

**MINUTES
TOWN OF LAKE CLARKE SHORES
VIRTUAL TOWN COUNCIL MEETING
MAY 12, 2020**

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
Albert Pavon, Council Member

B. Moment of Silence, Pledge of Allegiance, Invocation

Mayor Rodriguez requested a moment of silence for residents Anna Meckstroth, Jerry Falkner and Margaret Parkinson; for Vince Bonvento, retired Assistant PBC Administrator; Yvonne Inglis, mother of former Council Member Jim Inglis and for the families across the county, state, country and world that have been affected by COVID-19. Pastor Stan Sniezek, Pastor of New Life Alliance Church, gave the invocation. Mayor Rodriguez then led the audience in the Pledge of Allegiance.

C. Reorganization of the Town Council

Nominations for Mayor, Vice Mayor and President Pro Tem.

Motion made by Vice Mayor Shalhoub for the Town Council Members to retain their current positions, seconded by Council Member Freebold; Motion approved (5-0).

2. Approval of Agenda

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

3. Consent Agenda

- A. Approval of the Minutes of the March 10, 2020 Town Council Meeting. (*Note: April 12, 2020 meeting was cancelled*)
- B. Approval of Resolution 2020-08 – Suspending the Town Charter, Ordinance, Resolution and Policy restrictions for meetings to allow virtual meetings to take place during the COVID-19 epidemic and adopting procedures to conduct the virtual meetings due to COVID-19.
- C. Approval of Resolution 2020-09 – Appointing Members to the Town of Lake Clarke Shores Infrastructure Surtax Citizen Oversight Committee.
- D. Approval of Resolution 2020-10 – Appointing Members to the Zoning Board of Adjustment.
- E. Approval of Resolution 2020-11 – Appointing Members to the Code Enforcement Board.
- F. Approval of Proclamation by the Town Council recognizing the week of May 17 - 23, 2020 as “Water Reuse Week”.
- G. Approval to select the Town Evaluation Committee’s top-ranked engineering firm, JonesEdmunds, to design a centralized wastewater collection system for the Town’s Northern Utility Service Area and other tasks and direct Staff to negotiate an Agreement with the firm.
- H. Approval of the three year renewal (Amendment 001) to the Interlocal Cooperative Agreement for Urban County Participation in the Community Development Block Grant (CDBG) Program for 2021-2023 and directing the Mayor to sign the documents.
- I. Approval of the Town Return to Work COVID-19 Policy, COVID-19 Pay Policy and FMLA Leave Expansion and Emergency Paid Sick Leave Policy (COVID-19).
- J. Approval of COVID-19 Telecommuting Policy.
- K. Approval to declare the following inoperable items as surplus and allowing these items to be disposed:

Various Dell HP Office lap top computers – 3 total
HP Officejet Pro 8600 Premium Printer – Serial #CN434F410V
Mackie 1604-VLZ Pro 16 Channel Sound Mixer – Asset tag #375

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

4. Presentations

A. Legislative Update – Representative David Silvers, District 87

Representative Silvers thanked the Town Council for giving him the opportunity to be a part of the meeting. He noted that he has participated in numerous webinars due to the COVID-19 situation that we all are currently facing. He discussed the various bills that he sponsored that have passed and are waiting for the Governor's signature including bills regarding children's mental health, affordable housing, domestic violence and service animal protection. He also noted that he will fight to keep the \$230,000 earmarked for the Lake Clarke Shores septic to sewer engineering study in the Florida budget.

He stated that if anyone has any questions, they can call his office anytime.

The Council Members thanked him for all the work that he has done for the Town and for his work with the bills that were passed. Representative Silvers stated that it is an honor for him to be able to do this.

B. Legislative Update – Senator Lori Berman, District 31

Senator Berman noted the Council reorganization and congratulated the Mayor, Vice Mayor and President Pro Tem for retaining their positions. She stated that the legislative session ended on March 14th and that she worked hard to increase teacher salaries, increase the funding for the affordable housing trust fund and increase the funding for COVID-19 related expenditures, among other things. She noted that the State is expecting shortfalls in taxes collected from gasoline and tourist tax dollars due to the COVID-19 epidemic. She also noted the increases in unemployment claims and the problems people face when they are applying for benefits. She noted that the State has prepared a "Smart Sheet" so residents can contact their legislators for assistance with the unemployment application process and have their legislator submit the application for unemployment benefits on that person's behalf.

The Council thanked Senator Berman for her work on the Senate and all that she does for the residents of Florida.

5. Quasi-Judicial Proceedings

A. None

6. Public Hearing

A. None

7. Unfinished Business

- A. Second and Final Reading of Ordinance 2020-01 – Amending various sections of Chapter 125 Zoning regarding definition of restaurants and, as such, to change the various sections of the code pertaining to restaurants; amending sections of the code to clarify that the ZBA is an advisory board to the Town Council and that the Town Council is the deciding authority for Special Exceptions; and to correct a scrivener error regarding lot coverage.

An Ordinance of the Town Council of the Town of Lake Clarke Shores, Florida, Amending Chapter 125 Zoning of the Code of Ordinances of the Town of Lake Clarke Shores, Article I. In General, Section 125-1. Definitions to amend the definition of Restaurant; Amending Section 125-4 Decisions by Zoning Board of Adjustment, Function of Town Council to specify that the Zoning Board of Adjustment is an Advisory Board to the Town Council; Amending Article VI. Districts, Division 3. Multiple-Family Residential (MF) District, Section 125.330. Maximum Lot Coverage of All Buildings to change the deciding authority to Town Council for Special Exceptions; Amending Division 4. Limited Commercial (LC) District, Section 125-360. Permitted Principal Uses and Structures to revise permitted uses for restaurants; Amending Section 125-363. Prohibited Uses and Structures by amending Sub-Section (2) E. regarding alcoholic beverages; Amending Section 125-366. Maximum Lot Coverage by All Buildings to correct a scrivener error by adding maximum lot coverage; Amending Section 125-369. Minimum Off-Street Loading and Parking Requirements, to revise parking requirements for restaurant; 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 Second and Final Reading of Ordinance 2020-01, seconded by Vice Mayor Shalhoub; Motion approved (5-0).

The following written comments and/or questions submitted by attendees regarding the ordinance were read for the record:

Logan Steele, 7410 West Lake Drive – asked why the Town is changing the function of the Zoning Board of Adjustment. He also noted the change to allow the sale of alcohol in restaurants. Mr. Schoech noted that the original ordinance changing the roll of the Zoning Board of Adjustment to an advisory board passed years ago. This ordinance includes verbiage to bring consistency throughout the code.

8. New Business

A. None

9. Audience Comments

The following people spoke during this portion of the meeting:

Chip Damsel, 8147 Pine Tree Lane – noted the boaters and jet skiers that are speeding in the lake and canals and asked who would be responsible if one of them were to run into a dock or boatlift. He also noted the loud music coming from the boats. He asked for additional patrols along the waterways to prevent these things from continuing. Chief Smith noted that while there are no speed limits on the waterways, the Marine Unit issues warnings and tickets to those that are carelessly or recklessly operating watercraft, when they have staff available to do so. He also noted that the Town does have a noise ordinance, and asked that residents call when the music is too loud so they can investigate the situation. Mr. Schoech noted that the property owner could be sued if someone were to hit a dock or boatlift, but the injured person would have to prove that there was an unsafe condition that caused the accident. He noted that just because the dock or boatlift is there, does not necessarily constitute an unsafe condition.

Victoria Prinzzi, 1411 Carandis Circle – thanked the Town for having the virtual meeting which allowed for more resident participation. She would like this to continue.

Robert Gonzalez, 1420 South Lake Drive – thanked the Town Council for all the work that they are doing. He noted the LCS Facebook group and stated that even though they are not the Town's official Facebook page, they are providing additional information regarding the Town. He noted some of the activities that he has seen residents participate in during the COVID-19 epidemic and the community spirit that continues in spite of it.

Lori DeJesus, 7611 Pine tree Lane – noted Representative Silvers remarks on the funding for sewers and wanted more information on this. Mr. Clark noted that the Town is continuing with the septic to sewer design project that has been ongoing for months now. The design project will take approximately 18 months to complete. When the design project is completed the Town will have an idea of the costs associated with the septic to sewer conversion. He noted that no decision has been made to convert from septic to sewer at this time.

Emad Ayoub, 8081 West Lake Drive – noted the number of vehicles that are speeding in his neighborhood and asked what would need to be done to have a speed hump installed along the roadway. It was noted that speed humps reduce the response times for the Police Department and Fire Rescue. Chief Smith noted that his officers have recently issued 30 speeding tickets in the West Lake and Edgewater area. He stated that they will place the speed trailer in the area to see if that will make a difference.

Timothy Daughtry, 1410 Keller Road – noted the number of people walking and riding bikes in the Town. He would like for the Town to remind them that they should be walking and riding with traffic and that they should be obeying the stop signs. He asked

if the town could provide vests or some other type of reflective gear that would help them to be more visible.

Mr. Clark noted that the Town received written questions and/or comments that were responded to prior to the meeting taking place. He noted that he would read their questions and the Town's response for the record.

The following people sent written questions or comments:

Paula Kvarnberg, 7328 Pine Tree Lane – asked for updates about the septic to sewer conversion, burying FPL power lines, the boatlift and sidewalks.

Mr. Clark noted that the Town is moving forward with the sewer design phase since the Town has received money from the state for this project. He noted that it will take approximately 18 months to complete and that no decisions have been made beyond the design completion. He noted that the design consultant firm was approved by the Town Council earlier in the meeting.

He noted that there are no plans to bury the power lines. He stated that FPL is currently replacing wooden power poles with concrete ones and will be running temporary power lines for the Pine Tree Bridge replacement sometime next year.

He noted that Blueway Trail Inc. is working to get a Blueway Trail designation from Florida State Department of Environmental Preservation at this time.

He also noted that the Town has no plans to install sidewalks.

Kathy Pientka, 7741 Pine Tree Lane – noted that both sewers and sidewalks would greatly improve the community and that they would not have any problem providing the necessary easement in front of their property for the sidewalk.

Dina Schmidt, 1811 Antigua Road – noted that during the March Town Council meeting there were many strong voices opposing the rezoning of the Town owned property located at 6900 West Lake Drive. She asked for an update on this. Mayor Rodriguez noted that a lot has happened to the site since the March Town Council Meeting - there is grass and a sprinkler system on the site now.

Mr. Clark noted that the Town Council asked for a valuation of the property if it was to remain as single family parcel and the value it would be as a multi-family parcel, which would allow for professional offices. This way the Town would be aware of the amount of loss by making it into a park or the amount of gain by selling the parcel either for single family use or professional office use. Once this information is provided, the Town Council would have a better understanding of how to proceed.

Mayor Rodriguez noted that the Town Council and Town staff are always available to answer questions regarding any Town issues.

10. Status Report

Mr. Schoech – noted that he will be available to assist the Town in any way. Vice Mayor Shalhoub asked about the cancellation of the May Code Enforcement Board Hearing. Mr. Schoech noted that there has been a lot of discussion among attorneys on the legalities of a quasi-judicial hearing taking place during the current COVID-19 pandemic. It was determined that it would be difficult to cross examine witnesses via virtual/webinar type meetings and since holding a meeting in person is not allowed due to social distance requirements, it was best to cancel the meeting.

Chief Smith – Mayor Rodriguez commended Chief Smith for all that he and the officers are doing during the pandemic.

Mr. Clark – Vice Mayor Shalhoub asked for an update on the grants that the Town is applying for. Mr. Clark noted that PBC is willing to help with the CDBG grant application.

11. Council Comments

Council Member Pavon – thanked Mr. Clark for setting up the meeting and keeping it on track. He stated that he follows social media and noted that people can contact any one of the Town Council Members if they have any questions regarding Town issues.

Council Member Freebold – thanked Town staff for all of their work. He noted the recent opening of the boat ramp and reminded everyone that it could get hectic at the boat ramp and asked those that are waiting to use the ramp to be courteous, patient and understanding.

He noted the birthdays taking place in May and reminded everyone to stay safe.

President Pro Tem Shalhoub – noted that he has been out in the neighborhood talking to residents about various things, but no one said anything to him about the drivers speeding on West Lake Drive. He agreed with Chief Smith regarding placing the speed trailer on West Lake Drive to help slow drivers down. He discussed the issue regarding the boats and jet skis that are speeding on the waterways and suggested using the “Citizens on Patrol” volunteers to help patrol the waterways.

He reminded residents to contact the Town Council or Town staff if they have any questions or concerns. He noted it is better to receive information directly from the Town instead of relying solely on social media for information.

He thanked Mr. Clark and Ms. Emilie Pearson, Deputy Town Clerk for their assistance with the virtual meeting, He noted the number of people that signed up as attendees for the meeting and thanked them for their participation.

Vice Mayor Shalhoub – thanked everyone for attending the first Lake Clarke Shores virtual Town Council Meeting. He reiterated that people should contact members of the Town Council for information or if they have any questions.

He noted that he received his copy of the Florida League of Cities children's book "The City that Talks". He stated that he would like to read the book to the children of the Town at a future date. Mr. Clark noted that this could be done virtually and placed on You Tube.

He thanked Representative Slivers and Senator Berman for their participation in the meeting.

Mayor Rodriguez – noted the letter from the Town that was mailed to residents, the State of the Town Report and that the Annual Town BBQ has been postponed indefinitely.

He noted that things have changed because of the COVID-19 epidemic, but will be getting back to normal. He thanked God that the Town does not have any COVID-19 hot spot areas. He noted that Lake Clarke Shores is a tight knit community with beautiful, generous people, a beautiful lake and is a great place to live.

He thanked the Town Council for their confidence in reappointing him as Mayor, Paul Shalhoub as Vice Mayor and Robert Shalhoub as President Pro Tem. He noted the Town is very fortunate to have a Town Manager who does everything that he can to keep the Town going. He thanked Mr. Clark, Chief Smith and Mr. Schoech for all that they do for the Town.

He reminded everyone to use face masks, keep social distancing requirements and to follow CDC guidelines so that everyone can stay healthy.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 8:03 PM, seconded by President Pro Tem Shalhoub; Motion approved (5-0).

Signature of Valentin Rodriguez, Jr., Mayor

Signature of Mary Pinkerman, Town Clerk