

TOWN OF MANGONIA PARK
MINUTES OF TOWN COUNCIL MEETING
APRIL 15, 2014

The Town of Mangonia Park Council Meeting was held at 1755 East Tiffany Drive, Mangonia Park, Florida 33407. Mayor Albury called the meeting to order at 6:28 p.m. Present were Vice Mayor Johnson, Council Members Buchanan-Webb and Smith; Attorney Keith W. Davis of Corbett, White & Davis, P.A., Town Manager Leffingwell and PBSO Lt. Rodney Thomas. Councilman Trueblood was absent. Vice Mayor Johnson offered the invocation followed by the Pledge of Allegiance.

AGENDA APPROVAL

Mayor Albury requested the addition of Miscellaneous Agenda Item 7E. *Department Liaisons.*

MOTION made by Vice Mayor Johnson, seconded by Councilwoman Buchanan-Webb approving the Agenda as amended with the addition of Miscellaneous Agenda Item 7E. **Vote was unanimous.**

CONSENT AGENDA

MOTION made by Vice Mayor Johnson, seconded by Councilman Buchanan-Webb approving the Consent Agenda:

- *4A. *Proclamation Declaring May 2014 as "Civility Month"*
- *4B. *Proclamation Declaring May 25, 2014 as "National Missing Children's Day".*
- *7A. *Bills and vouchers in the Amount of \$298,420.13 -- General Fund.*
- *7B. *Bills and vouchers in the Amount of \$ 54,243.74 -- Utility Fund.*

Vote was unanimous.

PALM BEACH COUNTY LEAGUE OF CITIES

Attorney Davis gave a brief report.

ORDINANCES AND RESOLUTIONS

- 6A. Ordinance 2014-03 (First Reading) -** Attorney Davis read by title only.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF MANGONIA PARK AT CHAPTER 6. BUILDINGS AND BUILDING REGULATIONS. SECTION 6-17 "LOCAL AMENDMENTS TO CHAPTER 1. ADMINISTRATION, OF THE FLORIDA BUILDING CODE ADOPTED." IN ORDER FOR THE TOWN'S BUILDING AND FLOODPLAIN CODES TO BE IN

COMPLIANCE WITH FEDERAL FEMA GUIDELINES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUB-SECTION OF CHAPTER 6. BUILDINGS AND BUILDING REGULATIONS. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

A lengthy discussion ensued.

MOTION made by Vice Mayor Johnson, seconded by Councilman Smith adopting Ordinance 2014-03 on first reading. **Vote was unanimous.**

6B. Ordinance 2014-04 (First Reading) – Attorney Davis read by title only.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, AMENDING ITS CODE OF ORDINANCES AT APPENDIX B. FLOODPLAIN MANAGEMENT TO PROVIDE UPDATED REGULATIONS IN CONFORMANCE WITH REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF THE TOWN OF MANGONIA PARK CODE OF ORDINANCES SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

MOTION made by Councilwoman Buchanan-Webb, seconded by Vice Mayor Johnson adopting Ordinance 2014-04 on first reading. **Vote was unanimous.**

PUBLIC HEARING:

1. The Adoption of a Final Non-Ad Valorem Assessment Roll Pursuant to F.S. 197.3632

Mayor Albury announced the Public Hearing and Attorney Davis gave a brief explanation of the Resolution that replaces Resolution No. 2013-12.

6C. Resolution No. 2014-05 – Attorney Davis read by title only.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, ADOPTING AN AMENDED

FINAL ASSESSMENT ROLL TO ADD, AT THE PARCEL OWNER'S REQUEST, ONE PREVIOUSLY EXEMPTED PARCEL TO SAID FINAL ASSESSMENT ROLL, FOR THE LEVY OF SPECIAL ASSESSMENTS TO COVER THE COST OF CERTAIN PUBLIC IMPROVEMENTS PREVIOUSLY APPROVED BY THE TOWN COUNCIL PURSUANT TO RESOLUTION 2013-11; PROVIDING A SEVERABILITY CLAUSE AND A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mayor Albury opened the floor for public comments; there were none. He closed the floor for public comments.

MOTION made by Councilwoman Buchanan-Webb, seconded by Vice Mayor Johnson adopting Resolution No. 2014-05. **Vote was unanimous.**

6D. Resolution No. 2014-06 – Attorney Davis read by title only.

A RESOLUTION OF THE TOWN OF MANGONIA PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

A brief discussion ensued.

MOTION made by Vice Mayor Johnson, seconded by Councilman Smith adopting Resolution No. 2014-06. **Vote was unanimous.**

MISCELLANEOUS BUSINESS

7C. Request for the Approval of a Contract Between the Town of Mangonia Park and Thomas B. Cushing Demolition for the Demolition of 4811 Australian Avenue, West Court Subdivision, Lot 3 (Less E. 10') and Lot 6, PCN: 44-43-43-05-10-000-0030, Mangonia Park, Florida 33407, in an Amount not to Exceed \$7,500.00 as Ordered in Case No. 2012-35 by Special Magistrate MacGibbon on November 8, 2013.

Town Manager Leffingwell explained that the proper rules and requirements were followed in first citing the property via Code Enforcement; Finding the property in violation of the Code; and finally posting the Code Violation Order in the newspaper; at the site as well as Town Hall. She added that this was the final step and that it did affect the safety and welfare of the community.

A lengthy discussion ensued.

MOTION made by Councilwoman Buchanan-Webb, seconded by Vice Mayor Johnson approving the contract. **Vote was unanimous.**

7D. Request for the Approval of a Contract Between the Town of Mangonia Park and Thomas B. Cushing Demolition for the Demolition of 1200 Giller Avenue, Mangonia Hills Amended PL Subdivision, Lot 1A, Block 7, PCN: 44-43-43-05-11-007-0131, Mangonia Park, Florida 33407, in an Amount not to Exceed \$3,000.00 as Ordered in Case No. 2012-36 by Special Magistrate MacGibbon on November 8, 2013.

MOTION made by Vice Mayor Johnson, seconded by Councilman Smith approving the contract. **Vote was unanimous.**

7E. Appointment of Departmental Liaisons.

Mayor Albury appointed the following elected officials as the liaison for:

Law Enforcement:	Councilman Trueblood
Public Works:	Councilman Smith
Fire Services:	Councilwoman Buchanan-Webb
Code Enforcement:	Vice Mayor Johnson

PUBLIC COMMENTS

The following individuals made comments:

Estelle White, 1705 Boardman Avenue, Mangonia Park, Florida 33407, regarding the installation of the sewer project for Bryn-Mawr.

Town Manager Leffingwell explained that this was a grant awarded from Palm Beach County and the contractor had not started the Project yet.

More discussion followed.

Addie L. Greene, 1617 Boardman Avenue, Mangonia Park, Florida 33407, regarding the department liaison appointments; Agenda Items 7C-7D; condition of the landscape in the Bryn-Mawr entrances and Don King's property located at 1415 45th Street; letters being mailed to senior citizens in her neighborhood attempting to scam residents;

A brief discussion ensued wherein Mayor Albury and Vice Mayor Johnson reiterated that private committees formed in neighborhoods are not an extension of the Town and therefore do not require Town Council approval or comments; they both

concurred that the beautification committee former Councilwoman Greene formed is not affiliated with the Town.

Ida Robbins, 4750 Jeffery Avenue, Mangonia Park, Florida 33407, regarding the Town Manager's position and complaints about the event that was held on Saturday, at 1521 45th Street.

Derrick McCray, 1521 45th Street, Mangonia Park, Florida 33407, regarding McCray's II Backyard BBQ, Inc., in completing the unfinished building on his property.

A brief discussion ensued.

Nikasha Wells, Esquire, introduced herself as the attorney of record as well as Attorney Greg Kino, as Co-Counsel for Mr. McCray. She thanked the Town Council for allowing Mr. McCray to speak under public comments and for working with him for the past six (6) years.

It was the general consensus of the Town Council to allow Town Attorney Davis to discuss all possible solutions with Attorney Wells and Kino on behalf of the McCray Project.

Ms. Robbins and Councilwoman Buchanan-Webb briefly discussed the discrepancies of the noise level as well as the time the McCray's II Backyard BBQ event ended on April 12, 2014.

Councilwoman Greene expressed her concern regarding any elected official "fraternizing" with the McCray's Project and/or its owner.

Carla Smart, 1601 Paxton Avenue, Mangonia Park, Florida 33407, voiced her concerns about the commercialism that has affected her neighborhood. She said the quality of life had been greatly affected since her initial move thirty-four years ago.

Councilman Smith responded to Ms. Greene's comments about not being affiliated with the event that was held on Saturday, April 12, 2014. He stated that he was invited, he attended with his son and socialized with neighbors and friends; educators from his son's school. Councilman Smith said he understands about perception, but this was an event from the March Election as a way to say thank you to the residents of the Town. Councilman Smith asked that everyone proceeds forward with an open mind and continued by stating that he is still the same neighbor, resident and person he was prior to the Election and before becoming Councilman Smith. He also added that it is his goal to bring, restore and maintain peace and tranquility throughout the Town.

REPORTS

9A. *Administration - Town Manager Leffingwell* gave a brief report.

9D. (Out of Order) Legal - Attorney Davis gave a brief report.

9B. Law Enforcement - Lt. Thomas stated "as submitted" and elaborated on arrests made and citations given for the illegal dirt bikes and 4-wheelers that were on the road.

COUNCIL COMMENTS

10.4. Sarita C. Johnson, Vice Mayor gave a full report on the Florida Green Finance Authority and the increasing interest they have received from other municipalities throughout South Florida.

5. William H. Albury, III, Mayor commended Councilman Smith on the response he made under Public Comments; he referenced the remarks made by the resident regarding the sewer installation in Bryn-Mawr. He stated that to change contractors would not be cost effective and it would create even more delays. Mayor Albury said he wanted to make sure that everyone understood that the delay is not with the Town.

Vice Mayor Johnson mentioned the meeting on April 9, 2014 with the Solid Waste Authority (SWA) regarding the vote taken on the proposed Waste Burn Facility.

A brief discussion ensued.

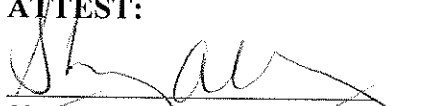
MOTION made by Vice Mayor Johnson, seconded by Councilwoman Buchanan-Webb adjourning the meeting @ 8:21 p.m. **Vote was unanimous.**

TOWN OF MANGONIA PARK


WILLIAM H. ALBURY, III, MAYOR

(SEAL)

ATTEST:


Sherry Albury, Town Clerk
Minutes approved **May 20, 2014**