

**MINUTES
TOWN OF LAKE CLARKE SHORES
HYBRID TOWN COUNCIL MEETING
FEBRUARY 9, 2021**

1. Call to Order

- A. Mayor Rodriguez called the meeting to order at 6:35 PM (meeting was delayed due to technical difficulties).

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, Invocation, Pledge of Allegiance

Mayor Rodriguez requested a moment of silence for Rose Marie Stowers, resident and aunt of Chief Wes Smith, for Alice Daughtry, mother of resident Timothy Daughtry and for those who passed away within the past month due to COVID-19. The Most Reverend Father Peter Sphortun of St. Mary's Orthodox Church of West Palm Beach, gave the invocation then led the Pledge of Allegiance.

2. Approval of Agenda

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

3. Consent Agenda

- A. Approval of the Minutes of the January 12, 2021 Town Council Meeting.
- B. Approval of Resolution 2021-03 – Appointing Ivan Gomez as an alternate member of the Zoning Board of Adjustment.
- C. Approval of Resolution 2021-04 – In appreciation to the Members of the Lake Clarke Shores Citizens on Patrol
- D. Approval of Proclamation recognizing the week of February 21 - 27, 2021 as Engineer's Week.
- E. Approval of Proclamation recognizing the week of February 22 - 28, 2021 as Eating Disorder Awareness Week.

F. Approval of Proclamation proclaiming March as Problem Gambling Awareness Month.

G. Approval of the Town of Lake Clarke Shores Records Management Policy.

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

4. Presentations

A. None

5. Quasi-Judicial Proceedings

A. 6904 Venetian Way Variance Request –

1. Presentation by Town of request and recommendation of ZBA – Charles Schoech.

Mr. Schoech noted that the Zoning Board of Adjustment heard the applicant's request for the variance on January 20, 2021 and that the Zoning Board of Adjustment recommends that the Town Council approve the variance to construct a carport that will be 7 feet from the front property line and 7 and a half feet from the side property line with the condition that the carport remains an open structure, not to be enclosed other than the four posts and wood lattice across the rear of the carport and that the carport maintains the aesthetic of the home.

2. Presentation by Applicant – CDV Projects, Inc., Claudine Vasseur

Ms. Vasseur noted that she needs a carport for her vehicle to prevent it from further deteriorating in the sun and from other elements. She noted that there is no other location on her property for the carport.

3. Public Hearing

There were no comments from the audience.

4. Rebuttal by Applicant if Necessary

5. Council Comments

The Town Council noted that they have looked at the plans for the carport and that they did not see where there would be any problems. They noted that Ms. Vasseur has upgraded the property since she purchased it and knows that she will continue to maintain the property in the same manner.

It was noted that the Zoning Board of Adjustment voted 4 to 1 to recommend that the Town Council approve the variance request.

6. Council Conclusion (Findings of Fact and Conclusion of Law)

Motion made by Vice Mayor Shalhoub to approve the ZBA recommendation to allow applicant's request of an 18 foot variance from the front property line and a 2 and half foot variance from the side property line to construct a carport that will be 7 feet from the front property line and 7 and a half feet from the side property line with the condition that the carport remains an open structure, not to enclose the structure other than the four posts and wood lattice along the rear of the carport and that the carport will maintain the aesthetic of the home, seconded by President Pro Tem Shalhoub; Motion approved (5-0).

6. Public Hearing

A. None

7. Unfinished Business

A. First Reading of Ordinance 2021-01 – Amending the Town's Golf Cart Codes

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING CHAPTER 58 TRAFFIC AND VEHICLES, ARTICLE III. GOLF CARTS IN PART TO PROVIDE FOR A REVISED DEFINITION OF GOLF CARTS; TO CLARIFY A PROHIBITED USE; TO ALLOW CHILDREN UNDER SEVEN YEARS TO RIDE ON THE LAP OF AN ADULT PASSENGER; TO REVISE INSPECTION REQUIREMENTS, PERMIT FEES, AND REQUIRED EQUIPMENT; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Town Council discussed the requirement for annual inspections versus inspections taking place every other year. It was noted that the resident would have the option of choosing how often the inspection would take place by paying the associated permit fee of either \$25.00 for one year or \$50.00 for two years. It was noted that a Police Officer could inspect the golf cart for safety equipment any time that the operator is stopped for violating codes.

It was also noted that there are already approximately twenty golf carts in Town that have state tags on them allowing them to be driven in the same manner as vehicles.

Motion made by Vice Mayor Shalhoub to approve first reading of Ordinance 2021-01, seconded by Council Member Pavon; Motion approved (5-0).

8. New Business

A. None

9. Audience Comments

A. Emailed Questions/Comments –

None

B. Written Questions/Comments –

Dina Schmidt, 1811 Antigua Road – wanted to know the number of participants on line for the meeting. It was noted that there were 6 participants.

C. Verbal Questions/Comments –

Ann Warren, 7524 Edgewater Circle – noted that her neighbor parks their boat and trailer on the side of their yard which blocks the sunlight from her hedges. Mayor Rodriguez recommended that she speak with Code Enforcement to see if the boat and trailer are parked according to Town Codes.

(Note: Ms. Warren made these comments at the end of the meeting. Minutes reflect the order of the agenda)

10. Status Report

Mr. Schoech – noted that Renovate America has filed for bankruptcy and that he has been getting the documentation in place to file a lien so the Town can receive the money that is owed. Mr. Clark noted that Renovate America was the residential PACE provider for FRED and that Renovate America is getting out of the residential PACE program. FRED will be focused on the commercial PACE portion of the PACE program. He also noted that FRED was not aware that Renovate America was filing for bankruptcy.

Mr. Schoech clarified that there is nothing that the Town can do regarding Air B&Bs operating within Town limits since regulation of Air B&Bs is preempted by the State of Florida.

Chief Smith – noted that the Marine Unit patrolled the waterways for 64 hours in January. They made 17 contacts with boaters and performed 6 equipment checks. He also noted Road Patrol made 2 arrests. He provided information on the annual Uniform Crime Report and noted that domestic battery and assaults were up a little due to confinements from the COVID-19 pandemic.

Part Time Officer Vladimir Ambroise was introduced to the Town Council. Chief Smith noted that he has been with the Town for 6 months, was a Marine and is currently a Sergeant in the Army Reserves.

Mr. Clark – noted that the owner of the Flagler Square properties located at 1850, 1860 and 1870 Forest Hill Boulevard attempted to get the tax value of the properties reduced by the Value Adjustment Board, but his request was denied.

He also noted some of the bills that will be heard in Tallahassee during the legislative session including annexation changes and changes that may eliminate anonymous code enforcement complaints, which could eliminate the “See Something – Say Something” program that most municipalities already have in place.

Mr. Clark noted that staff will be working on the FRDAP Grant to add pickle ball courts to Community Park. He also noted the need for additional members on the Parks and Recreation Advisory Committee, which is required to meet in order to apply for the grant.

Mr. Clark noted that there is a bill being considered by the legislators in Tallahassee that will possibly expand the PACE program to include solar panels and sewer conversion to the list of things that would be covered under PACE.

Mr. Clark also noted the number of COVID-19 cases in the area is still high, and that the backboard and hoops on the basketball courts will remain down until the number of COVID-19 cases go down. It was noted that Mr. Clark will check with PBC to see if one of the COVID-19 mobile testing units can return to Town Hall.

11. Council Comments

Council Member Pavon – wished everyone a Happy Valentine’s Day

Council Member Freebold – unable to hear his comments due to technical difficulties.

President Pro Tem Shalhoub – noted that the Town will be unable to hold the BBQ again this year, but that it will be better in 2022.

He noted the approval of Resolution 2021-04 in appreciation to the Members of the Lake Clarke Shores Citizens on Patrol. He stated that the COP members do a lot for the Town. He also noted the addition of Ivan Gomez to the Code Enforcement Board and the need for additional members for the Town’s other boards and committees.

Vice Mayor Shalhoub – noted the vegetation and debris that residents routinely place by the roadway prior to an approaching hurricane. He noted that residents should already be aware that the vegetation will not be collected once a named storm is forecast for our area. He stated that the Town needs to make sure that people comply with this so that the debris does not get picked up by gusting winds and cause damage to property. There was discussion on fining property owners if they place vegetation and debris out

after a storm warning has been issued and the possibility of putting unpaid fines as an assessment on the property owner's tax bill.

Mayor Rodriguez – thanked Mr. Clark, Mr. Schoech and staff for the work they have done with the golf carts ordinance. He noted that residents are enjoying being able to get out with more people riding bikes and utilizing the Town parks. He noted the number of volunteer hours Reserve Officer Manak puts in for the Town. He also noted that the Pine Tree Bridge project will be started during the off season and that the boatlift project is on hold for now.

He noted that those present in the Council Chambers remained socially distant from each other throughout the meeting and reminded everyone to continue with the precautions in place to prevent the spread of COVID-19.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 7:25 PM, seconded by Council Member Freebold; Motion approved (5-0).

Valentin Rodriguez, Jr., Mayor

Mary Pinkerman, Town Clerk