

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
MAY14, 2019**

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**I. CALL TO ORDER:**

**A) ROLL CALL**

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

The following members and officials were present:

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

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

Mayor Rodriguez requested a moment of silence for Town residents Pete Shahin and Joseph Narkier, and for William Mc Glynn, grandfather of Brian Hansen, previous employee of the Town who passed away. Pastor Hunter, Pastor of Emmanuel Baptist Church, gave the invocation, 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 Vice Mayor Shalhoub; Motion approved (4-0).**

**III. CONSENT AGENDA:**

- A)** Approval of the Minutes of the April 9, 2019 Town Council Meeting.
- B)** Approval of Resolution #2019-11 – Appointing Members to the Town of Lake Clarke Shores Infrastructure Surtax Citizen Oversight Committee.
- C)** Approval of Resolution #2019-12 – Appointing a representative and alternate representatives to the Palm Beach County League of Cities, Inc.
- D)** Approval of Resolution #2019-13 – Appointing Members to the Code Enforcement Board.
- E)** Approval of Resolution #2019-14 - Expressing Appreciation to John Studdard for his Exemplary Service as a Member of the Town Council.

- F) Approval of Resolution #2019-15 - Expressing Appreciation to Patricia Conte for her Exemplary Service as a Member of the Zoning Board of Adjustment.
- G) Approval of Resolution #2019-16 – Expressing Appreciation for Donations to the Town’s 26<sup>th</sup> Annual Barbecue.
- H) Approval of Resolution #2019-17 – Expressing Appreciation for Services Rendered by the Volunteers during the Town’s 26<sup>th</sup> Annual Barbecue.
- I) Approval of Resolution #2019-18 – Expressing Appreciation for services rendered by the volunteers and donors during the 14<sup>th</sup> Annual Waterway Clean-up.
- J) Approval of Resolution #2019-19 – Expressing Appreciation for services rendered by the volunteers and donors during the 12<sup>th</sup> Bass Fishing Tournament.
- K) Approval of Resolution #2019-20 – Appointing Members to the Zoning Board of Adjustments.
- L) Approval of revised Accounting Procedures Manual – Procurement Policy
- M) Approval of Land Use Permit – Leslie Pearce, 7506 Edgewater Circle – New Dock.

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

#### IV. PRESENTATIONS:

- A) Legislative Update – Representative David Silvers, District 87

*Note: Representative Silvers arrived at 6:50 for his presentation. Minutes reflect the order of the agenda.*

Representative Silvers noted that the Legislation Session is over and a number of bills are waiting Governor DeSantis’ signature or veto. Some of the bills waiting the Governor’s signature include criminal justice issues such as arming teachers and a bill that would allow someone who dials 911 to report an overdose not to be charged with a crime if they have drugs in their possession. He noted that the Town requested \$600,000 to design a sewer system but the amount was reduced to \$300,000 before going to the Governor for approval.

Mayor Rodriguez noted that Representative Silvers will be at Flagler Bank for a Table Talk Session and invited everyone to attend this event.

The Town Council thanked Representative Silvers for his assistance in obtaining the money for the sewer design.

**B) Commendation to Ofc. Connacher and Cmdr. Abruscato – Chief Smith**

(Note: Representative Silvers was running late – Commendations to Ofc. Connacher and Cmdr. Abruscato were done first).

Mayor Rodriguez noted that Officer Connacher and Commander Abruscato were instrumental in obtaining the grant that enabled the Police Department to purchase and administer Narcan to those who have overdosed. He thanked them for their persistence in applying for and obtaining the grant. Officer Connacher stated that it took some time, but they were happy they were able to obtain the grant.

**V. QUASI-JUDICIAL PROCEEDINGS:**

A) None

**VI. PUBLIC HEARING:**

A) None

**VII. UNFINISHED BUSINESS:**

**A) Approval of agreement between the Town of Lake Clarke Shores and Blueway Trail, Inc.**

Mr. Schoech noted that clarification was needed to show a public purpose for the Town to donate money to Blueway Trail, Inc. and that the revised agreement shows this.

Mr. Richard Pinski, President, Blueway Trail, Inc., noted that a lot of time has been spent on the wording of the agreement and that there is more to the project than just the boatlift. He noted that this agreement will be used as a template for the other municipalities as they come onboard.

There was discussion about waiving a trial by jury, about the Town being listed as additional insured and why the wording for other entities was not added to the agreement as was discussed and approved during the last Town Council Meeting.

**Council Member Shalhoub made a motion to add the words “waiving a trial by jury” and “approaching entities including but not limited to” to the agreement and once added, approving the agreement between the Town and Blueway Trail, Inc., seconded by Vice Mayor Shalhoub; Motion approved (4-0).**

Mayor Rodriguez thanked Mr. Pinsky for his work on this and the Blueway Trail Board Members for their attendance.

## VIII. NEW BUSINESS:

*Note: Item A) was moved to the end of new business items to allow more time for discussion, if needed. Minutes reflect the order of the agenda.*

### A) Performance Review for Town Manager

Mayor Rodriguez noted that Mr. Clark has requested an increase in his salary. He noted that he reviewed the salaries of Town Managers from municipalities with approximately the same number of residents and from neighboring municipalities. Mayor Rodriguez stated that Mr. Clark lives in town and is available 24/7 if needed. He also noted that Mr. Clark is an engineer, which helps lower the town's engineering expenses and that these points should be taken into consideration when determining if a raise should be given.

There was discussion to raise Mr. Clark's salary to \$135,000 per year. There was further discussion on increasing the amount to \$137,000, if there were no issues with the budget.

**Vice Mayor Shalhoub made a motion to increase Mr. Clark's salary to \$137,000 per year, seconded by Council Member Freebold; Motion approved (3-1) with Council Member Shalhoub opposed.**

**Motion made by Council Member Freebold to have the increase in salary retroactive to May 1, 2019, seconded by Vice Mayor Shalhoub; Motion approved (4-0).**

Mayor Rodriguez thanked Mr. Clark for all of his hard work.

Vice Mayor Shalhoub noted that he compared the salaries of the other Town Managers and that Mr. Clark was not even asking to bring his salary to the median amount that the others were receiving. He stated that Mr. Clark does an amazing job.

Council Member Shalhoub noted that Mr. Clark makes the Town Council look good.

Mr. Clark thanked the Town Council for their kind words. He noted that the Town Council working together makes his job easier. He asked the Council if they reviewed his list of priorities for the 2019/2020 FY. They responded that they were pleased with the list and are ready to move forward.

Mayor Rodriguez noted that the President Pro Tem position on the Council was vacant due to the resignation of John Studdard from the Town Council. He asked for nominations so that the President Pro Tem position could be filled.

**Motion made by Vice Mayor Shalhoub to appoint Council Member Robert M. W. Shalhoub as President Pro Tem, seconded by Council Member Freebold; Motion approved (4-0).**

- B) Approval of agreement between the Town of Lake Clarke Shores and Larson Consulting Services for financial advisor services.

**Motion made by Vice Mayor Shalhoub to approve the agreement with Larson Consulting Services, seconded by Council Member Freebold; Motion approved (4-0).**

- C) Approval of First Reading of Ordinance 2019-02 – Regarding the registration, maintenance and regulation of vacant and foreclosed properties within the Town.

**ORDINANCE NO. 2019-02**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, CREATING ARTICLE VIII. REGISTRATION OF DEFAULTED MORTGAGE AND VACANT PROPERTY OF CHAPTER 26 ENVIRONMENT OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE CLARKE SHORES; PROVIDING FOR PURPOSE AND INTENT; DEFINITIONS; APPLICABILITY AND JURISDICTION; ESTABLISHMENT OF A REGISTRY; INSPECTION AND REGISTRATION OF DEFAULTED MORTGAGE PROPERTY; INSPECTION AND REGISTRATION OF VACANT PROPERTY; MAINTENANCE AND SECURITY REQUIREMENTS; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**Motion made by Council Member Shalhoub to approve First Reading of Ordinance #2019-02, seconded by Vice Mayor Shalhoub; Motion approved (4-0).**

- D) Approval of First Reading of Ordinance 2019-03 – Regarding the registration, maintenance and regulation of rental properties within the Town.

