

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
SEPTEMBER 12, 2017**

Immediately following the LPA Hearing

I. A) CALL TO ORDER AND ROLL CALL:

Mayor Gregory Freebold called the meeting to order at 7:05 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
Daniel Clark, Town Administrator
Mary Pinkerman, Town Clerk
Wes Smith, Chief of Police
Charles Schoech, Town Attorney

The following official was absent:

John Studdard, Council Member

B) MOMENT OF SILENCE, PLEDGE OF ALLEGIANCE, INVOCATION

Mayor Freebold requested a moment of silence for all of those who were affected by Hurricane Irma. Pastor Stan Sniezek, Pastor of the New Alliance Church, gave the invocation. Mayor Freebold 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 Vice Mayor Rodriguez; Motion approved (4-0).

III. CONSENT AGENDA:

- A) Approval of the Minutes of the August 8, 2017 Town Council Meeting.
- B) Approval of Resolution #17-27 – Adopting the Town of Lake Clarke Shores Evaluation and Appraisal Notification Comprehensive Plan Amendments dated June 2017 (EAR Support Documents).
- C) Approval of Resolution #17-28 - Adopting the Non-Ad Valorem Assessment Roll for the Forest Hill Boulevard Sewer System Phase 1A and levying the Non-Ad Valorem Assessment for the Town for fiscal year 2017-2018.

- D) Approval of Utility Easement Agreement for 1701 Carandis Road.
- E) Approval of Utility Easement Agreement for 1715 Mango Circle.
- F) Approval of Utility Easement Agreement for 1719 Mango Circle.
- G) Approval to declare 7011 Hayden Road a Nuisance Property.
- H) Approval of Internship Policy and Procedures.
- I)

Motion made by President Pro Tem Shalhoub to approve the Consent Agenda, seconded by Council Member Shalhoub; Motion approved (4-0).

IV. PRESENTATIONS:

- A)

V. QUASI-JUDICIAL PROCEEDINGS:

- A)

VII. UNFINISHED BUSINESS:

- A)

VIII. NEW BUSINESS:

- A) First Reading of Ordinance #17-05 – Amending sections of the Comprehensive Plan.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT TEXT AND MAPS OF THE FUTURE LAND USE MAP SERIES, AND THE TEXT OF THE HOUSING, INTERGOVERNMENTAL COORDINATION AND CAPITAL IMPROVEMENTS ELEMENTS OF ITS COMPREHENSIVE PLAN TO INCORPORATE REVISIONS REQUIRED BY THE TOWN'S PERIODIC EVALUATION AND APPRAISAL REPORT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made by President Pro Tem Shalhoub to approve the First Reading of Ordinance #17-05, seconded by Council Member Shalhoub; Motion approved (4-0).

- B) First 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 the First Reading of Ordinance #17-06, seconded by Council Member Shalhoub; Motion approved (4-0).

IX. AUDIENCE COMMENTS:

Askok Kulkarni, 8131 West Lake Drive – noted that Hurricane Irma hit South Florida two days ago and some residents already have their power back on. Chief Smith noted that FPL has been improving its infrastructure over the past 12 years so they are able to restore power faster than they did before.

Mr. Kulkarni also asked about the new FEMA flood maps and wanted to know how much of the Town was affected by the changes. Mr. Clark noted that there were some areas in Town where we anticipated flooding, but nothing was flooded during Hurricane Irma. Mr. Schoech stated that areas across the state have been added to flood zones due to the developments that have been built since the original flood maps were made. He noted that in Hendry County, the City of Clewiston had only two small parcels in the flood zone before the new FEMA maps and now the whole City is in a flood zone due to the Herbert Hoover Dike. He noted that Palm Beach County went to bat for the residents, causing the Palm Beach County flood maps to very reasonable.

William Murphy, 1841 Evergreen Drive – stated that the Town did a great job during the storm. He noted that the International Coastal Cleanup is scheduled for September 16th. He asked about postponing the event to a later date. Mr Clark noted that the Town can either postpone the clean-up or cancel it. He stated that if the Town Council wants to reschedule the event, staff recommends holding the event on September 30th. The Council discussed the issue of rescheduling the cleanup.

Council Member Shalhoub made a motion to reschedule the International Coastal Clean-up to September 30, 2017; seconded by President Pro Tem Shalhoub; Motion approved (4-0).

George Sanchez, 8360 West Lake Drive – commended the Police Department for their presence throughout the Town during the storm. He noted that he moved from Broward County to Lake Clarke Shores in June. He stated that although he lived in a small town, the Police Department did not do this. He also noted that he liked the Town’s use of CodeRED during the storm. He discussed the Australian pine trees and asked who would be liable if a tree would fall during a storm causing damage. He also asked about the possibility of moving powerlines underground, and if the Town will be converting to sewer systems in the future.

Mr. Schoech noted that Australian pines are considered nuisance trees and there have been lawsuits about the damage caused when they fall. He stated that if the tree was healthy and fell, there would be no liability to the owner. If a diseased tree fell causing damage, the owner would be liable for not removing the tree.

Vice Mayor Rodriguez noted that the Town Council looked into putting powerlines underground after the hurricanes in 2004 and 2005 but found that it was not cost effective.

Mayor Freebold noted that he is on the League of Cities Environmental Committee where there has been ongoing discussions regarding the septic tank versus sewer system this issue among the Legislators in Tallahassee, but nothing has been finalized at this time.

X. STATUS REPORTS:

Mr. Schoech – noted that he certified the Town’s Non-ad Valorem tax roll for the sewer assessments on Forest Hill Boulevard.

Mr. Clark – gave an update of the damage caused by Hurricane Irma. He noted that one hundred thirty four (134) homes were affected by the storm, causing approximately \$500,000 worth of damage. He noted that the water and sewer utilities were not disrupted during the storm and only four (4) lift stations were on generator power. He stated that Waste Management was out today to pick up household garbage, that they will begin collecting recycling materials on Friday and that the bulk pick up is on hold for the time being. He noted that the vegetative debris will be picked by Phillips & Jordan starting late next week.

He also noted that the Town set up a Wi-Fi and Power Station in the Town Hall Lobby equipped with tables, chairs, extension cords and cold water, to allow those without power to charge their phones and other devices. He noted that the Town utilized the CodeRED Emergency Alert system to inform residents before, during and after the storm and reminded residents to sign up for this service, if they have not already done so.

Mr. Clark noted that Town staff discussed changing the Town’s worker’s comp and general liability insurance carrier. He note that staff has met with two companies, Florida Municipal Insurance Trust (FMIT) the current insurance provider to the Town, and Preferred Governmental Insurance Trust (PGIT or Preferred) to gather information and obtain quotes on this. He noted that both rates are comparable, but Preferred provided information on how to lower overall costs associated with Worker’s Compensation coverage – something that FMIT did not do. He also noted that Preferred would be overseen by a branch of Brown & Brown, who currently handles the health insurance for the Town employees. Mr. Clark noted that staff recommends switching from FMIT to PGIT.

Council Member Shalhoub made a motion to change the Town’s insurance carrier from FMIT to PGIT, seconded by Vice Mayor Rodriguez; Motion approved (4-0).

Chief Smith – provided statistics of the Police Department’s activities during the hurricane. He noted that the Officers responded to accidents, assisted in clearing the roadways, took one Town resident to the emergency shelter at Forest Hill High School and another person to the shelter at Wellington High School. He also noted that the Town Hall was used for cooking and as sleeping quarters for the off duty Police Officers and other staff that were required to remain throughout the duration of the storm. He noted that, overall, things went well during the hurricane.

XI. COUNCIL COMMENTS:

Mayor Freebold – stated that he sat in on some of the conference calls that were conducted during Hurricane Irma and noted that there is a lot of things that go on in the background that most people are not aware of to keep people safe during emergencies. He noted that the Town staff starts

preparing for hurricanes in June beginning with the Hurricane Preparedness Workshop and continuing throughout the hurricane season. He noted that a great job was done by all involved.

Council Member Shalhoub – noted that the Police Department and Town staff did an amazing job during the storm. Everyone was as prepared as they could be. He stated that the residents of Lake Clarke Shores really care about each other as evidenced by the way they helped each other before and after the storm. He thanked the Town employees for the outstanding work they did for the residents. He noted the various individuals, companies and departments that assisted the Town after the storm subsided including McAfee Electric who helped with a downed power pole along Forest Hill Boulevard, FPL for their assistance in returning power to the area and the PBC Sheriff's Office for their help maintaining the curfew.

He also noted that four out of the five members of the Town Council attended the Florida League of Cities Conference, where they continued to make contacts that may help the Town in the future.

Council Member Shalhoub noted the number of people in attendance and thanked them for their participation in the meeting.

President Pro Tem Shalhoub – stated saying thank you is sometimes not enough. He noted that staff does a great job for the Town. He discussed the Police Department's visibility before, during and after the storm. He also noted that Congresswoman Lois Frankel contacted him stating that she was willing to help the Town where ever possible.

He welcomed Mr. Sanchez to the Town and provided him with information on the Police Department's House Watch Program.

He discussed the proposed additional \$25,000 homestead exemption and how this would affect the future tax base for Palm Beach County and the Town.

President Pro Tem Shalhoub reminded residents to sign up for CodeRED to keep informed during emergency situations. He also reminded everyone about the International Coastal Clean-up on September 30th and asked everyone to get involved.

Vice Mayor Rodriguez – noted that Lake Clarke Shores is a wonderful community where residents come together, not just in times of trouble, but all of the time. He noted that the Police Department is very community oriented and that the officers are willing to help residents. The officers go above and beyond the normal call of duty.

XII. ADJOURNMENT:

Motion made by Council Member Shalhoub to adjourn at 8:05 p.m., seconded by Vice Mayor Rodriguez; Motion approved (4-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk