

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
JULY 11, 2023**

Immediately following the CRA Meeting

1. Call to Order

A. Mayor Freebold called the meeting to order at 7:27 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

Note: This was moved to the beginning of the Budget Workshop

2. Approval of Agenda

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

3. Consent Agenda

- A. Approval of the Minutes of the May 30, 2023 Town Council Meeting.
- B. Approval of Resolution 2023-24 – Expressing appreciation to Kristin A. Vara for her service and dedication on the Code Enforcement Board.
- C. Approval of Resolution 2023-25 – Expressing appreciation to Nicholas Spinelli for his service on the Code Enforcement Board.
- D. Approval of Resolution 2023-26 – Appointing Nicholas Spinelli as a regular member of the Zoning Board of Adjustment.
- E. *Approval of Resolution 2023-27 – Authorizing the Town Manager to make any necessary budget transfers between departments within a fund for fiscal year 2022/2023.*
- F. *Approval of Resolution 2023-28 – Creating the Town of Lake Clarke Shores Public Purpose Expenditure Policy.*

- G. Approval of an Interlocal Agreement between the Town of Lake Clarke Shores and the Village of Palm Springs for Police Communications Dispatch Services from October 1, 2023 through September 30, 2028.
- H. Approval of Joseph Lo Bello as the Town's designated voting delegate during the 97th Annual Florida League of Cities, Inc. Conference.
- I. Approval of the 5 year quote & proposal for License Plate Reader cameras from Flock Safety.
- J. Approval to declare items as surplus and allow the items to be disposed i.e.:

Mackie 2404 VLZ4 24 Channel Mixer
Utility Truck Tool Box

- K. Approval of Land Use License – Gabriel Isasi, 1409 Caribbean Road W – Boat lift

Motion made by Council Member Maples to approve the Consent Agenda after moving Item 3 E. and 3 F. to New Business Item 8 B and 8 C. for discussion, seconded by Vice Mayor Shalhoub; Motion approved (5-0).

4. Presentations

- A. None

5. Quasi-Judicial Proceedings

- A. None

6. Public Hearing

- A. Imposing a non-ad valorem special assessment for nuisance abatement involving the property located at 7730 West Lake Drive, Lake Clarke Shores, FL 33406 – Joseph Lo Bello

Mr. Lo Bello noted that the property is being maintained by the Town since it was declared a nuisance and the Special Assessment against the property is to recoup the costs associated with this.

- 1) Audience Comments - None
- 2) Council Comments - None
- 3) Adjournment

Motion made by Vice Mayor Shalhoub to adjourn the Public Hearing, seconded by Council Member Rodriguez; Motion approved (5-0).

7. Unfinished Business

- A. Approval of Resolution 2023-23 – Imposing a non-ad valorem special assessment for nuisance abatement involving the property located at 7730 West Lake Drive, Lake Clarke Shores, FL 33406.

Motion made by Vice Mayor Shalhoub to approve Resolution 2023-23, seconded by President Pro Tem Rodriguez; Motion approved (5-0).

8. New Business

- A. Presentation of Proposed Budget for Fiscal Year 2023/2024

- 2022/2023 Millage Rate – 6.2798
- Setting Tentative Millage Rate for Fiscal Year 2023/2024 – 6.2798
- which is 9.23% over the rolled back millage rate
- Rolled Back Millage Rate – 5.7490
- Date for the First Public Hearing (September 12, 2023) on the proposed Millage and Budget
- Date for Second Public Hearing (September 27, 2023) to adopt Millage and Budget.

Mr. Lo Bello noted that the Town Council will need to approve the proposed millage rate and the First and Second Budget Hearing dates at this time. He noted that the millage rate can be lowered, if the Town Council chooses to do so during the September Budget Hearings, but it cannot be increased.

Motion made by Vice Mayor Shalhoub to confirm the 2022/2023 Millage Rate of 6.2798, seconded by Council Member Gonzalez. Motion approved (5-0).

Motion made by Vice Mayor Shalhoub to set the Tentative Millage Rate for Fiscal Year 2023/2024 at 6.2798, seconded by Council Member Gonzalez. Motion approved (5-0).

Motion made by Vice Mayor Shalhoub to certify the Rolled Back Millage Rate of 5.7490 seconded by Council Member Maples. Motion approved (5-0).

Motion made by Vice Mayor Shalhoub to set the date of the First Public Budget Hearing for Tuesday, September 12, 2023 at 6:30 PM and the date of the Second Public Budget Hearing for Wednesday, September 27, 2023 at 6:30 PM seconded by President Pro Tem Rodriguez. Motion approved (5-0).

- B. Approval of Resolution 2023-27 – Authorizing the Town Manager to make any necessary budget transfers between departments within a fund for fiscal year 2022/2023. (*Moved from Consent Agenda Item 3 E.*)

Council Member Maples explained his reasons for moving this item from the Consent Agenda and his concerns with approving the resolution without documentation on how the money is being transferred. He noted that he works in finance and knows the importance of transparency when dealing with budgets. He stated that he knows Mr. Lo Bello would not move money from

one line item to another without reason, but providing the documentation shows transparency with the transfers.

Mr. Schoech noted that the budget process is different for municipalities. He noted that Florida Statutes provides that municipal budgets cannot have over extended line items, so money is moved from under expended line items to those line items that are over expended within the budget. He explained the statute in further detail.

Council Member Maples requested that this item be held until the last meeting in September when the budget has been approved. He noted that it is important for the Council and residents to know how the transfers are going to be made before approving the resolution and reiterated that transparency is the reason behind his request. He noted that there is still time to make the transfers before the fiscal year ends on September 30th.

Motion made by Council Member Maples to approve this resolution during the September Town Council Meeting so that Mr. Lo Bello can provide the Town Council with the documentation showing the line items affected by the transfers. Motion failed for lack of a Second.

Motion made by Vice Mayor Shalhoub to approve Resolution 2023-27, seconded by Council Member Gonzalez; Motion approved (4-1) with Council Member Maples opposed.

C. Approval of Resolution 2023-28 – Creating the Town of Lake Clarke Shores Public Purpose Expenditure Policy. (*Moved from Consent Agenda Item 3 F.*)

Council Member Maples noted that he has some concerns with the amount of money that will be allowed to be expended on certain items if this is approved as written. He noted that he would like to have parameters put into place to allow transparency. He noted that some of the amounts listed seem to be too high, so he would like to have them lowered before passing the resolution.

Motion made by Council Member Maples to amend the Public Purpose Expenditure Policy Item 6 Allowable Expenses, by reducing the maximum amount for employee recognition events from \$750.00 to \$500.00, adding a limit of \$100.00 per month for refreshments and reducing the maximum amount for appreciation celebrations from \$750.00 to \$500.00. Motion failed for lack of a Second.

Mr. Schoech noted the policy is needed to set guidelines for the expenditure of Town funds. He noted that the Town Council would need to approve any expenditure that exceeds the amounts limited in the policy and prior approval by the Town Council would be needed for expenditures that are not included in the policy.

Motion made by Vice Mayor Shalhoub to approve the Public Purpose Expenditure Policy as written, seconded by Council Member Gonzalez; Motion approved (4-1) with Council Member Maples opposed.

- D. First Reading of Ordinance 2023-03 – Amending Chapter 125 to adopt a new Division for Vacation Rentals

ORDINANCE 2023-03

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES FLORIDA, AMENDING CHAPTER 125, “ZONING,” OF THE TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, “SUPPLEMENTAL REGULATIONS,” TO ADOPT A NEW DIVISION 16, “VACATION RENTALS;” PROVIDING FOR APPLICABILITY; PROVIDING FOR REGISTRATION AND INSPECTION; PROVIDING FOR VACATION RENTAL STANDARDS; PROVIDING FOR VIOLATIONS, ENFORCEMENT AND REMEDIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Lo Bello noted that residents have concerns with the number of vacation rentals currently in Town. He noted that this ordinance was written with the safety and wellbeing of the neighboring residents and the renters in mind. He stated that this ordinance will regulate various aspects of vacation rental properties including having a responsible party on call and providing guests with information that they would need to remain safe while renting the house. He noted the ordinance will also limit the number of guests staying at the property based on the number of bedrooms.

