

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
TOWN COUNCIL MEETING  
SEPTEMBER 27, 2022**

*Immediately following the Second Public Hearing 2022/2023 Town Budget*

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**1. Call to Order**

A. Mayor Shalhoub called the meeting to order at 6:55 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~~  
*Moved to beginning of First Public Hearing 2022/2023 Town Budget agenda*

**2. Approval of Agenda**

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

**3. Consent Agenda**

- A. Approval of the Minutes of the September 6, 2022 First Public Hearing 2022-2023 Budget.
- B. Approval of the Minutes of the September 6, 2022 Town Council Meeting.
- C. Approval to amend the Interlocal Agreement between the Town of Lake Clarke Shores and the Village of Palm Springs regarding potable water services.

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

**4. Presentations**

A. None

**5. Quasi-Judicial Proceedings**

A. None

## 6. Public Hearing

A. None

## 7. Unfinished Business

A. Second and Final Reading of Ordinance 2022-04 – Prohibiting loud, excessive, unnecessary or unusual noise within the Town parks.

### ORDINANCE 2022-04

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING SECTION 38-3, “NOISE”, OF ARTICLE I “IN GENERAL” OF CHAPTER 38 “PARKS AND RECREATION”, OF THE TOWN’S CODE OF ORDINANCES, TO PROHIBIT ANY UNREASONABLY LOUD, EXCESSIVE, UNNECESSARY OR UNUSUAL NOISE WITHIN PARK PROPERTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

#### 1. Audience Comments -

George Scher, 1600 Barbados Road – noted that the Town is making progress on the noise issue at the park pavilion. He asked how the ordinance will be enforced.

#### 2. Council Action –

The Town Council discussed the meaning of the words “unreasonably loud”, “excessive”, and “amplified”. They also discussed ways to measure the noise, the placement of speakers, the use of the pavilion by business ventures and how the ordinance will be enforced. They noted that additional portions of Section 34 should be included in the wording of the new ordinance.

Chief Smith noted new procedures are in place for the Police Officers responding to noise complaints.

**Motion made by Council Member Gonzalez to approve Second and Final Reading of Ordinance 2022-04, seconded by President Pro Tem Freebold.** Mr. Schoech asked for clarification of the motion to verify that the Council wanted to include the additional portions of Section 34 in the ordinance.

**Motion made by Council Member Gonzalez to approve Second and Final Reading of Ordinance 2022-04 after amending Section 38-3 to include “... as provided in Section 34-43, et seq.....”, seconded by Vice Mayor Shalhoub; Motion approved (5-0).**

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

Mr. Clark noted that the Town is still waiting for information from the Department of Environmental Protection on funding. He noted that it may be late October or early November before the Town hears anything about this.

## **8. New Business**

- A. First Reading of Ordinance 2022-05 – Prohibiting the discharge of air rifles or air guns within the Town of Lake Clarke Shores.

### **ORDINANCE 2022-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING ARTICLE I. IN GENERAL OF CHAPTER 30-MISCELLANEOUS PROVISIONS AND OFFENSES, BY CREATING A NEW SECTION 30-05.-AIR GUNS. PROHIBITING THE DISCHARGE OF AN AIR RIFLE OR AIR GUN IN, ON, ACROSS FROM OR INTO ANY PUBLIC PROPERTY WITHIN THE TOWN; PROVIDING FOR EXCEPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

#### **1. Audience Comments –**

William Murphy, 1841 Evergreen Drive – wanted to know if the ordinance would prohibit the use of paintball guns in town.

Ann Warren, 7524 Edgewater Circle – provided her opinion on shooting harmless creatures.

Shawn Roman, 1415 Keller Road – noted Ms. Warren's statements and that she has a point.

Mr. Clark noted that the ordinance does not prohibit the shooting of air guns in Town, it would prohibit the shooting of air guns from boats.

Mr. Schoech noted that the Town is not promoting or encouraging the shooting or killing of any creature.

#### **2. Council Action**

**Motion made by Council Member Rodriguez to approve First Reading of Ordinance 2022-05, seconded by President Pro Tem Freebold; Motion approved (5-0).**

## **9. Audience Comments**

Timothy Daughtry, 1410 Keller Road – discussed the septic to sewer issue and the costs associated with the project. He asked about scheduling meetings so residents could have the opportunity to discuss these issues. He also asked if the Town's plans include how water runoff and weed control affect the water quality of the lake.

George Scher, 1600 Barbados Road – noted he would like to see more being done to prevent loud music at the pavilion and asked the Town Council to consider following PBC rules for amplified music in the parks.

## **10. Status Report**

*No status reports to present at this meeting. Status Reports will be provided for the October 11, 2022 Town Council Meeting.*

## **11. Council Comments**

The Town Council responded to the audience comment regarding noise levels in the parks.

Council Member Gonzalez – noted the Town's preparations being made ahead of Hurricane Ian. He asked the residents to keep an eye out for debris clogged storm drains that would prevent rain water draining from the roadway. He also reminded the people walking in the evenings and at night to wear reflective gear so they are more visible to motorists.

Council Member Rodriguez – noted the passage of first reading of Ordinance 2022-05 regarding the shooting of air guns. He also noted the pending hurricane and stated that he hopes everyone remains safe.

President Pro Tem Freebold – did not have any additional comments at this time.

Vice Mayor Shalhoub – asked Mr. Clark to provide additional information on Form 1 and Form 6 at the next meeting.

Mayor Shalhoub – thanked everyone for their participation in the meeting. He noted that he and Vice Mayor Shalhoub attended their respective League of Cities Committee Meetings in Orlando, where they discussed their policies and positions regarding legislative issues for the next Legislative Session. He noted that he will provide updates on these issues during the November 15<sup>th</sup> Town Council Meeting.

## **12. Adjournment**

**Motion made by Vice Mayor Shalhoub to adjourn the meeting at 7:45 PM; Motion approved (5-0).**

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Paul R. Shalhoub, Mayor

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Mary Pinkerman, Town Clerk