



Lake Park Town Commission, Florida

Regular Commission Meeting

Wednesday, May 03, 2023 at 6:30 PM

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

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

CALL TO ORDER/ROLL CALL

6:31 P.M.

PRESENT-

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner John Linden

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

Led by Mayor Michaud

SPECIAL PRESENTATION/REPORT:

Presented by Mayor Michaud

1. Proclaiming May 2023 as Mental Health Awareness and Trauma Informed Care Month
2. Proclamation Recognizing Brittney S. Mikes

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.

- Ken Montevano, Real Estate Broker representing John Strauss, discussed zoning concerns for updated use of buildings so that new businesses wanting to lease space don't have to obtain special exceptions. He is requesting an easier path to getting businesses into these locations.

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 made by Vice-Mayor Glas-Castro

Second made by Commissioner Linden

Voting Aye: All

3. Distribution of the Town Manager Performance Evaluation Form to the Town Commission
4. Fiscal Year 2023/2024 Budget Calendar for Commission Approval

BOARD MEMBER NOMINATION: None

QUASI-JUDICIAL PUBLIC HEARING (RESOLUTION):

5. RESOLUTION 29-04-23 OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION NO. 82-12-21 TO APPROVE AN AMENDED SITE PLAN FOR THE SPECIAL EXCEPTION USE OF A SMALL SCALE FOOD AND BEVERAGE PRODUCTION USE ON THE PROPERTY LOCATED AT 1301 10th STREET; AND PROVIDING FOR AN EFFECTIVE DATE.

Ex-Parte Communications

Mayor Michaud had a meeting with staff as well as a Zoom meeting with members of the parties after the last meeting but only as an observer.

Vice-Mayor Glas-Castro had a one on one meeting with staff

Commissioner Linden stated he had met with staff

Commissioner Thomas stated she had no ex-parte communication

Commissioner Taylor Stated she had met with staff

Attorney Baird swore in anyone testifying on this matter. Community Development Director Nadia DiTommaso made a presentation on the site plan amendment. Vice-Mayor Glas-Castro asked about seeing the staff report. Commissioner Linden asked questions about when the amendment would go back to the Planning & Zoning Board for review. Community Development Director Nadia DiTommaso stated that the Planning & Zoning Board had already reviewed the proposed amended site plan on April 3, 2023 and had recommended unanimous approval. Commissioner Linden stated that the amendments had been made after that point and when would it go back to the Planning & Zoning Board for their input and suggestions. Community Development Director Nadia DiTommaso stated that it would not go back to the Planning & Zoning Board unless the Commission directed them to do so.

Mr. Emilio Lebolo made a presentation illustrating the amendments to the original site plan. Commissioner Taylor asked questions regarding ADA compliance. Mr. Lebolo stated that all is ADA compliant. Commissioner Linden asked about the possibility of future redesign to the original site plan. Mr. Lebolo stated while it might possible, it would not be financially feasible. Commissioner Linden asked for clarification on the two week period after opening. Mr. Lebolo stated that during the first two weeks of business, the traffic situation would be monitored and after the two weeks, patterns of traffic behavior could be analyzed and resolutions could be formulated at that time. Commissioner Linden and Mayor Michaud asked Mr. Lebolo to discuss aspects of the proposed gate system. Mr. Lebolo explained the use of the digital sign which will divert traffic once the arm goes down. Commissioner Linden Asked about how to exit the circle. Mr. Lebolo referred to site plan to illustrate the traffic flow to enter the property. Commissioner Linden re-stated his question about how to exit the circle. Mayor Michaud stated that the exit would be on 10th Street. Mr. Lebolo added that you could exit through the alleyway, on Northern or on 10th Street.

Commissioner Thomas stated her preference for having a hard curb. Commissioner Thomas asked staff about receiving amended documents from applicant after Planning & Zoning Board has reviewed. She asked if the Planning & Zoning Board made their revisions after their meeting. Commissioner Thomas asked if the applicant will be submitting new revisions. Community Development Director Nadia DiTommaso stated that the Planning & Zoning board did not make any changes and that the applicant did submit a new packet that reflected the plans that had already been submitted, but with updated dates.

Commissioner Thomas had concerns about the traffic performance letter (TPS) from Palm Beach County and asked if staff have considered the build-out date that will come from the

revised (TPS). Community Development Director Nadia DiTommaso stated that they had been in discussions with Palm Beach County and they have stated that the county does not foresee any issues. Mr. Lebolo added that an updated (TPS) will be issued. Mayor Michaud thanked staff and applicant and provided his opinion on the various amendments and the site plan in general.

No public comment

Commissioner Thomas made a motion to approve the site plan with conditions as outlined on staff report. See Exhibit (A)

Second by Vice-Mayor Glas-Castro

Discussion: Vice-Mayor Glas-Castro provided her opinion in support of the site plan with the conditions. She expressed that it will take more than 2 weeks in order to properly observe traffic patterns. Commissioner Linden voiced concerns over the way this item was presented without input from Planning & Zoning Board but likes the basic layout of the plan.

Commissioner Thomas is in support of the site plan with conditions, but feels that 3-4 months of monitoring of the traffic patterns is recommended rather than 2 weeks. Mayor Michaud discussed staffing during peak times. Oceana Representative Amy Angelo stated that they are using available technology to monitor the traffic situation and to have the proper amount of staffing during peak times. She stated that there are three entry points onto the property.

Town Attorney Baird clarified the language of the resolution for approval with conditions.

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

Voting Nay: Commissioner Linden, Commissioner Taylor

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

None

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

6. ORDINANCE 05-2023 Repealing Ordinance 20-1995 Planned Unit Development with the Village of North Palm Beach.

AN ORDINANCE OF THE TOWN OF LAKE PARK, FLORIDA REPEALING ORDINANCE # 20, 1995 WHICH APPROVED A PLANNED UNIT DEVELOPMENT FOR THE PROPERTY KNOWN AS THE TWIN CITIES MALL, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF NORTHLAKE BOULEVARD AND US HIGHWAY # 1.

Town Manager John D'Agostino explained the item.

Motion to approve Ordinance 05-2023 made by Vice-Mayor Glas-Castro

Second by Commissioner Linden

Voting Aye: All

Attorney Baird read Ordinance by title only.

OLD BUSINESS:

None

NEW BUSINESS:

7. Larry Bonanno Facility Rental Refund Request

Town Manager John D'Agostino advised that this request was pulled by the applicant

8. Bridges at Lake Park Haitian Flag Day Requests

Town Manager John D'Agostino described the event and the request for fee waiver. Special Events Director Riunite Franks provided a confirmation of the cost of \$1050 associated with the waiver

Motion to approve made by Commissioner Thomas

Second made by Vice-Mayor Glas-Castro

Discussion: None

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

Commissioner Linden

Not present at time of vote: Commissioner Taylor

PUBLIC COMMENT:

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TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird distributed a memorandum regarding voting conflicts, Sunshine Law, ethics and procedures of quasi-judicial proceedings.

Town Manager John D'Agostino provided comments. See Exhibit "B".

Commission agreed on a date for a meeting on bringing the Commission up to date on the details of the comprehensive agreement. Commission agreed to meet on May 24, 2023 at 6:00 pm.

Proclamation request for National Gun Violence Awareness day- Commissioner Thomas has an issue with individual name/s appearing on the proclamation and asked if individual names could be removed or to include all town victims of gun violence names. Commission agreed that no individual names should appear on the proclamation, to be general in nature “for those who have been affected by gun violence”

Commissioner Linden thanked lobbyist for guiding the Commission through “a variety of things”. We had a great time at the Arbor Day Celebration.

Commissioner Thomas made request to the Town Manager to make available a folder for the public with backup material for agenda items.

Commissioner Taylor commended all involved with the sidewalk repairs in town. She felt that they did a great job.

