

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
SEPTEMBER 8, 2020**

1. Call to Order

A. Mayor Rodriguez called the meeting to order at 6:51 PM.

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
(Moved to beginning of First Public Hearing 2020/2021 Town Budget)

2. Approval of Agenda

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

3. Consent Agenda

- A. Approval of the Minutes of the August 11, 2020 Town Council Meeting.
- B. Approval of Resolution 2020-16 – Appointing Robert Gonzalez as a regular member of the Code Enforcement Board.
- C. Approval of Resolution 2020-17 – Appointing Freddy Rhoads as a member of the Infrastructure Surtax Citizen Oversight Committee.
- D. Approval of Proclamation proclaiming October 15, 2020 as “Carol Westmoreland Day” in recognition of her dedicated service to the Florida Redevelopment Association and the Florida League of Cities.
- E. Approval of agreement with Waste Management to provide trash, garbage, vegetation and recycling collection services from October 1, 2020 through September 30, 2025.
- F. Approval of agreement with Clarke Aquatics to provide aquatic weed and algae services from October 1, 2020 through September 30, 2021.
- G. Approval of Agreement with William H. Murphy as consultant for parks and recreation services from October 1, 2020 to September 30, 2021.

- H. Approval to declare inoperable items as surplus and allowing these items to be disposed.
- I. Authorizing the Town Manager to approve and make purchases consistent with the Town's Procurement Policy up to a maximum of \$10,500 and to sign agreements for goods and services up to a maximum of \$10,500.

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

4. Presentations

- A. Septic to Sewer Presentation by American Water Security Project – Terry Gibson, Government Affairs Director

Mr. Gibson noted that he grew up in this area and has boated on Lake Clarke and the surrounding waterways for many years. He also noted that one of the Board Members of the American Water Security Project (AWSP) lives in the area, so they are very interested in what is happening to the waterways in and around Lake Clarke Shores.

He noted that their non-profit organization helps municipalities to find funding options to repair and upgrade their existing infrastructure to comply with policy changes and environmental needs.

He explained the problems associated to septic tanks and how the surrounding waterways are being affected. He also explained how the pathogens threaten the health of people, pets and wildlife and how heavy rains affect septic tank effluent.

He noted some of the funding opportunities that may be available to make a conversion from septic to sewer more affordable to residents. He noted that AWSP is constantly working to increase funding for water infrastructure projects. He stated that they would like to partner with the Town to help write and submit grants for the Town.

Mr. Gibson noted that this is the first conversation that they have had with the Town so it would be hard to determine the end costs to the residents at this time. He also noted that AWSP charges a small fee for assisting the Town and that most grants require the Town to have matching funds to assist with costs associated with proposed projects.

Mayor Rodriguez thanked Mr. Gibson for his presentation and his interest in the Town.

5. Quasi-Judicial Proceedings

- A. None

6. Public Hearing

- A. None

7. Unfinished Business

- A. Approval of Collective Bargaining Agreement between the Town of Lake Clarke Shores and Palm Beach County Police Benevolent Association.

Vice Mayor Shalhoub noted that his questions from the August 11th Town Council Meeting have been answered.

Motion made by Council Member Freebold to approve the Collective Bargaining Agreement, Seconded by President Pro Tem Shalhoub; Motion approved (5-0).

8. New Business

- A. First Reading of Ordinance 2020-02 – Solid Waste

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, REPEALING IN ITS ENTIRETY CHAPTER 46-SOLID WASTE OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE CLARKE SHORES; CREATING A NEW CHAPTER 46-SOLID WASTE TO PROVIDE FOR DEFINITIONS; DEPOSIT OF WASTE; MANDATORY SERVICE; ADMINISTRATIVE PROCEDURES; ENFORCEMENT; TITLE TO WASTE; CONTAINERS; PRE-COLLECTION PROCEDURES; COLLECTION SCHEDULE; SINGLE-FAMILY OR 2-FAMILY DWELLINGS; MULTIPLE-FAMILY DWELLINGS; COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL ESTABLISHMENTS; BULK AND VEGETATIVE WASTE; RECYCLING; CHARGES, RATES AND FEES; PRIVATE COLLECTORS AND ACTUAL GENERATORS OF SOLID WASTE; SUNKEN CONTAINERS; SPECIAL WASTE DISPOSAL SITUATIONS; PARKING LOTS; COLLECTION DURING DECLARED EMERGENCY; COMPOSTING; PROHIBITED ACTIVITIES AND CONSTRUCTION AND DEMOLITION (C&D) DEBRIS COLLECTION AND DISPOSAL; 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 the First Reading of Ordinance 2020-02, seconded by Council Member Freebold; Motion approved (5-0).

- B. Discussion on opening Town Playgrounds

Mayor Rodriguez noted that Palm Beach County has authorized the opening of playgrounds in the County although the Town's playgrounds remain closed at this time. He noted that while the total number of new COVID-19 cases is diminishing, Mr. Clark received information that the Census Tract that includes the Town of Lake Clarke Shores shows increasing numbers of positive cases of COVID-19. He also noted that

the Palm Beach County Health Department's Mobile COVID-19 testing unit will be available in the parking lot at the Town Complex on September 9th and encouraged everyone to get tested.

It was noted that the Town Council has received numerous calls about when the playground and basketball courts will reopen, but since the Town is in an area where COVID-19 cases are increasing, the Council should proceed with caution. Mr. Clark noted he receives updated information from the Health Department on Wednesdays.

Mayor Rodriguez opened the floor for discussion on when the Town should reopen the parks and what safety measures should be in place when the parks are open.

There was lengthy discussion by the Town Council regarding if the Town should open the playground as soon as the area is no longer in a hot zone or to wait until future Council Meetings to take the vote. There was also discussion on if Town staff would be available to sanitize the equipment on a daily basis or if people would be using the equipment at their own risk.

Council Member Freebold made a motion to table the decision until the September 22, 2020 Town Council Meeting to give time to see if the Census Tract COVID-19 numbers go down, seconded by President Pro Tem Shalhoub; Motion approved (4-1) with Vice Mayor Shalhoub opposed.

9. Audience Comments

A. Emailed Questions/Comments – None

B. Written Questions/Comments

The following written questions were answered during the course of the meeting:

1. Is the equipment at Community Park and Pine Tree Park included in the closure?
Yes
2. The hours for the COVID-19 testing at Town Hall. Not sure at this time, but will post hours on the Town website and through social media.
3. The number of attendees for the meeting - 23

C. Verbal Questions/Comments –

Kathleen Booth, 7519 Clarke Road – Asked how the Town will notify residents about the COVID-19 testing site and if they would be notified about the Town being in a hot spot for COVID-19. Mr. Clark noted that the Town will be using CodeRed and social media to inform residents.

Timothy Daughtry, 1410 Keller Road – would like to know if the COVID-19 Census Tract information is available for resident review. He noted the problem with the voting equipment at Precinct #3014 & 2127 and stated that the Town Hall polling location was

unable to open on time. He also noted that he has an issue with Code Enforcement regarding the political signs in his yard.

William Murphy, 1841 Evergreen Drive – noted that the Town needs to have a plan in place to open the playgrounds when it is clear to do so.

Kristen Osment, 1827 Antigua Road – noted that the children are very restless and she would like to see the playgrounds open as soon as possible since the number of children being affected by COVID-19 is very small.

10. Status Report

Chief Smith – gave statistics on the number of citations and Notice of Violations that had been issued in August. He also noted the new LED speed signs that will show how fast drivers are going as they drive along the roadway. The Police Department will be able to analyze the information and provide reports as needed.

Mayor Rodriguez thanked Chief Smith for the great job he is doing for the Town.

Mr. Schoech – did not have any additional comments at this time.

Mr. Clark – noted that the generator panel and the Council Chambers air conditioning unit were damaged by lightning during the storm over the weekend and are being repaired.

President Pro Tem Shalhoub asked Mr. Clark if someone from the Palm Beach County Health Department could provide a presentation on COVID-19 during the next Council Meeting. Mr. Clark said that he will check into this.

Council Member Freebold noted the new trash carts will be delivered to residents starting the second week in October.

Mayor Rodriguez thanked Mr. Clark and Town staff for their work and for his help in setting up the mobile COVID-19 testing site.

11. Council Comments

President Pro Tem Shalhoub – noted that residents will need to be educated about the use of the new trash carts and that once they receive the new carts, they will only be able to use their old trash cans for vegetation.

Mr. Clark noted that Waste Management will mail information about the new carts to the residents. He will also ask if they can attach information to the cart itself so that residents will have the same information when they receive the cart.

He also noted that some of the officers are not coming to a complete stop at stop signs and he would like to see that change since they are supposed to be setting a good example to others.

Council Member Pavon – did not have any comments at this time.

Council Member Freebold – noted that he is looking forward to the next meeting.

Vice Mayor Shalhoub – thanked everyone for their participation in the meetings.

Mayor Rodriguez – reminded everyone about the COVID-19 testing taking place tomorrow and reminded everyone of the importance to use face coverings and follow CDC guidelines to help prevent the spread of COVID-19.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 8:10 PM, seconded by President Pro Tem Shalhoub; Motion approved (5-0).

Signature of Valentin Rodriguez, Jr., Mayor

Signature of Emilie Pearson, Deputy Town Clerk