

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
JUNE 14, 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
Robert O. Gonzalez, Council Member

B. Moment of Silence, Invocation, Pledge of Allegiance

Pastor Stan Snizek, Pastor of the New Life Alliance Church, gave the invocation, then led the Pledge of Allegiance.

Note: During the Council Comments portion of the meeting Vice Mayor Shalhoub noted that town resident Kreig "Mo" Mustaine passed away on June 12th. He requested a moment of silence for Mr. Mustaine.

2. Approval of Agenda

Council Member Gonzalez noted that he would like to have a discussion on speed humps added to Item 7. Unfinished Business.

Motion made by Council Member Gonzalez to add the discussion to the agenda as Item 7. C, seconded by President Pro Tem Freebold; Motion approved (5-0).

Motion made by Vice Mayor Shalhoub to approve the Agenda after the addition of Item 7. C., seconded by President Pro Tem Freebold; Motion approved (5-0).

3. Consent Agenda

- A. Approval of the Minutes of the May 10, 2022 Town Council Meeting.
- B. Approval of Resolution 2022-11 – Expressing appreciation for the services rendered by the donors and volunteers during the 17th Annual Waterway Clean-up.
- C. Approval of Resolution 2022-12 – Expressing appreciation for the donors and sponsors to the Town's 27th Annual BBQ.
- D. Approval of Resolution 2022-13 – Expressing appreciation for the services rendered by the volunteers during the 27th Annual Town BBQ.

- E. Approval of Daniel Clark as the Town's designated voting delegate during the 96th Annual Florida League of Cities, Inc. Conference.
- F. Approval to piggy-back the Solid Waste Authority agreement with Phillips & Jordan, Inc. for disaster debris removal and disposal services. (Agreement #22-201C).
- G. Approval to piggy-back the Solid Waste Authority agreement with Thompson Consulting Services for Disaster Debris Management and Support Services (Agreement 22-202).
- H. Approval of First Amendment to the agreement between the Town of Lake Clarke Shores and Engenuity Group, Inc. for Professional Engineering Services.
- I. Approval of Forfeiture expenditure in an amount not to exceed \$5,000.00 to purchase items to replace/update the equipment in the Emergency Operations Center.

Note: In order to save paper, only the Town's agreements and authorization letters for Consent Agenda items "F" & "G" have been included in your Council Notebook. If needed, the agreements and other corresponding exhibits between Phillips & Jordan, Thompson Consulting Services and the Solid Waste Authority can be reviewed at the Town Clerk's office.

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

4. Presentations

A. PBC Commission on Ethics – Rhonda Giger, General Counsel

Ms. Giger provided booklets and pens to those interested in taking them. She noted that the Commission on Ethics is always available to answer any questions. She stated that they prefer to be pro-active instead of receiving complaints and reacting to them.

Mayor Shalhoub thanked her for coming to the meeting and providing the information.

B. Life Safety Awards – Chief Smith, Asst. Chief Abruscato

Sergeant William Howell
Officer Reynaldo Pulles
Officer Edward Manak

Mayor Shalhoub noted the officers present to receive their Life Safety Awards. He explained how on May 1, 2022, Sgt. Howell, Ofc. Pulles and Ofc. Manak saved the lives of two females who had overdosed by administering NARCAN to them.

Chief Smith and Asst. Chief Abruscato presented the officers with their Life Safety pins and Awards as the Mayor called their names.

Sergeant Howell also received a Special Traffic Safety Award for distinguished service to the Town.

Mayor Shalhoub noted that Ofc. Pulles assisted a lost and confused elderly gentleman find his family.

Mayor Shalhoub, on behalf of the Town Council, thanked the officers for their outstanding work.

C. PBC Fire Rescue – Chief Tracy Adams

Note: Chief Adams was called to the podium after the discussion on Speed Humps. The minutes reflect the order of the agenda.

Chief Adams thanked the Town Council for giving her the opportunity to speak. She noted that there are both pros and cons to the placement of speed humps – they slow the traffic but also slow response times for emergency vehicles.

She discussed the Annual Fire Rescue Awards Banquet where two of their personnel received awards and noted that PBC Fire Rescue will continue with the “Whole Blood Campaign” pilot program, which will help save lives. She noted the number and type of responses that took place in Town during the past month.