Vice-Mayor Glas-Castro spoke about national bike month and the community bike ride Friday May 5th and every Friday over the summer. The bike ride begins at Coastal Karma Brewing at 6pm.

Mayor Michaud had no comments

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT:

Motion to adjourn made by Commissioner Linden

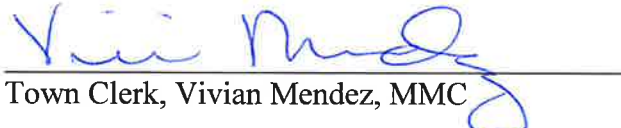
Second by Vice-Mayor Glas-Castro

Voting Aye: All

Adjourned 8:14 pm

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on May 17, 2023


Mayor Roger D. Michaud


Town Clerk, Vivian Mendez, MMC



Approved on this 17 of May, 2023



Exhibit "A"

**TOWN LAKE OF PARK
TOWN COMMISSION
STAFF REPORT
MEETING DATE: April 19, 2023
(continued to May 3, 2023)**

APPLICATION:

Oceana Coffee Roasters/Commercial Kitchens Site Plan Amendment

SUMMARY OF APPLICANT'S REQUEST: On behalf of CIDC Lake Park, LLC ("Property Owner" and "Applicant"), Emilio Lebolo of One A Architecture ("Agent") is requesting amendment of Resolution 82-12-21, which approved (on December 15, 2021) a special exception and site plan for a commercial project known as Oceana Coffee and classified as a "Small Scale Food and Beverage Production" special exception use in the Town Code. The amendment proposes to reduce the proposed building's stories from three to two and to reduce the overall square footage from 28,075 square feet to 17,215 square feet. Accordingly, the Applicant will modify the exterior facades by adding an exterior ground floor patio, replacing the third floor rooftop deck with a second floor open event space, eliminating the office use, and reducing the number and square footage of leasable commercial kitchens on the second floor. Additionally, the applicant is seeking to reduce retail square footage, maintaining the special exception use of "Small Scale Food and Beverage Production" with a reduction from 7,696 square feet to 7,022 square feet; minor modifications to the landscaping, and other changes and adjustments are also shown on the plans. There is no change to the parking and circulation.

As it relates to the previously approved special exception use of "Small Scale Food and Beverage Production", this site was originally intended (and still is) to be utilized with internal operational configurations that consist of coffee roasting, canning, shipping/receiving, retail/office, and additional commercial "ghost" kitchen leasable area. This was originally intended in the special exception use approval and is still applicable with this site plan amendment application. The only differences as it relates to the original *Small Scale Food and Beverage* special exception use and what is proposed, are, in part:

- ➔ a reduction in square footages (as further outlined herein) and elimination of a standalone office on the north side by consolidating the office into the ground floor (i.e. reduction in impacts);
- ➔ a reconfiguration of the internal components on the floor plans;
relocation of the outdoor/patio from the 3rd level to the 2nd level thereby reducing the overall building height as well from 40 feet to 36 feet;
- ➔ Following construction, the intent is to condo the building into its various components with distinct owners/operators for each of the components of the *Small Scale Food and Beverage Production* use, for which Oceana Coffee (i.e. Oceana Logistics International) is a partner in all of the components (Kiss Kitchens for the leasable commercial kitchens; Florida Canning for the canning; and Oceana for the retail/office/shipping).

Overall, the proposed development is consistent with the Town of Lake Park's adopted regulations for the C-1 business district and the Comprehensive Plan.

The Subject Property is located on the southeast corner of 10th Street and Northern Drive in the Town of Lake Park. It is comprised of the following parcel, which totals 0.946 acres:

- Parcel 1 – PCN: 36434220010790190



TOWN MANAGER COMMENTS

Exhibit "B"

TOWN COMMISSION MEETING Wednesday, May 3, 2023

P3 COMPREHENSIVE AGREEMENT

Staff has continued to work closely with Forest Development, its legal counsel and the Town Attorney in finalizing the P3 Comprehensive Agreement for the development project located at our Lake Park Harbor Marina. That agreement is now scheduled for consideration at the June 21, 2023 Regular Commission meeting. In order to fully prepare the Town Commission for such consideration and hopefully final approval, I would like to schedule a workshop with the Commission to take place on **Wednesday, May 24, 2023**. Please let me know of your availability.

If any Commission members are not available on that evening, an alternate date for this workshop would be **Wednesday, May 31, 2023**.

COMMUNITY DEVELOPMENT

Lake Park was notified of a \$1 million legislative appropriation for Septic to Sewer. The project cost is estimated at \$4.8 million for 42 properties including Public Works. The \$1 million contribution will result in lower costs to the property owners. Senator Bobby Powell, Representative Trey Edmonds, Representative Mike Caruso and Town Commission members sponsored and lobbied for the funding. A special thank you to the Town Commission who went to Tallahassee to lobby for the funding.

HUMAN RESOURCES

Job Openings:

The following positions are currently being advertised:

- Camp Counselor – (Four positions) Part-time temporary for the 2023 Summer Camp Program. Pay Range: \$12.98 to \$20.12 per hour. Deadline for receipt of applications is 5:00 p.m. on **May 5, 2023**
- Irrigation Technician – Pay range: \$17.01 to \$26.37 per hour. Deadline for receipt of applications is 5:00 p.m. on **May 8, 2023**
- Sanitation Truck Operator II – Pay range: \$18.21 to \$28.22 per hour. Deadline for receipt of applications is 5:00 p.m. on **May 8, 2023**

- Stormwater Technician II – Pay range: \$18.21 to \$28.22 per hour. Deadline for receipt of applications is 5:00 p.m. on **May 8, 2023**
- Dock Attendant – Pay Range: \$15.90 to \$24.65 per hour. Deadline for receipt of applications is 5:00 p.m. on **May 10, 2023**
- Senior Accountant – Salary Range: \$49,638.40 to \$76,939.52 per year. Deadline for receipt of applications is 5:00 p.m. on **May 12, 2023**

To view the complete job postings for the above positions or to download an employment application, please visit the Town's official website at www.lakeparkflorida.gov . For additional information please contact the Town's Human Resources Department at 561-881-3300 Option 8.

PUBLIC WORKS

Public Workshop - A third public workshop to present a 60% design update for the **Park Avenue Lane Reduction (Road Diet) Project** is scheduled for **Saturday, May 6, 2023, 9:00 a.m.-12:00 p.m.**, in the Town Hall Commission Chambers. A direct mailer related to this event was sent last week to all Town addresses and additional project information is available on the Town's website by searching for keyword: **"Capital Projects"** or by contacting the Department of Public Works at 561-881-3345 or email publicworks@lakeparkflorida.gov.

Stormwater Utility Rate Study - The Town will host a follow-up meeting associated with the Stormwater Utility Rate Study on **Thursday, May 18, 2023**, from 6:00 p.m.-8:00 p.m., in the Town Hall Commission Chambers. Stakeholders are invited to join us as we present information regarding the state of the stormwater utility, the findings and rate recommendations from the analysis. Invitations to this event will be sent soon and additional information is available by contacting the Public Works Department.

SPECIAL EVENTS

Sunset Celebration

The Town of Lake Park will host its monthly Sunset Celebration on **Friday, May 26** from 6:00 p.m. – 9:00 p.m. at the Lake Park Harbor Marina. This month's event will feature live entertainment from The Bryce Allyn Band! There will be a full bar, happy hour prices, and a variety of food and craft vendors. For more information, contact the Special Events Department at 561-840-0160.

Memorial Day Ceremony

The Town will host its annual Memorial Day Ceremony in Kelsey Park on **Monday, May 29** at 11:00 a.m. The event is sponsored by the VFW Post 9610 and the Women's Auxiliary. For more information, please contact the Special Events Department at 561-840-0160.

Summer Camp

The Town of Lake Park Summer Camp is back! The 2023 Summer Camp theme is "Superheros" and will take place **June 5 – July 28** in the Recreation Building located at 800 Park Avenue. Registration is open for residents and non-residents. For more information, call 561-881-3338.

