



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, maintain 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.

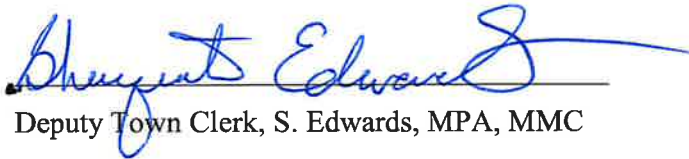
FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting- November 2, 2022



Mayor Michael O'Rourke



Town Clerk, Vivian Mendez, MMC



Deputy Town Clerk, S. Edwards, MPA, MMC



Approved on this 2 of November, 2022

Update on Ordinance 34-11, “Plantings in Swales”, Related Enforcement, & Impacts on Stormwater Management

EXHIBIT "A"

Roberto Travieso

Department of Public Works



Presentation Overview



1. Stormwater Utility
2. Roadside Swales
3. Ordinance 34-11
4. Stormwater Master Plan
5. Examples of Swale Plantings
6. Recommendations
7. Tree Board Presentations



Stormwater Utility



- Manages stormwater runoff
- Improves quality of stormwater discharges
- Protects public/private property from flood damage
- Includes drainage structures, piping, detention/retention areas
- Also includes roadside swales



Roadside Swales



- Publicly-owned rights-of-ways
- Most extensive/common component of stormwater systems
- Town's swale network encompass 2.2M Sq. Ft. (34.7 linear miles)
- Serve to slow and filter stormwater runoff
- Typically sodded to avoid erosion
- Must be recontoured regularly to maintain water conveyance



Ordinance 34-11



- Establishes Town ownership of all swale rights-of-way
- Assigns maintenance responsibility to the property owner
- Establishes permit and fee requirements for swale tree plantings (coordinated through Public Works Department)



Stormwater Master Plan (SWMP)



- Updated in 2019-2020
- Adopted by Town Commission in 2021
- Provided the incremental conversion of 5% roadside swales to green infrastructure (bioswales/biodetention areas)
- Swale Plantings Moratorium implemented in support of SWMP update

Examples of Town Swale Plantings



Recommendations



- a. Complete an exhaustive swale plantings inventory
- b. Adopt policy to grandfather existing trees and begin permitting new plantings, unless specific objective criteria are met for the removal of a tree
- c. Develop and codify a native tree planting list for use on both private and commercial properties
- d. Modify applicable Ordinance to clarify language and increase enforceability
- e. Adopt/update policy to require and promote the planting of native trees and shrubs in Town-owned swales and privately-owned swales

Recommendations



- f. Limit swale's maintenance to those locations with free of tree plantings. Note: This recommendation will prevent the system from achieving maximum water conveyance efficiency
- g. Limit types, quantities, and sizes of tree plantings allowed in swale pursuant to SWMP guidelines and best practices
- h. Develop and publish an educational brochure of the approved native tree planting list; post to Town website and social media
- i. Conduct public meetings and educational campaigns regarding swale plantings; install educational plant markers at various Town locations

Recommendations



- j. Develop and implement swale planting permit form(s) and associated permit fees and fines for violations
- k. Include utility/irrigation systems location clearance as part of permit process
- l. Develop engineering design standard for use in all swale construction/maintenance
- m. Manage tree giveaways and similar initiatives to ensure adherence with Ordinance (ongoing)

Tree Board Presentations



- Item presented to the Tree Board on:
 - **July 12, 2022**
 - **October 19, 2022**
- Summary of Comments provided by Tree Board
- Recommendations have been updated in the Town Commission's version of this Agenda Item to include Tree Board's input



Discussion/Questions



TOWN MANAGER COMMENTS

TOWN COMMISSION MEETING Wednesday, October 19, 2022

EXHIBIT "B"