Mayor Shalhoub thanked her for her presentation and thanked her for displaying their new fire truck during the BBQ. Many people enjoyed looking at their newest vehicle and the American flag display.

5. Quasi-Judicial Proceedings

A. None

6. Public Hearing

A. None

7. Unfinished Business

A. Ongoing Septic to Sewer Discussion – Mayor Paul R. Shalhoub

Mayor Shalhoub noted that the design phase for MICA west is almost completed and the permits and grants have been applied for. He also noted that the alternative restoration plan has been approved and stated this will put the Town in a much better position to obtain grants, which will help offset the cost of the sewer project for all of the residents involved.

He noted that due to the time needed to do the Site Plan Review, audience comments for this issue will take place under Audience Comments.

B. Approval of Jones Edmunds & Associates Task Order 22-03

Motion made by Vice Mayor Shalhoub to approve the Jones Edmonds & Associates Task Order 22-03; seconded by President Pro Tem Freebold; Motion approved (5-0).

C. Discussion on Speed Humps – Council Member Gonzalez

Council Member Gonzalez noted that while the Town is 30 days into the 90 day moratorium, he would like to discuss the speed hump that was already in progress for Venetian Way. He asked what can be done regarding this request since it was already in place prior to the moratorium. He noted that Venetian Way is not a roadway that is utilized by drive through traffic, it is generally used by those living along the roadway and as such, he would like the Council to lift the speed hump moratorium for this particular request only.

Council Member Rodriguez stated that if the Council lifts the moratorium for this one speed hump, requests for other speed humps would also have to be heard.

Vice Mayor Shalhoub noted that he would like to verify the speed of the traffic along the roadway where the speed humps are being requested by utilizing the statistics from the speed trailers and speed signs before determining if a speed hump is necessary for that area. He noted that it is mostly the residents of the Town that are speeding, not those that are visiting or driving through the Town. He also noted that police and fire response times are affected by the speed bumps.

Mayor Shalhoub noted that a speed hump causes the traffic to slow down when drivers are going over it, but then the speed of the vehicle picks back up again once they pass it.

Council Member Gonzalez noted that he understands that speed humps slow down response times and that he is not advocating for multiple speed humps. He wanted to open the discussion to keep it on the Council's mind.

Chief Smith noted that 90% of the drivers are complying with the speed limits.

Mr. Schoech noted that the Town does not use speed humps. The Town has installed speed tables which are different than speed humps. He noted that the Town Council needs to be sure to use the correct wording when deciding how to handle the traffic calming issue.

The motion made during the May 10th Town Council Meeting to place a moratorium on new and existing plans for the installation of speed humps for 90 days still stands.

8. New Business

A. Site Plan Review – 1501 Forest Hill Boulevard

Mr. Jim Fleischmann, Land Research Management, Inc.; Town Comprehensive Plan Consultant, gave a brief summary of the site plan review. He noted that Guidepost Montessori plans to convert an existing doctor's office building into a Montessori school. He noted that day care centers are a permitted use in the Multi-Family Residential zoning district. He stated that the existing parking does not meet parking standards for both of the buildings located at 1501 Forest Hill Boulevard. He noted Town Staff recommends approval of the site plan subject to the following conditions:

Building permits shall not be issued by the Town until the Shared Parking Agreement is executed by all parties and filed within the Official Records of Palm Beach County.

Prior to operating the child care facility, Applicant shall have the Site Plan reviewed and a site visit completed by Child Care Inspectors of the Florida Department of Health in Palm Beach County Child Care Program to determine compliance with Chapter 59-1698 Laws of Florida and Chapter 2010-249 Laws of Florida (i.e. Palm Beach County's rules and regulations for governing Child Care Facilities).

There was further discussion regarding the parking spaces at this location.

Matthew Knopf, Senior Project Manager, Higher Ground Education spoke on behalf of Guidepost Montessori. He stated that his flight was cancelled so he was unable to be at the meeting in person. He noted that William Romberg, Design Tech International Associates, Inc. and Stephanie Kinlen, Kimley-Horn and Associates, Inc. were in attendance. He gave a brief overview of Higher Ground Education and Guidepost Montessori. He noted the issues regarding the parking situation. He noted that one of the doctors has already signed the shared parking agreement and stated that they are working on obtaining signatures from the other two doctors. He asked the Town Council to approve the site plan based on the Town Staff's recommendation and conditions.

Motion made by Council Member Rodriguez to approve the site plan subject to the conditions made by Staff (noted below), seconded by Council Member Gonzalez; Motion approved (5-0).

1. Building permits shall not be issued by the Town until the Shared Parking Agreement is executed by all parties and filed within the Official Records of Palm Beach County.
2. Prior to operating the child care facility, Applicant shall have the Site Plan reviewed and a site visit completed by Child Care Inspectors of the Florida Department of Health in Palm Beach County Child Care Program to determine compliance with Chapter 59-1698 Laws of Florida and Chapter 2010-249 Laws of Florida (i.e. Palm Beach County's rules and regulations for governing Child Care Facilities).

9. Audience Comments

- A. Emailed Questions/Comments – None
- B. Written Questions/Comments – None
- C. Verbal Questions/Comments (in person and virtually) –

Dr. Rena Amro and Dr. Gary Millien, two of the doctors from the adjacent building located at 1501 Forest Hill Boulevard noted the current parking situation. They had concerns about the safety of their patients as they walk from the parking lot to the office if the Montessori were to open. They also noted that the Montessori employees would take up 15 of the parking spaces throughout the day.

Mayor Shalhoub noted that the Council approval is based on the signing of the shared parking agreement. If the shared parking agreement is not signed by all parties involved, the Montessori will not be allowed to open.

Ashok Kulkarni, 8131 West Lake Drive – noted the residents should have been able to see the details of the Site Plan Review prior to the meeting.

Timothy Daughtry, 1410 Keller Road – noted that he received two Notice of Violations and attempted to contact Code Enforcement to obtain information on the violations but was unable to reach anyone.

He also discussed the weeds and algae in the lake and canals. He noted that the chemicals used to treat the waterways need to be environmentally friendly so they do not pollute the lake. He also asked about the sewer plans for MICA west and noted that the water bond issue is on next week's Palm Beach County workshop agenda.

Carol Hassell, 7205 West Lake Drive – discussed the loud noises caused by the people that are renting the pavilion. She stated that she would like the Town to change the codes to state "no amplified" music allowed. She noted that she has called the non-emergency dispatch number to have an officer check the situation, but the call goes to a recording. She also noted the parking situation when the pavilion is rented out. She stated that, at times, there are too many vehicles in the parking lot.

Chief Smith noted that Palm Springs uses a phone system that requires callers to push a certain number to reach dispatch. He also noted that the Town has purchased a sound meter to check the sound levels.

William Murphy, 1841 Evergreen Drive – noted that he received a Notice of Violation for the number of trailers on his property. He stated that he needs to have a place to park his jet ski, boat and other items and needs multiple trailers for this. He suggested that the Town change the code to allow for multiple trailers.

Robert Lamelas, 1820 Cambodiana Road – noted he also received a notice of violation for the number of trailers on his property. He noted that they have a utility trailer, boat trailers and a vehicle on a trailer on their property. He stated that they have lived in town for over 30 years and this has never been a problem before. He asked the Council to change the code to allow residents to have various trailers on their properties.

Leonel Rivera, 1900 Carissa Road – noted that he received a Notice of Violation for the trailers that he uses for his business. He noted his concern that the issue between he and his neighbor affected everyone in Town, since they were able to have numerous trailers in the past without receiving a Notice of Violation for the number of trailers on their property.

Mayor Shalhoub noted that the codes need to be changed and clarified so that there will not be a problem with trailers in the future.

Council Member Rodriguez thanked that residents for bringing this issue to the Council's attention.

Louise Brandenburg, 1890 Carissa Road – noted that the number of trailers residents have on their property is not an issue. She stated the issue is that State Statutes and Town codes regarding home based businesses must be met and the Town issued a Business Tax Receipt to Mr. Rivera even though his business does not meet State Statutes or Town Codes.

Mark Hassell, 7205 West Lake Drive – asked for clarification on how the speed limit sign on West Lake Drive works.

Chief Smith explained that the sign will flash to let the drivers know that they are going over the 25 mph speed limit. The statistics generated from the sign show the number of vehicles that travel along the road and the speed of each of the vehicles. Chief Smith also noted that most of the speeding violations happen between the hours of 3 PM and 11 PM.

Rita Jordan, 8100 West Lake Drive – noted that the speed humps on Pine Tree Lane slow down the traffic and the drivers slow down when they see the speed signs. She noted that the speed trailers need to be positioned in areas where there is nothing in place impeding the speed of the vehicles. She also noted that the Police Department needs to be consistent in enforcing the speed limits.

Tony Sacco, 7305 Pine Tree Lane – noted that clarification is needed on comments made by the Mayor concerning state funding for the septic to sewer conversion, the Pine Tree Bridge replacement and the pickle ball courts for Community Park. He noted the lack of diversity on the Council. He also commented on the number of people that are against the sewer compared to the number of people that are actually affected by the septic to sewer conversion and the costs associated with this.

Mayor Shalhoub noted that his presentation included incorrect information that was given to him by Mr. Pinsky.

Council Member Gonzalez noted the Town Council is working on doing something that will help both the residents and the lake by gathering the information on what needs to be done, the costs associated with it and then presenting the information to the residents.

Cynthia Binnall, 1447 Arabian Road E – noted that the Keller Bridge gates need maintenance and that signs should be placed letting people know that there is a delay before the gates will open. She also discussed alternatives to removing weeds from the lake. She noted the chemicals used to kill the weeds are contributing to the problems with the water quality.

Mr. Clark noted that mechanical harvesting of the weeds from the lake was an option that the Town looked into, but it would have been too expensive to do.

Jennifer Chrzanowski, 7130 Pine Tree Lane – noted that the information regarding the septic to sewer conversion needs to be updated on the Town website.

Mr. Clark noted that this will be taken care of.

Kevin Klopp, 1600 Carandis Road – noted that the chemicals used in the lake are not environmentally friendly and that the water that flows into the lake from the canals also contributes to the problem.

President Pro Tem Freebold noted that the chemicals that are being used would not harm the water quality of the lake and that the weeds would overtake the waterway if the lake was not being treated. He also noted that the septic to sewer conversion is not the only answer, but something needs to be done to protect the water quality in the lake.

Caroline Farino, 1429 Beta Court – asked if the fish in the lake are healthy and if they can be eaten.

President Pro Tem Freebold noted that the fish in the lake are healthy, without any lesions or worms, but the mercury levels in the fish prevent people from eating them.

Joseph Oblak, 6611 Pine Tree Circle – asked about the costs for the sewer and information on the swale and roadway modification costs that the residents affected by the sewer conversion will have to pay. He also asked Mr. Clark to read the letter from the Department of Environmental Protection.

It was noted that grants to assist in the costs are being applied for and that most of the questions asked have already been answered during the course of the meeting.

Mayor Shalhoub thanked everyone for their questions and comments.

10. Status Report

Chief Smith – noted information contained in his report, that his officers have completed their training and that PBSO provided the Town with our portion of money for assisting them.
Mr. Schoech – did not have any comments at this time.

Council Member Rodriguez asked for clarification on why people can park vehicles on the roadway but basketball hoops are not allowed on the street. Mr. Schoech noted that cars are allowed on the roadways whereas basketball hoops impede traffic. He also noted the difference between the visibility of a vehicle and a basketball hoop.

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

Mayor Shalhoub noted that many residents have worked with the engineers to come up with ideas regarding the sewer issue.

Mr. Clark – noted that there has been an additional \$175,000,000 added to the state budget. The Town will be applying for a portion of this money to help with the MICA sewer conversion and also to help clean up the lake, He noted other grants that are available to assist the Town with the costs associated with these and other Town projects.

11. Council Comments

Mayor Shalhoub noted the first issue that needs to be discussed by the Town Council is trailers. He stated that there needs to be clarification on the types of trailers and the number of trailers allowed.

Mr. Schoech noted that only utility trailers are the issue since boat trailers are allowed based on the overall length of the combined trailers, if more than one boat trailer is on the property.

President Pro Tem Freebold noted that there should also be clarification on the portion of the code that states that trailers should be behind a fence blocked from view, since you can still see the trailers due to the height of the fence.

Mayor Shalhoub noted that boats can be parked on the side of the house as long as they are behind the front building line.

Council Member Rodriguez suggested that the Town place a moratorium on the enforcement of the codes regarding the parking of trailers until the codes can be changed. Mr. Schoech noted that a moratorium can only be done by passing an ordinance for the moratorium, not by making a motion.

Council Member Rodriguez made a motion to direct staff to prepare an ordinance that would place a moratorium on the enforcement of Sections 125-767 (b) and (c) and would also include the sections requiring screening and the number of trailers allowed in the moratorium, seconded by Vice Mayor Shalhoub; Motion approved (5-0).

Vice Mayor Shalhoub noted that he would like to discuss the septic to sewer conversion issue next.

Mr. Clark noted that the Town needs to get the design, plans and permits in place in order to know the costs. He noted that the Town should have the MICA West costs by October.

Mayor Shalhoub noted that all funds that the Town receives will go towards offsetting the overall cost of the septic to sewer. He also noted that grant money will not be available if the Town is not shovel ready.

Council Member Gonzalez noted that the septic to sewer issue is not only affecting the Lake but also the aquifer. He noted other alternatives include the addition of chemicals to the lake that contain something that would collect the contaminants in the water. He stated residents need to work together to find solutions and accomplish goals in a positive way.

President Pro Tem Freebold noted that he read the DEP document and the document noted that the water quality would improve with the installation of sewers.

Mayor Shalhoub noted that the Town needs to continue to be proactive in the water quality issue.

The costs associated with the swale and roadway repairs during the sewer installation was also discussed. Mr. Clark noted that benefit units define the benefit that each parcel receives, then the costs associated with the benefit are shared with those affected. Mr. Schoech noted that it is not typical to assess the properties that are not affected for the work that was done.

Mayor Shalhoub asked the Council Members for any additional comments.

Council Member Rodriguez – noted that he enjoyed the Town BBQ. He thanked Mr. Kulkarni for the picture that he took during the BBQ. He also noted that he would like for everyone to be respectful to each other at all times.

Council Member Gonzalez – noted that the BBQ was a fun event and that the Food Bank donated the leftover food to those in need. He noted that he attended the two day Florida League of Cities University training course and realized how much assistance the League offers. He mentioned a Robert Frost poem regarding mending fences and noted that it would be good for everyone to read. He also noted that civility and democracy are very important.

He discussed the speeding issue and noted that many years ago people knew not to speed in Lake Clarke Shores because they would be issued a ticket.

President Pro Tem Freebold – discussed the trailer issue and noted that the Town is a boating community and owning trailers are a part of this.

He asked Mr. Schoech about new legislation regarding the regulation of business tax receipts that pertain to home occupations. Mr. Schoech was not aware of anything, but will check into this.

He also agrees that enforcing speed limits and stop sign infractions is important. He noted that there are a number of children in Town and people are walking or riding their bikes on the roadways. He noted that the Police Department is doing a good job, but they need to work on this to keep people safe.

Vice Mayor Shalhoub – noted that he likes the saying “mending fences” and that everyone needs to get along,

He discussed the BBQ and noted that over 1300 people attended the event. He also noted that over 120 people volunteered to make the event a great success. He thanked everyone that was involved.

He noted that the Town has great police officers, and that they have saved many lives. He thanked them for doing these things.

He also noted Mr. Sacco’s comments on the lack of diversity on the Town Council and stated that diversity can happen every year during the elections when the residents vote on the candidates. He noted that Mr. Clark talks to the Town Council to help explain the issues at hand, which is the reason that Lake Clarke Shores can get things done when other municipalities can’t.

Mayor Shalhoub – noted that time limits are needed to keep the Council Meetings on track. He stated that residents can contact the Town Council or staff at any time to discuss issues and get answers to their questions, they do not have to wait for council meetings. He noted that things are posted online to provide information to residents, but they should not rely on social media as the only means to obtain the information. He noted that it is better to contact the Council and staff in person.

He also noted that it was a joy to have the BBQ back and wished everyone a safe and happy 4th of July.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 10:23 PM, seconded by President Pro Tem Freebold; Motion approved (5-0).

Paul R. Shalhoub, Mayor

Mary Pinkerman, Town Clerk