PROCLAMATION REQUEST

Seeking Town Commission consensus to place a Proclamation on a future Town Commission meeting agenda declaring the first Friday in June 2023 (June 2nd) to be National Gun Violence Awareness Day.

SUNSET CELEBRATION

FREE MUSIC CONCERT

FEATURING

EAB BRYCE AILYN BAND



**LIVE MUSIC * HAPPY HOUR * FOOD VENDORS
FREE ADMISSION & PARKING**

FRIDAY, MAY 26

6:00 PM - 9:00 PM

LAKE PARK HARBOR MARINA

105 LAKE SHORE DRIVE

LAKE PARK, FL 33403

NO OUTSIDE FOOD OR DRINKS

**FOR MORE INFORMATION
CALL 561-840-0160 OR EMAIL
SPECIALEVENTS@LAKEPARKFLORIDA.GOV**





MEMORIAL DAY CEREMONY

**HONORING THOSE WHO GAVE THEIR LIVES IN
SERVICE PROTECTING OUR NATION'S FREEDOM**

**MONDAY, MAY 29
11:00 AM
KELSEY PARK
601 FEDERAL HIGHWAY
LAKE PARK, FL 33403**

SPONSORED BY VFW POST 9610

TOWN OF LAKE PARK 2023

SUPERHERO SUMMER CAMP

**BOYS & GIRLS
6 - 12 YEARS OLD
SESSION I
JUNE 5 - JUNE 30
SESSION II
JULY 3 - JULY 28**



**CAMP HOURS
MONDAY - FRIDAY
9:00 AM - 4:00 PM**

**EXTENDED CARE
7:30 AM - 5:30 PM**

**REGISTRATION
OPEN: APRIL 10**



**RESIDENT FEE: \$200/SESSION
NON-RESIDENT FEE: \$250/SESSION
EXTENDED CARE FEE: \$80/SESSION**

RECREATION BUILDING - 800 PARK AVENUE, LAKE PARK, FL 33403

WWW.LAKEPARKFLORIDA.GOV

PHONE: 561-881-3338 - EMAIL: APHEBE@LAKEPARKFLORIDA.GOV



2023 CITY PROCLAMATION
DECLARING THE FIRST FRIDAY IN JUNE TO BE
NATIONAL GUN VIOLENCE AWARENESS DAY

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in the City of [REDACTED] to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to end this public health crisis.

WHEREAS, every day, more than 120 Americans are killed by gun violence and more than 200 are shot and wounded, with an average of more than 17,000 gun homicides every year; and

WHEREAS, Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and

WHEREAS, in Florida has 2989 gun deaths every year, with a rate of 13.3 deaths per 100,000 people, a crisis that costs the state \$40.3 billion each year, of which \$875.9 million is paid by taxpayers. Florida has the 30th highest rate of gun deaths in the US; and

WHEREAS, gun homicides and assaults are concentrated in cities, with more than half of all firearm related gun deaths in the nation occurring in 127 cities; and

WHEREAS, cities across the nation, including in [REDACTED] (city), are working to end the senseless violence with evidence-based solutions; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers —in partnership with local violence intervention activists and resources —know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, gun violence prevention is more important than ever as we see an increase in firearm homicides, and nonfatal shootings across the country, increased calls to domestic violence hotlines, and an increase in city gun violence;

WHEREAS, in January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 2, 2023 to recognize the 26th birthday of Hadiya Pendleton (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to -

- (1) Hadiya Pendleton and other victims of gun violence; and
- (2) the loved ones of those victims; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods, and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to wear orange on June 2nd, the first Friday in June in 2023, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 2, 2023 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the hands of people who should not have access to them, and encourage responsible gun ownership to help keep our families and communities safe.

NOW, THEREFORE BE IT RESOLVED, that Mayor [redacted] of the city of [redacted] declares the first Friday in June, June 2, 2023, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

[date]