

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
DECEMBER 13, 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

The following official was absent:

Robert O. Gonzalez, Council Member

B. Moment of Silence, Invocation, Pledge of Allegiance

Mayor Shalhoub requested a moment of silence for Michael Paone, Asst. Chief Sal Abruscato's father-in-law and for Dora Francis Langley, Utility Field Supervisor Robert Paulin's grandmother.

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.

2. Approval of Agenda

Motion made by Vice Mayor Shalhoub to approve the Agenda as amended, seconded by President Pro Tem Freebold; Motion approved (4-0).

3. Consent Agenda

- A. Approval of the Minutes of the November 10, 2022 Workshop.
- B. Approval of the Minutes of the November 15, 2022 Town Council Meeting.
- C. Approval of Resolution 2022-23 – Appointing Kristin A. Vara as a member of the Code Enforcement Board.
- D. Approval of Resolution 2022-24 – Authorizing the Town to execute the agreement between the Palm Beach County Supervisor of Elections and the Town of Lake Clarke Shores for vote processing equipment use and election services for the Town's March 2023 municipal elections and designating the Canvassing Board for the March Elections.

- E. Approval of Resolution 2022-25 - Approving Amendment 001 to Agreement R2022-1369 between Palm Beach County and the Town of Lake Clarke Shores, which provided \$224,882 of Community Development Block Grant (CDBG) funds for the rehabilitation of the existing Sanitary Sewer System bound by Seminole Manor and Maralago Cay neighborhoods located South of Lantana Road and East and West of Lawrence Road, to revise the Project Performance Requirement to provide additional time for completion of the bidding process necessary to award the Construction Contract.

- F. Approval of the Employment Agreement for Town Manager Joseph F. Lo Bello.

Motion made by Vice Mayor Shalhoub to approve the Consent Agenda, seconded by President Pro Tem Freebold; Motion approved (4-0).

4. Presentations

Note: Mr. Pinsky arrived late. The minutes reflect the order of the agenda.

A. Legislative Priorities – Richard Pinsky

Mr. Pinsky noted that Representative Dave Silvers was re-elected to represent the Town in Tallahassee and that Senator Bobby Powel is the new Senator for our area. He noted the new members of the Palm Beach County Delegation. He also gave information on the legislation start and ending dates and noted that PBC Days in Tallahassee coincide with the start of the Legislative Session on March 7th.

He noted the Town's priorities include finding funding for invasive aquatic plant removal and for the septic to sewer conversion project. He noted that infrastructure issues are going to be high on the list for funding from the State. He explained the new process for presenting bills to the Legislators and noted that the larger projects seem to get better results than smaller requests, so the Town may want to combine funding requests with other municipalities.

He also noted HB 37 regarding Financial Disclosure Form 6 and how this will affect Council Members and Town Managers. It was noted that Advisory Board members will not need to complete this Form, they will continue to use Form 1.

Mayor Shalhoub thanked him for his presentation

5. Quasi-Judicial Proceedings

A. 8060 West Lake Drive – Variance Request

1. Presentation by Town of request and recommendation of ZBA – Charles Schoech.

Mr. Schoech noted that the applicants are requesting a 6.5 foot variance for an existing trellis that is set back 3.5 foot from the side property line instead of the 10 foot side setback as required in Section 125-295 (2) of the Town Code of Ordinances. He noted that the Zoning Board of Adjustment heard this request on November 18, 2022 and recommended that the

Town Council approve the variance with the condition that the trellis never have a roof or sides.

It was noted that the applicants were not in attendance to present their case. **Vice Mayor Shalhoub made a motion to table the proceeding, seconded by President Pro Tem Freebold; Motion carried (4-0).**

Mr. Scheerer arrived during the meeting. During the Audience Comments portion of the meeting a **Motion was made by Vice Mayor Shalhoub to reconvene the Quasi-Judicial Proceeding, seconded by President pro Tem Freebold; Motion carried (4-0).**

Note: The minutes reflect the order of the agenda.

2. Presentation by Applicant – Joseph and Cassandra Scheerer

Mr. Scheerer noted he built the trellis for his orchids in the only area in his yard that met the requisites he received from the horticulturist he hired to provide input. He noted he built the trellis to withstand wind gusts and that he will remove the shelving, if needed, during hurricanes. He stated that the trellis will not be roofed or have sides. He also noted his ongoing code violation for building the trellis without a permit. He noted that he was not aware that he needed a permit to build the trellis or that the trellis needed to meet setback requirements when it was built.

3. Public Hearing – no comments from the audience at this time.

Mayor Shalhoub closed the Public Hearing.

4. Rebuttal by Applicant if Necessary – none

5. Council Comments – none

The Town Council Members were ready to make a motion.

6. Council Conclusion (Findings of Fact and Conclusion of Law)

Motion made by Vice Mayor Shalhoub to accept the recommendation from the Zoning Board of Adjustment and approve the 6.5 foot variance for an existing trellis that is set back 3.5 foot from the side property line with the condition that the trellis never have a roof or sides, seconded by Council Member Rodriguez; Motion carried (4-0).

6. Public Hearing

A. None

Unfinished Business

A. Ongoing Septic to Sewer Discussion – Mayor Paul Shalhoub

Mayor Shalhoub noted that although the septic to sewer conversion project is shovel ready, it is not a done deal. He noted that the Town is following the steps required to obtain the funding needed to pay for the cost of the conversion. He noted that Mr. Joseph Lo Bello's employment agreement as the new Town Manager was approved on the Consent agenda. He noted that Mr. Lo Bello has experience with septic to sewer conversion during his tenure as Town Manager of Juno Beach. He stated the Council will look to him for guidance on this issue.

7. New Business

A. None

8. Audience Comments

Ashok Kulkarni, 8131 West Lake Drive – reiterated his position on 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. He also noted that he attended a meeting in the Village of Palm Springs where they discussed their sewer plans, but did not receive any answers to his questions.

Ken & Marty Barker, 8260 Pine Tree Lane – thanked the Town for the information on the sewers found in the Shorelines newsletter and thanked the Town Council and staff for all of their work regarding the sewers. They noted that they do not want the lake to continue to be damaged. They also noted they are for sewers to eliminate the problems that septic tanks cause to the lake.

Jeff Shahin, 8121 Pine Tree Lane – thanked the Town for the wonderful tree lighting event. Asked about the amount of funding that would be needed before the Town Council make a determination on the septic to sewer conversion and discussed new technology that would clean the water in the lake which could help reduce costs.

Mr. Clark asked Mr. Shahin to provide him with additional information on the new technology that he discussed, so that he can review it.

Louise Bing, 7401 West Lake Drive – thanked the Town for the sewer information found in the Shorelines newsletter. She noted that residents still need additional information on this issue.

Joseph Scheerer, 8060 West Lake Drive – noted that he owns three properties in town and none of them are on sewer. He agreed that sewers are needed since a majority of properties in town have old pipes that are located under the slab of the house. He stated that septic tanks should be replaced town wide, not just the 700 homes that are part of the LCS Utilities System. He asked what will happen to the homes without sewer that get water service from Palm Springs and Palm Beach County.

Wesley Cook, 7105 Pine Tree Lane – asked about the status of the trailer ordinance.

9. Status Report

Chief Smith – reviewed the information contained in his report and noted that all officers participated in CPR training and have successfully renewed their CPR certification.

Mayor Shalhoub thanked the Chief for the way that the officers are handling noise complaints.

Vice Mayor Shalhoub thanked Officer Pulles for his work on traffic enforcement stops.

Chief Adams, PBC Fire Rescue – reviewed the information contained in her report. She noted that they handled over 150,000 calls thus far during 2022. She also noted that they are building a new fire station and are looking to hire an additional 200 firefighters. She wished everyone a safe holiday season.

Mr. Schoech – did not have anything to add at this time.

Mr. Clark – reminded everyone of the Menorah Lighting that will take place at Memorial Park on December 18th. He also thanked the Town Council for approving Mr. Lo Bello's employment agreement.

Mayor Shalhoub noted that there were 25 entries in the Holidays in Paradise Parade on December 3rd and approximately 400 people attended the Tree Lighting event that evening.

10. Council Comments

Mayor Shalhoub discussed the septic to sewer comments made by Mr. Shahin earlier in the meeting. It was noted that it will take millions of dollars for the septic to sewer conversion, and that nothing will be started without having the funding in place. He noted comments made by Mr. Scheerer regarding those residents that are not part of the Town's Utility Service. It was noted that there are approximately 200 Town residents that get water service from the Village of Palm Springs that are not on sewer.

Mayor Shalhoub referenced to Mr. Kulkarni's comments regarding the meeting in Palm Springs and stated that the Town will reach out to the Village of Palm Springs to see if they can provide information on their sewer plans to the residents of LCS.

He noted the trailer workshop that took place in November. He stated that the moratorium expires in February and discussed the possibility of holding a second workshop on this issue. He noted that they could take the information from the first workshop and use that to come up with wording for the ordinance to be reviewed during the second workshop which would possibly take place after the holidays. Mr. Schoech noted that any comments from the Town Council on this would need to go directly to him prior to the workshop.

Mayor Shalhoub noted the comments from Mr. Kulkarni regarding the Council Chambers and stated that the Chambers will be put back to normal seating as soon as possible. Mr. Clark noted that there is a problem with the microphones that need to be addressed before the seating arrangements can change. He noted that he is working on this issue.

Council Member Rodriguez – noted the various events that will take place the remainder of December and reminded everyone to stay safe during the holidays.

President Pro Tem Freebold – noted that he understands the comments made by the residents regarding the sewers and that the Town is working hard to find ways to get the funding needed for the sewers. He asked that everyone stay positive. He noted that things are happening, but in small steps.

He wished everyone Happy Holidays,

Vice Mayor Shalhoub – thanked Mr. Pinsky for working with the Town to bring our issues to Tallahassee, with funding being top priority. He noted that the sewer conversion will not take place without the funding in place first.

He noted the Tree Lighting event and the Holiday Home Decorating Contest and thanked staff for all of their work on these events.

He wished everyone Happy Holidays and asked everyone to stay safe.

Mayor Shalhoub – addressed the misinformation that has been circulating the Town. He reminded residents to contact the Council Members or Mr. Clark if they have any questions or concerns. He noted that the Town Council is doing everything they can to make Lake Clarke Shores better for the residents.

He noted the Menorah Lighting event taking place on December 18th and thanked the staff for their work on the parade and tree lighting events. He noted the next Town Council meeting will take place on January 10, 2023.

He wished everyone a Happy Holiday Season.

11. Adjournment

Motion made by President Pro Tem Freebold to adjourn the meeting at 8:15 PM, seconded by Vice Mayor Shalhoub; Motion approved (4-0).

Paul R. Shalhoub, Mayor

Mary Pinkerman, Town Clerk