

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
MARCH 3, 2009**

IMMEDIATELY FOLLOWING THE CANDIDATE FORUM

I. (A) CALL TO ORDER, ROLL CALL:

Mayor Malcolm Lewis called the meeting to order at 7:12 p.m.

The following members and officials were present:

Malcolm K. Lewis, Mayor
Thomas C. Mayes, Jr., Vice Mayor
Robert M. W. Shalhoub, Pres. Pro Tem
Valentin Rodriguez, Jr., Council Member
Gregory Freebold, Council Member
Joann Hatton, Town Administrator
Jo Plyler, Town Clerk
Wes Smith, Chief of Police
Charles Schoech, Town Attorney

(B) PLEDGE OF ALLEGIANCE:

Mayor Lewis led the assembly in the pledge of allegiance to the American Flag.

II. APPROVAL OF AGENDA:

Motion made by President Pro Tem Shalhoub to approve the agenda, seconded by Vice Mayor Mayes; Motion approved (5-0).

III. CONSENT AGENDA:

- A) Approval of Minutes of the February 10, 2009 Council Meeting.
- B) Approval of June 22-26 for the 2009 LCS Youth Running Camp.
- C) Approval of Interlocal agreement between Palm Beach County and Town of Lake Clarke Shores for Community Park Improvement – Phase IV in the amount of \$75,000. (None Matching).

Motion made by President Pro Tem Shalhoub to approve the Consent Agenda, seconded by Vice Mayor Mayes; Motion approved (5-0).

IV. PRESENTATIONS:

- A) Police Department Tasers – This item will be placed on an upcoming agenda.

V. TOWN ENGINEERS:

- A) Engenuity Group Inc., Town Consulting Engineer
B) AECOM, Town Utilities Engineer (see attached report).

VI. NEW BUSINESS: None

VII. UNFINISHED BUSINESS:

- A) **President Pro Tem Shalhoub made a motion to approve the Amendment to the Agreement with the City of Lake Worth for additional wastewater capacity, as corrected, to lower the surcharge rate from one hundred fifty (150) percent to one hundred twenty five (125) percent, seconded by Vice Mayor Mayes; Motion approved (5-0).**

- B) **Time Capsule** – It was determined that the Time Capsule will be located four (4) feet south of the Flag Pole at the entrance to the Police Department for a period of twenty-five (25) years.

- C) **Street Lighting Program** - Chief Smith reported that he is in the process of surveying the areas that are in need of adequate street lighting and that Florida Power & Light is working with him in determining where there are existing poles for possible placement of additional lights.

In response to question from Vice Mayor Mayes, Chief Smith stated that residents can contact FPL to have private lights installed on their property.

- D) Utilities Department compensation for On Call/Stand By time.

Following Council discussion **President Pro Tem Shalhoub made a motion to amend the October 1, 2008 personnel handbook to include the following: “The utility field employee receive \$50.00 for the week they are on call time and compensation time for the actual time work”, seconded by Vice Mayor Mayes; Motion approved (5-0).**

VIII. AUDIENCE COMMENTS:

Tracy Potter, 1501 Wagner Circle, advised that as requested by Council at the February 10, 2009 meeting, she acquired a quote of \$2,000 to have an appraisal for the fifteen feet (15') of property between her property and Lake Clarke. Mrs. Potter felt

the cost was unreasonable and continues to declare that she is the owner of the property. Attorney Schoech responded that he has determined that the property is owned by the public, further indicating that an appraisal is not necessary if an informal evaluation can be made of the reasonable square feet value of the property, then the Town would have the ability to transfer the land locked area of the plat to the Potters by a quick claim deed.

Council Member Rodriguez made a motion that the Attorney prepare the appropriate document declaring the property as surplus, prepare a quick claim deed, acquire the value of the land and cost to Town for legal and engineering fees for consideration at the next meeting and that the Potters be allowed to present a variance application to the Town on April 15th instead of the required April 1st deadline, seconded by President Pro Tem Shalhoub; motion approved (5-0).

Ashok Kulkarni, 8131 West Lake Drive, questioned the exact size of the public owned property and requested to see the survey and drawing. Attorney Schoech responded that he will have all information available at the next Council meeting.

Gloria Shaw, 1862 Caribbean Road West, submitted a petition to the Town signed by twenty-four (24) residents requesting that the Town replace the existing privately owned wooden fences, which stand on the east side of Florida Mango Road to the north and south of Arabian Road, with architecturally attractive and structurally sound wall that will complement the existing Town entrance signs at Arabian Road and enhance the appearance of the adjoin neighborhoods on the Town's western boundary, while maintaining the level of privacy that the adjoin residents currently enjoy.

Chief Smith agreed to meet with Ms. Shaw and take photographs of the area.

James Boger, 7518 Edgewater Circle, expressed his concern regarding the cost to the Town for a wall or fences along Florida Mango due to the current economy as suggested in the petition.

IX. REPORTS:

- A) Joann Hatton, Town Administrator, referenced her Report dated February 24, 2009, and reminded everyone of the March 10, 2009 Town Election.
- B) Attorney Charles Schoech referenced his Status Report, dated February 25, 2009, and indicated that he had nothing further to report.
- C) Chief Smith invited everyone to come stop by and tour the new Police Department during the Barbecue.

D) Town Council:

Council Member Freebold reminded everyone that the Bass Fishing Tournament is scheduled for April 25, 2009.

President Pro Tem Shalhoub:

1. Reminded everyone that volunteers and donations are needed for the March 15th Barbecue and suggested that the Town forward a reverse 911 message to the residents regarding the barbecue.

Pat Conte, 8340 West Lake Drive agreed to organize the cake and pie baking contest.

2. Referenced the letter from Leah Saar, 8111C Northboro Court, dated February 25, 2009 expressing concerns of the Wellesley Homeowners Association plans to remove 55 oak trees from the community. President Pro Tem Shalhoub stated that the Town Building Official and Attorney Schoech should determine if there are ordinances regulating tree removal.
3. Reminded everyone that the Waterway Clean-up is scheduled for April 18, 2009.

Vice Mayor Mayes commented on the following:

1. Record total of 292 runners in the "Loop around the Lake" event on February 14th stating that the couples run was very successful and thanked the resident runners and volunteers that participated. 1
2. Expressed concern regarding the action of the Wellesley homeowners association's to remove oak trees from the community.
3. Has been unable to contact Bryan Blanton regarding the possible annexation of his property on Florida Mango Road, located in the unincorporated area of the County.
4. Thanked Mayor Lewis for his accomplishments during his two years serving as Mayor.

Council Member Rodriguez:

1. February 20th Movie Night was a great success with 115 children in attendance.
2. Thanked Gloria Shaw for her beautiful yard and for her efforts in obtaining the signatures for the petition she presented earlier in the evening.

Mayor Lewis invited everyone to the Hot Dog Stand that he and wife Mildred will be working during the March 15th barbecue.

XI. ADJOURNMENT:

President Pro Tem Shalhoub made a motion to adjourn the meeting at 8:30 p.m., seconded by Council Member Rodriguez; Motion approved (5-0).

Malcolm K. Lewis, Mayor

Jo H. Plyler, Town Clerk