

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

1. Call to Order

A. Mayor Rodriguez called the meeting to order at 6:30 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, Invocation, Pledge of Allegiance

Mayor Rodriguez reminded everyone that the Town does a moment of silence to remember the family members that have passed away. He noted that this month's list included three of the Town Council's family members. He requested a moment of silence for Lydia Welch, prior resident, mother of President Pro Tem Shalhoub and grandmother of Vice Mayor Paul Shalhoub, for Humberto Pavon, father of Council Member Albert Pavon; for residents Sally Massey, Philip Gitlin and Robert Green and for those who passed away within the past month due to COVID-19. Pastor Stan Sniezek, Pastor of the New Life Alliance Church, 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 Vice Mayor Shalhoub; Motion approved (5-0).

3. Consent Agenda

- A. Approval of the Minutes of the February 9, 2021 Town Council Meeting.
- B. Approval of Resolution 2021-06 – Proclaiming the election of non-contested candidates for Groups 1 & 2.
- C. Approval of Resolution 2021-07 – Appointing members to the Parks and Recreation Advisory Committee.
- D. Approval of Resolution 2021-08 – Declaring an emergency need to repair a pump at Lift Station 1 and authorizing the purchase of pump repair services from Xylem Water Solutions ISA. Inc. in an amount not to exceed \$15,000.00.

- E. Approval of Proclamation proclaiming March 8 – 14, 2021 as Flood Awareness Week.
- F. Approval of Proclamation proclaiming April 2021 as “Water Conservation Month”.
- G. Approval to piggy-back Broward College Contract RFP-2018-167-EH to allow Shenandoah to clean televises and install CIPP at 1811 Antigua Road, 1501 Wagner Circle, 7600 Escondida Drive in an amount not to exceed \$15,000.00.
- H. Approval to declare the following items as surplus and allowing these item to be disposed:
 - Mackie Model #2404 VLZ4 Digital Mixer
Serial #2051281EGLO0005 rev. A00
 - Toshiba Studio 255C Copy Machine (Police Department)
Serial #- C7CE50540

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

4. Presentations

- A. Presentation of 2019/2020 Fiscal Year Audit – Christine Noll-Rhan, CPA – Carr, Riggs Ingram

Ms. Noll-Rhan noted that this was the first audit that the firm has done for the Town. Her presentation included the following information:

- The Town received a clean opinion.
- There was a positive change in the fund balance.
- There is approximately 2.7 months in un-restricted funds available – which is within range.
- There is an increase of approximately \$300K in the Enterprise Fund.
- The Town elected to early implement GASB 87, Leases.
- Explained the internal control findings and how the Town can fix these areas in the future.

The Town Council Members did not have any questions or comments regarding the audit. Mayor Rodriguez thanked Ms. Noll-Rhan for the work she had done on the audit.

5. Quasi-Judicial Proceedings

- A. None

6. Public Hearing

- A. None

7. Unfinished Business

- A. Second and Final Reading of Ordinance 2021-01 – Amending the Town’s golf carts code.

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.

Motion made by President Pro Tem Shalhoub to approve second and final reading of Ordinance 2021-01, seconded by Council Member Freebold; Motion approved (5-0).

8. New Business

- A. Approval to sell portion of unusable Town land located at the northwest corner of the LCS-F north finger canal to Ryan Forney in the amount of \$1500.00.

Mayor Rodriguez noted that there had been a prior request from Mr. Forney to purchase this piece of property. Mr. Schoech noted and read from sections of the Florida State Statutes regarding the sale of surplus property. He noted that it is the Town’s decision on how much to charge for the property using “good faith judgement”. Mr. Schoech also noted that if the Town Council decides to sell the property, he recommends that the parcels have unity of title.

Mayor Rodriguez asked Mr. Forney if he would like to make any comments at this time.

Mr. Forney noted that he purchased the vacant lot and built his home on the property located at the end of the canal. He stated that he would like to purchase the pie shaped piece of property between the canal and his property to give him access to the water.

There was discussion on the amount that Mr. Forney was offering for the property, if the amount offered covers the Towns’ time spent on the request, what Mr. Forney was planning on doing with property if he were to purchase it and if Mr. Forney was willing to negotiate the price.

Mr. Forney noted that he will obtain insurance on the property, add a seawall, dock and boatlift, which would increase the taxable value of his property providing the Town with additional tax revenue each year. He also noted that if the property was sold to him, the property would no longer be a liability to the Town. He noted that an identical pie shaped section is included in the neighboring parcel on the opposite side of the canal, and he would like his property to mirror that.

Motion made by President Pro Tem Shalhoub to sell the portion of unusable Town land located at the northwest corner of the LCS-F north finger canal to Ryan Forney for the amount of \$2,500.00, seconded by Vice Mayor Shalhoub; Motion approved (5-0).

9. Audience Comments

- A. Emailed Questions/Comments – None
- B. Written Questions/Comments – It was noted that 5 virtual attendees were participating in the meeting.
- C. Verbal Questions/Comments – None

10. Status Report

Chief Smith – noted that the crime rate is down approximately 17%. He noted Road Patrol made 3 arrests, covered 16 accidents and 14 civil cases during the month. He also noted the Fire Rescue statistics.

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

President Pro Tem Shalhoub asked about two of the items included in his report: the COVID-19 vaccination site and the code violations at 7730 West Lake Drive.

Mr. Clark noted that things have changed since the Town applied to the Health Department to be designated as a closed point of distribution site. He noted that state and federal agencies are overseeing the distribution of COVID-19 vaccine injections. It does not look favorable for the Town to set up a local vaccination site within the Town limits.

Mr. Clark also noted that there are five ongoing violations against the property located at 7730 West Lake Drive and the Code Enforcement Board would like the Town Council to treat this as a nuisance property so the Town can take measures to bring the property into compliance. The property owner is possibly in an assisted living facility and all correspondence that has been mailed to the property has been returned. The bank that holds the mortgage is not wanting to maintain the property until they obtain it.

Mr. Schoech noted that work may be starting to clean up the property and if that is not the case, the Town can proceed to declare it as a nuisance property. It was noted that

the Town may not be able to collect the abatement fees if the bank forecloses on the property.

Mr. Clark – noted that his agreement with the Town expires in May, but that it can be automatically renewed at the discretion of the Town Council. He asked if the Town Council would consider increasing his vacation time from four weeks per year to six weeks per year. He has been receiving four weeks of vacation per year since 2012.

It was noted that Mr. Clark works very hard for the Town, including many nights and weekends, to make sure that things are running smoothly.

Mayor Rodriguez noted that the agreement is good until May. He asked Mr. Clark to amend his agreement to request six weeks of vacation per year and have the amended agreement ready for review during the April Town Council Meeting.

Mr. Clark noted that Florida Department of Transportation requires work on Pine Tree Bridge to be completed during the off-season, which begins on June 1st. He noted that he will receive clarification on the end date from DOT. He also noted that it will take at least four weeks to bid the job, four weeks to bring the bid to the Town Council for approval and additional time to order the materials, so the bridge project may not take place this year.

He noted that the Florida Mango Road widening project should start in October. He also noted that the contractor for the job has given the Town until November to tap the sewer force main that runs along Florida Mango Road.

11. Council Comments

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

Council Member Freebold – offered his condolences to Vice Mayor Shalhoub, President Pro Tem Shalhoub and Council Member Pavon for their loss.

President Pro Tem Shalhoub – congratulated Vice Mayor Shalhoub and Council Member Freebold on their uncontested election and noted the new appointees to the Parks and Recreation Advisory Committee.

Vice Mayor Shalhoub – noted Tax Collector's Tax Planner and Service Guidebook that he received in the mail and provided the Tax Collector's website to those that wanted to receive a copy for themselves.

He also noted that he had talked to Representative Silvers about the Town's Local Annexation Bill and about issues concerning the appropriation for the septic to sewer conversion.

He noted that the Town still needs two additional members to the Parks and Recreation Advisory Committee. He explained what the committee does and noted that those that

currently serve on the Code Enforcement Board and the Zoning Board of Adjustment can also hold a position on the Committee, if they would like to do so.

Mayor Rodriguez – noted the sale of the property to Mr. Forney. He also noted that it has been one year since the COVID-19 pandemic began, the number of people that have been affected and how resident continue to be there for each other. He thanked the Town Council for their assistance with the questions and concerns regarding COVID-19.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 7:27 PM, seconded by President Pro Tem Shalhoub; Motion approved (5-0).

, Mayor

Mary Pinkerman, Town Clerk