



Lake Park Town Commission, Florida

Regular Commission Meeting Minutes

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

Wednesday August 06, 2025 6:30 P.M.

Roger Michaud	—	Mayor
Michael Hensley	—	Vice Mayor
John Linden	—	Commissioner
Michael O'Rourke	—	Commissioner
Judith Thomas	—	Commissioner
Richard J. Reade	—	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

6:41 P.M.

PRESENT

Mayor Roger Michaud
Vice Mayor Michael Hensley
Commissioner Judith Thomas
Commissioner John Linden
Commissioner Michael O'Rourke

PLEDGE OF ALLEGIANCE

Mayor Michaud led the Pledge of Allegiance.

APPROVAL OF AGENDA:

Commissioner Thomas requested that Consent Agenda item number 2 - Resolution 43-08-25 – 2024-2025 Community Development Block Grant (CDBG) Award Agreement - 1st Amendment - PBC Department of Housing & Economic Development (DHED) - Splash Pad/Water Feature (Kelsey Park) - \$400,916 be pulled.

Motion to approve the agenda made by Vice Mayor Hensley, Seconded by Commissioner Linden. Voting Yea: Mayor Michaud, Vice Mayor Hensley, Commissioner Thomas, Commissioner Linden, Commissioner O'Rourke.

SPECIAL PRESENTATION/REPORT: NONE**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.

- James Sullivan – expressed concern with the project taking place at the Publix plaza considering that 10-years ago there was a sinkhole, about 20-feet deep, around the pond at that property.
- Iris Sullivan – expressed concern with the oversized Oak Trees on Flagler Blvd. The branches are too low to the ground and very tall that they touch the electrical wires. She suggested that the trees be maintained.
- Rafael Moscoso – stated that the Commission knows what right choices look like and what they do not to like. He encouraged them to make their choices accordingly.
- Terron Mercer – introduced himself as a future new resident of Nautilus 220. His family feels very safe in Town and embraces Lake Park as their new home. He suggested making changes to the Town's curb appeal.

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.

Motion to approve Consent Agenda items 1, 3-6 made by Vice Mayor Hensley, Seconded by Commissioner O'Rourke.

Voting Yea: Mayor Michaud, Vice Mayor Hensley, Commissioner Thomas, Commissioner Linden, and Commissioner O'Rourke.

1. Regular Commission Meeting Minutes - July 16, 2025
3. Resolution 44-08-25 - Professional Real Estate Brokerage Services Agreement - Cushman & Wakefield U.S., Inc.
4. Resolution 45-08-25 - Professional Real Estate Brokerage Services Agreement - RMA Real Estate, LLC
5. Resolution 46-08-25 - Professional Real Estate Brokerage Services Agreement - Colliers International Florida, LLC
6. Emergency Purchase/Rental - Automated Side Loader (ASL) Vehicle - Big Truck Rental, LLC - \$12,000 (FY 2026 Sanitation Fund)(Town's Purchasing Code, Section 2-249. Alternative Source Selection).

Item number 2 pulled from the consent agenda.

2. Resolution 43-08-25 – 2024-2025 Community Development Block Grant (CDBG) Award Agreement - 1st Amendment - PBC Department of Housing & Economic Development (DHED) - Splash Pad/Water Feature (Kelsey Park) - \$400,916

Commissioner Thomas asked Public Works Director Jaime Morales what this amendment includes. Public Works Director Morales explained that the item includes the use of multiple contractors because the original agreement stated that the Town would only use one contractor. Commissioner Thomas wanted to be sure that the public has input into the project. Public Works Director Morales explained that workshops would be scheduled for that purpose. Commissioner Thomas clarified that the Town would be going out to bid for the architectural design of a water feature in the park. Public Works Director Morales stated “yes”.

Motion to approve Resolution 43-08-25 made by Commissioner Thomas, Seconded by Vice Mayor Hensley.

Voting Yea: Mayor Michaud, Vice Mayor Hensley, Commissioner Thomas, Commissioner Linden, and Commissioner O'Rourke.

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING: NONE

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING: NONE

NEW BUSINESS:

7. Resolution 47-08-25 – Agreement for Professional Architectural Services – Historic Town Hall Preservation Project – TFH Architectural Services, LLC.

