

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
MAY 30, 2023**

1. Call to Order

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

The following officials were present:

Gregory Freebold, Mayor
Robert M. W. Shalhoub, Vice Mayor
Valentin Rodriguez, Jr., President Pro Tem
Robert O. Gonzalez, Council Member
Jon Maples, Council Member

B. Moment of Silence, Invocation, Pledge of Allegiance

Mayor Freebold requested a moment of silence for resident Joseph Bazinet. Pastor Hunter, Pastor of the Emmanuel Baptist Church, gave the invocation then led the Pledge of Allegiance.

2. Approval of Agenda

Motion made by Vice Mayor Shalhoub to approve the Agenda, seconded by Council Member Gonzalez; Motion approved (5-0).

3. Consent Agenda

- A. Approval of the Minutes of the May 9, 2023 Town Council Meeting.
- B. Approval of Resolution 2023-19 – Extending agreement with Jones Edmunds.
- C. Approval of Resolution 2023-20 – Approval for the Town participate in Florida Municipal Investment Trust (FMIvT).
- D. Approval of Resolution 2023-21 – Approval of the Interlocal Agreement to switch the Town's participation as a Founding Member of the Governing Board on the Florida Resiliency and Energy District (FRED) and instead, have the Town continue participation in the capacity of a Limited Purpose Party (as defined in the Interlocal Agreement).
- E. Approval of Resolution 2023-22 – Approval for the Town to participate in Florida Public Assets for Liquidity Management (FL PALM)
- F. Approval of contract with Police Benevolent Association.
- G. Approval to continue employee health insurance and other insurance coverages with Florida Blue and Standard, to waive the bidding requirement because such

requirements are not advantageous to the Town and to allow the Town Manager to sign the contracts when they become available.

- H. Approval of Land Use License – Robert Savikski, 1432 Indian Road E, Replace seawall

Motion made by Vice Mayor Shalhoub to approve the Consent Agenda, seconded by Council Member Gonzalez; 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 2023-02 – Amending Section 125-767 of Chapter 125 – Zoning, regarding the parking of specified vehicles in residential districts.

ORDINANCE 2023-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING SECTION 125-767, "PARKING OF SPECIFIED VEHICLES IN RESIDENTIAL DISTRICTS", OF DIVISION 8. "MOBILE HOMES, TRAILERS, RECREATIONAL AND COMMERCIAL AND CERTAIN OTHER VEHICLES" OF ARTICLE VII "SUPPLEMENTAL DISTRICT REGULATIONS" OF CHAPTER 125 "ZONING", OF THE TOWN'S CODE OF ORDINANCES, BY REPEALING SECTION 125-767 AND ADOPTING A NEW SECTION 125-767 TO PROHIBIT THE PARKING OF SPECIFIED VEHICLES AND TO REGULATE THE PARKING OF SPECIFIED VEHICLES IN RESIDENTIAL DISTRICTS; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

1. Audience Comments

The following members of the audience voiced their concerns with the ordinance:

Ashok Kulkarni, 8131 West Lake Drive
William Murphy, 1841 Evergreen Drive
Clem Brandenburg, 1890 Carissa Road

Joseph Lopez, 7130 Venetian Way
Louise Brandenburg, 1890 Carissa Road
Joseph Scheerer, 8060 West Lake Drive
Michael Howwitz, 7810 Beta Circle (virtually)
George Scher, 1600 Barbados Road

2. Council Action

The Town Council discussed the need to pass the ordinance now and have the ability to make changes to the ordinance in the future, if needed. They also discussed changing the number of vessels allowed on the property; changing the height of fences from four (4) feet to six (6) feet; limiting the type and size of vessels to those that could fit the waterways of the Town, not ocean type vessels; the feasibility study that was done years ago for the boatlift project and the possibility of utilizing the boat sizes noted in the study in the ordinance; how smaller vessels such as john boats and kayaks that are not on trailers should be classified; and the need to clarify the number of vessels allowed on the property to make it easier for the Code Enforcement Officer to enforce.

Mr. Schoech noted that smaller vessels not typically on trailers such as john boats and kayaks would not be an issue since they can be placed in areas of the rear yard where they are hidden from view.

Motion made by Vice Mayor Shalhoub to amend the Ordinance to increase the number of vessels allowed on the property from two (2) to three (3), seconded by Council Member Gonzalez; Motion approved (5-0).

Motion made by Vice Mayor Shalhoub to amend the Ordinance to clarify that a boat on a trailer would be considered as one (1) vessel, not two (2) separate items, seconded by Council Member Gonzalez; Motion approved (5-0).

Motion made by Vice Mayor Shalhoub; to approve second and final reading of Ordinance 2023-02 as amended, seconded by President Pro Tem Rodriguez Motion approved (5-0).

