

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
APRIL 12, 2022**

1. Call to Order

A. Mayor Shalhoub called the meeting to order at 6:30 PM.

The following officials were present:

Paul R. Shalhoub, Mayor
Robert M. W. Shalhoub, Vice Mayor
Gregory Freebold, President Pro Tem
Valentin Rodriguez, Jr., Council Member
Albert Pavon, Council Member

B. Moment of Silence, Invocation, Pledge of Allegiance

Mayor Shalhoub requested a moment of silence for Ronald Haines, brother of resident Bobby Haines and for Mabel D. Weiland, former Town Clerk for the Town of Lantana. 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.

C. Oath of Office was administered to

Council Member Group 3 – Robert M. W. Shalhoub by his granddaughter,
Elisabeth Seal
Council Member Group 4 – Robert “Bobby” Gonzalez by his sister, Caressa
Gonzalez
Council Member Group 5 – Valentin Rodriguez by Robert M. W. Shalhoub

D. Reorganization of the Town Council

Nominations for Mayor, Vice Mayor and President Pro Tem.

Vice Mayor Shalhoub made a motion to appoint Paul R. Shalhoub as Mayor, Robert M. W. Shalhoub as Vice Mayor and Gregory Freebold as President Pro Tem, seconded by Council Member Rodriguez; Motion approved (5-0).

2. Approval of Agenda

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

3. Consent Agenda

A. Approval of the Minutes of the March 1, 2022 Candidate Forum.

- B. Approval of the Minutes of the March 1, 2022 Town Council Meeting.
- C. Approval of Resolution 2022-03 – Proclaiming the results of the March 8, 2022 Municipal Election.
- D. Approval of Resolution 2022-04 – Expressing Appreciation to Albert Pavon for his exemplary service as a member of the Town Council.
- E. Approval of Resolution 2022-06 – Appointing Taylor Materio to the Code Enforcement Board.
- F. Approval of Proclamation proclaiming April 2022 as “Water Conservation Month”.
- G. Approval of Proclamation recognizing the week of May 1 – 7, 2022 as 53rd Annual Professional Municipal Clerks Week.
- H. Approval of Second Amendment to Interlocal Agreement with Palm Beach County regarding the referral and transportation of homeless individuals to the Homeless Resource Center.
- I. Approval of Land Use License – Taylor Materio & Nicholas Spinelli , 7515 West Lake Drive – New seawall

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

4. Presentations

Mayor Shalhoub welcomed all of the presenters to the meeting. He noted that Fire Chief Adams was also present and will give her Fire Rescue Report after the Audit.

A. Legislative Update – Senator Lori Berman, District 31

Senator Berman thanked the Town Council for giving her the opportunity to speak. She noted that the Legislators passed a balanced budget and the budget increased due to increases in the amount of taxes that were collected in the state and the ARPA funds from the Federal Government. She noted that the budget includes raises for teachers, law enforcement officers and state employees. She also noted that \$600,000 for the Pine Tree Bridge repairs was included in the budget and is waiting for the Governor’s approval. She encouraged everyone to write letters to the Governor in support of signing this appropriation. She stated that the Palm Beach County Legislative Delegation works very hard to bring money back to Palm Beach County.

She noted that issues regarding property insurance and building inspection reforms were not discussed during the legislative session, but controversial bill SB620 regarding the Local Business Protection Act was passed and a bill regarding regulation of smoking was changed to enable cities and counties to ban cigarettes and other filtered tobacco products on beaches and public parks, but does not allow the banning of unfiltered cigars.

Senator Berman noted that the Legislators will continue to work on Congressional redistricting during a special session called by the Governor and, due to the redistricting, she will no longer be the State Representative for the Town. She stated that she will continue to do what she can for the Town.

Mayor Shalhoub thanked her for her presentation and for the many years that she had represented the Town and the residents of Lake Clarke Shores.

B. Legislative Update – Representative David Silvers, District 87

Representative Silvers stated that his district did not change during the redistricting, so he will remain the Representative for Lake Clarke Shores.

He noted some of the other bills that passed through the legislation including SB 898 “Miya’s Law” that requires that owners and/or property managers give 24 hour notice to tenants prior to entering apartments and requires that all maintenance or other workers pass background checks; and HB375 regarding the establishment of a “Structural Engineering Recognition Program for Professional Engineers” which would recognize professional engineers who specialize in structural engineering and went above and beyond the required minimum professional engineer licensing standards. Engineers who have received this recognition can use it in marketing and advertising their services.

He also noted that there will be a gas tax holiday in the fall.

Mayor Shalhoub thanked him for all that he has done for the Town.

C. Legislative Recap – Richard Pinsky

Mr. Pinsky noted that HB 471 declaring Edgewater Park as an enclave is waiting the Governor’s signature. If signed, this opens the way for the Town to annex the Edgewater Park area.

He noted Blueway Trail has been allocated \$250,000 for portage areas to put kayaks, canoes and other small vessels into the water. He also noted that FRDAP Grant monies are available to install pickle ball courts in Community Park.

He stated that he will continue to go to Tallahassee and work on the issues that are important to the Town.

D. Presentation of 2020/2021 Fiscal Year Audit – Christine Noll-Rhan, CPA – Carr, Riggs Ingram

Ms. Noll-Rhan noted that the Town has received a clean and modified opinion, which is excellent. She noted that revenues declined due to not having a significant amount collected from liens in 2020/2021. She noted that some of the ARPA funds were used for IT upgrades and that the Town will receive additional ARPA money this year. She stated that the Town completed the required budgetary compliance in December 2021.

Mayor Shalhoub thanked her for work on the audit and for her report.

E. Fire Rescue Report – Fire Chief Tracy Adams

Chief Adams noted that Chief Patrick Kennedy was promoted as the new Fire Rescue Administrator when Former Fire Rescue Administrator Chief Reginald Duren was appointed as an Assistant County Administrator. She also noted the number of calls and types of calls that Fire Rescue responded to within the Town during the last month.

Mayor Shalhoub thanked her for her report.

5. Quasi-Judicial Proceedings

A. None

6. Public Hearing

A. None

7. Unfinished Business

A. None

8. New Business

A. Approval of Resolution 2022-05 – Expressing Appreciation to Robert Gonzalez for his service on the Code Enforcement Board.

Council Member Gonzalez cited a conflict of interest and as such, did not participate in the discussion or vote.

Motion made by Vice Mayor Shalhoub to approve Resolution 2022-05, seconded by President Pro Tem Freebold; Motion approved (4-0).

After the vote, Council Member Gonzalez continued with the meeting.

B. Septic to Sewer Discussion – Mayor Paul R. Shalhoub

Mayor Shalhoub stated that the septic to sewer issue has been discussed during various Town Council Meetings for many years. He noted that the septic to sewer conversion would only affect the residents that receive their water from the Town of Lake Clarke Shores Utilities. He noted that the preliminary design work has already been completed so the Town could have the project “shovel ready” in order to be able to qualify for State and Federal grants, which would lessen the cost of the conversion for the affected residents. He also noted that this is not something that the Town will be rushing into, but the costs will more likely increase the longer the Town waits. He stated that two of the biggest concerns that the residents have is the cost of the conversion and if this will actually help the water quality of the lake. He noted the number of people attending the meeting and stated that everyone will have a chance to be heard.

Council Member Rodriguez noted that he is open-minded on the issue but does not want the Town to violate DEP regulations or lose out on any State funds that will help lower the costs for the residents.

President Pro Tem Freebold stated that the water quality of the lake is very important to him as a resident and as a member of the Environmental Committee for the Palm Beach County League of Cities. He noted that the Environmental Committee's top priorities are water quality, septic to sewer issues and sea level rise. He noted that fertilizers also contribute to the water quality problems. He also noted this issue is on the agenda so that the Council can hear everyone's concerns.

Council Member Gonzalez stated that he has reviewed various reports in order to educate himself on this issue. He noted that the Town Council has a fiduciary responsibility to the residents and he wants to make sure he knows as much as possible about this so he can do what is best for everyone. He agrees that water quality is an important issue and that he wants to hear from each one in attendance.

Vice Mayor Shalhoub – noted that the Town has to address certain issues and the Town Council has fiduciary responsibilities for the Town. He noted that Mr. Clark attended a Palm Beach County Board of County Commissioners Meeting where they were discussing the possibility of providing bonds to help pay for water quality improvements. He also noted that the Town is wanting to have projects “shovel ready” to be able to obtain any grant monies that may be available. He noted that staff is doing their best to find grants that will help lower the costs for the residents of the Town and protect the lake.

Mayor Shalhoub asked Mr. Clark to explain what took place during the PBC Board of County Commissioners Meeting. Mr. Clark thanked Mr. Timothy Daughtry for also attending this meeting. He stated that PBC was discussing the possibility of providing \$25,000,000 in grants with a 50/50 match. He noted that this was being discussed, not approved, at that time.

The following members of the audience discussed their thoughts and concerns regarding the septic to sewer conversion:

Timothy Daughtry – 1410 Keller Road
Ashok Kulkarni – 8131 West Lake Drive
Tina Daughtry – 1410 Keller Road
Kimberly Mitchell – 7128 West Lake Drive
Kevin Klopp – 1600 Carandis Road
Roger Hoofnagle – 7536 Edgewater Circle
Joella Manalan – 1828 Barbados Road
Kathryn Workman – 8031 Pine Tree Lane
Frank Sacco – 8031 Pine Tree Lane
Jennifer Chrzanowski – 7830 Pine Tree Lane
Anthony Sacco – 7305 Pine Tree Lane
Victoria Prinzi – 1411 Carandis Circle (virtual attendee)
Anthony Zeitlin – 1711 Gregory Road

Ari Aho – 8133 Pine Tree Lane
Daniel McCormick – 7811 Edgewater Drive
David Viola – 1939 West Court (virtual attendee)

The discussion between the audience, the Town Council and Mr. Clark included the following resident concerns:

The costs to the residents and the number of homes affected in the conversion; Whether septic tanks are causing the problem or if the problem is coming from water runoff; The actuality of the Town being able to obtain grants and alternative ways to help cover costs; Why are infrastructure improvements being included in the conversion costs; What a TMDL would show; The feasibility of the Town hiring inspectors to determine the amount of sewage that is seeping into the lake from septic tanks; The number of agencies involved and if there could be changes in the design of the system that could save money for the residents; What would happen to the additional revenue that sewers generate; The amount the Town will be contributing towards the sewer system; and, will the residents be able to vote on the septic to sewer conversion.

9. Audience Comments

A. Emailed Questions/Comments – None

B. Written Questions/Comments – None

C. Verbal Questions/Comments (in person and virtually) –

Note: comments made during the septic to sewer portion of the meeting that were not part of that discussion have been included under Item 9. Audience Comments.

Timothy Daughtry, 1410 Keller Road – thanked Mr. Clark for attending the Palm Beach County Commission Meeting.

Anthony Zeitlin, 1711 Gregory Road – noted the new speed hump on West Lake Drive and asked why it was approved. He also noted that emergency response vehicles will take longer to arrive at their destination due to the speed hump.

Mr. Clark noted that a resident asked how they could get a speed hump installed in that area. They were told that a majority of residents in living in that area would need to sign a petition requesting that the Town install a speed hump at that location. Sixteen of the seventeen residents living in the area signed a petition stating that they wanted a speed hump, so the speed hump was approved by the Town Council.

Ashok Kulkarni, 8131 West Lake Drive – congratulated Vice Mayor Robert M. W. Shalhoub and Council Member Robert O. Gonzalez for winning their election and Council Member Valentin Rodriguez for running unopposed. He also noted that a portion of West Lake Drive has been repaved and asked if there were any plans to add a speed hump in that area.

Emad Ayoub – 8081 West Lake Drive – noted that he is thankful for the installation of the speed hump and asked if the residents in his area could also sign a petition to have a speed hump installed. He also wanted to know if there are any future plans or upgrades to the Town's parks.

Mayor Shalhoub noted that the Town has applied for a FRDAP grant to help pay the costs for pickle ball courts at Community Park. Mr. Clark noted that the ADA accessible swings will be replaced in Town Hall Park before the BBQ on May 15th.

10. Status Report

Chief Smith – noted that crime rate is down 19% in Town and that the Police Department passed the FDLE Audit. He noted the number of arrests made and the number of vehicles that were tagged and processed by the LPR cameras.

He also noted the Drug Take Back event taking place on April 30th. He stated that residents can bring their unused or expired prescriptions and other medication to the Police Department for safe disposal during this event.

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

Council Member Rodriguez asked Mr. Schoech if the Town's policy for handling speed humps came from State regulations or if it is an internal policy. Mr. Schoech noted that the Town came up with this policy in 2008. Council Member Rodriguez noted that the policy may need to be changed so that something that affects everyone that drives along the roadways cannot be changed by such a small number of people.

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

Council Member Gonzales thanked Mr. Clark for the time that he spent with meeting with him as the newest new Council Member to discuss Town issues.

Vice Mayor Shalhoub noted that he appreciates the amount of time that Mr. Clark spent on answering the questions presented by residents regarding the septic to sewer conversion.

He also noted Bill Lynch, one of the engineers that is also working on the septic to sewer issue, is in attendance tonight and that he is here to answer questions regarding the sewers instead of going out to celebrate his birthday with his family.

The Town Council Members wished Mr. Lynch a Happy Birthday.

Mr. Lynch – noted that the waterline replacement costs for the sewer project have not been determined because the design for that portion of the project is not complete yet.

11. Council Comments

Council Member Gonzalez – thanked everyone for their attendance and voicing their concerns. He also thanked Mr. Clark and the town staff for all their hard work.

He noted that he has reflective bracelets available for residents to use while walking or riding their bikes at night. He also noted that he is honored to represent the Town and looking forward to being a fiduciary to the Town.

Council Member Rodriguez – thanked the residents for their vote of confidence in him as he ran unopposed in the Town election.

He noted that a big portion of his taxes goes to the school board even though he does not have any children attending public schools. He noted that sewers are the same thing - all Town residents are not being affected by the sewer, but it is an issue that affects all residents. He stated that a lot of questions were raised tonight and those questions need answers. He noted he would like to find out how other areas paid their conversion costs and how they handled the road resurfacing and waterline replacement. He noted that the Council Members in 2003 were not as aware of the sewer issue as we are now.

President Pro Tem Freebold – noted that he took extensive notes during the meeting. He stated that the Town is trying to stay ahead of the curve and that no decisions have been made yet. He noted that the DEP acknowledges that septic tanks are not the only cause of problems with water quality – water run-off also causes problems. He stated that all of the waterways within the Chain of Lakes are steadily going downhill. He noted that Lake Clarke is very important to the Town and the water quality of the lake will affect everyone that lives here.

He noted the Waterway clean-up taking place on April 23rd and invited everyone to participate.

He also noted the Fishing Tournament taking place on May 7th. He stated that members from the Florida Wildlife Conservation Commission participate in this event. During past events they noted that the fish are healthy and unblemished, which was good.

Vice Mayor Shalhoub – noted that everyone is becoming more engaged in Town issues. He noted the Town relies on the experts that we have at our disposal for information. He thanked Ms. Chrzanowski and Mr. Hoofnagle for thinking outside the box and for being involved in the sewer issue.

He noted the BBQ on May 15th and encouraged everyone to volunteer for the event and thanked everyone for their support during the election.

He also thanked Representative Matt Willhite, District 86 and Representative Rick Roth, District 85 for their assistance with the bills regarding annexation and for obtaining \$250,000 for the Blueway Trail.

He stated that Mr. Clark was recognized as a “Home Town Hero” by the Florida League of Cities again this year. He noted that he has been awarded this four years in a row. He noted that the Town is very fortunate to have him.

Mayor Shalhoub – congratulated Vice Mayor Shalhoub and Council Members Rodriguez and Gonzalez on winning the election and stated that he is looking forward to working with them for the next year.

He noted that septic to sewer issues will be included every Town Council meeting from here forward and that residents can reach out to the Town Council or Mr. Clark with any questions.

He also noted that staff is looking into securing the Town Council Chambers so the Lobby doors can be opened soon.

He congratulated Ms. Taylor Materio on her appointment to the Code Enforcement Board, thanked Representative Roth for his work on the enclave issue.

He also noted that he does not make his decisions based on what affects him personally. The decisions will be made on what is in the best interest of the Town.

He thanked everyone for their time and patience and thanked the Town Council for their confidence in appointing him as Mayor for another year.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 9:27 PM, seconded by President Pro Tem Freebold; Motion approved (5-0).

Paul R. Shalhoub, Mayor

Mary Pinkerman, Town Clerk