



Lake Park Town Commission, Florida

Regular Commission Meeting

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

Wednesday April 17, 2024

Immediately Following the Community Redevelopment Agency Meeting

Roger Michaud	—	Mayor
Kimberly Glas Castro	—	Vice Mayor
Michael Hensley	—	Commissioner
Mary Beth Taylor	—	Commissioner
Judith Thomas	—	Commissioner
John D'Agostino	—	Town Manager
Thomas J. Baird.	—	Town Attorney
Vivian Mendez, MMC	—	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 contract the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

7:02 pm

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

Commissioner Michael Hensley

PLEDGE OF ALLEGIANCE

The Pledge was bypassed.

SPECIAL PRESENTATION/REPORT:**1. Tallahassee Wrap-Up Presentation By Lobbyist Ellyn Bogdanoff**

Ms. Bogdanoff provided a verbal presentation with legislative updates on current bills and the budget for the dredging project. She also provided an update on the Mobility Bill. She stated that there were some changes to the tax package that would allow certain municipalities to opt out of the Live Local Act. She provided an update on changes to the P3 statute that would allow for acceptance of unsolicited proposals. She spoke about the Homeless Bill requiring cities to have a plan regarding changes. She also stated there are more restrictions on building permit approval time-frames.

2. Battalion Chief Rowley to Present the Annual Report of the Palm Beach Fire Rescue to the Town Commission.

Chief Rowley Presented (Exhibit A). Commissioner Thomas asked what percentage of recruits make it through the academy. Chief Rowley stated that it is not uncommon for 1-3 people to leave the academy out of each class. Mayor Michaud thanked Chief Rowley for the presentation and for all that they do.

PUBLIC COMMENT:

This time is provided for addressing 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.

Frantz St. Cloud- 933 Park Avenue introduced his new restaurant, Tentacion.

Brady Drew- 538 Sabal Palm Drive spoke about the tree giveaway and a tree survey.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino provided comments via Exhibit B.

Consensus was reached to reschedule the June 19th meeting to June 12, 2024 at 6:30pm.

Commissioner Taylor asked if there were any events or fireworks planned for the month of June due to there being three holidays. Town Manager D'Agostino stated there is no funding in the budget for fireworks. Special Events Director Riunite Franks stated that normally the Sunset Celebration in June is patriotic themed. Commissioner Taylor requested the Town have some

sort of food that would be given away at that particular Sunset Celebration and it was agreed that the existing vendors be notified of that in advance as it might create a conflict for them. Vice-Mayor Glas-Castro stated that in order to have an event, funds would have to come from some other event. Commissioner Taylor suggested to use the funds from the Multi-Cultural Event. Special Events Director Franks stated that there are already plans to use those funds for the Multi-cultural event in September. Vice-Mayor Glas-Castro stated she was not wanting to change gears at this point to divert these funds to another event because it is too late and staff is already working on the Multi-cultural Event. Commissioner Thomas suggested that the Multi-cultural Event start an hour earlier with kid specific events during the first hour. Special Events Director Franks stated she would explore some options. Vice-Mayor Glas-Castro reminded the Commission about a newly elected officials workshop after the League's general meeting next week.

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.

Items #6, 7 & 8 were pulled from consent at the request of Commissioner Thomas.

Motion made to approve consent items 3, 4 and 5 by Commissioner Thomas, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas, Commissioner Hensley.

3. March 27, 2024 Accessory Dwelling Unit (ADU) Community Workshop Minutes
4. April 3, 2024 Regular Commission Meeting Minutes
5. Resolution 19-04-24 Canceling the June 19, 2024 Regular Commission Meeting

6. Resolution 20-04-24 Authorizing and Directing the Town Manager to Sign a Proposal with Baxter & Woodman, Inc. (B&W) to Provide Additional Professional Services in the Form of Construction Administration for the Southern Outfall Pipe Replacement Project.

This item was pulled from consent by Commissioner Thomas in order to request that a running tally be provided moving forward. She wanted clarification as to the exact location of the Southern Outfall.

7. Resolution 21-04-24 Authorizing and Directing the Town Manager to Sign a Proposal with Water Resources Management Services (WRMA) to Provide Additional Professional Services in the Form of Construction Administration for the Bert Bostrom Green Infrastructure Project.

This item was pulled from consent by Commissioner Thomas in order to request that a running tally be provided moving forward.

8. Town of Lake Park Code Re-write / Overhaul Project

This item pulled from consent by Commissioner Thomas. She wanted to clarify legal review of code and the fee for that review.

Town Manager D'Agostino discussed that the review is for the purpose of identifying which codes are out of date, which codes are legal and which are not and then get codes completely re-written with a priority on the development code.

Motion made to approve items 6, 7 and 8 by Commissioner Thomas, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas, Commissioner Hensley.

Motion to re-order item #10 to be heard after consent made by Vice-Mayor Glas-Castro, seconded by Commission Thomas, Voting Aye all.

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

10. Ordinance 04-2024 Amending Article II, Division 2, by Creating a New Section Entitled Civility and Decorum.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING ARTICLE II, TOWN COMMISSION", DIVISION 2 "MEETINGS" TO PROVIDE FOR CREATION OF A NEW CODE SECTION 2-54 ENTITLED "CIVILITY AND DECORUM"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager D'Agostino explained the item. He cited Florida Statute 2023 Special Session C Number 2 regarding the public's reasonable opportunity to be heard and a municipality's right to establish guidelines. He cited a few other municipality's civility and decorum policies.

There were no questions from the Commission at this time.

Public Comment:

-Michael Steinhauer- 935 Greenbriar spoke about first amendment rights and also provided comments via Exhibit C.

-Rafael Moscoso- 429 Greenbriar spoke about the language of the ordinance and lawsuits in other areas.

-John Linden- 568 North Redwood Drive spoke about the long term effect of Commission decisions and provided options for moving forward with this Ordinance.

Town Manager D'Agostino suggested getting further input from the Town Attorney. Town Attorney Baird suggested adopting the Ordinance on second reading and remove section 3.

Commissioner Thomas suggested removing the word "prohibited" and replace with "discouraged". Commissioner Hensley agreed with using the word "discouraged".

Motion to adopt Ordinance 04-2024 on 2nd reading made by Commissioner Hensley, seconded by Commissioner Thomas. Discussion ensued.

Mayor Michaud explained his role on the dais to maintain civility. Vice-Mayor Glas-Castro agreed to change the word “prohibited” to “discouraged” and suggested further language revisions to generalize behavior to be defined as “disorderly conduct”. Mayor Michaud agreed with the Vice-Mayor and Commissioner Thomas clarified the modifications to section 3 to be:

1. Replace the word “prohibited” with “discouraged”.
2. Generalize and define behavior as “disorderly conduct”.
3. Replace the word “will” with “may”.

Commissioner Thomas requested that the language of the Ordinance also be changed to change the pronouns “him or her” to “them” in order to maintain viewpoint neutrality. Motion to modify and adopt Ordinance on 2nd reading to include the above revisions made by Commissioner Thomas, Seconded by Commissioner Hensley.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Thomas, Commissioner Hensley.

Voting Nay: Commissioner Taylor.

Town Attorney Baird read the Ordinance by title.

QUASI-JUDICIAL PUBLIC HEARING (RESOLUTION): NONE

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

9. Ordinance 05-2024 Amending Chapter 54, Article I, Section 54-8 of the Town Code Pertaining to the Town's Local Amendments to Chapter One of the Florida Building Code.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 54, ARTICLE I, SECTION 54-8 OF THE TOWN CODE PERTAINING TO THE TOWN’S LOCAL AMENDMENTS TO CHAPTER ONE OF THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager D’Agostino explained that this is a housekeeping item.

Motion made by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner

Hensley. Commissioner Thomas was absent at the time of vote.

Town Attorney Baird read the Ordinance by title.

NEW BUSINESS:

11. Resolution 22-04-24 Authorizing the Mayor to Execute the Ground Lease between the Town of Lake Park and FD P3 LP Boat Storage, LLC for the Boat Storage Component of the P3 Project for the Enhancement of the Lake Park Harbor Marina.

Town Manager D'Agostino explained that Town is waiting on further direction from the Florida Department of Environmental Protection (DEP). Town Attorney Baird recommended that the Commission not vote on this item tonight. Town Manager D'Agostino advised that the issue should be resolved by the end of April. The Commission agreed to continue the item to a future meeting agenda sometime in May 2024.

12. Tree Give-Away Program Second Giveaway

Town Manager D'Agostino explained that the first giveaway was very successful and the trees went quickly. The Commission selected Saturday, June 8th for the 2nd giveaway. Commissioner Taylor asked if residents who received trees during the first giveaway would be eligible to get more trees at the second giveaway. Town Manager D'Agostino stated that the giveaway is only limited to Lake Park residents. Vice-Mayor Glas-Castro stated she expected the trees to be larger for what they cost. Motion to authorize the Mayor to sign the attached budget adjustments, support the additional expenditure of \$21,750.00 and permit the town manager to sign the agreement made by Vice-Mayor Glas-Castro, seconded by Commissioner Taylor. Voting Aye: All.

13. Town Grantmaking Program Applications From Faith-Based Academy Of Patriots Returning To Eden (FAPRE), Holistic Learning Academy, Inspirational Hair Designs, Nicholas & Christen Thompson Foundation, and The Family Development Center

Town Manager D'Agostino explained that every year the Town has \$25,000 to be allocated for the Town's Grant Making Program. He stated that the Town had received five applications totaling \$70,020.00 and is asking that the Commission make funding determinations. Town Manager D'Agostino made recommendations for those determinations. The Commission discussed the various components of each application and determined that Nicholas & Christen Thompson Foundation would receive its full financial request of \$6,500.00, The Family Development Center would receive its full financial request of \$7,520.00 and Faith-Based Academy of Patriots Returning to Eden (FAPRE) would receive \$5,226.40.

Motion to approve discussed funding made by Vice-Mayor Glas-Castro, Seconded by Commissioner Thomas.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas, Commissioner Hensley.

14. JetSetV F.C. Soccer Program Requests

Town Manager D'Agostino provided a summary of the item via Exhibit D.

Motion made to grant the use of the grass space and tennis courts in Kelsey Park for the 2024 Summer Soccer Camp, as requested by JetSetV .F.C. by Commissioner Taylor, Seconded by Commissioner Hensley.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas, Commissioner Hensley.

Motion made to grant the use of the grass space and tennis courts in Kelsey Park for the 2024-2025 Adult and Youth Soccer Program, as requested by JetSetV .F.C. by Commissioner Taylor, Seconded by Commissioner Hensley.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas, Commissioner Hensley.

Motion made to grant the use of the tennis courts in Kelsey Park for the Futsal Tournament, as requested by JetSetV .F.C. by Commissioner Taylor, Seconded by Commissioner Hensley.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas, Commissioner Hensley.

REQUEST FOR FUTURE AGENDA ITEMS:

Mayor Michaud requested for the grant program to be brought up in a presentation for refinement.

ADJOURNMENT:

Motion to adjourn made by Commissioner Thomas, seconded by Commissioner Hensley. Voting Aye: All
Meeting Adjourned 9:49 pm.

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on May 1, 2024

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2024