

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
AUGUST 14, 2018**

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
Paul R. Shalhoub, President Pro Tem
Robert M. W. Shalhoub, Council Member (arrived at 6:32 p.m.)
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 resident Robert L. Savitski, Sr. and for Arthur A. Fritz (Al), father of resident Mike Fritz, who recently passed away.

Pastor Tom Hunter, Pastor of Emmanuel Baptist Church, gave the invocation and then led the audience in the Pledge of Allegiance.

II. APPROVAL OF AGENDA:

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

III. CONSENT AGENDA:

- A) Approval of the Minutes of the July 10, 2018 Budget Workshop.
- B) Approval of the Minutes of the July 10, 2018 Town Council Meeting.
- C) Approval of Resolution #18-18 – Approving the Initial Assessment for Phase I Sewer Improvements within Sewer Service Area 1.
- D) Approval of Interlocal Agreement between the Palm Beach County School Board and the Town of Lake Clarke Shores for assistance in patrolling Meadow Park Elementary School during the 2018/2019 school year.
- E) Approval of agreement between the Town of Lake Clarke Shores and Nolen, Holt & Miner, P.A. to extend auditing services to the end of the 2022 fiscal year.

- F) Approval of agreement between the Town of Lake Clarke Shores and Walker’s Property Management Service of South Florida, Inc. for cleaning services for the 2018/2019 fiscal year.
- G) Approval of Letter of Intent between the Town of Lake Clarke Shores and ABM to perform an investment grade audit of the Town facilities.
- H) Approval to install security cameras at Arabian Road entrance to Town.

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

IV. PRESENTATIONS:

- A) Presentation of 2016/2017 Fiscal Year Audit – Ron Bennett, Senior Manager, Nowlen, Holt & Miner, P.A.

Mr. Bennett thanked the Town Council for allowing them to conduct the audit and the Town staff for their assistance in providing the documents necessary to perform the audit. He noted that the audit has been posted on the Town website.

He noted that the audit is made up of four different sections and that the Town received a good report on each. He noted the increases in revenue for the General Fund, due in part by the increasing property values in town, and the Utility Water and Sewer/ Enterprise Fund.

He also noted that the Fund Balance decreased and the final payments for the 2005 and 2007 Debt Service principal and interest will be paid this year.

Council Member Shalhoub thanked Mr. Bennet for his work on the audit.

V. QUASI-JUDICIAL PROCEEDINGS:

- A) None

VI. PUBLIC HEARING:

- A) None

VII. UNFINISHED BUSINESS:

- A) None

VIII. NEW BUSINESS:

- A) First Reading of Ordinance #18-03 – Amending Chapter 26 “Environment”, Article V “Noise” to establish Noise Standards.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING ARTICLE V “NOISE”, OF CHAPTER 26 “ENVIRONMENT”, BY REPEALING SECTIONS 26-126, 26-127, 26-128, 26-129, 26-130 AND 26-131 OF THE CODE OF ORDINANCES, AND BY ADOPTING NEW SECTIONS 26-126 “DEFINITIONS”, 26-127 “PURPOSE”, 26-128 “FINDINGS”, 26-129 “NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED”, 26-130 “STANDARDS”, 26-131 “MAXIMUM PERMISSIBLE SOUND LEVELS”, 26-132 “RESPONSIBILITY FOR COMPLIANCE”, 26-133 “EXEMPTIONS”, 26-134 “PROHIBITED USE OF ALL-TERRAIN AND OTHER OFF-ROAD MOTORIZED VEHICLES; AND, 26-135 “HOURS FOR CONSTRUCTION WORK OR NOISY COMMERCIAL ACTIVITIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Motion made by Vice Mayor Rodriguez to approve first reading of Ordinance #18-03, seconded by President Pro Tem Shalhoub; Motion approved (5-0).

IX. AUDIENCE COMMENTS:

Linda Obuccina, 8143 C Bridgewater Court – stated that she lives next door to a house on East Court where they play loud music and have parties all the time. She noted that she calls the Police Department often to complain about the noise. She asked how long it will take before the noise ordinance goes into affect.

It was noted that the ordinance will go before the Town Council for second and final reading next month.

Harriet Ross, 1401 Alpha Court N. – discussed the speeding boats in the canal behind her house and the vehicles that speed along the roadways in Town. She noted that vehicles do not stop at the stop signs and suggested installing more solar stop signs throughout the Town. She also noted the underage children that are driving golf carts and the traffic situation at Forest Hill Boulevard and Pine Tree Lane.

She asked if the Town will be converting to sewers and noted that she was concerned about the potential cost of this. Mayor Freebold noted that this issue will be discussed during the Florida League of Cities conference that the Council Members will be attending. He stated that the Town will provide more information on this this issue during the next Town Council Meeting.

Ann Warren, 7524 Edgewater Circle – noted that the trash and garbage containers are still visible throughout the Town. She would like to have the code enforced so that residents would keep their containers out of sight.

Ken Barker, 8260 Pine Tree Lane – asked about purchasing the property between his property line and the waterway. He also noted that he would be in favor of having sewers installed since he will need to replace his septic tank in the near future.

Todd Peterson, 7926 Pine Tree Lane – discussed the need for sewers in the area to keep the water quality at safe levels. Mayor Freebold noted that Palm Beach County tests the water quality of the lake and canals in Town. He also noted that the Florida Wildlife Commission checks the fish that are caught during the annual Bass Fishing Tournament and that the fish do not have any lesions, which shows that the water quality in the area is good.

Mr. Peterson also discussed the possibility of having a speed bump placed in front of his house. He noted that his puppy was killed by a speeding car and said that a speed hump may prevent this from happening again. Mr. Clark noted that the neighbors in the area must agree to a speed hump near their homes and that the speed hump must be engineered in a way that meets the requirements for emergency vehicles to navigate to roadway. Mr. Peterson asked if he could start the process by asking his neighbors to sign a petition in favor of the speed hump. He also wanted to know if he could pay for the speed hump if the money for this is not in the budget. It was noted that he could discuss the need for a speed hump with his neighbors and ask them to sign the petition. The Town will make a determination if enough residents are in favor of the speed hump. He was also told that he could donate funds that are earmarked for the project.

Victoria Prinzi, 1411 Carandis Circle – noted that they used to live in an area of Boca Raton that had an HOA. They sold their house and moved to Lake Clarke Shores. She noted that they purchased a boat since moving in and enjoy getting out on the water. She stated that they love living in Lake Clarke Shores and are having a great time. She noted that the music and laughter that comes from their neighbor's property and from the boats in the water does not bother them. She said that she enjoys hearing the neighbors having fun. She stated she understands the need for a noise ordinance, but hopes that the Town does not stop the sounds from the music and laughter altogether.

She also discussed the need for sewers. She stated that she would rather pay for a sewer instead of having to spend the money to replace her septic tank and drain field.

Linda Sudderberg, 1408 Beta Circle – noted that she is in favor of sewers. She also noted that she saw a small dog in the road while she was driving in the rain along Pine Tree Lane. She stopped, picked up the dog and tried to find the owner. She noted that she was not sure what to do, so she took the dog to the Police Department. When she got there, the office was closed, so she contacted the dispatch center and an officer came. The officer found a chip on the dog, so she was able to return the dog to the owner. She noted that it is really nice to live in a community where the Police Officers care about the residents and their pets.

Pam Sharpe, 8341 Pine Tree Lane – noted that the County did not spray the weeds behind her house the last time they were out. She also noted the number of coconuts floating in the lake and agreed with the other residents that spoke about the vehicles that drive too fast through the Town.

She asked if a permit/license is needed to operate Air B&Bs since there are a few in Town. It was noted that they will be discussing this issue during the League of Cities Conference. Mr. Clark noted that the State preempts the ability for municipalities to regulate what happens within their

own jurisdiction. Council Member Studdard gave the residents the names of the legislators so they could contact them in support of home rule.

Claudine Vasseur, 6904 Venetian Way – wondered if there were any security issues associated with Air B&Bs that would prohibit them from operating within the Town.

She noted that she would also be in favor of converting from septic tanks to sewers.

Fran Eberhart, 7316 Venetian Way – she suggested that the Town wait until sewers become mandatory before making any change. She noted that it would be hard for some residents to pay the costs associated with the conversion and wondered if the Town was going to be able to help residents pay for the installation of the sewer system.

She noted that the Police Officers should issue tickets to those that do not stop at the railroad tracks.

Mayor Freebold noted that tickets are issued to those that do not stop for the red light at the railroad crossing and to those that are speeding. He also noted that the Town is looking for ways to assist with the cost of the sewer system.

X. STATUS REPORTS:

Mr. Schoech – it was noted that first reading of Ordinance #18-03 was on the agenda and approved. The Town Council agreed to send Ordinance #18-03 to MuniCode so that it could be included in the codification.

Mr. Clark – noted the article about the Town in the Quality Cities magazine.

Chief Smith – did not have any additional items to report.

XI. COUNCIL COMMENTS:

Vice Mayor Rodriguez – noted that he was impressed by the number of people in attendance. He also noted that the new noise ordinance will give the Police Department a way to measure the noise levels.

He noted the upcoming events: International Waterway Cleanup, Better than Halloween, Tennis Tournament and the 6K Loop around the Lake. He also reminded everyone to vote in the August Primary Election.

Council Member Shalhoub – noted the work being done at Pine Tree Park and the clean fill that was donated.

He noted that he will be attending the Florida League of Cities Conference taking place at the end of the week.

He thanked everyone for coming to the meeting.

President Pro Tem Shalhoub – he welcomed everyone to the meeting and thanked them for their comments.

He noted that he will also be attending the League of Cities Conference and stated that he is on the Finance, Taxation and Personnel Committee.

He reminded everyone about the Food Truck Invasion taking place on Friday, August 17th. He noted that he received a great response from the residents and the food truck operators as they were very pleased with the good turnout during the July event.

He stated that the cost for the installation of security cameras at Arabian Road and Florida Mango Road is being funded by the money collected from liens.

Council Member Studdard – thanked Mr. Clark and the staff for their work on the budget. He noted the number of people that stood up and made comments during the meeting.

He also noted that he will be attending the League of Cities conference and that he is a member of the Transportation and Intergovernmental Relations Committee.

Mayor Freebold – thanked everyone for coming to the meeting and asked how many people in the audience were here because they saw the You Tube video about the meeting. He also asked how many were signed up for CodeRED. It was noted that the Town is trying to get more people signed up for CodeRED so that they can receive important information from the Town in addition to emergency information, when the need arises.

XII. ADJOURNMENT:

Motion made by President Pro Tem Shalhoub to adjourn at 7:50 p.m., seconded by Vice Mayor Rodriguez; Motion approved (4-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk