

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
AUGUST 12, 2008**

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 6:30 p.m.

The following members and officials were present:

Malcolm K. Lewis, Mayor
Tom Mayes, Jr., Vice Mayor
Robert M. W. Shalhoub, President Pro Tem
Valentine Rodriguez, Council Member
Gregory Freebold, Council Member
Jo H. Plyler, Town Clerk
Frank Palen, Town Attorney for Mr. Schoech
Wes Smith, Chief of Police

The following official was absent:

Joann Hatton, Town Administrator
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 Council Member Freebold; Motion approved (5-0).

III. CONSENT AGENDA:

- A)** Approval of Minutes of the July 15, 2008 Second Budget Workshop
- B)** Approval of Minutes of the July 15, 2008 Council Meeting

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- C) Approve renewal contract with Bass Property Maintenance from October 1, 2008 to September 30, 2009 in the amount of \$50,265.72.
- D) Approval of Minuteman Press to design, print and direct mail the Town's Newsletter in the amount of \$651.90 per month, \$8,062.80 annually.
- E) Approval of proposal from ARC for Playground structures and surfacing of Community Park Phase III in the amount of \$65,631.18, reimbursed by FRDAP Grant approved by Resolution #07-21, September 2007.

Motion made by President Pro Tem Shalhoub to approve the consent agenda, seconded by Council Member Rodriguez; motion approved (5-0).

IV. PRESENTATIONS:

- A) Susan Chapman, Public Relations Outreach Coordinator, Solid Waste Authority (SWA) of Palm Beach County – Presented an Award for Outstanding Recycling Participation to Mayor Lewis for the Town's support and participation in SWA's recycling program.
- B) Ron Beasley, Battalion Chief, Palm Beach County Fire Rescue, reviewed the Fiscal Year report 2006/2007 and advised that a millage rate between 2.78 and 2.91 is being proposed for Fiscal Year 2009. He further indicated that due to the transition in a new County CAD system, the average response time to emergency calls is unavailable for this fiscal year and will be reported next fiscal year.
- C) William Murphy, Community Park Project Manager requested approval to proceed with the following grant applications:
 1. Community Park Phase IV \$150,000, 75/25% FRDAP Grant - \$112,500/ \$37,500 matching
 2. Pine Tree Park Phase II FRDAP Grant - \$50,000 non-matching

President Pro Tem Shalhoub made a motion to approve the applications for grant approval as requested, seconded by Council Member Rodriguez; motion approved (5-0).

V. TOWN ENGINEERS:

- A) Keith Jackson, Engenuity Group, Inc., Town Consulting Engineer – No Action
- B) Bill Snow, P.E, Boyle Engineering, Town Utilities Engineer

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Mayor Lewis acknowledged the Status Report submitted by Boyle Engineering.

VI. UNFINISHED BUSINESS: None

VII. NEW BUSINESS: None

VIII. AUDIENCE COMMENTS:

Howard K. Coates, Jr., Republican Candidate for Florida Representative District #85 solicited Council and resident support in the upcoming November 4th election.

President Pro Tem Shalhoub stated that he is acquainted with Mr. Coates and knows him to be an excellent lawyer and gentlemen and extended his best wishes in the election.

Banna Ghioto, 1605 Carissa Road, expressed her concerns regarding the removal of a “Bird Sanctuary” sign on West Lake Drive. Mrs. Ghioto had spoken with Garden Club President Josephine Basinet on the possibility of having the Town replace the sign and have additional signs placed at other entrances into the Town. Council directed Mrs. Ghioto to contact Town Administrator, Joann Hatton, to determine where the signs need to be placed.

William Murphy, 1841 Evergreen Dr., Commended the Police Department on the work well done in response to the recent burglaries on Evergreen Drive and requested that a letter of accommodation letter be sent to the Sheriff’s Deputy and his daughter for reporting the incident. Chief Smith responded that he will take care of this request.

IX. TOWN ADMINISTRATOR:

In the absence of Ms. Hatton, Mayor Lewis referenced her August 7, 2008 status report and ask for Council comments. There were no comments.

X.) REPORTS:

A) In the absence of Attorney Schoech, Attorney Frank Palen referenced the Status report from Attorney Schoech dated August 8, 2008. In response to question from Vice Mayor Mayes, Attorney Palen noted that the firm has responded to Attorney Klasfield regarding the proposed reduction of Code Enforcement liens on the property located at 7671 Palm Road.

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- B) Chief Smith reported that the application for the EOC Homeland Security Grant has been submitted and he has been verbally informed that it has been accepted and expects to receive verification and amount of grant within two (2) weeks.

Chief Smith further advised that he is in the process of being certified in FEMA Homeland Security Emergency Management.

- C) Town Council:

Council Member Freebold - No comment

President Pro Tem Shalhoub referenced the August 8, 2008 letters from Dow Howell Gilmore Associates regarding the questions of the location of the exhaust vent cap located on the south sloped roof of the new police station.

Mayor Lewis introduced Project Manager Dan Getson for David Brooks Enterprises.

Clerk's note: This portion of the meeting has been transcribed verbatim and is attached as part of the minutes of this meeting, inclusive of the following motion.

Council Member Rodriguez made a motion to table discussion on this matter until the next meeting, and that Building Official Joe Iagrossi, Architect Bob Hill, a construction Lawyer and a competent Contractor that can review this issue, be at the Council meeting, seconded by President Pro Tem Shalhoub; motion approved (3-2), Mayor Lewis and Vice Mayor Tom Mayes opposed.

Ashok Kulkarni, 8131 West Lake Drive, expressed concern that there has been too much discussion on the aesthetic elements of the construction of the Police Department.

President Pro Tem Shalhoub referenced the status report from Attorney Schoech regarding the previous request from a resident that the Town allow Golf Carts to be driven on Lake Clarke Shores streets. Attorney Schoech's report states that the operation of a golf cart upon a public road or street is prohibited except that a golf cart may be operated only upon a road or street that has been designated by a county or a municipality for use by golf carts. Therefore, prior to authorizing the

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use of any golf carts on the streets of Lake Clarke Shores, the Town will need to conduct a study to determine the safety of said use.

Mayor Lewis stated that he is opposed to Golf Carts being driven on the Town streets and does not wish to have a study on this issue.

Chief Smith stated that he is not in favor of Golf Carts due to the liability to the Town.

President Pro Tem Shalhoub stated that the residents should be educated on the use of Golf Carts and suggested that an article be placed in the Town's Newsletter giving reference to the State Statutes that govern their use.

Vice Mayor Mayes reported on the following:

1. The Running Camp was a great success and was funded from proceeds raised from the February "Loop around the Lake" event.
2. The Blanton Property on Florida Mango Road is tarped for asbestos removal and the buildings are scheduled for demolition. Note: The Blanton Property is located in the unincorporated County.
3. Commented on how nice the new police cars looked.
4. The subject of the possible use of tasers by the Police Department was briefly discussed and it was the consensus of the Council that tasers not be used by the Town Police Officers.

Council Member Rodriguez – Clerk's note: This portion of the meeting has been transcribed verbatim and is attached as part of the minutes of this meeting.

Mayor Lewis - No Comment

XII. ADJOURNMENT:

President Pro Tem Shalhoub made a motion to adjourn the meeting at 8:25 p.m.; seconded by Council Member Freebold; Motion approved (5-0).

Malcolm K. Lewis, Mayor

Jo H. Plyler, Town Clerk

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