

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
JULY 11, 2017**

*Immediately following the Budget Workshop*

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**I. A) CALL TO ORDER AND ROLL CALL:**

Mayor Gregory Freebold called the meeting to order at 6:46 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  
Zoie Burgess, Deputy Clerk  
Charles Schoech, Town Attorney

The following official was absent:

Wes Smith, Chief of Police

**B) MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE, INVOCATION**

Mayor Freebold requested a moment of silence for resident Hazel Adams who recently passed away. Reverend Father Peter Sphortun of St. Mary's Orthodox Church of West Palm Beach gave the invocation. Mayor Freebold led the audience in the Pledge of Allegiance.

**II. APPROVAL OF AGENDA:**

**Motion made by Council Member Studdard to approve the Agenda, seconded by Vice Mayor Rodriguez; Motion approved (5-0).**

**III. CONSENT AGENDA:**

- A) Approval of the Minutes of the June 13, 2017 Town Council Meeting.
- B) Approval of Resolution #17-25 – Supporting YMCA Public/Private Partnerships
- C) Approval of Utility Easement Agreement for 6600 Mango Circle.
- D) Approval of Utility Easement Agreement for 6601 Mango Circle.
- E) Approval of Utility Easement Agreement for 1701 Mango Circle.

- F) Approval of Utility Easement Agreement for 1707 Mango Circle.
- G) Approval of Utility Easement Agreement for 1709 Mango Circle.
- H) Approval of Utility Easement Agreement for 1711 Mango Circle.
- I) Approval of Proposal from Siemens for Building Automation Control System

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

**IV. PRESENTATIONS:**

- A) None

**V. QUASI-JUDICIAL PROCEEDINGS:**

- A) None

**VI. PUBLIC HEARING:**

- A) None

**VII. UNFINISHED BUSINESS:**

- A) None

**VIII. NEW BUSINESS:**

- A) Presentation of Proposed Budget for Fiscal Year 2017/2018
  - 2016/2017 Millage Rate – 6.2798
  - Setting Tentative Millage Rate for Fiscal Year 2017/2018 – 6.2798
  - Rolled Back Millage Rate – 5.9573
  - Date for the First Public Hearing (September 12, 2017) on the proposed Millage and Budget
  - Date for Second Public Hearing (September 26, 2017) to adopt Millage and Budget.

Mr. Clark noted that he discussed the proposed budget in length during the Budget Workshop that took place prior to the Town Council Meeting. He asked the Town Council if they had any questions or comments regarding the proposed budget.

Vice Mayor Rodriguez noted the 3% merit increase for employees. Mayor Freebold stated that the proposed millage rate is set at 6.2798 but can be lowered if the Council decides to do that.

Mr. Schoech noted that the Forest Hill Boulevard Sewer Non-ad Valorem rates have been prepared and will be certified to Palm Beach County within the next few days. Mr. Clark noted that an

additional parcel owned by Storm Abramson has been added to the Forest Hill Boulevard Sewer Non-ad Valorem list.

Mayor Freebold asked the Town Council if they had any further questions or comments. There being none, Mayor Freebold asked for and received the following motions regarding the proposed 2017/2018 Budget:

**Motion made by President Pro Tem Shalhoub to confirm the 2016/2017 Millage Rate of 6.2798, seconded by Council Member Shalhoub; Motion approved (5-0).**

**Motion made by President Pro Tem Shalhoub to set the Tentative Millage Rate for Fiscal Year 2017/2018 at 6.2798, seconded by Council Member Shalhoub; Motion approved (5-0).**

**Motion made by President Pro Tem Shalhoub to certify the Rolled Back Millage Rate of 5.9573 seconded by Council Member Shalhoub; Motion approved (5-0).**

**Motion made by President Pro Tem Shalhoub to set the date of the First Public Budget Hearing for Tuesday, September 12, 2017 at 6:30 PM and the date of the Second Public Budget Hearing for Tuesday, September 26, 2017 at 6:30 PM seconded by Council Member Shalhoub; Motion approved (5-0).**

- B) First Reading of Ordinance #17-03 – Amending Chapter 70 Floods to conform to FEMA Regulations.

AN ORDINANCE BY THE TOWN COUNCIL AMENDING CHAPTER 70 FLOODS, ARTICLE II FLOOD DAMAGE PREVENTION OF THE CODE OF ORDINANCES TO MAKE MODIFICATIONS TO BRING THE REGULATIONS INTO AGREEMENT WITH THE MOST CURRENT FEMA-APPROVED, CODE-COMPANION FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES; TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion made by President Pro Tem Shalhoub to approve the First Reading of Ordinance #17-03, seconded by Council Member Studdard; Motion approved (5-0).**

- C) First Reading of Ordinance #17-04 – Extending the temporary moratorium on the operation of Medical Marijuana Treatment Centers and Dispensing Organizations.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, EXTENDING THE TEMPORARY MORATORIUM ON THE OPERATION OF MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSING ORGANIZATIONS WITHIN THE TOWN FOR A

**PERIOD OF THREE (3) MONTHS; PROVIDING FOR EXEMPTION; PROVIDING FOR PENALTIES; PROVIDING A SEVERABILITY CLAUSE, CONFLICTS CLAUSE AND AN EFFECTIVE DATE; AND OTHER PURPOSES.**

**Motion made by President Pro Tem Shalhoub to approve the First Reading of Ordinance #17-04, seconded by Council Member Shalhoub; Motion approved (5-0).**

D) Lien Reduction – 1901 Carissa Road

Christine Armenna, representative for Innovative Homes, explained the reason for the delay in bringing the property into compliance. She noted that they had a hard time finding a contractor willing to work on the project and once they found a contractor, they had further delays in obtaining permission from the neighboring property owner to remove the deteriorating seawall because it connected to their seawall. She noted that the property is now in compliance and asked for a reduction to the \$47,100.00 lien.

The Town Council Members asked Ms. Armenna various questions including: when she became involved with the property; how long has Innovative Homes owned the property; did Innovative Homes acquire the property after the seawall had deteriorated; what they are planning on doing with the property; and why they want the lien reduced.

Ms. Armenna noted that the property was already in compliance when she became the property manager in April 2017 due to the prior manager's lack of involvement in the property. She stated that Innovative Homes has owned the property for about 4 years. She noted that Innovative Homes rents the property and does not like having liens against the properties that they own.

President Pro Tem Shalhoub asked Mr. Schoech if the Town could foreclose on the property, if the property is not homesteaded. Mr. Schoech noted that the Town could foreclose on the property. President Pro Tem Shalhoub noted that since this is an investment property, he is not favorable to reduce the lien.

Vice Mayor Rodriguez asked if Ms. Armenna if Innovative Homes would be willing to accept a reduction of the \$20,000 that they spent to bring the property into compliance, leaving a balance of \$27,100. Ms. Armenna noted that she was only authorized to pay up to 20% of the lien amount, anything else would have to be approved by Innovative Homes.

The Town Council discussed the need for more information on the case so that they would have a better understanding of the issue.

**Motion made by Vice Mayor Rodriguez to table the lien request until the September 12, 2017 Council Meeting to give Innovative Homes time to negotiate an offer with Mr. Clark and to give the Town Council Members time to review the case file, seconded by Council Member Shalhoub; Motion approved (5-0).**

## **IX. AUDIENCE COMMENTS:**

Jim Boger, 7518 Edgewater Circle – discussed the weeds in Lake Clarke. It was noted that Palm Beach County controls the weeds in Lake Clarke. The type of chemicals being used to kill the

hydrilla was also discussed. Vice Mayor Rodriguez noted that the hydrilla may be more widespread this year due to lower water levels in the lake.

## **X. STATUS REPORTS:**

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

Vice Mayor Rodriguez noted that they are still working on revisions to the codes.

Mr. Clark – noted that the Mango Circle Water Main project was about two-thirds of the way around the corner with the addition of the six easement agreements that were on the consent agenda. He also noted the remaining property owners that are interested in the project will be receiving their easement agreements soon.

Chief Smith – was not present

## **XI. COUNCIL COMMENTS:**

Council Member Shalhoub – noted that he was on the Code Enforcement Board during the time that the case against 1901 Carissa Road was heard. He explained that if the resident would work with the town, the Board would work with them also. He noted that the owners of 1901 Carissa Road did not attend any of the Code Board Hearings or make any attempt to comply for almost a year.

He also noted that he recently attended a “Food Truck Invasion” and would like the Town to hold events like this on a monthly basis. He noted that he discussed the logistics with the event operator and thinks that a “Food Truck Invasion” would be something that residents of the Town would enjoy. He would like to have the first event scheduled for September.

He also thanked the residents for attending the meeting.

Council Member Studdard – noted that the proposed budget included money for the Town’s IT structure. He stated that he will work with Mr. Clark to see if the Town can save money on this.

He noted that he attended the Florida League of Cities meeting in Orlando and that he is on the Transportation and Intergovernmental Relations Committee.

President Pro Tem Shalhoub – noted that Mr. Clark did a great job on the proposed budget.

He noted that Mr. Clark and most of the Council Members will be attending another League of Cities meeting in Orlando on Friday. He also noted that the Palm Beach County League of Cities will be holding a joint meeting with the Palm Beach County Board of County Commissioners to discuss various issues including the funding of the OIG, Medical Marijuana Treatment Centers and sober homes.

He thanked everyone for coming to the meeting.

Vice Mayor Rodriguez – reminded everyone of the open house that Representative Slivers will be hosting on Wednesday, July 12<sup>th</sup>.

He noted that he would be unable to attend the League of Cities meeting in Orlando.

Mayor Freebold – noted that approximately 48 kids attended the Fishing Camp this year. He also congratulated Ms. Anita Calhoun on the Certificate of Achievement that she received and noted how lucky the Town is to have such hard working and dedicated people working at the Police Department.

**XII. ADJOURNMENT:**

**Motion made by Vice Mayor Rodriguez to adjourn at 7:43 p.m., seconded by Council Member Studdard; Motion approved (5-0).**

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Gregory Freebold, Mayor

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Mary Pinkerman, Town Clerk