The Town Council discussed the issue. It was noted that this has been an ongoing issue for quite some time and that residents have had input in the ordinance, the registration process and the regulations. It was also noted that some of the current vacation rental property owners have invested a lot of money in their properties, the properties are well maintained and the guests have never caused any problems. There was discussion on the registration fee that will be charged, if this will be a yearly fee and if the Town will be issuing a certificate of use to the properties that have registered. It was noted that this will be a yearly fee that may be raised or lowered once the Town knows how much it will actually cost to maintain.

1. Audience Comments

Victoria Prinzi, 1411 Carandis Road – noted that there are already too many rules in the Town and that the Town is turning into an HOA.

2. Council Action

Motion made by President Pro Tem Rodriguez to approve First Reading of Ordinance 2023-03, seconded by Vice Mayor Shalhoub; Motion approved (5-0).

9. Audience Comments

Timothy Daughtry, 1410 Keller Road – noted that the Town needs to look into other opportunities to prevent pollutants from going into the Town waterways. He noted that there are grants available for people to grow native plants on their property. These types of plantings would also help to conserve water.

He also discussed the Little Free Libraries that are being allowed in front of residential homes in Lake Worth, Lark Park and Greenacres. He would like to see this allowed in Lake Clarke Shores.

Fran Carlton, 8432 Waterway Drive – stated that the damage to the wall at the entryway into Town from Arabian Road happened over one month ago. She noted that the wall needs to be fixed as soon as possible.

She discussed Resolution 2023-27 and the need for residents to have more information on the line items that are under used and those that are over extended before the funds are transferred. She also had concerns about the Public Purpose Expenditure Policy. She asked if there is a limit to the number recognition events that take place each year and where these expenditures are noted in the budget.

It was noted that the Town gets audited each year, and this type of information will be noted in the audit.

Victoria Prinzi, 1411 Carandis Road – also questioned where these expenses would show up in the budget.

Jennifer Chrzanowski, 7130 Pine Tree Lane – noted that Mr. Clark is listed as an employee of the Town (Town Engineer) in the Budget overview. She wanted to know if he is still employed by the Town, asked how many engineers are on the Town's payroll and where their fees are located in the budget.

Mr. Lo Bello noted that Mr. Clark is no longer employed as the Town Manager, but is still working on projects for the Town such as helping with the design phase of the septic to sewer project so that it will be shovel ready if the Town were to receive grants for the project. He noted that the consulting engineers specialize in different aspects of engineering and work on various Town projects, all of which are included in the budget.

10. Status Report

Chief Smith – noted that his report covers two months of Police Department activity.

District Chief Tracy Adams, PBC Fire Rescue – noted that Donny Thomas was promoted to Battalion Chief as of January 2023. She noted that he is one of three Battalion Chiefs within her district. She provided statistics for the past two months and stated that a new BRAVO truck will be put on line in our area (Station 33) soon. She also noted some of the animal rescues that they made. She noted that PBC Fire Rescue received a Heroes in Media Award for their work on with the whole blood drive and that 38 recruits graduated from twelve weeks of training and are ready to serve the residents of Palm Beach County.

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

Mr. Lo Bello – noted the next Town Council Meeting will be held on August 8th. He also reminded everyone of the Movie Night on August 18th and the Waterway Clean up on September 23rd. He reminded residents that they should have their plans in place in case of a hurricane.

11. Council Comments

Vice Mayor Shalhoub – noted the number of citations issued by the Police Department and by Code Enforcement and thanked the Chief and Officers for their good work.

He discussed the vacation rental ordinance and asked Mr. Schoech to look into what happens if the property owners or tenants do not comply with the regulations.

He noted that he appreciates the time that Mr. Lo Bello spent with each of the Council Members on the proposed budget. He also noted possibility of going to the rollback rate. He stated that doing so would be at a cost to the Town, so this will continue to be discussed prior to the adoption of the final budget.

He also asked Mr. Lo Bello to check how SB 250 will affect Lake Clarke Shores.

President Pro Tem Rodriguez – noted that he also would like the Town to consider the rollback rate and check our options.

He noted the hazardous traffic conditions in the area. He noted that people are trying to avoid 6th Avenue and Florida Mango Road because of the road closures, which causes problems on the other roadways. He urged everyone to drive safely and pay attention to the traffic.

He discussed the condition of the medians along Forest Hill Boulevard and the need to repair the entranceway sign on Florida Mango and Arabian Road.

He thanked Mr. Lo Bello for his work on the budget.

Council Member Gonzalez – noted the effort and time that Mr. Lo Bello has taken to get to know the Town and the Town's issues in the months since he was appointed as the Town Manager. He stated that he is looking forward to seeing what Mr. Lo Bello will do for the Town and his visions for the future. He noted the Town's involvement in the Florida League of Cities and how the other areas in the county are developing. He noted that he would like to have the Town continue moving forward and is excited to see the future of Lake Clarke Shores.

He wished everyone a belated Happy 4th of July and was glad that no one was injured during the festivities. He thanked resident Mr. Joe George for his display that night.

He discussed his concerns with the safety of the drivers on Forest Hill Boulevard.

He thanked Mr. Daughtry for his information regarding native plants and noted that some residents have already implemented this natural look. He noted there are others that are doing their part to keeping their homes looking nice.

He thanked everyone for their participation, for sharing their opinions and their comments.

Council Member Maples – noted that he appreciates everyone for attending, for sharing their opinions and for caring about the Town. He thanked Mr. Lo Bello for his commitment on the budget and his work with the Town.

He noted that he is excited about the new electronic permitting program that the Town has implemented and once it is up and running, will make it more seamless for residents to get work done.

He noted that he attended two days of training with the Florida League of Cities where he learned how to be a better elected official and how to better serve the Town.

He noted that he has been talking to some of the older residents who would like to see the Town provide some type of activities for them to enjoy. He noted that the Town already does events and such for the kids and he would like to see the Town provide some type of activities for older residents. He noted that there is limited resources for this, but thinks that it would be a good thing for the older residents to have something to do.

He also noted that the Police Department is doing a fantastic job with Code Enforcement. He stated that he would like to see a committee of volunteers help their elderly neighbors who are unable to clean up or maintain their properties. He noted that this could be a better community, be better neighbors to each other and help Lake Clarke Shores remain a gem in the area.

He thanked everyone for coming to the meeting and noted that he appreciates each one of the Council Members.

Mayor Freebold – noted that Ms. Louise Bing was in the audience and that she was on the news recently. He noted that he agrees with Mr. Maples about the need for community involvement. He also discussed his friendship with Ms. Helen Brunson. He noted that she was a good friend to the Town, a wonderful volunteer with the Town events in her later years and noted that she will be missed.

He congratulated Mr. Isasi and noted that he is looking forward to watch the progress.

He noted that the budget is a work in process and that everyone has a fixed income. He also noted that Mr. Lo Bello has been working very hard to make things work out.

He noted the traffic situation, the number of distracted drivers and the dangerous driving conditions.

He also noted that the Town will continue to take small, steady steps in the progress to make everything better. He noted that the residents, Town Council and Town staff are all working together to make this happen.

12. Adjournment

Motion made by Council Member Gonzalez to adjourn the meeting at 8:37 PM, seconded by President Pro Tem Rodriguez; Motion approved (5-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk