

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
OCTOBER 15, 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 Stella Damon, who recently passed away. The Most Reverend Father Peter Sphortun of St. Mary's Orthodox Church of West Palm Beach, 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 September 24, 2019 Second Public Hearing 2019/2020 Town Budget.
- B)** Approval of the Minutes of the September 24, 2019 Town Council Meeting.
- C)** Approval of Resolution #2019-29 – Amending Utility Customer Service Charges to allow for forgiveness of utility charges under certain circumstances.
- D)** Approval of Proclamation proclaiming November 17 – 23, 2019 as National Hunger and Homeless Awareness Week.
- E)** *Approval of agreement with Sherwin Anderson for a Winter Break Tennis Camp to be held December 26 – 28, 2019. – Item moved to New Business*

- F) Approval of Revised ILA with PBC regarding fiber optics.
- G) Approval of Lien Settlement to transfer property located at 6900 West Lake Drive to the Town.

Motion made by President Pro Tem Shalhoub to approve the Consent Agenda after moving Consent Agenda Item 3. E to New Business Item 8. F, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

4. PRESENTATIONS:

- A) Meals on Wheels – Rick Sartory, Board Member

Mr. Sartory explained how Meals on Wheels (MOW) assists homebound seniors in Palm Beach County. He stated that their volunteers not only deliver hot, nutritious meals to homebound seniors, but they also perform wellness checks and provide a connection to the outside world. He noted that MOW does not receive any government funding but relies on sponsorships, donations and special events. He noted that their yearly fundraiser “Pie it Forward” will begin on November 1st through November 22nd. He stated that the pies are baked and donated by local restaurants, hotels and country clubs and each \$25.00 pie purchase provides a week of meals for a local homebound senior. He encouraged the Town Council and residents to purchase pies from their “Pie it Forward” campaign for Thanksgiving.

5. QUASI-JUDICIAL PROCEEDINGS:

- A) None

6. PUBLIC HEARING:

- A) None

7. UNFINISHED BUSINESS:

- A) None

8. NEW BUSINESS:

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

Mr. Larson noted the capital improvement needs of the Town. He explained how the existing long-term debts with banks could be refinanced at lower interest rates. He recommended that the Town Council approve the Resolutions.

- A) Approval of Resolution #2019-30 – Declaring the Town’s intent to construct and or repair bridges in the Town; Authorizing to finance the bridge repairs through the issuance of tax-exempt bonds or notes and to reimburse the Town for expenditures paid or incurred prior to the date of issuance.

Motion made by President Pro Tem Shalhoub to approve Resolution #2019-30, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

- B) Approval of Resolution #2019-31 – Declaring the Town’s intent to undertake the design and construction of a Town wastewater collection system; Authorizing to finance or refinance the design and construction through the issuance of tax-exempt revenue bonds or notes and to reimburse the Town for expenditures paid or incurred prior to the date of issuance.

Motion made by President Pro Tem Shalhoub to approve Resolution #2019-31, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

- C) Draft Ordinance amending Chapter 125 Zoning to provide that Green Markets as an accessory use to a church or religious center may be approved by Special Exception in the Single-Family Residential District.

Mr. Schoech noted that after he and Bill Doney reviewed the various codes that were provided by Mr. Hector Herrera during the August 13th Town Council Meeting, they came up with the draft ordinance presented for review. He noted that this ordinance requires that green markets must be an accessory use to a church and only allowed by special exception. He noted since green markets would be allowed at any church in Town, not just St. Mary’s, each special exception would have to be considered based on the location of the event on church property, the total number of vendors allowed, available parking for vendors and attendees, traffic control and event security.

Mr. Schoech noted that certain areas of the draft ordinance were left blank for Council consideration including the maximum number of vendors allowed, the maximum square foot of the green market retail sales area, the number of parking spaces required per vendor and per attendee, the hours and days of operation.

Mr. Schoech received input from the Town Council, Town staff, Mr. Herrera and various audience members that he will incorporate into the draft ordinance. He will have the updated draft ordinance ready for Town Council review and comments during the November 12th Council Meeting.

- D) Discussion regarding In re National Prescription Opiate Litigation – Mr. Clark

Mr. Clark noted that the Town had received information regarding the Class Action Notice In re: National Prescription Opiate Litigation. He explained that cities and counties across the country have sued manufacturers, distributors and retailers of prescription opiate drugs. All federal civil actions have been centralized into one court in Ohio and have been certified as a voluntary “Negotiation Class”. He noted that the

Town could either exclude itself from the Negotiation Class to attempt to sue on our own or remain in the "Negotiation Class".

Motion made by President Pro Tem Shalhoub to remain in the Negotiation Class, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

E) 2020 Census Complete Count Committee

Mr. Clark noted the importance of having an accurate census count. He also requested that the theme of the BBQ be centered on the 2020 Census. He asked the Town Council about forming a Complete Count Committee. There was discussion on various things that the Complete Count Committee could do.

Motion made by President Pro Tem Shalhoub to set up a Complete Count Committee for the 2020 Census, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

F) *Approval of agreement with Sherwin Anderson for a Winter Break Tennis Camp to be held December 26 – 28, 2019. – Item moved from Consent Agenda*

The Town Council discussed the wording of certain sections of the agreement pertaining to insurance coverage and the Town's compensation.

Motion made by President Pro Tem Shalhoub to change Article 5 on insurance and change Exhibit A to clarify Town's compensation, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

9. AUDIENCE COMMENTS:

Wesley Cook, 7105 Pine Tree Lane – commended the utility department staff for the great job they did while making the recent repairs along Pine Tree Lane.

He also asked about Resolution #2019-31 regarding the utility loan and if residents would be able to vote on the issue. Mr. Clark noted that the resolution is to allow the Town to obtain a loan for the sewer design phase only. Once the Town receives the information, the residents will be informed of how much it will be to install sewers.

Ken Phillips, 7711 Pine Tree Lane – discussed the speed of the jet skiers on the lake. He noted that they are drag racing each other, which is very dangerous. He asked if the Town could post no wake zones to slow them down. Chief Smith noted the number of violations and warnings that were issued by the Marine Unit during the last month.

He also discussed the vegetation that some residents and/or lawn maintenance companies place on the roadways.

He noted that he would like the Town Council to include language to the green market ordinance that would restrict the volume of music, if music would be allowed at all. He also noted that the Council needs to take into consideration that the vendors would be utilizing the same parking spaces as those that would be attending the event.

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 his report included resumes from three residents that were interested in filling the vacant council member position. He asked the Town Council how they wanted to proceed. It was determined to reopen the application process to make sure that all interested residents could apply. Mr. Clark noted that staff will repost the same information giving residents.

Motion made by Vice Mayor Shalhoub to reopen the application process and accept applications until November 6th, seconded by Council Member Freebold; Motion approved (4-0).

Vice Mayor Shalhoub asked Mr. Clark where the speed tables noted on his report would be located. Mr. Clark stated that they would be installed on Travis Road. Then, depending on how they work out, the Town will begin replacing the other speed humps with speed tables.

11. COUNCIL COMMENTS:

Vice Mayor Shalhoub – thanked everyone for their attendance at the meeting.

He noted the Meals on Wheels “Pie it Forward” event will begin on November 1st. He stated that he would like the Town Council to consider adding information on the event to the Town’s website. It was noted that the Town does not promote events from other organizations on the website. After discussion, **Vice Mayor Shalhoub made a motion to allow information about the Meals on Wheels “Pie it Forward” event to be put on the Town website, seconded by President Pro Tem Shalhoub; Motion approved (4-0).**

Council Member Freebold – noted that he attended a meeting where they were discussing various community events. He commented on the number of events the Town provides for the residents of Lake Clarke Shores.

President Pro Tem Shalhoub – stated that the dollar amounts noted on the opiate litigation are just hypothetical figures. He noted it will take many years before the case makes it through the court system and many more before a settlement is agreed upon.

Mayor Rodriguez – noted the October and November birthdays. He also encouraged everyone to attend the Food Truck Invasion on Friday, October 18th and to participate in the Loop around the Lake 6K on November 17th.

12. ADJOURNMENT:

Motion was made by Vice Mayor Shalhoub to adjourn the meeting at 7:55 PM, seconded by Council Member Freebold; Motion approved (4-0).

Valentin Rodriguez Jr., Mayor

Mary Pinkerman, Town Clerk