COMMUNITY DEVELOPMENT

- (1) A special call CRA Meeting will be scheduled for **November 2** at 6:30 p.m. with the Commission Meeting immediately following the Special Call CRA Meeting. It is expected that a grant proposal for Oceana Coffee will be presented at the special call CRA Meeting
- (2) All of the Town's commercial/industrial projects are moving forward: Dalfen Industrial on the north side of Watertower Road is in construction; the new office/warehouses in the Congress Business Park PUD are completed and being marketed; the Lake Park Innovation Center in the Congress Business Park PUD is in construction; DXD Capital Self Storage submitted for permit and is in review; and the large Silver Beach Industrial project is in construction.
- (3) The Nautilus 220 mixed-use project is also moving forward in construction.
- (4) The Oceana Coffee project will soon submit for construction permits. They intend on starting construction in early 2023 and completion in 2024.
- (5) A meeting this month is scheduled with the new owners of 754 Park Avenue to discuss their redevelopment plans. More info is forthcoming.
- (6) The Mobility Plan and Fee Ordinance related items will be presented in November to the P&Z Board and then to the Town Commission so that all can hopefully be finalized and approved by the end of the calendar year.
- (7) Staff expects a site plan application for the redevelopment of Park Avenue/10th to be submitted within the next month. The project is estimated to propose approximately 700 rental units at various price points, inclusive of Studio, 1 bedroom and 2 bedroom units, along with restaurant, office and retail space.
- (8) Staff expects a site plan application for the remaining vacant parcel within the Congress Business Park PUD (corner of Watertower and Congress) to be submitted with the next month for a Texas Roadhouse restaurant.

HUMAN RESOURCES

Town Job Openings

Code Compliance Officer-The Community Development Department is seeking qualified individuals to fill the positions of Code Compliance Officer. High school diploma or equivalent is required plus two years of experience in a related field. Florida Association of Code Enforcement certification is preferred but not required. The deadline by which to apply is 5:00 p.m. on **October 28, 2022**.

Dock Attendant-The Lake Park Harbor Marina is seeking a qualified individual to fill the position of Dock Attendant. High school diploma or equivalent plus a minimum of one year of experience are required. Must have knowledge of working with Dockmaster software, P.O.S software, Payware (Passport Parking App) software, Worldpay and Microsoft Outlook software emails and Pneumcator TMS 3000 fuel reading. Must also be able to swim and must have a valid Florida driver's license. The deadline by which to apply is 5:00 p.m. on **October 24, 2022**.

Library Assistant-Library Assistant to assist with activities at the Lake Park Public Library required for delivery of efficient library services to the public such as: preparing new materials for circulation, accurately entering data into the Library automation system, marketing and publicity related tasks, routinely updating the library website, and assisting with troubleshooting computers. Graduation from an accredited high school or GED required along with a minimum of one (1) year of customer service experience. The deadline by which to apply is 5:00 p.m. on **October 31, 2022**.

Sanitation Truck Operator II-The Public Works Department is still seeking a qualified individual with a valid Florida Class B commercial driver's licenses to work as a Sanitation Truck Operator II. Please note that the requirement for a high school diploma or equivalent has been eliminated; however, qualified applicants must not have lost any driving privileges by reason of revocation, suspension or denial of license, or have been convicted and/or had a adjudication withheld of three or more moving violations in the previous 36-month period. The deadline by which to apply for both positions is 5:00 p.m. on **October 21, 2022**.

Stormwater Technician II-The Public Works Department is also seeking a qualified individual to fill the position of Stormwater Technician II to perform among other tasks skilled work in the installation, operation, and maintenance of the Town's Stormwater systems. Incumbents in this classification may be trained and assigned to operate various Town vehicles/equipment on an intermittent basis. Repairs and maintains the Town's stormwater conveyance system, including catch basins, swales, structures, and other related components. High school diploma or equivalent required supplemented by a minimum of three (3) years of related experience, including a minimum of two (2) years

verifiable heavy equipment or vacuum truck operating experience. A valid Florida Class B Commercial Driver's License is also required. Florida Water and Pollution Control Operators Association (FW&PCOA) or Florida Stormwater Association (FSA) Stormwater Technician Certification, or equivalent, is preferred. The deadline for submitting applications for this position is 5:00 p.m. on **November 1, 2022**.

Those interested in applying for any of the above positions may contact the Town's Human Resources Department at 561-881-3300 Option 8, or may visit the Town's official website at www.lakeparkflorida.gov for additional information and to download an employment application.

PUBLIC WORKS

Community Street Lighting Survey - As part of the Town's continuous efforts to improve safety and mobility in the community, the department has published a brief opinion survey to gather feedback on the public's preferences for outdoor lighting in our streets and pedestrian walkways. Your input and preferences will be carefully considered as we implement additional lighting improvements as recommended in the Street Lighting Study. The survey is currently available in English, Spanish, and Creole on the Town's website and flyers have been sent out to all addresses in the Town. Please respond by **October 31, 2022**.

Community Meetings - The Department of Public Works is excited to announce two upcoming community meetings. On **Saturday, October 22, 2022**, from 10:00 a.m. to 1:00 p.m. a much anticipated **Second Workshop** will be held to present a design progress update for the Park Avenue Lane Reduction (Road Diet) Project. On **Monday, November 14, 2022**, 6:00 p.m. to 8:00 p.m., there will be a **Stakeholders Meeting** to discuss the proposed 10th Street Oval-about Initiative. Both events will be held in Town Hall's Commission Chambers. We welcome members of the public to provide comments and ask questions regarding planned design and implementation timeline for both projects. Direct mailers related to these events will be sent to all Town addresses. Additional project information is available on the Town's website www.lakeparkflorida.gov by searching keyword: "Capital Projects" or by contacting the Department of Public Works at 561-881-3345 or email publicworks@lakeparkflorida.gov.

SPECIAL EVENTS

Florida City Government Week

The Florida League of Cities 2022 Florida City Government Week is held October 17-23, 2022. The Town will celebrate Florida City Government Week on **Friday, October 21** with the fifth grade students from Lake Park Elementary. The students will participate in a Mock Commission Meeting, demonstrations by the Public Works Department and PBSO as well as take a tour of Town Hall and the Library. The Town Commission is invited to join the students from 9:00 am – Noon. For more information please contact the Special Events Department at 561-840-0160.

Fall Fest at Sunset Celebration

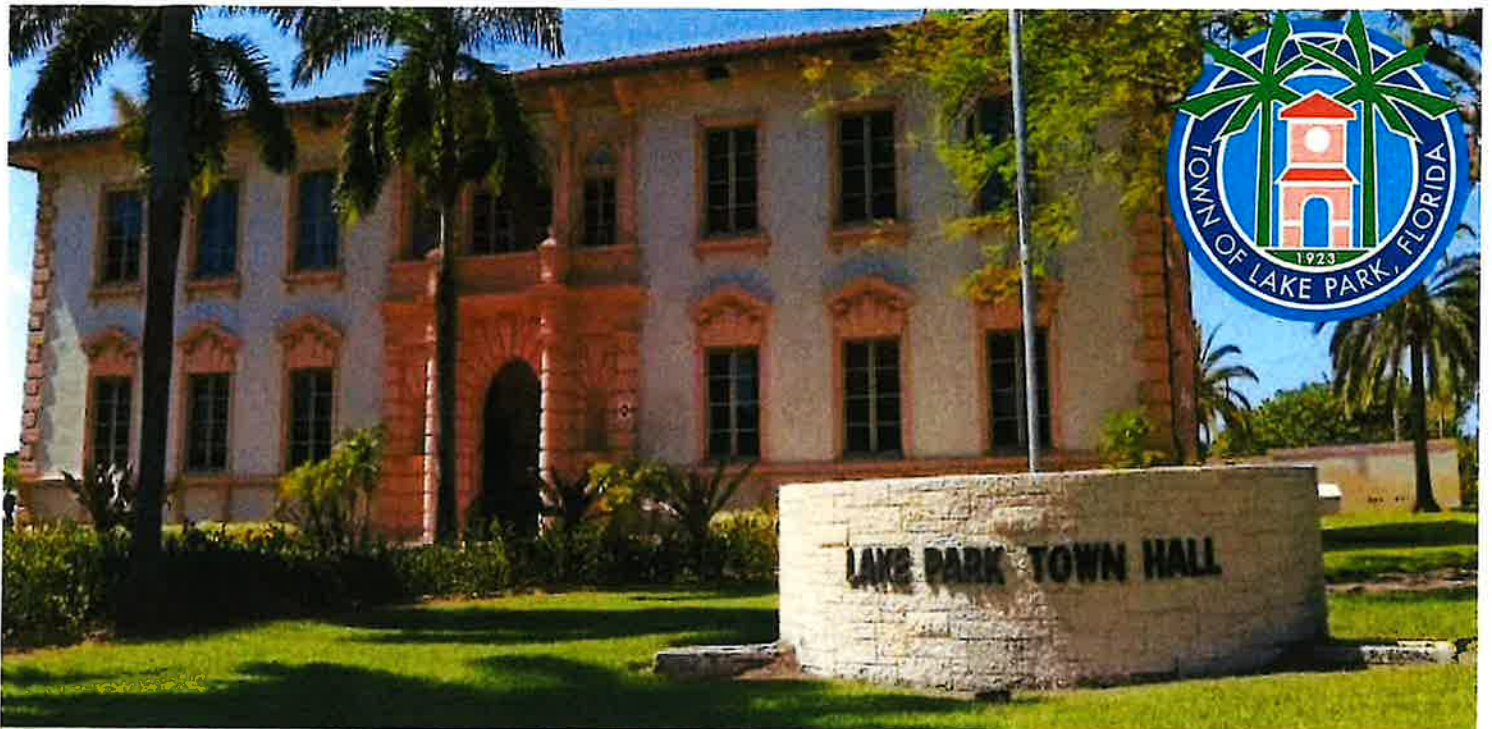
The Town of Lake Park will host its annual Fall Fest at Sunset Celebration on **Friday, October 28** from 6:00 p.m. – 9:00 p.m. at the Lake Park Harbor Marina. This event is a family fun Halloween alternative that will feature live entertainment from The Goodnicks! There will be trick or treating, giveaways and a variety of food and arts & crafts vendors. For more information please contact the Special Events Department at 561-840-0160.

Vets Day Car Show

The Vets Day Car Show will be held on **Sunday, November 13** from 8:00 a.m. – 4:00 p.m. in Kelsey Park. The event will also serve as a celebration of life for Mike “The Striper” Scott. For more information please contact Stefanie Scott at 772-834-8028.

Village of North Palm Beach 2022 Veterans Day Ceremony Invitation

The Village of North Palm Beach is inviting the Town Commission to their Tenth Annual Veterans Day Ceremony to be held **Friday, November 11th, 9 a.m.** at Veterans Memorial Park in North Palm Beach. Please advise the Town Clerk of your RSVP to attend this event at your earliest convenience.



FLORIDA CITY GOVERNMENT WEEK

Join us on Friday, October 21, 2022 as we celebrate, showcase and engage 5th grade students from Lake Park Elementary and Lake Park Baptist in the work of municipal government. Students will participate in a Mock Commission Meeting, demonstrations by the Public Works Department and PBSO as well as take a tour of Town Hall and the Library. The fun begins at 9:00 AM in the Commission Chamber and is expected to continue until Noon. Florida City Government Week is an opportunity to teach students how the Town of Lake Park operates, the services we provide and the importance of active involvement. If you have any questions please contact the Special Events Department at 561-840-0160.



