

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
NOVEMBER 15, 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.

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 October 11, 2022 Town Council Meeting.
- B. Approval of the Minutes of the November 2, 2022 Special Town Council Meeting
- C. Approval of Resolution 2022-22 – Reappointing Freddy Rhoads to the Town of Lake Clarke Shores Infrastructure Surtax Citizen Oversight Committee

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

4. Presentations

Note: the Sewer Financing Presentation was presented first. One of the participants receiving the International Coastal Cleanup Award was running late. The minutes reflect the order of the agenda.

- A. International Coastal Cleanup Award for largest item found (propane tank weighing approx. 200 lbs.) – President Pro Tem Freebold

Presented to Jacob Seal, Elizabeth Seal and Killian Huertas

President Pro Tem Freebold noted that these awards are being presented to three young citizens that participated in the International Waterway Cleanup in September. He noted that

although he was the captain of the boat, the children directed him to the areas where they saw debris and then they went into the water to collect the items. He noted the children worked together as a team to find the debris collected, including the largest item weighing approximately 200 pounds.

President Pro Tem Freebold introduced the children and presented them with their certificates and gift cards. He noted that Killian Huertas is his grandson.

Mayor Shalhoub congratulated the children and thanked them for their participation. He noted that Elizabeth and Jacob Seal are his niece and nephew.

B. Sewer Financing presentation – Rodney Walton, Florida League of Cities, Inc.

Mr. Walton provided a brief history of the Florida Municipal Loan Council (FMLC) bond programs, the Board of Directors and the various team members. He noted the following differences between the Bond Issue Program and the Bank Loan Program:

- Bond Issue Program offers longer financing (up to 30 years) with lower interest rates, but the costs associated for this program are higher due to the amount of work involved.
- Bank Loan Program is a competitive request for proposals sent to various banks which compete for lowest rates. Financing is anywhere from 10 to 20 years.

He noted that the Bank Loan Program is the most popular way to finance for smaller municipalities. He noted that interest rates are currently within the 4% range and are rising. He also noted not many banks are willing to finance for more than 20 years. He provided statistics on the number of loans that they have closed and listed some of the borrowers.

He noted that the next step for the Town would be to sign a letter of intent with Florida Municipal Loan Council to move forward with using the FMLC financing programs and an engagement letter with Public Resources Advisory Group, Inc. (PRAG), an independent registered municipal advisor, to assist with financing the septic to sewer project. The Town would also need to approve the resolution to adopt the Clean Water State Revolving Fund Facilities Plan for the implementation of the Northern Utility Service Area Water Quality Improvement Septic to Sewer Conversion Program. It was noted that signing these documents will not obligate the Town to install sewers, this just gets the necessary paperwork ready so the Town could obtain financing.

The Council Members thanked Mr. Walton for his presentation.

5. Quasi-Judicial Proceedings

A. None

6. Public Hearing

A. None

7. Unfinished Business

- A. Second and Final Reading 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

Jennifer Chrzanowski, 7130 Pine Tree Lane – asked if the ordinance could be read in its entirety since there were no additional copies available for the audience.

Peter Rossi, 7200 Venetian Way – questioned if the ordinance would prohibit homeowners from shooting the iguanas that were in their own yard. It was noted that the ordinance was written for public safety to prevent other people from shooting at the iguanas.

2. Council Action

Motion made by Vice Mayor Shalhoub to approve Second and Final Reading of Ordinance 2022-05, seconded by Council Member Rodriguez; Motion approved (5-0).

- B. Clean Water SRF Facilities Plan for Northern Utility Service Area Water Quality Improvement Septic-to-Sewer Conversion Program – Bill Lynch, PE., Senior Consultant, JonesEdmunds

Mr. Clark noted that the Town needs to commit to funding in order to begin finding funds, He noted that the interest rates for State Revolving funding is at 1%.

Mr. Lynch explained that the Clean Water Facilities Plan was completed already. This is the public hearing portion of the process. He noted that AECOM did a master sewer plan in December 2019, which explained the different sewer options and the costs associated with the project (at that time). He stated that JonesEdmund reviewed this plan and came up with their own analysis. The Town asked to go forward to make Phase II shovel ready so the Town could get funding options.

Mr. Lynch noted the five phases in the Northern Utility Service Area Septic-to-Sewer Conversion Program handout and stated that the figures in the presentation are renderings of

the plan. He noted that Raftelis Financial Consultants, Inc. completed a Utility Revenue Sufficiency Study in January 2022. He also discussed Resolution 2022-21 and explained why it is needed. He noted that that this resolution does not obligate the Town to receive funding, it is only to have the documents in order so the Town will be able to obtain funding. It was noted that this is part of the “shovel ready” process.

C. Approval of Resolution 2022-21 – Adopting the Clean Water State Revolving Fund Facilities Plan for the implementation of the Northern Utility Service Area Water Quality Improvement Septic-to-Sewer Conversion Program

1. Audience Comments

Jennifer Chrzanowski, 7130 Pine Tree Lane – noted that this is an important issue and there is very little information provided on this. She asked why the Town does not treat resolutions in the same manner as ordinances. She stated that she would like to see the complete agenda, including all backup materials, on the website.

She also asked about revised costs for the septic-to-sewer project and how long will the project take.

2. Council Action

Motion made by President Pro Tem Freebold to approve Resolution 2022-21, seconded by Vice Mayor Shalhoub; Motion approved (5-0).

8. New Business

A. None

9. Audience Comments

Tony Sacco, 7305 Pine Tree Lane – noted the Fall edition of the Shorelines and asked if the picture in septic-to-sewer article showing a hazmat suit being worn is supposed to be depicting the condition of the lake. He stated that the Town needs to provide accurate information to the residents. He also noted that algae move when the water flows and could be in the lake whether the Town has sewers or not.

Ashok Kulkarni, 8131 West Lake Drive – discussed the seating arrangements in the Council Chambers, the location of the podium and allowing the audience to comment throughout the meeting without the time limits.

Louise Brandenburg, 1890 Carissa Road – discussed the lack of enforcement of the Home Based Business codes.

Brandon Smith, attorney for Yoslin Mendez, 1900 Carissa Road – noted the moratorium on trailers and the lawsuit that has been filed against her neighbors. He stated that he would like the moratorium to remain in place and that neighbors should try to get along with each other.

Peter Rossi, 7200 Venetian Way - asked about the speed table that was requested for their road.

Jennifer Chrzanowski, 7130 Pine Tree Lane – asked if the approval of Resolution 2022-21 means that the Town is approving sewers. It was noted that the resolution only approves the funding so that the project can be shovel ready.

Rodger Hoofnagle, 8131 West Lake Drive – asked if the Town has done any studies to verify that septic tanks are causing all of the problems with the clarity of the water in the lake. He also asked if there are any options other than the septic-to-sewer conversion.

Victoria Prinzi, 1411 Carandis Circle – asked if residents are allowed to have chickens so that they can have fresh eggs.

10. Status Report

Chief Smith – reviewed the information contained in his report, noted the Town has installed two new LPR cameras and mentioned the House Watch program.

Vice Mayor Shalhoub noted the Florida Mango Road closure and asked how the detour is affecting the Town. He also noted the number of citations issued. Chief Smith noted that most of the traffic from the road closure has been routed to Congress Avenue.

Council Member Rodriguez noted that he appreciates the officers patrolling the area, which slows the traffic down. He also discussed the new cameras and how they are being used.

Chief Adams, PBC Fire Rescue – noted the number of events that PBC Fire Rescue has participated in recently and that they worked at SOE collection sites for the primary elections. She also noted that PBC was very fortunate not to receive much damage from Hurricane Nicole, but the county was prepared, if needed.

Mr. Schoech – discussed who enforces the codes regarding home based businesses. He also noted that he would be available to rewrite the trailer ordinance.

Mr. Clark – noted that there will be two Council Meetings in February. The March Council Meeting has been changed to February 28th due to Palm Beach County Days being held in Tallahassee on March 7th through March 9th and the Town Election will be on March 14th. He also noted the scheduled events that will be taking place over the next four months including the Holidays in Paradise Parade and the Tree Lighting on December 3rd, the Menorah Lighting on December 18th, the February Food Truck event and the BBQ and Movie Night in March.

11. Council Comments

The Town Council discussed Mr. Rossi's request for a speed table/hump on Venetian Way, the current moratorium on installing additional speed tables/humps, the need for new procedures to be in place for the installation of future speed tables/humps and the possibility of forming a committee to review speed table/hump requests before it goes to the Town

Council for approval. It was noted that existing speed humps will be converted to speed tables when the roadways are being repaved.

They also discussed residents owning chickens in town.

Council Member Rodriguez – noted that he attended the November 10th trailer workshop, but did not participate because he arrived late. He noted that the trailer issue is very difficult and suggested that the moratorium be extended to give time to get the ordinance worded correctly.

He also noted the awards given to the children earlier in the meeting for their participation in the cleanup and for winning the award for largest item. He noted that he appreciates President Pro Tem Freebold for taking the children out on his boat. He noted that Lake Clarke Shores is a great place to raise kids and that he is proud to be a part of the Town Council during this time.

Council Member Gonzalez – noted Ms. Chrzanowski's request for back up on agenda items. He also noted that the Northern Utility Service Area Funding Plan is just a plan which does not lock the Town into anything. It can be changed if needed, when needed.

President Pro Tem Freebold – congratulated Elizabeth and Jacob Seal on their achievement. He noted that they stayed for the whole meeting, giving them the opportunity to see how government works. He also congratulated Mr. Rhoads on being reappointed to the LCS Infrastructure Surtax Citizen Oversight Committee.

He also discussed the issues affecting water quality. He stated that Lake Clarke is the focal point of the Town and the Town needs to maintain it.

He also noted that Governor DeSantis will be calling a special session to discuss the costs of home owner insurance.

He wished everyone a Happy Thanksgiving.

Vice Mayor Shalhoub – read an email from a prior police officer commending Chief Smith on his mentoring skills. He noted that he is proud of his grandchildren, Elizabeth and Jacob Seal, for their participation in the waterway cleanup.

He discussed the Homeless Coalition of Palm Beach County's 9th Annual Mayor's Ball being held on April 1, 2023.

Motion made by Vice Mayor Shalhoub to give approval for the Town Council to attend the event, seconded by Council Member Rodriguez; Motion approved (5-0).

Mayor Shalhoub – noted that staff will look into having the Council Chambers reconfigured to the way it was before the COVID-19 restrictions were put into place. It was noted that Mr. Clark would still need to sit at the table to be able to work with those who are attending the meeting virtually.

He noted that residents can reach him and any other Town Council Member any time, not just during the Town Council Meetings where audience comments are limited to just three minutes.

He congratulated President Pro Tem Freebold on running unopposed and noted the two candidates running for Group 2. He thanked everyone for their attendance and participation in the meeting and wished everyone a Happy Thanksgiving.

12. Adjournment

Motion made by Council Member Gonzalez to adjourn the meeting at 8:45 PM, seconded by President Pro Tem Freebold; Motion approved (5-0).

Paul R. Shalhoub, Mayor

Mary Pinkerman, Town Clerk