**ORDINANCE NO. 2019-03**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, CREATING ARTICLE IX. RENTAL DWELLING REGISTRATION REQUIRED OF CHAPTER 26 ENVIRONMENT OF THE CODE OF**

ORDINANCES OF THE TOWN OF LAKE CLARKE SHORES; PROVIDING FOR DEFINITIONS; PROVIDING FOR INCLUSION OF AND REQUIREMENTS FOR AUTHORIZED AGENTS OR REPRESENTATIVES; PROVIDING FOR EXEMPTIONS; PROVIDING A REQUIREMENT FOR RENTAL DWELLING REGISTRATION; PROVIDING FOR APPLICATION AND AFFIDAVIT; PROVIDING FOR A REGISTRATION FEE AND REGISTRATION RENEWAL; PROVIDING FOR RENTAL DWELLING UNIT INSPECTION; PROVIDING REQUIREMENTS FOR THE MAINTENANCE OF STRUCTURES AND PROPERTY; PROVIDING FOR CONSENT TO INSPECTION AND RE-INSPECTION FEES; PROVIDING FOR THE PROHIBITION OF THE TRANSFER OF A REGISTRATION; PROVIDING PROVISIONS CONCERNING THE SUSPENSION, REVOCATION AND REINSTATEMENT OF A REGISTRATION; PROVIDING FOR PENALTIES; PROVIDING FOR TOWN RELIANCE ON REGISTRATION OR INSPECTION; PROVIDING FOR TOWN ACCESS TO CHANGE OF OCCUPANCY RECORDS; PROVIDING FOR APPEALS AND OTHER REMEDIES; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion made by Council Member Freebold to approve First Reading of Ordinance #2019-03, seconded by Vice Mayor Shalhoub. Motion approved (4-0).

**IX. AUDIENCE COMMENTS:**

Dorene Harling, 1421 Carandis Circle – asked if Ordinance #2019-03 would include the registration on Air B & Bs. She also noted that the vegetation in the canal behind her house was recently sprayed, but more vegetation is back at her end of the canal. She would like to know if they could come back to spray the canal again.

Mr. Clark noted that the ordinance would cover registrations for all types of rental properties. He also noted that the canals are sprayed during the first part of the month and that they are very careful so they do not overspray and cause the grass along the banks to die.

**X. STATUS REPORT:**

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

Mayor Rodriguez thanked Chief Smith for the information he provided in his report regarding Narcan.

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

Mayor Rodriguez thanked him for the work that he does for the Town.

Mr. Clark – stated that he received the bridge reports for the various bridges in town. He noted that the Pine Tree Bridge is needing to be repaired. He noted there is time to make the repairs since the bridge has not continued to deteriorate. He discussed the various options that the Town has to make the repairs while attempting to keep the bridge open to traffic.

## **XI. COUNCIL COMMENTS:**

Council Member Freebold – noted that there were 15 boats that participated in the Fishing Tournament and that he appreciated the assistance he received from the Town Staff.

President Pro Tem Shalhoub – noted that the Town has not increased the millage rate for many years, but due to the property values going up, the Town receives more revenue from property taxes. He also noted that he would like to build the amount in reserves to cover unexpected expenses.

He thanked Representative Slivers for the hard work that he did during the legislative session and noted that Senator Lori Berman will be at the June 11<sup>th</sup> Town Council Meeting to present her report.

He noted that he would like the Town to work toward reducing the costs for residents to use the tennis courts and pavilion. He also noted Mr. Clark's performance review and thanked Mr. Clark for all that he does for the Town.

He noted that May 15<sup>th</sup> is Vice Mayor Shalhoub's birthday and wished him a Happy Birthday.

Vice Mayor Shalhoub – noted the Food Truck Invasion taking place on Friday and invited everyone to attend.

He noted that he has been appointed Chairman of the Finance, Taxation and Personnel Committee by the Florida League of Cities and that he is looking forward to serving in this capacity.

He thanked everyone for attending the meeting.

Mayor Rodriguez – wished Vice Mayor Shalhoub a Happy Birthday.

He noted Mr. Clark's list of priorities for 2019/2020. He also noted the number of League of Cities events that they will be attending. He asked the Town Council to

consider a policy to reimburse for their meals when they are attending League of Cities events out of the local area.

**Motion made by Vice Mayor Shalhoub to reimburse for meals when traveling out of the area according to the Florida Statutes, seconded by Council Member Freebold; Motion approved (4-0).**

Mayor Rodriguez reminded everyone of the Movie Night on June 7<sup>th</sup> and encouraged everyone to attend.

He noted the opening of the first full-service restaurant in Town - Jo Bistro at 1800 Forest Hill Boulevard.

He also noted that he would like to see some of the Town's fees revised. He noted that the tennis court lights are being replaced and soon the Town will no longer be charging fees to use the lights.

**XII. ADJOURNMENT:**

**Motion was made by Vice Mayor Shalhoub to adjourn the meeting at 7:34 PM, seconded by Council Member Freebold; Motion approved (4-0).**

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Valentin Rodriguez, Mayor

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Mary Pinkerman, Town Clerk