Public Works Director Morales explained that the item is to improve Town Hall American's with Disabilities Act (ADA) compliance and do an assessment of the Commission Chamber layout. Commissioner Thomas asked to be shown which doors would be replaced and where the ramp would be placed. Public Works Director Morales pointed to the doors on the north side of the Commission Chamber as the doors that would be replaced. He stated that the ramp would be placed to the northeast of the doors. The awning would be placed on the west entrance door.

Motion to approve Resolution 47-08-25 made by Commissioner O'Rourke, Seconded by Commissioner Linden.

Voting Yea: Mayor Michaud, Vice Mayor Hensley, Commissioner Thomas, Commissioner Linden, and Commissioner O'Rourke.

8. Town of Lake Park Marina P3 Project - Request to Amend the State of Florida Board of Trustees of the Internal Improvement Trust Fund (TIIF) Deed Restrictions.

Mayor Michaud explained that during the budget workshop, last evening, concerns were expressed regarding the Town Marina and the Public, Private Partnership (P3) project as a whole. He clarified that this item was only to decide if the Commission should postpone the Marina Deed Restriction application scheduled to go before the Cabinet and Governor in September. The application includes permitting and the Comprehensive Agreement.

Commissioner O'Rourke objected to the approach of the topic. He stated for the record that they are limiting this discussion to whether we are going to move to postpone the execution of the agreement for the TIIF Deed Restrictions. He felt the discussion should not be limited to the TIIF Deed Restrictions and understood the focus the Commission was trying to accomplish. He felt this was a broad subject and there are many issues that are connected. He felt his concerns could be addressed further on August 20th. He felt that by addressing the issue during only one meeting it does not allow for vetting all the issues. Mayor Michaud felt that it was not being limited but that it would advance the conversation to take place.

Commissioner Linden asked if there is a deadline in which this item could go before the Governor and Cabinet. Town Manager Richard Reade explained that the item has already been placed on their September 16, 2025 agenda with the Governor.

Vice Mayor Hensley felt that they should be able to come up with a final resolution without putting it off to the next Commission meeting.

Commissioner O'Rourke felt that the agreement was flawed. He felt the Town should not cavalierly dismiss the \$1.2 Million of revenue for the Town. He suggested that staff and the developer meet to discuss the issues and provide the developer a timeline to response.

Public Comment:

- Donald Palumbo expressed concerns regarding the layout of the boats slips at the Marina. He asked where the 50 boats in the rear canal are going. He would like to see programs geared towards children to teach them about sea life.
- Joanne Robin expressed concern that the Marina project did not go out to bid. Forest Development has not filtered the water before it goes out into the lagoon. She was concern that Forest Development has never built a high-rise near the water. She felt their inexperience would kill the sea life.
- Andrew Miller stressed that the Marina land belongs to the Town and only the voters should make the decision about the land, not the developers.
- Retta Resnick expressed concern with several lawsuits which have come up against Lake Harbor Tower South – 301 Lake Shore Drive. She suggested that Forest Development

should not be awarded any other projects until they finish the one they have started and have not completed yet.

- Chris Steele explained that he is not anti-developer. He expressed concerns with the agreement and a developer that lacks Marina experience.
- Michael Steinhauer submitted comments that are included as Exhibit A.
- Zechariah Cesani has observed everyone's passion this evening. He suggested that the Commission focus on the vision of where we are going. He stated that the projects generate a ripple effect.
- Terron Mercer asked that Forest Development complete their project before the Commission awards them more projects.
- Shana Phelan expressed concern with losing the working waterfront in the Town. She and her husband have owned a scuba diving business in Town since 2008. She cautioned the Commission about handing over complete autonomy to a third-party without really understanding what it means.
- Kara Rosa expressed concern with the lack of communication between the Commission and the residents. She urged the Commission to stop before they proceed with this agreement.
- Claudia Wendel expressed concern with the ninety-nine year agreement, of which the Town would be guaranteed revenue for only eleven of those years. She urged the Commission to review the agreement.
- Steve Hockman asked if anyone has read the Marina Deeds. He urged the Commission to keep the Town as a jewel. He asked questions regarding the property on the east side of Silver Beach Road and US 1. He suggested that the Commission read the agreement and all the deeds.
- Mary Taylor provided her comments via Exhibit B.
- Lee Feldman, a principal with the Euclid Group explained that the discussion pertaining to the projects (Nautilus 220 and the Marina P3) should be separated. He responded to some of the statements made this evening. Those statements included that Forest Development has not been in default with the project, nor were they notified of such default. They have been meeting with the Town regularly, with the last three meetings canceled by the Town. The \$1.2 Million would be paid once the Reverter was recorded.

The four leases would not go into effect until the Reverter was recorded and the Town placed them on notice. They are under no obligation to provide financial statements, other than periodic financial statements, once the leases commence. Lastly, he pointed out that the agreement states that the Town needs to cooperate with them to move the Reverter process forward. If the Town does not, there would be damages that would be incurred by the developer, which would be the responsibility of the Town.

- Larry Zabik, Project Manager for the Marina P3 project, explained the process they followed in response to the Town's Bid for the Marina P3. He stated that the different pods (i.e., Hotel, Boat Storage, Marina Restaurant, etc.) would be going before the Planning & Zoning Board, with public hearings and then the Town Commission. He explained that the trigger to these projects are the resolutions to the Reverters for the Marina. He stated that this was a P3 partnership and would be managed jointly between the Town and Forest Development. He explained that the Comprehensive Agreement was a road map for the project, which could be amended as needed.
- Peter Baytarian, representing Forest Development, recapped what has taken place over the years to get to where they are today. He explained that the Marina was not profitable, as the Commission may believe. He stated that they want to make the Marina better. He responded to several concerns raised this evening. He asked that they not postpone the agreement.
- Steve LaFontaine saw proposed drawings of the proposed P3 project and it appears as though they want to build a private island. He encouraged the Commission to rescind the agreement.
- Evelyn Harris Clark - expressed concern with the agreement and feels that all parties need to come back to the table.
- Susan LaFontaine – is in favor of postponing the agreement.
- Katia Zhestkova- asked the Commission to make the right decisions in the best interests of the residents.

Motion to postpone the TIIF permitting applications and any other Department of Environmental Protection (DEP) applications scheduled for September due to issues in the Marina with respect to permitting and the Comprehensive Agreement made by

Commissioner Linden; Seconded by Vice Mayor Hensley. Vice Mayor Hensley clarified that this motion will require the partner to go into discussion with the Town Manager, Staff and the Town Attorney. Mayor Michaud confirmed this to be correct.

Town Attorney Baird stated that they will continue the dialogue. There are issues with respect to the Marina and the barge/sales center as well as the boat clubs. Separate from that are issues with default and the rest of the activities that have yet to take place that would be triggered by the approval of the reverters. Commissioner Linden asked if they delayed this action, does it prevent the Town Manager or Town Attorney from discussing this situation. Town Attorney Baird stated they are ready to continue the dialogue. He went on to say that this vote is to postpone the application for approval of the reverters. In the meantime, there should be dialogue that takes place to address the issues that have been brought up. Commissioner Thomas stated for the record that Mr. Feldman did state that there were four lease agreements with the Town and based on site plans, there are different pods that represent different components of development. She asked to clarify that Pod B represents the TIIF item that is being voted upon. Town Attorney Baird stated that it is an application to modify the reverter clause application, no more, no less. Town Attorney Baird also stated that there is a DEP application to relocate the boat ramp which is still in process. He went on to say that the suggestion has been made to postpone both of these applications so that the Town staff can wrap its hands around the direction that it might recommend to the commission. Commissioner O'Rourke stated that if we delay this to August 20th during the next Commission meeting, he requests the Town and the developer get together to address issues that have been brought up. These issues will not go away solely based on the a postponement of the reverter. He asked if it is possible that the reverter application meeting be postponed until December. Town Attorney Baird stated that the Governor and cabinet meet quarterly, so their next meeting after September would be in December but it would be up the Governor, Cabinet and their staff if they would be willing to put this item on their agenda at that time. Commissioner O'Rourke asked if there had been previous attempts to get this application on the agenda. Town Attorney Baird stated that there had been previous attempts to get on the agenda with the DEP application because there were unresolved issues with respect to the barge being located in a deed restricted area and the two boat clubs being located in a deed restricted

area, both of which have not yet been resolved. Commissioner O'Rourke asked if it would be helpful to have staff meet with Forest Development to at least outline what the issues are. Town Attorney Baird stated that they had met with them in February and went thru the entire Comprehensive Agreement. Since then, the focus has been on the reverter clauses and the other issues have not been addressed. He went on to say that the discussion about the boat clubs and the barge have been ongoing for months and that staff had asked questions about the barge to Mr. Zabik, but a response had not yet been received. Town Attorney Baird said there is also an ongoing dialogue about the boat clubs as to whether they are staying or not staying but the other issues with the comprehensive agreement have not been discussed. Commissioner O'Rourke asked if the Town Manager had come onboard in February when the discussions took place. Town Attorney Baird confirmed that once the Town Manager had acclimated himself to the comprehensive agreement, they had a large meeting with Forest representatives, and another in June with Mr. Feldman and two attorneys but the meeting was not specific to the comprehensive agreement but they are looking to continue the dialogue. Town Attorney Baird stated that the motion on the floor is simply to postpone the Town's application to modify the deed restrictions. Commissioner O'Rourke asked about when the \$1.2 million would be received if the application was postponed. Town Attorney Baird stated that those funds would not be received until after the deed restrictions were approved and then one year thereafter there is some other revenue that gets triggered. Commissioner O'Rourke stated he is concerned that by delaying the reverter process, it will be delayed until 2026 which would push back the revenue possibly to 2027. Mayor Michaud stated that there are issues that are going on with the comprehensive agreement and the process and he wishes to put the Town first. Commissioner O'Rourke also said that he puts the Town first as well. Mayor Michaud stated he feels there needs to be more dialogue and he is confident that the Town will be receiving revenue from the Nautilus certificate of occupancy.

Voting Aye by roll call: Commissioner Linden, Vice Mayor Hensley, Commissioner Thomas, and Mayor Michaud.

Voting Nay by roll call: Commissioner O'Rourke.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

-Town Attorney Baird offered to conduct Public Records and Sunshine Law training for all employees and board members. He also spoke about Senate Bill 180 and potential legal action against it due to it being restrictive of Home Rule. He stated that there is a law firm representing several municipalities and there would be a legal fee ten thousand dollars to join in with the action. He is offering the information to be considered for future discussion.

-Town Manager Reade announced the Annual Back to School Extravaganza on Saturday August 9th and invited the public to attend. He also announced the Sunset Celebration on August 30th. He requested consensus from the Commission to issue a proclamation recognizing October 10th 2025 as Taiwan Day. Commissioner Thomas stated that she objects because she is unclear what the Proclamation is all about. Town Manager Reade agreed to provide more information at a later date. Town Manager Reade also asked about a resident installing a mailbox in a swale which creates issues and he is seeking direction. The Commission agreed that they do not want to allow mailboxes in the swales. Town Manager Reade thanked the Commission for their questions regarding the budget process.

-Commissioner Linde had no comments.

-Commissioner O'Rourke had no comments.

-Commissioner Thomas commended the Town Manager on the improved budget process. She requested another budget workshop around August 20th.

-Vice Mayor Hensley commended Finance Director Barbara Gould for the budget process.

-Mayor Michaud thanked the Town for being present and that their voices are always heard. He spoke about communication and requested residents continue to reach out with their input. The Mayor also spoke about a comment regarding the Commission reviewing documentation and he assured the public that they are reading documents and if they don't understand something, they ask and they also listen to their community.

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT:

Motion to adjourn made by Commissioner O'Rourke. Seconded by Vice Mayor Hensley.

Voting Aye: All.

Meeting adjourned 8:56pm

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on August 20, 2025.

Mayor Roger D. Michaud

Town Seal

Town Clerk, Vivian Mendez, MMC

Deputy Town Clerk, Laura Weidgans

Approved on this _____ of _____, 2025