

**MINUTES  
CITY OF LAKE WORTH  
REGULAR MEETING OF THE CITY COMMISSIONERISSION  
May 17, 2016 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:04 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth, Florida.

**1. ROLL CALL:**

Present were Mayor Pam Triolo, Vice Mayor Scott Maxwell and Commissioners Christopher McVoy, Andy Amoroso (missed roll but still arrived at 6:04 P.M.) and Ryan Maier. Also present were City Manager Michael Bornstein; City Attorney Glen Torcivia, and Records and Information Manager Deborah Andrea.

**2. INVOCATION OR MOMENT OF SILENCE:**

Invocation by Patrick Livingston of Grace Fellowship on behalf of Vice Mayor Maxwell.

**3. PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Vice Mayor Maxwell.

**4. AGENDA - Additions/Deletions/Reordering:**

Item 5 (D) was deleted.

Item 9 (J) was moved to New Business Item (D)

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner McVoy to approve the Agenda as changed.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell and Commissioners McVoy, Amoroso and Maier. NAYS: None.

**5. PRESENTATIONS:**

- A.** Presentation by Palm Beach County Animal Care and Control on Feral Cats Ordinance given by Diane Sauve, went through a PowerPoint presentation about unwanted animals, told us about a Community problem, There is a connection between animal abuse go on to domestic abuse. Cats and square headed dogs are the most at risk in our Community. Feral cats are now Community cats, Tipped ears reflect a sterilized. They live among us vaccinated and spread of. People want cats trapped neutered and returned in to the community. Are we doing the same thing over and over and expecting a different result. Cats are not claimed at a shelter, people will not ask about a stray cat as they will

about a dog. 66% of lost cats are found after they are lost. Cats stock and kill but this is not the only problem, unlawful to feed unsterilized cats. It is unlawful to put out a lot of food, unlawful to feed raccoons, get a scarecrow available on Amazon, LW has one of the highest stray cat populations in PBC. Free sterilization is available. Humans have created the problem. Sterilization is mandatory not optional anymore. Proving intent is the hardest part of hitting an animal .How do you enforce the feeding of cats and or raccoons, they send someone out to educate them, they respond to calls by sending out someone they will start citing people, opossum should be left alone they don't get rabies and they don't bother anyone, leave them alone. Deterrent do work to keep cats out of yards but we don't want anyone to do harm to the animals.

- B.** Mayor Triolo read a Proclamation declaring May 15-21, 2016 as National Public Works Week.
- C.** Mayor Triolo read a Proclamation declaring May 21-27, 2016 as National Safe Boating Week.

**6. COMMISSION LIAISON REPORTS AND COMMENTS:**

Commissioner Maier said that the Sister City Board met but did not have quorum, he would like everyone come to the meeting. The Treasure coast regional will meet Friday.

Commissioner Amoroso has a cleanup on Saturday at H St Park and the mango festival is June 11.

Commissioner McVoy wants to request of the City Manager meet with the train man about the quiet zone. He was happy to go today to the opening of Sixth Avenue South and he is pleased with the results. He gets concerned citizens calling about slowing traffic.

Vice Mayor wants to go to more ribbon cuttings and he wants to know when we are going to get the roads fixes. The one cent sales tax will help but wants to know how to get a revenue source and thinks we need to have an answer about this. He is going to the graduation ceremony at the Lake Worth High school on Friday. In the proclamation about safe boating he talked about od's and 650 boating deaths he would like to do something about sending loved ones down from up north and people are dying and he thinks the Federal government needs to help.

Mayor said we are ground zero for these problems, she thinks there should be some way to get our voice as a county. Michael said David Aronberg is working on this and the Mayor thinks we need to get everyone involved. Thank you for the Derby Day celebration, MPO meets Thursday we wanted them to come in and talk about complete streets, in September and also we need to start getting together all the projects, we need to apply for MPO funding. 6<sup>th</sup> Ave South was awesome and we had the Haitian event earlier.

McVoy forgot to mention about the Downtown jewel Assn. plaques to remind people they have to maintain alleyways.

**7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**

Maryann Polici wants to thank Jamie for his work at South Palm Park. She wants to thank Captain Baer for helping with sober homes and prostitution thanks for the help with the passive,

Michael Fox wants to talk about code issues. He wants to let everyone know that

he and his husband closed on another property. He discovered issues in his research of code compliance. He wants to thank the Mayor for her help with the department. He showed a map that seem to be in disproportion areas.

Kathleen McGiveron is happy to say that many people applied for a Reap Grant to foster a better quality of life, Lake Osborne got a check for \$2,000 and are purchasing crime watch signs. The met about sober homes with Senator Clemens and Captain Silva and it was a good meeting, she likes to hear about the trap neutered and release program as reported earlier.

Mark Easton talked about a recent Greenacres meeting where a man visited Louisiana and Texas and saw billboards to send your addicted children to Florida for treatment.

Tammy Panza heard an ad that says California does a better job than Florida in treating addicted children. She supports Peggy Adams and they are making a difference. Support for workshop for the Code, wants the city to revamp some of the code issues, she would rather have the cars removed than a resident cited for having brown grass.

8. **APPROVAL OF MINUTES:** No Minutes to approve

9. **CONSENT AGENDA:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the Consent Agenda.

- A. Ratify board members to the various City advisory boards
- B. Contract Award for IFB 16-105 for Electric Meter Retirement Services to Vision Metering, LLC
- C. Approval of the Addendum and Lease Agreement with the Florida Department of Transportation (FDOT) for rental of state right of way along Lake and Lucerne
- D. Approval of Change Order 1 for Rosso Site Development for 6th Ave South - Dixie to Federal construction project
- E. Resolution No. 26-2016 - to authorize the submission of a grant application to the South Florida Water Management District
- F. Amendment to agreement with Pace Analytical Services to extend Laboratory Testing Services for the Water and Electric Utilities Departments
- G. Amendment to agreement with PJ's Land Clearing & Excavating, Inc. for removal and disposal of lime sludge

H. Authorization to exceed \$25,000 purchasing limit for heavy equipment outside repair vendors for maintenance of fleet

I. Resolution No. 27-2016 - Third amendment to the Fiscal Year 2015-2016 Budget

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell and Commissioners McVoy, Amoroso and Maier. NAYS: None.

10. **PUBLIC HEARINGS:**

A. **Ordinance No. 2016-13 - Second Reading and Second Public Hearing - amend various sections and tables of the City's Land Development Regulations**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-13 OF THE CITY COMMISSIONERISSION OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES BY AMENDING ARTICLE 1 DIVISION 2, SECTION 23.2-12, DEFINITIONS; ARTICLE 2, DIVISION 3, SECTIONS 23.2-30 SITE PLAN REVIEW; ARTICLE 3, DIVISION 1, SECTION 23.2-15, NOTICE REQUIREMENTS; ARTICLE 3, DIVISION 1, SECTION 23.3-6, PERMITTED USE TABLE; ARTICLE 3 DIVISION 2, SECTION 23.3-17, MU-DH – MIXED USE DIXIE HIGHWAY; ARTICLE 4, DEVELOPMENT STANDARDS, SECTION 23.4-3, EXTERIOR LIGHTING; SECTION 23.4-6, HOME OCCUPATIONS; SECTION 23.4-10, OFF-STREET PARKING; ARTICLE 5, SUPPLEMENTAL REGULATIONS, SECTION 23.5-1, SIGNS; ARTICLE 6, ENVIRONMENTAL REGULATIONS, SECTION 23.6-1, LANDSCAPE REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Maxwell on second reading Commissioner Amoroso seconded the motion.

Commissioner McVoy is voting against it because of the home occupations section, we pride ourselves as the place where are it made, he thinks we should come up with ways to put our money where our mouths are for arties. Vice Mayor Maxwell called the question and the vote was taken.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioner Amoroso. NAYS: Commissioners McVoy and Maier

B. **Ordinance No. 2016-15 - Second Reading and Second Public Hearing - amend Downtown (DT) zoning district, permitted uses table and amend various sections of the City's Land Development Regulations**

City Attorney Torcivia read the following ordinance by title only

**ORDINANCE NO. 2016-15 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES BY AMENDING ARTICLE 3 DIVISION 1, SECTION 23.3-6, PERMITTED USE TABLE; ARTICLE 3, DIVISION 3, SECTION 23.3-14, DT – DOWNTOWN; ARTICLE 4, SECTION 23.4-13 MEDIUM AND HIGH INTENSITY CONDITIONAL USES; PROVIDING FOR SEVERABILITY; CONFLICTING ORDINANCES REPEALED; CODIFICATION CLAUSE; AND EFFECTIVE DATE.**

Action: Motion made by Vice Mayor Maxwell to approve Ordinance No. 2016-15 on second reading Commissioner Amoroso seconded the motion.

Commissioner McVoy will vote against this because this will allow drive through businesses and he finds it astounding that a city that is bicycle friendly, we would do this. Vice Mayor Maxwell called the question and a vote was taken.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioner Amoroso and. NAYS: Commissioners McVoy and Maier

**C. Ordinance No. 2016-16 - Adopt Florida Building Code 2014 Edition and Administrative Amendments**

City Attorney Torcivia read the following ordinance by title only

**ORDINANCE NO. 2016-16 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 9, "BUILDINGS AND STRUCTURAL REGULATIONS", ARTICLE I, "IN GENERAL", SECTION 9-2.1, "CITY OF LAKE WORTH ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODES ADOPTED", BY ADOPTING BY REFERENCE THE CITY OF LAKE WORTH ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE 2014 EDITION; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE**

Action: Motion made by Commissioner McVoy to approve Ordinance No. 2016-16 on second reading Commissioner Amoroso seconded the motion.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioner McVoy, Amoroso and Maier. NAYS: None.

**D. Ordinance No. 2016-17 - Adopt Floodplain Management Provisions to continue participation in the National Flood Insurance Program.**

City Attorney Torcivia read the following ordinance by title only

**ORDINANCE NO. 2016 – 17 OF THE CITY OF LAKE WORTH, FLORIDA,**

AMENDING CHAPTER 9, "BUILDINGS AND STRUCTURAL REGULATIONS", ARTICLE I, "IN GENERAL", SECTION 9-3, "SPECIAL FLOOD HAZARD AREA PROVISIONS" TO PROVIDE FOR AMENDMENTS TO THE FLORIDA BUILDING CODE REGARDING FLOOD ELEVATIONS; AMENDING CHAPTER 23, LAND DEVELOPMENT REGULATIONS, ARTICLE 5, "SUPPLEMENTAL REGULATIONS", SECTION 23.5-2, "SUBDIVISION REGULATIONS" TO REFERENCE THE NEW FLOODPLAIN MANAGEMENT ARTICLE; AMENDING ARTICLE 6, "ENVIRONMENTAL REGULATIONS", SECTION 23.6-3, "FLOODPLAIN MANAGEMENT" BY REPEALING THIS SECTION AND ENACTING ARTICLE 7, "FLOODPLAIN MANAGEMENT" TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Action: Motion made by Commissioner McVoy to approve Ordinance No. 2016-17 on second reading Vice Mayor Maxwell seconded the motion.

.Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioner McVoy, Amoroso and Maier. NAYS: None.

**11. UNFINISHED BUSINESS**

There were no unfinished business items.

**12. NEW BUSINESS:**

**A. Ordinance No. 2016-18 – First reading for Changes to Parking Regulations**

City Attorney Torcivia read the following ordinance by title only

ORDINANCE NO. 2016-18 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 7, "BEACHES, PARKS AND RECREATION", ARTICLE II, "BEACH PARKING", SECTION 7-18, "PARKING GENERALLY" TO CLARIFY MOTORCYCLE PARKING REQUIREMENTS; AMENDING SECTION 7-22, "DISABLED PERSON PARKING" TO CLARIFY THAT OBSTRUCTING DISABLED PARKING SPACES IS A VIOLATION; AMENDING SECTION 7-23, "ENFORCEMENT PROCEDURE" TO MODIFY THE TIME PERIOD TO PAY PARKING VIOLATIONS; AMENDING CHAPTER 21, "TRAFFIC"; ARTICLE I, "IN GENERAL", SECTION 21-4, "VEHICLE LICENSES" TO INCREASE THE PENALTY FOR AN EXPIRED TAG; AMENDING ARTICLE II, "PARKING, STOPPING AND STANDING", SECTION 21-33, "IMPROPER AND PROHIBITED PARKING" TO CLARIFY MOTORCYCLE PARKING REQUIREMENTS AND

**PROVIDE THAT PARKING IN ALLEYS AND FIRE LANES ARE PROHIBITED; AMENDING SECTION 21-37.2, "DISABLED PARKING SPACE VIOLATIONS" TO CLARIFY THAT OBSTRUCTING DISABLED PARKING SPACES IS A VIOLATION; AMENDING SECTION 21-39, "ENFORCEMENT PROCEDURE" TO MODIFY THE TIME PERIOD TO PAY PARKING VIOLATIONS AND TO CLARIFY SERVICE ON THE VIOLATOR; AND ENACTING SECTION 21-44, "ADMINISTRATIVE REVIEW PROCESS", TO ALLOW FOR ADMINISTRATIVE REVIEW OF PARKING CITATIONS; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE**

Action: Motion made by Commissioner Amoroso to approve Ordinance No. 2016-18 on first reading Commissioner Maier seconded the motion.

Juan Ruiz said this is a housekeeping item.

Greg Rice he didn't read this He wants to know where scooters come in to this Ordinance and/or Downtown, he has a hard time getting through when he tries to get around.

Peggy Fisher wants to know if this also includes parking cars on the roadway with "For Sale" signs.

Michelle Sylvester got a ticket and she wrote a check immediately but in four days she got a notice, please let the extra time. She sees motorcycles parked on the sidewalks, and wants this to be addressed.

Juan stated that some of the issues from the roundabout and parking in the neighborhood will not be addressed, it is a very narrow area. Commissioner Amoroso wants to know if we can cite people if they ride a motorized bike on the sidewalks, and asked if we could rewrite this for the second reading, we need it to work for downtown. City Manager says this is specially designed for the beach. He thinks we have a bigger issue with sidewalks he wants to get a more comprehensive approach, Commissioner Amoroso said he has been working on this for 5 years and he wants this brought back, Mike said this is huge and he is hearing specific issues with downtown, he will work with the Attorney and staff and find out how to enforce it.

McVoy hears about parking downtown about bicycles and electric bicycles are more prevalent, he would be cautious because people who pay a lot for a bike, don't want that bike to get stolen. How you should price parking? There are things we can do and technology out there to help.

Mayor wants us to be ADA compliant, we want to see ways to be innovative about increasing bicycle parking.

Vice Mayor said the County passed an ordinance on Curb Storing, and Mike said we

are working with the Sheriff about it.

Michael Fox said we had a bike valet on earth day, he was in the Netherlands, and they had bike valets and bike parking corrals with cameras for a bike corrals.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioners McVoy, Amoroso and Maier. NAYS: None.

#### **B. Ratification of the PMSA Contract**

Germaine English started to speak about this, but a vote was called.

Action: Motion made by Vice Mayor Maxwell to approve this contract Commissioner Amoroso seconded the motion.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioner McVoy, Amoroso and Maier. NAYS: None.

#### **C. Ratification of the PEU Contract**

Germaine English started to speak about this, but a vote was called.

Action: Motion made by Vice Mayor Maxwell to approve this contract Commissioner Amoroso seconded the motion.

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioners McVoy, Amoroso and Maier. NAYS: None.

#### **D. Purchase and sale of 501 Lake Ave/Chamber Building**

Action: Motion made by Commissioner Amoroso to approve this contract Vice Mayor Maxwell seconded the motion

City Manager Bornstein spoke about this issue. We have been working to get this property back since the Chamber was merged with Palms West, he had an appraisal done there is a reverter clause. Instead of doing that the Chamber will pay off the mortgage and they are giving us the property. We are paying out of reserves.

Commissioner McVoy hears that we are spending, but we are not in the business of selling, once we spend the money, we can't get it back. We are talking about making this the information center, we think it serves a purpose, the parking that can be used as public parking. Public meeting space inside, the board room could be used. Commissioner McVoy thinks it should be used as a Chamber, He thinks if someone gave us the building he would be in favor, but he is not sure we are being wise. Having a building downtown to run events we have space problems and we are seeing this as a central location. He thought the casino building space was to be used for this.

Jo Lesson rents the space at the chamber building, she wants to stay there keep their space, they allow us to use the board room now. She would rather see the gratitude organization be allowed to remain in this building.

Commissioner Maier, wants to say that if there is a tenant in the building he thinks it should be a part of the conversation. The Mayor has heard that if this is not being used for a Chamber, we should have the building back. She had heard from people about the building is needed for staff. Commissioner McVoy hears that we have a need for space, he has not heard that we have a need for staff space. If we have a need we should say so, but he is not sure we are spending \$250,000 for a building without a plan.

Mayor wants us to spend the money. Commissioner Amoroso calls the question

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell; and Commissioner Amoroso. NAYS: Commissioner McVoy and Maier

**13. LAKE WORTH ELECTRIC UTILITY:**

- A. **CONSENT AGENDA:** (public Comment allowed during Public Participation of Non-Agendaed items)
- B. **PUBLIC HEARING:**
- C. **NEW BUSINESS:**

**14. CITY ATTORNEY'S REPORT:**

**15. CITY MANAGER'S REPORT**

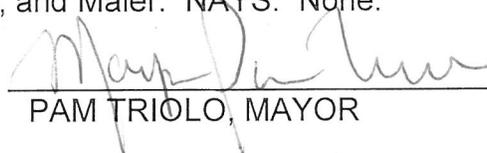
- A. May 17, 2016 draft Commission agenda

Please stay focused on the weather and Commissioner Amoroso wants to say we are sorry for the loss of your Mr. Bornstein's father.

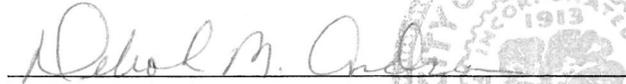
**16. ADJOURNMENT:**

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to adjourn the meeting 8:00 PM.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.

  
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PAM TRIOLO, MAYOR

ATTEST:



Deborah Andrea



Minutes Approved: June 7, 2016

A digital audio recording of this meeting will be available in the Office of the City Clerk.