

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
JULY 15, 2008**

(IMMEDIATELY FOLLOWING SECOND BUDGET WORKSHOP)

---

**I. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE:**

**(A) CALL TO ORDER, ROLL CALL:**

Mayor Malcolm Lewis called the meeting to order at 7:16 p.m.

The following members and officials were present:

Malcolm K. Lewis, Mayor  
Robert M. W. Shalhoub, President Pro Tem  
Valentine Rodriguez, Council Member  
Gregory Freebold, Council Member  
Joann Hatton, Town Administrator  
Mary Pinkerman, Acting Town Clerk  
Charles Schoech, Town Attorney  
Wes Smith, Chief of Police

The following official was absent:

Tom Mayes, Jr., Vice Mayor

**(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 Council Member Freebold; Motion approved (4-0).**

**III. CONSENT AGENDA:**

- A) Approval of Minutes of the June 17, 2008 Budget Workshop
- B) Approval of Minutes of the June 17, 2008 Council Meeting
- C) Approval of Minutes of the June 24, 2008 Special Town Council Meeting (Executive Session)

- D) Approval of Interlocal Agreement between the Solid Waste Authority and the Town of Lake Clarke Shores for the Delivery of Municipal Solid Waste to Designated Facilities and for a Municipal Recycling Program.
- E) Resolution #08-15 – Appointing Alternate Member to Code Enforcement Board.
- F) Resolution #08-16 – Approval of Ten-Year Water Supply Facility Work Plan as required by Comprehensive Plan.
- G) Resolution #08-17 – Approval of Agreement with Waste Management.
- H) Resolution #08-18 - Adopting the National Incident Management System (NIMS) per Homeland Security Directive.
- I) Approve Police Department forfeiture expenditure in the amount of \$1,370.00 for the purchase of three (3) Remington 12ga shotguns.

**Motion made by President Pro Tem Shalhoub to approve the consent agenda, seconded by Council Member Freebold; motion approved (4-0).**

#### IV. PRESENTATIONS:

- A) William Thrasher, Financial Director gave a brief overview of the proposed Millage and Budget as presented at the Budget Workshop held earlier in the evening.

**President Pro Tem Shalhoub made a motion to adopt a Tentative Millage rate of 5.6278 and set the First Budget Hearing on the proposed Millage and Budget for September 9, 2008, seconded by Council Member Freebold; motion failed (3-1), Mayor Lewis opposed.** Clerk's note: Chapter 200, Florida Statutes, TRIM (Truth in Millage) compliance, requires a super majority vote on this proposed millage rate. With only 4 out of 5 Council Members in attendance, super majority in this case equals 4-0.

Mayor Lewis stated that the 5.6278 millage rate overrides Amendment #1 that was voted in by the residents to reduce their taxes and he is of the opinion that they deserve the saving of the 5.4036, 2009 rolled back rate. He stated that he would agree on a 5.6278 tentative millage until a full Council is available to further address the budget and millage during the September Public Budget Hearings.

**Council Member Freebold made a motion to adopt a Tentative Millage rate of 5.6278 and set the First Budget Hearing on the proposed Millage and Budget for September 9, 2008, seconded by President Pro Tem Shalhoub; motion approved (4-0).**

- B) Paul Friedman, Professor, College of Criminal Justice and resident of the Town, presented information on the possibility of obtaining an EOC Homeland Security Grant for construction renovation of the Police Building including funds for the EOC Center, Sally Port and new kitchen. Grant applications are being awarded up to \$250,000 dollars with an applicant requirement of 25% in-kind matching funds.

**President Pro Tem Shalhoub made a motion to support the EOC Homeland Security Grant as presented, seconded by Council Member Rodriquez; motion approved 4-0.**

- C) 50<sup>th</sup> Anniversary Committee Members, Jim Tackett and Bernadette Shalhoub, made a presentation to Council on their thoughts and ideas for establishing a Social Advisory Committee that would be comprised of Town volunteers who would function as a support group for all Town events that have been or will be approved by the Town Council. **President Pro Tem Shalhoub made a motion to approve the establishment of a Social Advisory Committee as requested, seconded by Council Member Rodriquez; motion approved (4-0).**

- D) Spencer Wilson, Chairperson, LCS Community Park Advisory Committee, reviewed the proposed rules for Community Park as addressed in the Town Administrator's memorandum dated July 8, 2008, that included the committee's recommendations from their June 5, 2008 meeting.

Dr. Dale Porcher, 1701 Carandis Road, requested that dogs not be allowed in the park due to animal waste and aggressive animals. It was discussed that the placement of animal waste stations be provided in the park and that residents be encouraged to pick up their animal's waste.

Askoh Kulkarni, 8432 Westlake Drive, stated that he has witnessed dog owners that do not follow the rules of animal waste pickup in parks.

Fran Carlton, 8432 Waterway Drive, requested that "No drugs or control substance" signs be placed in the parks. Council advised that there are existing laws regulating these activities.

It was the consensus of the Council to approve the following proposed rules for signage at the Town Parks and instructed Attorney Charles Schoech to draft the required regulations, changes, and additions to the ordinances for further consideration by the Council:

1. Park Closed dusk to dawn
2. No Fireworks
3. Animals allowed on a leash, and the placement of animal waste stations and signs to encourage residents to pickup waste

Regular Town Council Meeting  
July 15, 2008

4. No Motorized Vehicles
5. No Smoking
6. Update verbiage in Section 26-127 regarding amplified music
7. "Parking for Community Park only" sign

Council did not agree to restrict the use of alcohol in the parks.

**V. TOWN ENGINEERS:**

- A) Keith Jackson, Engenuity Group, Inc., Town Consulting Engineer
- B) Jeffrey Greenfield, Boyle Engineering, Town Utilities Engineer

Mayor Lewis acknowledged the Status Reports submitted by the Town Engineers.

**VI. UNFINISHED BUSINESS:** None

**VII. NEW BUSINESS:** None

**VIII. AUDIENCE COMMENTS:**

Banna Ghioto, 1605 Carissa Road, expressed her concerns regarding this year's excessive 4<sup>th</sup> of July fireworks activity in the Town. Mrs. Ghioto suggested that the Town consider designating a controlled area for this activity next year.

Police Lieutenant Robert Shaw, noted that the proposed budget includes a 4.5% COLA increase, however, merit increases are not included for the employees. He stated that with the recent increase of \$200.00 per month in his health insurance, his take home pay would be less in October 2008 than in September 2008 due to taxes. In response to question from Council Member Rodriguez, he replied that he has been employed with the Town since 1989.

David Barringer, resident and Building Manager of 1500 Forest Hill Blvd., requested that the Council adopt an Ordinance allowing Golf Carts to be driven on Lake Clarke Shores Streets. Chief Smith and Attorney Schoech responded that the State Uniform Traffic Control laws do not allow unlicensed or uninsured vehicles on public roads. There are exceptions to use of Golf Carts on private roads and in gated communities.

Council Member Rodriguez requested that Attorney Schoech research the possibilities of allowing Golf Carts to be driven on the Town Streets.

Dr. Dale Porcher, 1701 Carandis Road, Commended the Police Department for their quick response to his residence on two emergencies regarding his children; however, he expressed concern on the slow response from Palm Springs Fire Rescue and questioned why the Town does not use Palm Beach County Fire Rescue. Chief Smith

responded that the Town contracts with Palm Beach County, however, due to the County Interlocal agreement, the first or closest unit will respond and in many cases it is Palm Springs.

William Murphy, 1841 Evergreen Dr., stated that he had attended a CPR class that was held in Town Hall and at that time it was noted that Town Hall did not have an Automatic Defibrillator on site. Chief Smith responded that he will look into the cost and possibly be able to obtain one for Town Hall.

Fran Carlton, 8432 Waterway Dr., urged Council to keep in mind there are residents losing their jobs during this economy and that the employee COLA should be sufficient at this time. She further encouraged Council to consider lowering the proposed millage rate for the 2009 budget year.

**IX. TOWN ADMINISTRATOR:**

Ms. Hatton stated that the next Council Meeting is scheduled for August 12<sup>th</sup> and a decision will be made later if another Budget Workshop is needed.

**X. REPORTS:**

A) Town Attorney Schoech had nothing to add to his Status Report dated July 10, 2008.

B) Chief Smith reported that two (2) out of three (3) new police cars have arrived and will be picked up this week. He further advised that the Town will be receiving an additional \$10,000 from the County Clerk's Office for citations. Clerk's Note: The Town received a check for \$14,696.87 on 7/14/08.

C) Town Council:

Council Member Freebold - No comment

President Pro Tem Shalhoub - No comment

Council Member Rodriguez - No comment

Mayor Lewis - No Comment

**XII. ADJOURNMENT:**

**President Pro Tem Shalhoub made a motion to adjourn the meeting at 9:05 p.m.; seconded by Council Member Freebold; Motion approved (4-0).**

---

Malcolm K. Lewis, Mayor

---

Jo H. Plyler, Town Clerk

Regular Town Council Meeting  
July 15, 2008