

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
NOVEMBER 12, 2019**

1. Call to Order:

A. Roll Call

Mayor Valentin Rodriguez called the meeting to order at 6:30 p.m.

The following officials were present:

Valentin Rodriguez, Jr., Mayor
Paul R. Shalhoub, Vice Mayor
Robert M. W. Shalhoub, President Pro Tem
Gregory Freebold, Council Member

B. Moment of Silence, Pledge of Allegiance, Invocation

Mayor Rodriguez requested a moment of silence for Town resident Gloria Shaw and Alyssa Jacobson, resident of Boca Raton, who recently passed away. Pastor Stan Sniezek, Pastor of the New Life Alliance Church, gave the invocation, then led the audience in the Pledge of Allegiance.

2. Approval of Agenda:

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

3. Consent Agenda:

- A. Approval of the Minutes of the October 15, 2019 Town Council Meeting.
- B. Approval of Resolution #2019-32 – Adopting PBC 2020 Local Mitigation Strategy.
- C. Approval of Resolution #2019-33 – Expressing appreciation to Natalie Schneider for her exemplary service on the Code Enforcement Board.
- D. Approval of agreement with Building Up Sports Academy, Inc. for a Winter Break Fishing Camp to be held December 26th & 27th 2019 and January 2nd, 3rd & 4th, 2020.

E. Approval of Interlocal Agreement between the Town and Palm Beach County First Responder Agencies to allow direct radio contact between public safety answering points and first responders outside of normal service areas.

F. Approval of 2020 events and dates:

Children's Movie Nights 3/27; 6/26 & 10/2
27th Annual Barbecue 3/29
15th Annual Waterway Cleanup 4/18
13th Annual Bass Fishing Tournament 5/2
International Coastal Cleanup 9/12
"Better Than Halloween" Party 10/31
4th Annual Triples Tennis Tournament 11/7
2020 "Loop around the Lake" 6K 11/18
22nd Annual "Holidays in Paradise" Parade 12/5
Jim and Judy Tackett Memorial Christmas
Tree Decorating & Lighting 12/5
Holiday Home Decorating Contest 12/14

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

4. Presentations:

A. Waste Management – Ellen Smith

Ms. Smith introduced Dawn Mc Cormick, State Director of Communications, who was also in attendance for the presentation. Ms. Smith explained that the Think Green Grants program is a micro-grant program that is available through Waste Management offices across North America. She noted that Lake Clarke Shores was one of five municipalities in Florida that received a Think Green Grant. It was noted that the Town used the money from the grant to purchase two double trash/recycling receptacles for Pine Tree Park. Ms. Smith presented the Town with a check in the amount of \$1,000.00.

Justin Shainuck, Fire Chief of Palm Beach County Fire Rescue Battalion 10 was in attendance. Mayor Rodriguez invited him to the podium. Chief Shainuck gave a Status Report on the number of calls that they responded to during the month of October and provided the Town Council with copies of the 2018/2019 Annual Report. Mayor Rodriguez noted the quick response time on a call regarding a ninety year old that fell off their bike. He stated that Fire Rescue personnel were on site a few minutes after the initial call and the person was transported to the hospital within 10 minutes after the accident occurred. He thanked Chief Shainuck for all of the work that he and his staff do for the Town.

5. Quasi-Judicial Proceedings:

A. None

6. Public Hearing:

A. None

7. Unfinished Business:

Mr. Clark noted that Mr. Jeffery Larson, Financial Advisor, Larson Consulting Services, was in attendance to provide information on the loans.

Mr. Larson noted the bid opening that took place on November 7, 2019 and the interest rates that the Town was able to obtain from JC Morgan Chase and BB&T Bank. He noted that the loan for the bridge repairs was quoted for either 15 or 20 years and that the 15 year loan would be in the Town's best interests. It was noted that the JP Morgan Chase loan has a prepay penalty if the loan is paid ahead within the first five years. Mr. Larson noted that the closing date on the loans will be November 20th.

A. Approval of Resolution #2019-34 – A Resolution of the Town Council of the Town of Lake Clarke Shores, Florida; Authorizing the Town to borrow funds in the principal amount not to exceed \$1,300,000 to make certain bridge repairs and to refund the Town's Promissory Note, Series 2018.

Motion made by President Pro Tem Shalhoub to approve Resolution #2019-34, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

B. Approval of Resolution #2019-35 – A Resolution of the Town Council of the Town of Lake Clarke Shores, Florida; authorizing the Town to borrow funds in the principal amount not to exceed \$3,000,000 to make certain improvements to the Town's utility and to refund certain promissory notes.

