

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
June 13, 2017**

I. A) CALL TO ORDER AND ROLL CALL:

Mayor Gregory Freebold called the meeting to order at 6:30 p.m.

The following members and officials were present:

Gregory Freebold, Mayor
Valentin Rodriguez, Jr., Vice Mayor
Robert M. W. Shalhoub President Pro Tem (*arrived at 7:45 PM*)
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 Franklin L. Harmon, Octavio Martinez and Carl Christoff, residents of the Town; Rev. John B. Bass, father of Jim and Wes Bass, Bass Property Maintenance and Chief Michael Loffredo, Retired Chief of Jupiter Inlet Colony who recently passed away. Ms. Ann Warren led the audience in the Pledge of Allegiance. Pastor Stan Sniezek, Pastor of the New Alliance Church, gave the invocation.

II. APPROVAL OF AGENDA:

Motion made by Council Member Shalhoub to approve the Agenda, seconded by Vice Mayor Rodriguez; Motion approved (4-0).

III. CONSENT AGENDA:

- A) Approval of the Minutes of the May 9, 2017 Town Council Meeting.
- B) Approval of Resolution #17-20 – Appointing William Steele as an Alternate Member of the Code Enforcement Board
- C) Approval of Resolution #17-21 – Expressing Appreciation for services rendered by the volunteers and donors during the 12th Annual Waterway Clean-up.
- D) Approval of Resolution #17-22 – Expressing Appreciation for services rendered by the volunteers and donors during the 10th Bass Fishing Tournament.
- E) Approval of Resolution #17-23 – Authorizing Budget Transfer to reimburse purchase of seven (7) AEDs.

- F) Approval of Resolution #17-24 – Authorizing the Mayor to sign an agreement with Phillips & Jordan, Inc. for disaster debris removal and disposal services.
- G) Approval of Daniel Clark as the Town’s designated voting delegate during the 91st Annual Florida League of Cities, Inc. Conference.
- H) Approval of Interlocal Agreement between Palm Beach County and the Town of Lake Clarke Shores for Funding of First Responder Training to provide funding in an amount not to exceed \$10,000 annually, as a partial off-set of the Town’s cost of providing EMT training, certification and related equipment for first responder personnel.
- I) Approval of the Utility and Access Easement Agreement and acceptance of the Bill of Sale between Forest Hill Family Partnership, Ltd and the Town of Lake Clarke Shores that will transfer the ownership of the sewer lift station located at 1825 Forest Hill Boulevard to the Town of Lake Clarke Shores.

Motion made by Council Member Shalhoub to approve the Consent Agenda, seconded by Vice Mayor Rodriguez; Motion approved (4-0).

IV. PRESENTATIONS:

- A) Representative David Silvers, District 87

Representative Silvers noted that he just returned to the area after attending the special Legislative Session called by Governor Scott. He discussed some of the legislation that was passed during this session. He noted that they passed regulations for medical marijuana including increasing the number of Medical Marijuana Treatment Centers (MMTC) from 7 to 17, capping the number of Medical Marijuana Dispensaries to 25 per MMTC and that medical marijuana will be limited to edibles and smokeless use only.

He noted the he sponsored numerous bills including a bill that helps minors that have been Baker Acted to receive a review within 12 hours of their arrival at a facility.

He invited everyone to an open house that will be held on July 12th at his office located at 1850 Forest Hill Blvd Suite #200.

Mr. Clark thanked Representative Silvers for his help in blocking some of the legislation that would have had a negative effect to the Town.

Note: Representative Silvers arrived late. His presentation took place after the presentation for the YMCA. Minutes reflect the order as noted on the agenda.

- B) Mr. Timothy Coffield, President/CEO – YMCA

Mr. Tim Levliette, YMCA Board Chairman, noted that the Edwin W. Brown Branch of the YMCA on Congress Avenue has been in Palm Beach County for 100 years and that it is their longest running facility. He showed a presentation about the YMCA and the various activities that they provide to the community. He noted that future plans for the site include an Olympic training

center for skateboarding, an Olympic size pool, a Ropes Course, additional space for meetings, a new play area, and a new gym that can also be used for gatherings. After the slideshow Mr. Levliette introduced Mr. Timothy Coffield, President/CEO, who continued the presentation.

Mr. Tim Coffield noted that the YMCA serves not only Palm Springs, but the residents of neighboring communities as well. He noted that they are working to form partnerships with public and private entities to help strengthen the team and bring more people to the facility. This in turn, will expand their services to the County.

He noted that redeveloping the facility will be done in phases. Purchasing the additional land needed for the expansion is the first phase. They will work on the fields next and then the buildings. The total cost of the project will be \$17 million dollars. The money will come from various sources including private donations, sponsorships, fund raising efforts and from Palm Beach County.

Mr. Coffield stated that the Palm Springs facility is one of the most densely used facilities. He noted that the YMCA provides various activities to the community and that different focus groups utilize the facility. He also noted that the YMCA is the largest preschool provider in Palm Beach County.

It was noted that the Town Council will work on a resolution in support of the YMCA's public/private partnership with Palm Beach County.

V. QUASI-JUDICIAL PROCEEDINGS:

Mr. Schoech noted that this will be a quasi-judicial hearing requiring disclosure of visit and sworn testimony. He also noted that the determination made by the Town Council must be based on the evidence presented during the hearing.

Those testifying during the hearing were sworn in by Mr. Schoech.

A) 6520 Carambola Circle – Variance Request

A) Presentation by Town of request and recommendation of the Zoning Board of Adjustment (ZBA) – Charles Schoech, Town Attorney

Mr. Schoech noted that the applicant was requesting variances for 3 separate setbacks. The Applicants, Jorge L. Garcia and Maria C. Garcia, sought relief from Section 86-216 (a) (1), Section 86-216 (a) (2) and Section 350 (a) of the Town Code of Ordinances to enclose and expand a carport having an 8.82' setback from the property line, with relief from the 12.80' setback as required in Sec. 86-216 (a) (2) of the Town's Code of Ordinances; to add an overhang having a 17.76' setback from the property line with relief from the 25.0' setback as required in Sec. 86-216 (a) (1) of the Town's Code of Ordinances; and to construct an addition having a 17.22' setback from the property line, with relief from the 25.0' setback as required Sec. 350 (a) of the Town's Code of Ordinances.

Mr. Schoech noted that the ZBA heard this request on May 11, 2017 and based their recommendation on the requirements set forth by the Town Code of Ordinances which are based on State Statutes. He noted that the ZBA found that the applicant met the requirements of the code and recommended that the Town Council approve the request.

B) Presentation by Applicant – Jorge & Maria Garcia

Mr. Garcia noted that the Order from the Zoning Board of Adjustments and the Town Council agenda had the address incorrectly identified and asked that the records reflect the correct address of 6520 Carambola Circle.

Motion made by Vice Mayor Rodriguez to modify the order from the Zoning Board of Adjustments to reflect the correct address, seconded by Council Member Shalhoub; Motion approved (4-0).

(Note: Item V. (A) has been corrected in the minutes).

Mr. Garcia noted that there is not enough room on the lot to expand due to the location of the septic tank and drain field. It was noted that water abuts the lot on 2 sides also causing problems with the existing setbacks.

C) Public Hearing

No comments made.

D) Rebuttal by Applicant if necessary

5) Council Comments

No comments made at this time.

6) Council Conclusion (Finding of Facts and Conclusion of Law)

Vice Mayor Rodriguez made a motion to approve the variance as requested, seconded by Council Member Shalhoub; Motion approved (4-0).

VI. PUBLIC HEARING:

A) None

VII. UNFINISHED BUSINESS:

A) None

VIII. NEW BUSINESS:

A) Lien Reduction – 1901 Carissa Road

Notification to the property owner's representative was not given, therefore no one was present on behalf of the property owner. This request will be heard at the July 11, 2017 Council Meeting.

B) Lien Reduction – 7611 Pine Tree Lane

Mr. Clark noted that he had conversations with the representatives of K3 Holding, LLC and that they would like to propose a payment of \$5000.00 to reduce the liens.

Motion made by Council Member Shalhoub to reduce the liens to \$5000.00, seconded by Council Member Studdard; Motion approved (4-0).

C) Approval of Temporary License Agreement between the Town of Lake Clarke Shores and Love Serving Autism, Inc. for use of the Town Tennis Courts for tennis lessons that will take place every Friday from 11:00 AM to 1:00 PM starting June 23, 2017 through August 4, 2017.

Mr. Clark noted that the Town was approached by representatives of The Access Point Project, Rock Point Academy and Access Academy on behalf of Love Serving Autism, Inc. regarding the use of the tennis courts for lessons for their students. He noted that they have provided proof of insurance coverage naming the Town as additional insured along with other information regarding The Access Point Project.

Motion made by Council Member Shalhoub to approve the Temporary License Agreement, seconded by Council Member Studdard; Motion approved (4-0).

IX. AUDIENCE COMMENTS:

Fran Carlton, 8432 Waterway Drive – stated that she participated in the Waterway Clean up that took place on April 15th and would like Resolution #17-21 corrected to include her name in the volunteer list.

(Note: no change was needed as her name was already listed with the Town Staff as a COP)

Louise Bing, 7401 West Lake Drive – noted that the neighbor's Australian pine tree has finally been removed. She also noted that she enjoys the new boat docks at Boat Ramp Park and that she would like the area to remain clean for everyone's enjoyment. She suggested that the Fishing Tournament be held prior to the Waterway Cleanup, not after, so that any debris that may be left behind by the Fishing Tournament participants could be picked up.

Nazareth Hattwick, 7507 Pine Tree Lane – commended the Police Department for their assistance when someone tried to break into her home. She stated that she would like for the Town to inform the residents living in an area where thefts happen, so that they could be aware of the situation. She asked if the Town has a Neighborhood Watch Program.

Chief Smith noted that the Town has residents that volunteer for the Community Oriented Policing (COP) Program. Mr. Clark noted that the Town will again be posting information on the website to inform residents when things happen.

Claudine Vasseur, 6904 Venetian Way – noted that she looked in various areas to buy a home and while looking at houses in Lake Clarke Shores, she fell in love with the Town. She found a house for sale on Venetian Way and purchased it. She stated that when people keep their properties clean, others do the same. She also noted that some residents place their garbage, trash and vegetation

out too early and others follow suit. She would like to see something done to keep this from continuing to happen.

She discussed the vegetation in Pine Tree Park and wondered if the Town would consider a project that would allow residents to plant the trimmings from their yards in the park. Mayor Freebold noted that the Town has plans in place for the park and asked her if she would like to volunteer for this.

She noted that she does not like the way the entrance into the Town from I-95 and Forest Hill Boulevard looks due to the sound wall. She also noted that the Lake Clarke Shores sign needs to be pressure cleaned.

Council Member Shalhoub noted that before Ms. Vasseur purchased the property, it had nine different code violations against it. She corrected those violations immediately upon purchase, and made big improvements to the property since then.

X. STATUS REPORTS:

Mr. Schoech – noted that the Code Enforcement Board asked him to discuss their case against Jim Barby with the Town Council. The Code Enforcement Board would like the Town Council to consider declaring the property as a nuisance property thereby allowing the Town to clean it up. He asked the Council to think about it for now and then discuss it further during a future Council Meeting.

Mr. Clark – had nothing to add to his report.

Chief Smith – noted that the Police Department had a busy month with many arrests taking place.

XI. COUNCIL COMMENTS:

Council Member Shalhoub – did not have any comments at this time.

Council Member Studdard – noted that he went to Washington DC last week. He stated that while there he walked to the Capitol Building and asked to speak with Senator Bill Nelson. He noted that Senator Nelson was not available, but he did get to speak with his Legislative Director about the Blueway Trail project. He noted that he had lunch with Representative Lois Frankel where they also discussed the Blueway Trail project. He stated that while he did not have appointments with either Senator Nelson or Representative Frankel, he was given access after introducing himself as a Council Member from the Town of Lake Clarke Shores.

He noted that the design and permit package for the Blueway Trail project should be ready in mid-July and that the Blueway Trail Collation will be meeting to discuss the results.

President Pro Tem Shalhoub – did not have any comments at this time.

Vice Mayor Rodriguez – noted that he attended the Affordable Housing Summit where they discussed various way to alleviate the lack of affordable housing in Palm Beach County.

He noted that the Kid's Movie Night was moved to the Council Chambers due to the rain, He thanked Town staff for their assistance with this event.

Mayor Freebold – noted that registration is still open for the Summer Fishing Camp being held June 19 – 23 at Memorial Park. He stated that David Aagaard and his team from Building Up Sports Academy do a great job with the kids.

He also noted that the Hurricane Preparedness presentation would be on the Town's website for those who missed the meeting on June 8th. He also wished a Happy Father's Day to all fathers.

XII. ADJOURNMENT:

Motion made by Council Member Shalhoub to adjourn at 7:55 p.m., seconded by Vice Mayor Rodriguez; Motion approved (5-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk