



Lake Park Town Commission, Florida

Regular Commission Meeting Minutes

Wednesday, October 19, 2022 at 6:30 PM

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

Michael O'Rourke	—	Mayor
Kimberly Glas-Castro	—	Vice-Mayor
John Linden	—	Commissioner
Roger Michaud	—	Commissioner
Mary Beth Taylor	—	Commissioner
John O. D'Agostino	—	Town Manager
Thomas J. Baird, Esq.	—	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 contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL: Vice Mayor Kimberly Glas-Castro was absent.

PLEDGE OF ALLEGIANCE: Mayor O'Rourke.

SPECIAL PRESENTATION/REPORT: None

PUBLIC COMMENT: None

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.

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.

1. September 21, 2022 Final Public Budget Hearing Meeting Minutes
2. September 21, 2022 Regular Commission Meeting Minutes
3. October 5, 2022 Regular Commission Meeting Minutes.
4. Resolution 72-10-22 Authorizing the Mayor to Sign the 2023 Municipal Election Vote Processing Equipment Use and Election Services Agreement with the Palm Beach County Supervisor of Election for the Municipal Election Scheduled for March 14, 2023 and Selecting the County Canvassing Board to Canvass the Town's Ballots.
5. Resolution 73-10-22 Amendment to the Town Attorney's Contract.
6. Request to Authorize the Town Manager to Accept a Professional Services Proposal from REG Architects for the Provision of Architectural Services Required to Complete a Condition Assessment, Provide Plans & Specifications Perform Field Inspections, and Prepare Final Report Documentation Associated with the Grant-Funded Historic Preservation Town Hall Roof Replacement Project.
7. Resolution 74-10-22 Authorizing and Directing the Mayor to Execute an Easement Agreement with the Seacoast Utility Authority Granting an Easement for a Lift Station for Use by Nautilus.

Motion: Commissioner Michaud moved to approve the consent agenda; Commissioner Linden seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Linden	X		
Commissioner Michaud	X		
Commissioner Taylor	X		
Vice-Mayor Glas-Castro			Absent
Mayor O'Rourke	X		

Motion passed 4-0.

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

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

8. Ordinance 13-2022 Rezoning a 1.24-Acre Parcel of Real Property from Public District to Park Avenue Downtown District.
Town Manager D'Agostino explained the item.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA REZONING A 1.24 ACRE PARCEL OF REAL PROPERTY LEGALLY DESCRIBED IN EXHIBIT “A” FROM “PUBLIC DISTRICT” TO “PARK AVENUE DOWNTOWN DISTRICT”; PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP WHICH IS INCORPORATED BY REFERENCE IN SECTION 78-32 OF THE TOWN CODE TO INCLUDE THE REZONING OF THE 1.24 ACRE PARCEL AS PART OF THE OFFICIAL ZONING MAP AS PADD; PROVIDING FOR THE AMENDMENT OF CHAPTER 78, ARTICLE III, SECTION 78-70, TO ADD THE 1.24 ACRE PARCEL TO FIGURE 1 TO SHOW THE PARCEL AS BEING INCLUDED WITHIN THE EXPANDED PADD SUB-DISTRICT REGULATION PLAN AND IDENTIFYING THE PARCEL AS BEING WITHIN THE CORE SUB-DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Linden moved to approve Ordinance 13-2022 on second reading; Commissioner Linden seconded the motion.

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Linden	X		
Commissioner Michaud	X		
Commissioner Taylor	X		
Vice-Mayor Glas-Castro			Absent
Mayor O’Rourke	X		

Motion passed 4-0

Attorney Baird read the title of Ordinance 13-2022 for the record.

NEW BUSINESS:

9. Update on Ordinance 34-11, Regulations for Tree Plantings and Improvements in Swales and on Other Town-owned or Controlled Property or Rights-of-ways, Related Enforcement and Impacts on Effective Stormwater Management.

Town Manager D’Agostino welcomed Public Works Director Roberto Travieso to present to the Commission (see Exhibit “A”).

Questions & Answers: Time Stamp needs to be included.

Mayor O'Rourke questioned if a program could be created for the removal and relocation of Native Trees. Public Works Director Travieso explained that the Tree Board suggested that the Town of Lake Park sell the Native Trees. He expressed that he believed all trees should be removed from swales but it would not be feasible. He explained that planting methods and landscape designs prohibit root system growth near curbs and gutters.

Commissioner Taylor expressed concerns regarding areas of obstructed views at intersections due to trees. Public Works Director Travieso explained that he was aware of obstructed intersections and announced that the Public Works Department maintains trees in public right of ways and property owners maintain their private property.

Public Works Director Travieso clarified that the Stormwater Master Plan does not promote Canopy Tree Plantings but does promote Native Tree Plantings (Shrubs, grasses, trees, and palms) for water quality benefits.

Commissioner Linden questioned if there was a plan to replace each removed tree. Public Works Director Travieso explained that the initial plan was to remove trees, maintenance the area, plant a tree of the property owners choosing at the expense of the Town. He explained that the aforementioned series of events would occur every 36 months. Commissioner Linden expressed that he believed all trees should be exempt from new rules and regulations. Public Works Director Travieso explained the importance of establishing policy and criteria for tree removal. Discussion ensued regarding the possibility of an appeal process to allow property owners to express grievance.

Commissioner Michaud questioned if the possible appeal process would be applicable to new or old trees. Public Works Director Travieso explained that the appeal process would be applicable to existing trees. Commissioner Michaud questioned the Tree Boards position in the appeal process. For example, the property owner would express a grievance; the Tree Board would deliberate and provide a recommendation to the Commission. Public Works Director Travieso explained that an appeal process could be established in the future. Commissioner Michaud asked for clarification of responsibility of damage to irrigation systems during the recontouring process, the Town or property owner. Public Works Director Travieso explained that the Town would absorb costs. Commissioner Michaud questioned if

the Town would have a physical property demonstration. Public Works Director Travieso announced that he was open to suggestions.

Mayor O'Rourke suggested the creation of a proposed Ordinance 34-11 and creation of a tree inventory. Commissioner Linden suggested the inclusion of an appeals process. Commissioner Michaud announced that he might have a location for a physical demonstration.

PUBLIC COMMENT: None

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TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird- No comments.

Town Manager D'Agostino- Please see (Exhibit "B").

Commissioner Linden- announced that he was Principal for the Day at Lake Park Elementary on October 18, 2022. He announced that the Rust Market event short due to inclement weather. He announced the previous meeting of the Centennial Celebration Committee and their continued progress.

Commissioner Michaud- announced that he attended the most recent FRA Conference.

Commissioner Taylor- No Comments.

Vice-Mayor Glas-Castro-was absent.

Mayor O'Rourke –announced that he would be out of town during the week of October 24, 2022. He announced that he may be late in attendance at the November 2, 2022 Regular Commission Meeting.

REQUEST FOR FUTURE AGENDA ITEMS: None

ADJOURNMENT: 8:25 P.M.

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting- November 2, 2022

Mayor Michael O'Rourke

Town Clerk, Vivian Mendez, MMC

Deputy Town Clerk, S. Edwards, MPA, MMC

Town Seal

Approved on this _____ of _____, 2022