



Lake Park Town Commission, Florida
Regular Commission Meeting Minutes
Wednesday January 3, 2024 at 6:30 pm

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

Roger Michaud	—	Mayor
Kimberly Glas Castro	—	Vice Mayor
Mary Beth Taylor	—	Commissioner
Judith Thomas	—	Commissioner
Vacant	—	Commissioner
John 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 contract the Town Clerk’s office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

6:34 P.M.

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

Led by Town Manager D’Agostino

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 348 Flagler Boulevard spoke about the phrase “Seomra Beatha” and gravel driveways (see attachment to comment card).

-Iris Sullivan 348 Flagler Boulevard spoke about street lights not working for two months on her street.

-Danny Ipes, new business owner of Churrasco Grill Cafe - 405 US Federal Highway 1, made an introduction to his new business with operating hours of 8:00 a.m. to 4:00 p.m. and wanted to thank staff for their assistance and to the Mayor for making him feel so welcome.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird wished everyone a Happy New Year and looked forward to working with the Town.

Town Manager D’Agostino provided comments (Exhibit A). He spoke about Assistant Town Manager/HR Director Bambi Turner’s accomplishment of a leadership program. Town Manager D’Agostino announced that Finance Director Jeffrey Duvall’s last day with the Town will be January 17. Mayor Michaud congratulated Assistant Town Manager/HR Director Turner and wished Finance Director Duvall luck in his new job.

Commissioner Taylor noticed that children are riding electric scooters and bikes along the center lines along Park Avenue. She wanted more information about the Town's mobility plan and would like to contribute to this cause.

Commissioner Thomas expressed concern with the property at 1100 2nd Court. She was disheartened by the Town's assistance in good faith to help residents to come into our community. She also spoke about the issue with street lighting and the need to fill vacant staff positions.

Vice-Mayor Glas-Castro asked if there could be a summary at the next meeting going over the legislative requests. Town Manager D'Agostino stated that this will be brought up at the next meeting. Vice-Mayor Glas-Castro suggested that we get input from some neighboring cities as to how they deal with electric scooters on the sidewalks and roadways. Commissioner Taylor suggested having a separate lane for bikes and scooters. Vice-Mayor Glas-Castro stated that she also has concerns about the property at 1100 2nd Court and thanked Commissioner Thomas for voicing that. Town Manager D'Agostino stated that they were hoping for a storage container re-write and he feels that we need to continue to cite them. He stated that staff will focus more directly on this issue moving forward and there will be a progress summary provided to the Commission by the end of the week.

Mayor Michaud mentioned areas where the street lights are out and how this creates unsafe conditions. Town Manager D'Agostino stated that the Town is working on an illumination study and a report is forthcoming. Mayor Michaud asked about the status on the moratorium on the live local act. Town Manager D'Agostino stated a status update would be provided.

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 to approve the Consent Agenda by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

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

1. December 20 2023 Regular Commission Meeting Minutes.
2. Resolution 06-01-24 Authorizing the Town Manager to Accept a Proposal from Water Resources Management Associates, Inc. for Post Design Support and Project Management Services related to the 2nd Street Resurfacing and Green Infrastructure Project.
3. Request for Authorization for the Town Manager to Execute a Work Authorization for Shenandoah General Construction, LLC, to Provide Stormwater Infrastructure Repair Services at 311 9th Street, per the Pricing, Terms, and Conditions of the Broward College/Shenandoah Contract No. RFP-2018-1687-EH (Cooperative Purchase).
4. Resolution 01-01-24 Authorizing and directing the Town Manager to spend budgeted funds from the IT budget and execute a purchase order with Dove Technologies to replace the security camera system at Town Hall and the Lake Park Public Library.
5. Resolution 02-01-24 Fiscal Year 2023-2024 First Budget Adjustments.

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

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

OLD BUSINESS:

6. Progress Report on Status of P3 Ground Leases Between the Town of Lake Park and Forest Development P3 LPM, LLC for the Remaining Three Components of the P3 Project for the Enhancement of the Lake Park Harbor Marina.
Town Manager D'Agostino explained the item. He stated that the project is behind schedule and staff will be working on bringing forward resolutions that would include all of the remaining leases.

NEW BUSINESS:

7. Resolution 03-01-24 Authorizing the Mayor to Execute the Ground Lease between the Town of Lake Park and FD P3 LP HOTEL, LLC for the Hotel Component of the P3 Project for the Enhancement of the Lake Park Harbor Marina.