8. New Business

- A. Approval of Contract with Simmons and White for a Traffic Calming Study contingent upon approval of the contract by the Town Attorney and to waive the bidding requirement because such requirements are not advantageous to the Town.

Mr. Lo Bello noted that the traffic calming study is needed to mitigate the effects of speeding in Town. The study will include reviews of Town policies, locations of current traffic calming devices and the data gathered from speed signs that are in Town. He noted that Town staff recommends that the Town Council approve the contract.

Motion made by Vice Mayor Shalhoub to approve the contract with Simmons and White contingent upon review and approval of the contract by Mr. Schoech and to waive the bidding requirement because such requirements are not advantageous to the Town, seconded by Council Member Gonzalez; Motion approved (5-0).

B. Vacation Rental discussion – Joseph Lo Bello

Mr. Lo Bello noted that the Town cannot prohibit vacation rental properties from operating in Town, but we can regulate them for the safety and well-being of the residents that live near the vacation rental properties. He noted the draft ordinance and registration form and stated that a decision would still need to be made on the fees that will be charged to register and inspect the properties. He asked if the Town Council would like to move forward on this.

The Town Council discussed the issue and were in agreement that something should be done about the loud noise and excessive partying that takes place in some of the vacation rentals.

Kelly Kirkpatrick, 7800 West Lake Drive – had concerns about the registration fees.

It was the consensus of the Town Council to move forward, with first reading of the ordinance taking place during the July 11, 2023 Town Council Meeting.

9. Audience Comments

Jennifer Chrzanowski, 7130 Pine Tree Lane – asked the Town Council to consider a motion to enforce the Town's home occupation codes to alleviate the problems that the Brandenburg's are having with the neighboring business.

It was noted that the Town is working on this issue.

Louise Brandenburg, 1890 Carissa Road – noted that hurricane season begins June 1st. She stated that she is concerned about all of the items that are stored outside in her next door neighbor's back yard. She asked that the Town look into this.

There was discussion on the condition of the property, how the Code Enforcement Officer would be able to verify the outside storage and what, if anything, the Town Council could do to rectify the situation between the two neighbors.

Mr. Schoech noted that violations existed in April 2022, according to pictures provided by Ms. Brandenburg. He noted that the Town has been actively addressing the issues between the neighbors for the past year and the Town Council adopted the new trailer ordinance earlier this evening which will limit the number of trailers that can be parked or stored on residential properties. He also noted that the Code Enforcement Officer would need to verify that the violation continues to exist, but there are limits to what the Code Enforcement Officer can do to view violations without having permission to go into the neighboring backyard.

10. Status Report

Since this was the second meeting in May, there were no status reports to present.

Joseph Lo Bello – noted that the next Town Council meeting will take place on July 11th. He also noted Town staff has revised the Pavilion Rental Form to show that amplified music is not allowed in the parks and clarified other regulations for renting the pavilion. He noted that renters will now have to initial each section to show that they understand the

regulations and that if they do not comply, the party may be shut down, they may lose their deposit and be prevented from renting the pavilion in the future.

George Scher, 1600 Barbados Road – thanked the Town for their work to alleviate the amplified music emitting from the pavilion.

Mr. Lo Bello reminded everyone about the Summer Fishing Camp taking place at Memorial Park June 5th to June 9th and noted that there is still space available for additional campers. He also noted that construction for the pickle ball courts at Community Park will begin on June 12th.

11. Council Comments

Council Member Maples – noted that he was excited to hear about the pickle ball courts. He also noted that he would like to see the \$10,000 limit for RFPs increased to give staff more flexibility to get things done.

He noted his appreciation for those in attendance at the meeting.

Council Member Gonzalez – thanked the audience for staying through the meeting. He thanked the Service Members for their service and those families whose loved ones paid the ultimate sacrifice for this country. He also thanked the Police Officers for keeping the Town safe.

President Pro Tem Rodriguez – noted that the new regulations should help with the noise levels at the pavilion.

He noted the increase in traffic enforcement and thanked Mr. Schoech for his input during the meeting.

Vice Mayor Shalhoub – noted the draft vacation rental ordinance. He asked about incorporating the use of decibel monitors at the properties to monitor the noise and about a way to track the number of complaints against the property.

He also noted that he received a copy of an April 28, 2022 email from Mr. Schoech that was addressed to Mr. Clark regarding the home based business next door to the Brandenburg's property. He asked that this email be added to the minutes of the meeting.

Mayor Freebold – thanked everyone for their attendance. He noted that there are different opinions on different things and the Council Members listen to them all. He encouraged all residents to continue to talk to the Town Council about their concerns.

He wished a Happy Father's Day to all of the fathers out there.

12. Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the meeting at 8:13 PM, seconded by President Pro Tem Rodriguez; Motion approved (5-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk