

MAYOR/COMMISSION WORK SESSION

March 2, 2009

Commission Chambers – 10:11 a.m.

Present: Mayor Frankel, Commissioners Douglas, Moss, Robinson, City Administrator Mitchell, City Attorney McKenna and City Clerk Kauthen; Absent: Commissioners Mitchell and Muoio.

- 1. Lease of Norton Park to Norton Museum – Assistant City Attorney Payson stated that [a] the Norton Park was deeded to the City by the Palm Beach Art League in the 1940s; [b] the deed restricted the use of the park; [c] the City maintains the park as a green space; [d] a special event occurred at the park in the fall of 2008, which the Norton Museum of Art had an issue with; [e] the Norton Museum of Art would like to have control over the property in order to prevent any special events from occurring at the park in the future; and [f] if the Norton Museum of Art was to take over the maintenance of the property it would be of minimum benefit to the City. Commissioner Moss inquired if the Norton Museum of Art was to take over the maintance of the park if they would allow the neighborhood to continue using the park as they currently do. Mr. Pruitt, representing the Norton Museum of Art, [a] expressed his opinion that the location of the park is not conducive for holding fundraisers; [b] stated that the fundraiser in the fall of 2008 was held by the Center for Creative Education; [c] stated that the Norton Museum of Art was not notified of the event until the invitations were sent out; [d] stated that fundraising events at the park could cause problems for the neighborhood and the museum; [e] stated that the Norton Museum of Art would be willing to take over the deed and maintain the grass; [f] suggested that the City could tighten it's ordinances regarding the use of the park; [g] expressed his concerns over students playing athletic games in the park; and [h] expressed his concern over decisions made**

	<p>about the park by future Mayors. The Mayor [a] expressed her opinion that the City should retain the lease to the park; [b] suggested implementing a policy to have the Norton Museum of Art sign off on any events that wish to occur in the park; [c] stated that until the issue is resolved the City will not allow any events to happen until there is a sign off by the Norton Museum of Art; [d] stated that she and the Commissioners would like to be informed of when the Norton Museum of Art have special events; and [e] stated that the Law Department will come up with a resolution to address the issue. Ms. Pangborn, Director of Administration at the Norton Museum of Art, [a] stated that on February 28, 2009 the Norton Museum of Art had a Conniston Middle School Day at the museum where four hundred students came to the museum for the day; and [b] informed the Commissioners that on Saturday's West Palm Beach residents are allowed to go to the museum for free, and Palm Beach County residents are free on the first Saturday of each month.</p>
2.	<p><u>Ballet Florida Contract Issue</u> – Redevelopment Manager Briesemeister stated that [a] the Ballet Florida had a listing agreement with a real estate company to try and sell their property; [b] the real estate company's legal council has sent a notice to the City indicating that they feel they are entitled to a commission from the sale of the property; and [c] the notification means the City will have to put \$185,000 into an escrow account. Commissioner Douglas stated she would like to proceed with the buying of the building regardless of the escrow disbursement order. City Attorney Mckenna suggested amending the contract to allow for the Commissioners desired outcome to be transcribed. The Mayor expressed her concerns over giving a real estate company money that could be used to help sustain the ballet. Commissioner Moss stated he would like [a] the money to go to Ballet Florida; and [b] the issue to be reconsidered at the next City Commission Meeting on March 9, 2009.</p>

3.	<p><u>Upkeep of Martin Luther King Jr., Memorial</u> – Commissioner Robinson [a] stated that the Martin Luther King Jr., memorial is in need of some maintenance; and [b] suggested that the City create a partnership with the Hispanic Human Resources Council and the Urban League to maintain the monument. Mr. Avellana, Executive Director of the Hispanic Human Resources Council, [a] gave a synopsis of how the monument came to be in the City’s park; [b] expressed his opinion that the City should maintain the monument due to its location; and [c] stated that: (1) the lettering of the monument is corroding, (2) the pedestal is cracked, and (3) there is chewing gum on the floor. The Mayor [a] stated that when an event is happening at the park somebody should make sure the monument is presentable; and [b] thanked Mr. Avellana for coming to the meeting. Director of Parks and Recreation Thrower stated that she would take care of the issue.</p>
4.	<p><u>LEED Certified Planners</u> – Commissioner Douglas [a] indicated that the City does not have any LEED Certified Planners; [b] stated that Trinity 1515, LLC stated that they would pay to train the City’s planners to become LEED Certified; and [c] expressed her opinion that it would be beneficial for the City to take Trinity 1515, LLC up on their offer. Planning Director Wu stated [a] that Senior Urban Designer Flis has been working towards his LEED accreditation; and [b] he would discuss the matter of having Trinity 1515, LLC pay for the accreditation with the applicant.</p>
5.	<p><u>ADA Non-Compliant Bus Stops in the City</u> - Commissioner Robinson stated that [a] he noticed that two bus stops on Palm Beach Lakes Boulevard are not ADA compliant; [b] prior to 2005 there were no ADA requirements; and [c] Palm Tran is willing to work on the issue but needs the cooperation of the City. The Mayor suggested [a] that Palm Tran get together with the County to try and get some stimulus money to upgrade the bus stops; and [b] Palm Tran do a survey of their riders to</p>

	<p>find the areas that would be conducive to having ADA compliant bus stops. Traffic Engineer Collins stated that [a] he has spoken to Palm Tran and they are willing to work with the City to get the ADA compliance issue resolved; and [b] there could be Palm Tran moneys available to remedy the issue. Planning Director Wu stated that [a] the ADA requirements for bus stops are expensive; and [b] some of the bus stops will not be able to become ADA compliant due to the sidewalk restraints. Commissioner Douglas [a] stated that a resident had mentioned that the bus accessibility ramps are not functioning on two of the buses on Palm Beach Lakes Boulevard and one bus on Australian Avenue; and [b] suggested Palm Tran give the City a number that citizens can call if they have accessibility issues. Assistant to the City Administrator Melick stated he would like to be the contact person for citizens who need help with ADA issues.</p>
6.	<p><u>Community Gardens/Red Mulch</u> – Commissioner Douglas stated that [a] she would like the City to issue a resolution banning red mulch in the City; [b] she received a request for a community garden from people who work in the downtown area; and [c] the Northwest section of the city would also like a community garden. The Mayor stated that [a] Parks and Recreation Director Thrower should speak to Mr. Singer with regards to the red mulch issue; [b] Deputy Redevelopment Manager Kelley should look into the community garden issue for the downtown area of the city; and [c] CRA Project Manager Stelly should look at the Northwest Section of the city for locations for a community garden. Commissioner Moss inquired if the City was using chocolate mulch. Parks and Recreation Director Thrower stated that [a] the red mulch is safe and not toxic; [b] the City uses red mulch because it last a lot longer than untreated mulch; [c] stated that chocolate mulch is not made from chocolate it's simply called chocolate due to it being the same color as chocolate; and [d] stated she</p>

	<p>would send the Commissioners a memo on the mulch issue once she has spoken to Mr. Singer.</p>
7.	<p><u>Mayor's Matters</u> – Deputy City Administrator Miller [a] stated it would be beneficial to designate a smoking area at City Center; [b] provided the Commissioners with an update on the moving schedule for City Center; [c] inquired as to how the Commissioners would like to dispose of the old City Hall's assets; and [d] introduced the new Director of Construction Services, Douglas Wise. The Mayor [a] stated she did not like the idea of people smoking in the court yard; [b] suggested finding a place for staff to smoke in the neighborhood; [c] stated that on April 16, 2009 there will be a celebration of the opening of the new City Center; [d] suggested having an auction to sell the assets; and [e] reminded the Commissioners that protocol needs to be observed at the Commission Meetings. Commissioner Douglas stated that smoking should [a] be banned citywide; and [b] not be allowed on City property. Commissioner Robinson inquired as to how the no smoking areas would be enforced. Construction Services Director Wise introduced himself and spoke of his credentials.</p>
8.	<p><u>Other</u> – Commissioner Moss [a] inquired about the status of the petition from the developers of Oakton Commons Community to have individual trash pickup; and [b] reiterated the desire of the Commission for Oakton Commons Community to have individual trash pickup. Director of Public Works Alford stated that [a] Oakton Common is considered to be a townhome multi-family complex; [b] until recently sanitation did not pick up trash outside of multi-family complexes; [c] in order to accommodate Oakton Commons the roads would have to be made wider to accommodate for the trucks; and [d] he was working with Principle Planner Schneider on the issue. Planning Director Wu stated that [a] at the time of the site plan approval the developer did not want to</p>

	<p>make adjustments to accommodate for the garbage trucks; and [c] he would work with the developers on the issue.</p> <p>Commissioner Moss [a] inquired if the City's lobbyist are looking into acquiring money to build a temporary bridge for the Southern Boulevard bridge; [b] stated he would like the City to work with the State in order to help the Southbridge Condominium with their replacement bridge issues; [c] stated he would like staff to keep the issue as a high priority; [d] stated that he would like for staff to keep the pressure on Department of Transportation (DOT) to allocate more money towards the project; and [e] suggested that there could be other alternative plans for the project that are currently not being considered. Assistant City Administrator Balbis stated that he [a] had discussed the issue with the City's Tallahassee lobbyist; and [b] will provide the contact information of the DOT at the Tallahassee level for the neighborhood Association. The Mayor stated that [a] the stimulus money may not be able to be used for Southern Boulevard bridge project; and [b] the City needs to focus on projects that can qualify for the stimulus package.</p> <p>Commissioner Douglas [a] reiterated that the Commissioners should attend special events that involve school children; and [b] stated that she would like to be informed when events are happening on City property. The Mayor stated that [a] the City's 24 hour hotline number needs to be aware of special events occurring in the City; and [b] the Special Events Department should provide the Commissioners with a list of special events that will be occurring in the City. Deputy City Administrator Miller stated she would look into the distribution of the special events calendar.</p>
13.	<u>Adjournment</u> – 11:29 a.m.