Town Manager D'Agostino explained the item. Vice-Mayor Glas-Castro questioned "use of premises" in paragraph 5 and asked at what point we lose the area for overflow storage. Town Manager explained paragraph 5.

Marina Director Jason Tenney explained the overnight storage facility and believes we would still have access to use it for another year or so. Town Attorney Baird explained that upon execution of the lease, the Town will not have that area available for use.

Town Manager D'Agostino stated that we will need to alter paragraph 5 to allow the Town use of the lot for parking.

Forest Development representative stated that making that adjustment to the lease would be fine with them as they were not anticipating using the lot for at least 1 year.

Don Delaney requested that the language in paragraph 5 be clarified to have the 1 year period recognized and enforceable.

Motion made to approve Resolution 03-01-24 with paragraph 5 omitted for a subsequent amendment made by Vice-Mayor Glas-Castro, Seconded by Commissioner Taylor.

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

8. Commission Discussion Regarding Filling The Vacant Commission Seat.

Town Manager D'Agostino explained that Commissioner John Linden had tendered his resignation from the Commission effective December 28, 2023 leaving a vacancy to be filled. According to the Charter, the vacancy should be filled by an appointment by the Commission and the appointed member shall serve until the next scheduled election.

Town Manager D'Agostino explained that the next Federal primary will be in March 2024 and stated that the Commission has the option of appointing someone until that time. Town Attorney Baird clarified that according to the Town Charter, the Commission had the option of appointing someone who would serve until the position expired in March 2025, or the Town could elect a new Commissioner in March 2024 who would serve until March 2025. Commissioner Taylor clarified the time-line and the options of appointing or electing.

-Public Comment: Michael O'Rourke 233 ½ Park Avenue stated he believes the process would be to appoint someone who would serve until the election in March 2024.

Town Attorney Baird expressed concerns with not having very much time to make the public aware of the qualifying period which would begin January 5, 2024. Vice-Mayor Glas-Castro asked if an announcement had already been sent out. Town Clerk Mendez advised that advertisements had already been placed in the newspapers, social media and the Town website in anticipation of this discussion.

Mr. O'Rourke stated that he would be available for appointment by the Commission if they desired to go that route.

Vice-Mayor Glas-Castro stated that she believed the appointment would only be until March 2024 and feels that the Town should reach out to residents and there be an interview process, but she does not believe anyone would be interested in attending only a few meetings and then having to complete Form 6 as a result. Commissioner Thomas asked about the requirement to notify the Palm Beach County Supervisor of Elections office (SOE) by January 2, 2024 that we will be holding an election. Town Clerk Mendez stated that we had notified the SOE's office on December 21, 2023 when the resignation was tendered and the Town has until January 12, 2024 to notify the SOE's office of the names of the individuals who qualify. Commissioner Thomas asked about the possibility of extending the qualifying period.

Town Attorney Baird stated that the SOE's office is not allowing for a longer qualifying period. He also clarified that the unexpired term for the seat will be until March 2025, whether the individual is elected or appointed. He stated there is also the option of appointing a temporary individual until the election in March 2024. Mayor Michaud asked if we could hold the election without an appointment. Town Attorney Baird stated yes. Commissioner Taylor stated that since it has already been advertised, we should proceed with the election and does not feel that another individual should be appointed to fill the gap from now until the election. Vice-Mayor Glas-Castro agreed with this. Commissioner Thomas also agreed to not appoint anyone and have the election in March 2024.

9. Resolution 04-01-24 Establishing the Qualifying Period for the March 19, 2024 Municipal Election.

Motion to approve Resolution 04-01-24 made by Vice-Mayor Glas-Castro, seconded by Commissioner Taylor.

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

10. Resolution 05-01-24 Authorizing the Mayor to Sign the 2024 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 19, 2024 and Selecting the County Canvassing Board to Canvass the Town's Ballots.

Motion to approve Resolution 05-01-24 made by Vice-Mayor Glas-Castro, seconded by Commissioner Thomas.

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

REQUEST FOR FUTURE AGENDA ITEMS: Commissioner Thomas asked if the Commission could receive an update regarding the Town lighting in February. Town Manager D’Agostino agreed to provide this.

Mayor Michaud asked who would be participating in the Martin Luther King Jr. Day Parade on January 13th. Mayor Michaud and Commissioner Thomas both confirmed attendance.

ADJOURNMENT:

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

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

Meeting adjourned at 8:08pm

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on January 17, 2024.

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2024