Motion made by Vice Mayor Shalhoub to approve Resolution #2019-34, seconded by President Pro Tem Shalhoub; Motion approved (4-0).

C. First Reading of Ordinance #2019-04 – Amending Chapter 125 "Zoning" to Provide that Green Markets, as an accessory use to a church or religious center, may be approved as a Special Exception in the SF Zoning District.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA AMENDING CHAPTER 125-ZONING, ARTICLE VI. DISTRICTS, DIVISION 2 SINGLE-FAMILY RESIDENTIAL (SF) DISTRICT, SECTION 125-292 SPECIAL EXCEPTIONS, TO PROVIDE THAT GREEN MARKETS AS AN ACCESSORY USE TO A CHURCH OR RELIGIOUS CENTER MAY BE APPROVED AS A SPECIAL EXCEPTION IN THE SF ZONING DISTRICT; BY

FURTHER AMENDING CHAPTER 125-ZONING, ARTICLE VII SUPPLEMENTAL DISTRICT REGULATIONS TO CREATE A NEW DIVISION 15 “GREEN MARKETS” IN ORDER TO PROVIDE REGULATIONS FOR THE LOCATION AND OPERATION OF GREEN MARKETS WITHIN THE TOWN; TO PROVIDE FOR PURPOSE AND INTENT, DEFINITIONS, CRITERIA FOR SETBACKS, AREA COVERAGE, HEIGHT, PARKING, HOURS OF GREEN MARKET OPERATIONS, SECURITY AND TRAFFIC CONTROL; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Motion made by President Pro Tem Shalhoub to approve First Reading of Ordinance #2019-04, seconded by Council Member Freebold; Motion approved (4-0).

8. New Business:

A. Changes to Commercial Vehicle Code – for discussion – Mr. Clark

Mr. Clark noted that the current code as written is unenforceable and that the proposed changes were made to clarify the code.

Mayor Rodriguez asked the Council for any comments they may have on the wording of the proposed changes to the code.

Vice Mayor Shalhoub noted that he does not see any problem with allowing business names on vehicles, but has concerns with dump trucks, cement trucks and similar types of construction vehicles being parked in Town. He noted that the Town Council should first determine if writing on vehicles is a big issue or not, then determine the types of vehicles that should be restricted.

Council Member Freebold questioned if the size of the lettering should be limited. He also noted that the code states that vehicles should be kept in a clean, neat and presentable manner, which could mean different things to different people.

Mayor Rodriguez noted that “clean, neat and presentable” is very vague and that wording may be needed to clarify what is considered clean, neat and presentable.

President Pro Tem Shalhoub noted the pictures of various vehicles that were taken by Sergeant Fisher. He stated that residents are trying to make a living, so he does not have any problems with the vehicles having business names on them.

Mayor Rodriguez noted the residents that were in attendance that had concerns with the codes regarding commercial vehicles and asked for their comments.

The following residents spoke on the issue:

Peter Rossi – 7200 Venetian Way
Timothy Daughtry – 1410 Keller Road
Robert Gonzalez – 1420 South Lake Court
Trent Swift – 8020 South Lake Drive
Paul Hughes – 1925 Antigua Road
John Vitale – 1420 Carandis Circle
Charles Petti – 1912 Indian Road W

Mayor Rodriguez stated that the comments made by residents and members of the Town Council were a good starting point. He noted that work needs to be done to have codes that will work for everyone and that it will take time before a final ordinance can be drafted.

B. Interviews for vacant Council Member Group 4 Seat – Mayor Rodriguez

Mr. Clark explained that the applicants for the vacant Town Council Seat will be answering the same questions. He asked for the applicants to move to the small conference room in the Town Hall until they are called, so that they would not be able to hear the questions ahead of time.

Mayor Rodriguez introduced the following five applicants for the term that will be expiring in March 2020:

Timothy Daughtry; William (Bill) Murphy; Albert Pavon; Gerard (Jerry) Sanchez;
Trent Swift

As each of the applicants were called, they answered the following questions:

- What can you tell us about the services that the Town offers to its residents?
- Are you familiar with the Town's PACE Program, the CRA, annexation initiatives, septic to sewer programs and the Blueway Trail? Do you believe that these initiatives are good for the Town?
- Do you believe there needs to be changes with the direction that the Town is going? If so, what are the changes you believe need to be made and why?
- Florida/Palm Beach County run on relationships, how are your relationships (state and local) and are you willing to utilize those relationships to help the Town when necessary?
- In the last few years, the Town Council has actively participated in many local and statewide activities. Are you going to be able to commit the time to participate in some or all of these important relationship-building events?
- What do you believe is the single most important issue that this Council should address in the next year and how do you suggest that it be done?
- What is the Town millage rate?
- What do you think about the Fire Rescue Department and the service it provides to the Town?

- If appointed to fill this vacancy, do you intend to run for reelection?
- Do you believe that whoever is appointed to fill the vacancy will have an unfair advantage against anyone who wants to run for the seat next year?
- Why do you want to be on the Town Council?
- If not appointed, what are your plans for continued involvement with the Town?
- What is Fund Balance?
- Would you consider running for Group 4 if you are not appointed?

Note: The Town Council took a short break after conducting the first interview. The Meeting resumed at 8:00 PM.

At the conclusion of each interview, the Town Council thanked the applicant for their interest in serving the Town. At the completion of the interview process it was noted that all applicants were residents of the Town and citizens of the United States. The applicants were notified that if chosen, they would be subject to the Florida Sunshine Laws and that they would have to abide by state and local ethics regulations.

The Council Members were instructed to list the top two names for their choice of Council Member Group 4 on a piece of paper and then sign their name at the bottom of their ballot. Mr. Schoech reviewed the ballots and announced that all four of the Town Council Members chose the same two people: Albert Pavon and Trent Swift. It was noted that Mr. Albert Pavon was the first choice for three of the Council Members.

Vice Mayor Shalhoub made a motion to appoint Albert Pavon to the unexpired term for the Group 4 Town Council seat, seconded by Council Member Freebold; Motion approved (4-0).

It was noted that Mr. Pavon will be sworn in during the December 10, 2019 Town Council Meeting.

All of the remaining applicants were encouraged to qualify for the upcoming Town election.

9. Audience Comments:

None

10. Status Reports:

Chief Smith – did not have anything to add to his report.

Mr. Schoech - did not have anything to add to his report.

Mr. Clark – noted that he attended an Agriculture and Natural Resources Appropriations Subcommittee meeting in Tallahassee to answer any questions that may have come up about the Town’s appropriation. He noted that Representative David Silvers was not able to attend the meeting, but Representative Rick Roth,

Chairman of the Local Legislative Delegation, and Vice Chair of the Agriculture and Natural Resources Appropriations Subcommittee, took his place. Mr. Clark noted that Representative Roth did an excellent presentation regarding the Town's request. He also noted that Mr. Roth stated that the Town is a great community, and referenced some of the Town residents that he knows, particularly Robert Shalhoub. Mr. Clark noted that these types of relationships are very important to the Town. He stated that he went to an ICMA Conference and one of the sessions was on mapping relationships. He noted that he is working on a schematic to map the Town's current contacts and the contacts that the Town should meet to help the Town's local bill move forward.

The Town Council agreed that it is very important to maintain good relationships with people in other municipalities and the various agencies throughout the state.

Mr. Clark also reminded everyone about the Homeless Coalition's "Pie it Forward" fund raiser and encouraged the Town Council to participate.

11. Council Comments:

President Pro Tem Shalhoub – reminded the Council Members to note Palm Beach County Days being held on January 14th & 15th in their calendars. He noted Town's current millage rate of 6.2798. He stated that he was impressed with each of the applicants that applied for the vacant Town Council seat. He explained why he asked the question about fund balance, what a fund balance is and how the money in the fund balance could be used.

Council Member Freebold – wished everyone a Happy Thanksgiving. He thanked the applicants for their time and their love of the Town. He noted that Lake Clarke Shores is very community minded community. He congratulated Mr. Pavon on his appointment to the Town Council and reminded all of the remaining applicants of the qualifying period to run for office.

Vice Mayor Shalhoub – thanked those that applied for the open position on the Town Council. He congratulated Mr. Pavon on his appointment and wished everyone Happy Thanksgiving.

Mayor Rodriguez – noted the coming Town events and meetings. He noted that he enjoyed hearing the responses from the applicants for Group 4 and hopes that they will continue their involvement in town affairs.

12. Adjournment:

Motion was made by Council Member Freebold to adjourn the meeting at 9:38 PM, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

Signature of Valentin Rodriguez Jr., Mayor
Signature of Mary Pinkerman, Town Clerk