more information of the plan, i.e., how the property owners feel about it, how the residents feel about it.

Ed Daly and Kelly Nylon expressed concern over the project.

The Commission gave consensus, with Commissioner Jeanine Longtin withholding her approval, to have the Manager work with the County on obtaining information in regarding how the public feels about the project, the availability of the property, and the wording of an inter-local agreement.

Request from Ranger Construction to perform night work.

The Commission gave their consensus to allow Ranger Construction to perform night work as requested.

Commissioners Salaries

Commissioner Paul Garretson made a motion to set up a once a year review process concerning the Commissioners salaries. The motion died for the lack of a second.

Executive Search

The Commission gave their consensus, with Commissioner Bill Otterson withholding his approval, to contract with Colin Baenziger & Associates to search for a new Town Manager.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by Commissioner Paul Garretson, seconded by Commissioner Jeanine Longtin, by unanimous vote, the meeting adjourned at 11:00 p.m.

Vice Mayor Chuck Balus

Town Clerk, Carol Simpkins &
Deputy Town Clerk, Stephanie Thomas

Approved on this 2nd day of April, 2003.