



Lake Park Town Commission, Florida

Regular Commission Meeting

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

Wednesday February 21, 2024

Immediately Following the Public, Private Partnership (P3) Workshop

Roger Michaud	—	Mayor
Kimberly Glas Castro	—	Vice Mayor
Vacant	—	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

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

The pledge was bypassed

SPECIAL PRESENTATION/REPORT:

1. A presentation updating the Town Commission on the status of Quiet Zones for railroad crossings.

This item was presented by Town Planner Anders Viane. (Exhibit A). He stated that staff recommends taking no action at this time, but it can be revisited at a later date. Commissioner Taylor stated she does not want to consider it. She wanted to keep the horn in place and has not received any complaints about the noise. Commissioner Thomas stated the same. Vice-Mayor Glas-Castro asked if North Palm had an interest. Town Planner Viane stated he would have to review his materials to see if North Palm had expressed an interest. Vice-Mayor Glas-Castro stated she is not in favor of the alternate measure of closing business driveways. She has not received any complaints and does not support implementation of a quiet zone. The Commission agreed with staff's recommendation to take no action at this time.

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.

Frank Katz- 301 Lake Shore Drive Spoke about the lack of a noise ordinance and provided comments via Exhibit B.

Rick Goodsell- Spoke about an alternate means of construction and recommended Renco USA in Jupiter Florida.

Patricia Leduc- 409 2nd Street spoke about enjoying being able to watch the Commission meetings at home. She commented on the discussion at the last meeting regarding boats and boat trailers and believes the existing ordinance is good. She stated for the record that "A lot of us residents like it the way it is."

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird spoke about the Public Private Partnership (P3), and that it is his role to ensure compliance with the legal process. He stated that the comprehensive agreement is a legal document and that he is responsible for the implementation of that document. He stated he was unaware there were discussions taking place with the Department of Environmental Protection (DEP). He feels that he has been left out of the process and cannot do his job if he is not in the loop.

Town Manager D'Agostino provided comments via Exhibit C. In regards to the Community Greening Tree giveaway, the Commission was asked if they want to limit the giveaway to Lake Park residents only. The Commission agreed to make the trees available to residents only. Vice-Mayor Glas-Castro had concerns about the placement of the trees in swales. Town Manager D'Agostino stated the Town is proposing an educational pamphlet explaining what can be planted in a swale area. Commissioner Thomas provided comments and suggested there be a card to be distributed with the trees that would have information about the species and where to plant. Town Manager D'Agostino stated the cards would be included.

Town Manager D'Agostino was seeking consensus about a conflict between the St. Patrick's Day Parade in Palm Beach Shores and a planning workshop for the Library for Saturday March 16, 2024. Mayor Michaud stated he will attend the Library workshop. Commissioner Taylor will also attend the Library workshop. Vice-Mayor Glas-Castro and Commissioner Thomas will both be out of town.

Consensus was reached on approving the following Proclamations:

National Library Week April 7-13 2024

Water Conservation Month for April 2024

Water Reuse Week for May 19-25, 2024

Town Manager D'Agostino requested that the Commission vote to suspend Don Delaney's work on the P3 Project (Backup documentation within Exhibit C). Vice-Mayor Glas-Castro expressed concern about the exchange in emails and wants to make sure the Town's interests are protected. She stated she doesn't understand Mr. Delaney's continued role and expressed concern about us all being on the same page as far as the release of the reverter clauses. She stated that she supports the suspension.

Mayor Michaud asked about the recording of legal actions.

Town Attorney Baird stated that if there is not clarity in the public records that some modification is made, there is a risk down the road because there is nothing in the recorded documents to support the modification. He went on to say that the General Counsel for the DEP and for the Governor's Office and Trustees are entrusted for looking out for these public lands and does not believe that the trustees would delegate decisions of this magnitude to administrative staff.

Mayor Michaud agrees and is concerned that the Town is not being represented at discussions.

Mayor Michaud supports the suspension. Commissioner Thomas asked about consequence of limiting Mr. Delaney's activities. Town Attorney Baird advised there is a 90 days advance notice clause. He stated that the request for suspension has come about in part due to a concern that the work that is being done is not consistent with the compensation that Mr. Delaney is requesting. He stated that as the Town's consultant, Mr. Delaney reports to the Town Manager and that the Town Manager is perfectly capable to request a pause of Mr. Delaney's work and that Mr. Delaney would not be entitled to collect fees during the suspension period. Town Attorney Baird went on to say that he feels that the Town Manager and himself should participate with DEP to find out what the processes needs to be. Town Attorney Baird stated that Forest Development approached the Town to state that they do not know what they are getting for the invoices that Mr. Delaney is submitting to them and that some of those bills are upwards of \$30,000 per month. Commissioner Thomas asked how the suspension would affect their timeline and does not want to delay the process. Town Attorney Baird suggests the suspension only be until the next Commission meeting allowing time to gather more information and does not feel that anything would be delayed. Mayor Michaud stated that this raises the question, since there would be no delay, then what exactly is the scope of Mr. Delaney's work. Town Attorney Baird stated that the suspension period would be used to answer those questions.

Commissioner Taylor agrees to the suspension. Consensus was reached to suspend Mr. Delaney's work until the next regular Commission meeting.

Town Manager D'Agostino stated that roles, responsibilities and just compensation of each individual will need to be clarified for future components of the project.

Mayor Michaud stated that Thursday & Friday next week is the Safe Street Summit. He is unable to attend.

Commissioner Taylor had no comments.

Commissioner Thomas had no comments.

Vice-Mayor Glas-Castro talked about the amendment on the Mobility Bill. Town Manager D'Agostino provided a response regarding only being one fee for Town projects with mobility. He stated that the County has no money to assist with the oval-about or any other roads and that will be worked out in an agreement between and County and the Town that is a part of the amendment in the legislation.

Vice-Mayor Glas-Castro stated that Renco was a good developer to work with in the Town of Palm Springs.

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

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

2. February 7, 2024 Regular Commission Meeting Minutes
3. Resolution 10-02-24 Authorizing and Directing the Mayor to Execute an Amendment to the Grant Agreement Between the State of Florida, Department of State, Division of Historical Resources, and the Town of Lake Park for Town Hall Preservation Work Activities.

BOARD MEMBER NOMINATION: NONE

QUASI-JUDICIAL PUBLIC HEARING (RESOLUTION): NONE

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

4. 02-2024 Chapter 28 Business Tax Receipt Rental Inspection Provisions

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 28, ARTICLE II, SECTION 28-32(m) PERTAINING TO APPLICATIONS FOR BUSINESS TAX RECEIPTS AND INSPECTIONS, PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director Nadia DiTommaso explained the item.

Commissioner Thomas asked "on the record", "what is meant by reasonable time?" Community Development Director DiTommaso stated that although the language is vague regarding the inspection time-frame, there is a requirement for the entire process to be completed in 30 days.

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

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

Town Attorney Baird read the ordinance by title.

5. 03-2024 Parking Code Amendment Ordinance

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 78, ARTICLE V, SECTION 78-142, TABLE 78-142-1 TO REDUCE THE PARKING DIMENSIONS FOR 90-DEGREE PARKING SPACES; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Viane explained the item.

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

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

Town Attorney Baird read the ordinance by title.

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

OLD BUSINESS:

6. Resolution 11-02-24 Approving a Two-Year Amnesty Period for Gravel Driveways
Town Manager D'Agostino stated that the Town understands the burden this will place on some residents to convert their driveways and that a grant will be made available to those residents that will pay for 50% of the costs on a first come, first serve basis. Community Development Director DiTommaso explained the requirements of the grant. She stated the properties must be owner occupied, they must obtain quotes from three contractors, they must match funds and for grants over \$10,000, it would require Commission approval.

PUBLIC COMMENT: Tom Holland 211 Park Avenue spoke about gravel driveways. He spoke about the difficulty obtaining three quotes as per the requirements of the grant. Community Development Director stated residents should submit documentation showing that they reached out to contractors that the attempt was made.

Motion made to approve Resolution along with Exhibit A (List of addresses) by Vice-Mayor Glas-Castro, Seconded by Commissioner Thomas.

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

NEW BUSINESS:

7. Designation of a Voting Delegate and Alternate to the Palm Beach County League of Cities.

Vice-Mayor Glas-Castro was nominated as the voting delegate. Mayor Michaud was nominated as the alternate.

Motion made to approve delegate and alternate made by Commissioner Taylor, Seconded by Commissioner Thomas.

Voting Aye, Vice-Mayor Glas-Castro, Commissioner Taylor, Commissioner Thomas.

Voting Nay: Mayor Michaud.

REQUEST FOR FUTURE AGENDA ITEMS:

Mayor Michaud requests that staff meet with Solid Waste Authority followed by a presentation on a program they have for painting houses.

Commissioner Taylor would like place the old garbage cans at the bus stops on 2nd and Park Avenue.

ADJOURNMENT:

8:37pm

Motion made by Commissioner Thomas, Seconded by Commissioner Taylor.

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

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2024