TOWN OF LAKE PARK

FALL FEST AT SUNSET CELEBRATION

LIVE ENTERTAINMENT FEATURING

THE GOODNICKS



**FOOD
VENDORS**

**HAPPY
HOUR**

**CANDY &
TREATS**

**COSTUME
CONTEST**

FRIDAY, OCTOBER 28

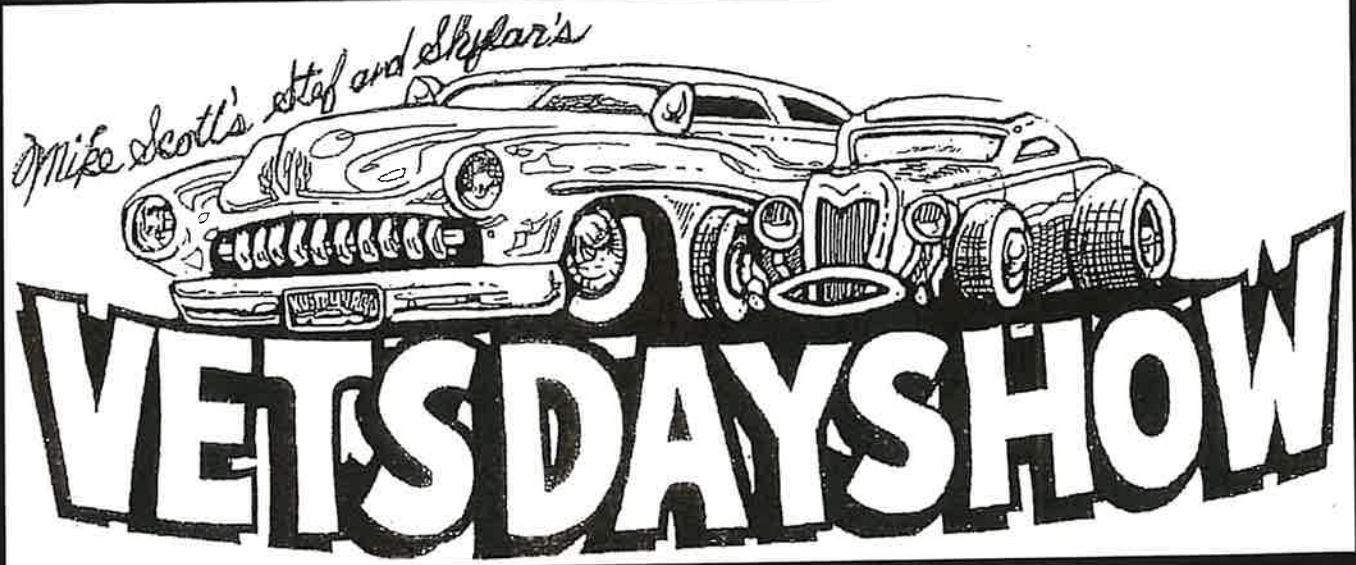
6:00 PM - 9:00 PM

LAKE PARK HARBOR MARINA

105 LAKE SHORE DRIVE

LAKE PARK, FL 33403





Celebration of Life for Mike "The Striper" Scott

Sunday, November 13, 2022

8:00 AM - 4:00 PM

Kelsey Park

601 US Highway 1

Lake Park, FL 33403

\$20.00 Registration Fee

Open To All Early And Late Model Vehicles

20+ Classes With Trophies

Special Mike Scott Memorial Award

For More Information Contact
Stefanie Scott at 772-834-8028



Village of North Palm Beach
Tenth Annual
Veterans Day Ceremony

November 11, 2022 at 9:00 AM

Veterans Memorial Park

303 Anchorage Drive, NPB

Keynote Speaker:

**Keynote Speaker: Former U.S. Navy
Rear Admiral, Frank Drennan**



Honoring All Who Served