

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
OCTOBER 10, 2017**

I. A) CALL TO ORDER AND ROLL CALL:

Mayor Gregory Freebold called the meeting to order at 6:34 p.m.

The following members and officials were present:

Gregory Freebold, Mayor
Valentin Rodriguez, Jr., Vice Mayor
Robert M. W. Shalhoub President Pro Tem
Paul R. Shalhoub, Council Member
John Studdard, Council Member
Daniel Clark, Town Administrator
Mary Pinkerman, Town Clerk
Wes Smith, Chief of Police
Charles Schoech, Town Attorney

B) MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE, INVOCATION

Mayor Freebold requested a moment of silence for all of those affected by the shooting that took place in Las Vegas on October 2, 2017. Pastor Stan Sniezek, Pastor of the New Life Alliance Church, gave the invocation and then led the audience in the Pledge of Allegiance.

II. APPROVAL OF AGENDA:

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

III. CONSENT AGENDA:

- A) Approval of the Minutes of the September 26, 2017 Second and Final Pubic Budget Hearing.
- B) Approval of the Minutes of the September 26, 2017 Town Council Meeting.
- C) Approval of Resolution #17-31 – Designating the week of October 23 -29, 2017 as “Florida City Government Week”.
- D) Approval of Proclamation recognizing October 11, 2017 as YWCA of Palm Beach County Day.
- E) Approval of 2018 events and dates:

Events:

Date:

Children’s Movie Nights

April 6th; June 1st

25th Annual Barbecue	April 8 th
13 th Annual Waterway Cleanup	April 21 st
11 th Annual Bass Fishing Tournament	April 28 th
International Coastal Cleanup	September 15 th
A “Better Than Halloween” Party	October 31 st
5K “Loop Around the Lake”	November 18 th
20 th Annual “Holidays in Paradise” Parade	December 1 st
Jim and Judy Tackett Memorial Christmas Tree Decorating & Lighting	December 1 st

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

IV. PRESENTATIONS:

- A) Presentation of Resolution to President Pro Tem Robert M. W. Shalhoub for his twenty five years of dedicated municipal service to the Town of Lake Clarke Shores. – Carol Westmoreland, Associate Director, Florida League of Cities

Ms. Westmoreland noted that she met President Pro Tem Shalhoub during the time that he was the Mayor of Lake Clarke Shores and also the President of the Palm Beach County League of Cities. She read from the Florida League of Cities Resolution honoring President Pro Tem Shalhoub for his twenty five years of service and presented him with the “John Land Award”. She also presented President Pro Tem Shalhoub with a plaque from Michael Sittig, Executive Director, Florida League of Cities, for his service as a member of the Board of Directors.

President Pro Tem Shalhoub noted that he could not have accomplished this without the assistance of his wife, Bernadette. He also noted that it is a very humbling experience to run for office and be elected over and over again for 25 years. He thanked the residents for their confidence in him. He also thanked Mr. Clark and the Town staff for their support.

V. QUASI-JUDICIAL PROCEEDINGS:

- A)

VI. PUBLIC HEARING:

- A) Ordinance #17-06 – Banning Medical Marijuana Treatment Centers

I. Presentation – Charles Schoech

Mr. Schoech noted that in November 2016, the voters in Florida passed an amendment to allow the use of medical marijuana. Legislation passed that gave municipalities the option to either allow Medical Marijuana Treatment Centers/dispensaries within the municipal limits or to ban them. He noted the Town’s intent to ban these types of facilities from operating in Town.

II. Open Public Hearing

A) Audience Comments

The following residents spoke in opposition of banning Medical Marijuana Treatment Centers:

Leigh McMorrow, 1500 Carandis Circle
Pal Logan, 7207 West Lake Drive

It was noted that Lake Worth, Boynton Beach and unincorporated Palm Beach County will allow Medical Marijuana Treatment Facilities to operate within their jurisdictions, so residents will still have access to the medical marijuana, if needed.

B) Council Comments

The Council had no comments at this time.

III. Close Public Hearing

VII. UNFINISHED BUSINESS:

- A) Second and Final Reading of Ordinance #17-06 – Banning Medical Marijuana Treatment Centers

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, ADOPTING DIVISION 16. MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES, CHAPTER 86 ZONING, BANNING MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN THE TOWN; PROVIDING AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE, CONFLICTS CLAUSE AND AN EFFECTIVE DATE; AND OTHER PURPOSES.

Motion made by President Pro Tem Shalhoub to approve Second and Final Reading of Ordinance #17-07, seconded by Council Member Shalhoub; Motion approved (5-0).

VIII. NEW BUSINESS:

- A) Discussion on Ordinance #17-07 – Lien Reduction – Daniel Clark

Mr. Clark noted that the Town Council has received an updated version of the draft ordinance and asked for their opinion on the issue.

Mr. Schoech noted that in the past, only the governing body could reduce liens, but this changed to allow others to reduce liens within certain guidelines. He noted that the updated draft ordinance provides guidelines that the Town Administrator would follow when someone requests a lien reduction.

Council Member Studdard – had questions regarding the table noted in the ordinance. It was noted that the table provides guidance for the Town Administrator to follow. If the person appeals the decision of the Town Administrator, the Town Council would follow the same guidelines.

Council Member Shalhoub – commented that this is a very efficient way to handle lien reduction requests. He noted that the property owner would have 30 days to pay the reduced lien amount. If they did not pay within that 30 day period, the lien would revert back to the original amount due.

Vice Mayor Rodriguez – noted that the property owner should not be able to obtain a second chance to reduce a lien if they were given a reduction and did not make the payment within the 30 day time frame.

President Pro Tem Shalhoub – had various questions and comments regarding this issue. He noted some of the areas that need to be edited before the ordinance would be ready for first reading.

Mayor Freebold – noted that there have been a number of lien reduction requests that have went before the Town Council. He noted this ordinance will provide guidelines for future lien reduction requests.

Mr. Schoech noted that this was a draft of the ordinance and that all of the comments and concerns that the Town Council made during this meeting will be addressed and clarified in time for first reading of the ordinance.

IX. AUDIENCE COMMENTS:

Ken Barker, 8260 Pine Tree Lane – noted the International Coastal Cleanup that took place on September 30th. He noted that although the water level was low and that there were not many participants involved, the dumpster was full of debris that was collected from the waterways. He thanked Town Staff for the work they did during the event.

He also noted the hydrilla problem in the Town waterways. He asked if the Town has any plans to control the hydrilla.

Mayor Freebold noted that Mr. Clark has addressed this problem in his status report.

Mr. Clark noted that the Town is looking at different ways to treat the hydrilla and water hyacinths. He also noted that there could be potential environmental problems if the hydrilla and hyacinths are oversprayed.

Mr. Barker provided information on new technology that may help reduce the problem with floating weeds and debris from entering the Town's waterways. He stated that bubble curtains can be used to push back debris and weeds from entering a protected area. He noted that bubble curtains are being used in Islamorada Florida at this time. He would like the Town to look into this.

The Town Council thanked Mr. Barker for looking into this.

Bernadette Shalhoub, 8429 West Lake Drive – applauded Mr. Barker for trying to come up with a solution to clean the waterways in Town. She inquired about dredging the lake to restore it to the original depth. It was noted that the Town looked into this before, but it would cost approximately

\$2,000,000 to dredge the lake and that it would be an ongoing process to keep the sludge from building up at the bottom of the lake again. Mayor Freebold noted that a reoccurring plan is needed that would clean the lake and maintain the waterways in Town.

Mr. Shalhoub noted the various things that the Town Council has accomplished including the installation of the I-95 sound wall. She noted that if the Council could do those things, they can figure out a way to make this work.

Leigh McMorrow, 1500 Carandis Circle – noted that the Village of Wellington dredged their canals a few years ago by using a device that scooped the sludge from the bottom of the canals and deposited it on the canal banks. She noted that the property owners used the muck on their lawn and the end result looks very nice.

She also noted that the vegetative debris generated by Hurricane Irma still has not been picked up along her street and that the piles of debris are becoming a health hazard as rats and other vermin can be seen scurrying in and around the piles.

Mr. Clark noted that Phillips and Jordan, the company that is hauling away the vegetation, has removed over 55,000 cubic yards of vegetation debris from the town since September 25th and that they should be finished collecting the vegetation in one week. He also noted that Waste Management has resumed garbage, recycling, trash and bagged debris collection within the town.

Mrs. McMorrow also discussed the boat ramp and asked if the Town Boat Ramp was only for resident use. Mr. Clark noted that since the Town received grant money to make improvements to the existing dock and to expand the facilities at Boat Ramp Park, the boat ramp is open to the public.

Pam Logan, 7207 West Lake Drive – noted that the vegetation was removed from the front of her house today, but they did not pick up all of the debris. Mr. Clark noted that although Phillips and Jordan are picking up the piles of vegetation, they are not going to rake the remaining debris. It would be up to those living in the home to clean up the area. They would need to bag the leaves and small twigs so that they can be collected by Waste Management.

She also discussed the damage done to the power lines along Carandis Circle. It was noted that the power was restored and that the company that caused the damage would be paying for those repairs.

X. STATUS REPORTS:

Mr. Schoech - did not have any additional items to report.

President Pro Tem Shalhoub stated that the property noted in Mr. Schoech's Status Report belonged to Mr. Jim Barby.

Mayor Freebold asked if Mr. Barby would be able to apply for FEMA assistance to help clear his property of vegetative debris caused by Hurricane Irma. Mr. Clark noted that Mr. Barby would need to apply for FEMA assistance. Mr. Clark also noted that the Town has started the process to declare the property as a nuisance property.

Mr. Clark – discussed the new FEMA flood maps that took effect on October 5th. He noted that residents can check the FEMA website to see if their property was affected. It was noted that a link to the new flood maps would also be put on the Town website.

He also noted that he and the Chief will be holding a “Coffee Night” on October 26th and invited everyone to come.

XI. COUNCIL COMMENTS:

Council Member Shalhoub – noted that he participated in the International Coastal Cleanup on September 30th and thanked the staff for their work on this event.

He noted the “No Shave November” event that he and Representative David Silvers are participating in. He encouraged all to donate to this charity event. He noted that over \$24,000 has been raised in the past 3 years of the event.

He also noted that he is still working on a Food Truck Invasion event for the Town and that he should have additional information on this at the next Council Meeting.

He thanked those in the audience for attending the meeting.

Council Member Studdard – congratulated President Pro Tem Shalhoub on his 25 years of service to the Town. He noted that he is inspired by President Pro Tem Shalhoub and thanked him for his service.

Noted that he met with Senator Clemens to discuss the Blueway Trail and the issues concerning the future of CRAs.

He thanked the people that participated in the International Coastal Cleanup and noted that he was shipmates with Vice Mayor Rodriguez and Mike Wade during the cleanup.

He noted that he appreciated the audience participation in the meeting.

President Pro Tem Shalhoub – thanked Council Member Studdard for his kind words and Ms. Westmoreland for attending the meeting. He noted that he tries his best to make Lake Clarke Shores a better place to live.

He noted the article in the Sun Sentential regarding Blueway Trails and stated that he will be meeting with Commissioner Kerner later in the month to discuss the boat lift project.

He thanked the residents in attendance for their input on the medical marijuana and debris removal issues and noted that the debris cleanup will take time to complete due to the enormous amount of debris generated by Hurricane Irma.

President Pro Tem Shalhoub also noted that he will be reading to a group of students during the League of Cities City Government Week.

Vice Mayor Rodriguez – noted that they removed over 200 palm fronds from the LCS-WS canal during the International Coastal Cleanup. He also thanked Mr. Barker for looking into an alternative way to keep the weeds out of the town waterways.

He noted that he has been working with Mr. Schoech and Town staff on revisions to the Town Codes.

He also noted the 25 years that President Pro Tem Shalhoub has been on the Town Council and thanked him for his service.

He thanked everyone for attending the meeting and voicing their opinion.

Mayor Freebold – noted that he respects President Pro Tem Shalhoub and all that he does for the Town and congratulated on his 25 years of service.

He noted that he will be taking part in the Literacy Coalition “Reading for the Record” event taking place on October 19th. He would like to have all of the Council Members and staff get involved in this so that the Town of Lake Clarke Shores can read to more groups of children than last year.

He reminded everyone of the “Better than Halloween” event taking place on October 31st and invited everyone to attend.

XII. ADJOURNMENT:

Motion made by President Pro Tem Shalhoub to adjourn at 8:15 p.m., seconded by Council Member Studdard; Motion approved (5-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk