

**TOWN COUNCIL
WORKSHOP MEETING
FEBRUARY 11, 2003**

The meeting was called to order at 6:36 p.m. Present were Mayor Venis, Vice-Mayor Clark, and Councilmembers Starkey and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting. Councilmember Paul was absent.

1. SILVER LAKES PARK

Parks and Recreation Director Dennis Andresky provided Council with a status of Silver Lakes Park. He requested that a meeting be held in February or March to inform residents that they must comply with the insurance agreement regarding the encroachments.

Vice-Mayor Clark asked about the timeline Mr. Andresky referred to and indicated that he should have better notified the residents about this meeting, as it was suppose to inform the residents about the encroachments. Assistant Town Administrator Ken Cohen spoke of the notification efforts by staff. He indicated that six residents had complied, but the remainder had not and he was sure they would not. Mr. Cohen stated that after all notification efforts had been exhausted, one of the options for the Town would be to remove the encroachments, install fences at both ends and allow the residents to put fences across. He stated that the other option would be to allow the residents to keep the encroachments without the liability insurance because it was not fair for some to pay and not others. Mr. Cohen clarified that if the encroachments were not removed, the Town was at risk of being sued if someone was injured.

Vice-Mayor Clark was concerned that there could be neighbor disputes. Mr. Cohen agreed and stated that Council would have to make important decisions to avoid this. He stated that a recommendation was made to the residents to form an association to pay for the insurance, which might reduce the cost for each homeowner.

Mr. Andresky spoke of the notification efforts over the past three years and community meetings that were held. Mr. Willi reminded that the Florida Department of Transportation management agreement required that the encroachment issue was settled.

Vice-Mayor Clark asked if those who did not have encroachments would have to get insurance. Mr. Cohen indicated in the negative. Mr. Andresky indicated that there was a mixture of people - some with encroachments, some without - and those who did not have encroachments were not required to have insurance.

Councilmember Truex questioned whether those without encroachments, but with full water access, would need insurance because there were still liability issues. Mr. Cohen clarified that all waterfront property had to have liability insurance. He indicated that fencing the non-insured out would not solve the problem, nor would fencing the entire property.

Mayor Venis indicated that in October 2003, a site plan was supposed to be ready for public examination and asked about the amenities residents had requested for the park. Mr. Willi stated that the site plan included many of these amenities.

Councilmember Starkey asked about a property on the southwest corner of the parcel and asked how the Town would have access around the lake. Mr. Cohen indicated that this parcel had an encroachment and stated that it was not necessary to have access. He stated that if the Town accommodated the residents, then there would definitely be no access.

Mr. Andresky provided Council with a proposed budget for the Park.

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2. 58 AVENUE PARK (proposed)

Mr. Willi asked Mr. Kiar about an agreement on this park in regards to fees. Mr. Kiar indicated that it was a monetary amount over a five-year period. Mr. Willi indicated that the fee was \$65,000.

Mr. Andresky distributed a layout of the Park and the project schedule. Mayor Venis asked if the layout was examined by the residents in the area. Mr. Andresky replied affirmatively. Public Works/Capital Projects Director Bruce Bernard advised of the other amenities.

Vice-Mayor Clark asked if there would be lights. Mr. Bernard indicated that the residents did not want lighting and the park would follow the same operating hours as other Town parks.

Councilmember Starkey asked about a covered pavilion. Mr. Bernard indicated that a pavilion was not requested by the residents.

There being no further business to discuss, Mayor Venis adjourned the meeting at 7:04 p.m.

Approved _____

Mayor/Councilmember

Town Clerk