

**MINUTES
TOWN OF LAKE CLARKE SHORES
TOWN COUNCIL MEETING
APRIL 9 2024**

1. Call to Order

A. Mayor Freebold called the meeting to order at 6:35 PM.

The following officials were present:

Gregory Freebold, Mayor
Jon Maples, Council Member
Bridget Keating, Council Member
Taylor Materio, Council Member
Christy Maasbach, Council Member

B. Moment of Silence, Invocation, Pledge of Allegiance

Mayor Freebold requested a moment of silence for James (Jim) Barby. Town resident since the 1960s; Juan Espinoza, brother-in-law of Melissa Espinoza, Community Development Coordinator and Tim Rose, Fishing Tournament Weighmaster. Mr. Charles Schoech gave the invocation and then led the Pledge of Allegiance.

2. Audience Comments

Ann Warren, 7524 Edgewater Circle – noted that residents need to be educated so they are aware of the Town’s codes regarding trash cans and when vegetation should be placed for pickup.

Jim Boger, 7518 Edgewater Circle – noted line-of-sight issues at Florida Mango Road and Gregory Road making it unsafe for drivers.

Carol Hassell, 7205 West Lake Drive – agreed with Mr. Boger. She also thanked Bill Murphy for the many hours he volunteers at the Town events and noted that he volunteers for other organization’s events.

Genevieve Bobrowski, 7501 Pine Tree Lane – requested that the Town waive garage sale fees for seniors.

3. Appointments

A. Appointments to the Town Council for Groups 4 and 5 for a 1-year term due to term expirations.

Mr. Schoech noted that when two prior Council Members resigned, the remaining Council Members appointed Taylor Materio and Christy Maasbach to complete their terms, which ended this month. He explained that since the Town did not have an election in 2024, the Town Council will need to fill these two seats for a 1-year term. He noted that in 2025 4 seats

will be up for election – Groups 4 and 5 for 1-year terms that will expire in 2026 and Groups 1 and 2 for 2-year terms that will expire in 2027.

Motion made by Council Member Keating to reappoint Taylor Materio to Group 4 and Christy Maasbach to Group 5, seconded by Council Member Maples; Motion approved (5-0).

B. The Oath of Office was administered by Mr. Schoech to

Council Member Group 4 – Taylor Materio

Council Member Group 5 – Christy Maasbach

4. Reorganization of the Town Council

Nominations for Mayor, Vice Mayor and President Pro Tem.

Motion made by Council Member Materio to appoint Gregory Freebold as Mayor, Jon Maples as Vice Mayor and Bridget Keating as President Pro Tem, seconded by Council Member Maples. All accepted the nomination. Motion approved (5-0).

5. Approval of Agenda

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

6. Consent Agenda

- A. Approval of the Minutes of the March 12, 2024 Town Council Meeting.
- B. *Approval of Resolution 2024-04 – Amending the Bulkhead, Dock and Boatlift Policy.*
- C. Approval of Resolution 2024-05 – Expressing appreciation for the donors and sponsors to the Town's 29th Annual BBQ.
- D. Approval of the Lake Clarke Shores Community Redevelopment Agency 2022/2023 Annual Report.
- E. Approval of forfeiture funds expenditure in an amount not to exceed \$14,000 to update the Police Department's security camera system.
- F. *Approval for the Town to foreclose on the property located at 7011 Haden Road.*

Motion made by Council Member Maasbach to approve the Consent Agenda after moving Items 6. B. and 6. F. to New Business Items 8. D. and 8. E. for discussion, seconded by Vice Mayor Maples; Motion approved (5-0).

7. Presentations

- A. None

8. Quasi-Judicial Proceedings

A. None

9. Public Hearing

A. None

10. Unfinished Business

A. None

11. New Business

A. Awarding contract to replace the Pine Tree Lane Bridge.

Mr. Lo Bello noted Simon Coleman, Ph.D., P.E. Project Manager with Alan Gerwig & Associates, Inc. was in the audience to help answer questions regarding the Pine Tree Lane Bridge. He also noted that Daniel Clark, Consulting Engineer for the Town, and Keith Jackson, Consulting Engineer with Engenuity were attending the meeting virtually to help answer questions.

Mr. Lo Bello noted that the Town went out for a second bid to replace the Pine Tree Lane Bridge since the first bid was too high due to the Town trying to keep one lane of the bridge open during construction. He noted the second bid opening has taken place and while the cost was lower, it is still higher than what was budgeted. He noted that the Town has asked the State for an additional \$250,000 to help cover the costs associated with the bridge replacement but the Town will still need to amend the budget to take \$1,000,000 from its reserves to pay for the project if the Town Council decides to move forward.

The Town Council discussed the cost to replace the bridge; the amount of funding that the Town requested and received from the State; if the Town could receive any additional funding for the project and the possibility of splitting the cost between two budget years. They also discussed the bridge rating and what the rating and the bridge being functionally obsolete means; the structural integrity of the bridge; how the landscaping in Pine Tree Park and Memorial Park would be affected by the construction of the bridge; the length of time that the roadway will be closed for construction and if approved, when the construction would start. They also requested drawings of the new bridge to know what it will look like.

Mr. Coleman noted that the new bridge will have a single span with a wider opening for boats to pass through. The bridge will have wider driving lanes and will have a sidewalk on one side; the railing will be higher than it is currently to meet the standards required by the Department of Transportation and that conduits for electricity will be included in the construction, but the wiring and light poles would come later. He also noted that the access that is under the current bridge for walking or fishing will no longer be available.

Mr. Clark noted that some of the larger trees on the southeast and southwest corners near the bridge will be removed. He noted that Pine Tree Park will be re-landscaped to allow for access parking for events. It was noted that any invasive trees will also be removed.

Mr. Jackson noted that artist renderings of the bridge are not normally provided but can be done at an additional cost to the Town, upon approval by the Town Council. Mr. Clark noted that drawings are included in the permit package, but they are technical drawings, not done to depict the actual bridge design. It was noted that an artist rendering would not be necessary, but something is needed to show the residents what the bridge would look like.

Mr. Clark explained what functionally obsolete and the sufficiency rating of a bridge means. Mr. Jackson noted that other bridges have a higher rating than Pine Tree Bridge.

Mr. Clark noted that the contractor would have 310 days to complete the project, but that could be negotiated. He also noted that all the permits for Pine tree Lane Bridge are in place, so the start date would be determined between the contractor and Mr. Lo Bello.

There was discussion on how long the Town has to decide to award the contract and how long the Town will have access to the State funds that have already been approved. It was noted that the State funds would disappear in 2025, if not used.

Timothy Daughtry, 1410 Keller Road – voiced his concerns about the cost of the project. He noted that the Town has other infrastructure problems that need to be addressed and that the Town should look into a financing program that will cover all of these needs instead of trying to find separate financing for each project.

William Murphy, 1841 Evergreen Drive – noted that residents can view the drawings that the Town already has instead of spending additional money on a rendering of the bridge.

Mr. Lo Bello noted that the documentation submitted by the contractors would be hard to understand since they are plans for the construction of the bridge, not actual drawings of the bridge. He noted that he would check to see how much a drawing of the bridge would cost.

Ashok Kulkarni, 8131 West Lake Drive – noted that the residents should have been able to view the documents that were discussed so they have a better idea of what is going on during the meeting. He noted he would also like to see a drawing of the bridge.

Motion made by Vice Mayor Maples to move forward with the bridge construction as long as the Town receives the additional funding from the State and to have drawings of the bridge made available for the Town Council and residents to view, seconded by Council Member Maasbach; Motion approved (5-0).

B. Discussion regarding future septic to sewer informational meeting.

Mr. Lo Bello provided the Town Council with various options on the format for the informational meeting:

1. In person meeting – would allow for public attendance and discussion but would not be very productive (re: the 2005 sewer workshop).

2. Workshop type – would be unable to record.
3. Open House type – would be flexible, have different tables set up where residents could go from table to table to discuss issues and review documents, but would be hard to record the meeting.
4. Hold session virtually – residents would submit questions beforehand for a panel to answer. The session would be recorded and put on YouTube for the public to view with availability to review again.

Mr. Lo Bello noted that if holding a virtual session, residents would be given a set time to submit questions for the panel. Staff would review the questions and discard any duplicates. The questions will be given to the panel prior to the informational meeting. During the informational meeting the panel would provide information regarding septic tanks and sewers and answer the questions previously submitted.

The Town Council discussed the various options provided, the cost of the project, the amount of grant money that has already been approved for the project and other options for cleaning the lake.

They also discussed holding a virtual meeting and providing the residents with as much information as possible prior to the meeting such as: the total grant money that has been awarded, the estimated cost for each phase of the project and what each phase covers and the financial impact on the residents. It was noted that both sides of the issue should be presented so that the information is not one-sided and that a follow-up session can be held, if needed.

Motion made by President Pro Tem Keating to hold a virtual meeting with a panel of factual presenters by July 15, 2024, seconded by Council Member Materio; Motion approved (5-0).

C. Discussion regarding the gates on Keller Road Bridge.

Mr. Lo Bello noted that Town staff receives a number of comments regarding the gates on the Keller Road Bridge. While some of the comments favor the gates, most are complaints against the gates. He noted that staff is recommending that the gate arms be temporarily removed for six (6) months to see what happens with the traffic situation in the area and then bring this issue back to the Town Council in October to determine if the gate arms should be permanently removed.

The Town Council discussed the traffic statistics in the area and the need to place a speed trailer on Keller Road to keep track of the traffic. It was noted that there is a camera already in place that monitors the traffic on the bridge.

Tmothy Daughtry, 1410 Keller Road – stated that the gate arms have been down for two weeks already. He noted that he observes more traffic going out of Town than coming in, but not an increase in the number of vehicles thus far. He noted that people speed along Keller Road and requested that the Town place additional traffic calming devices in the area while the gates are down.

Motion made by Council Member Maasbach to temporarily remove the gates, seconded by Council Member Materio; Motion approved (5-0).

D. Approval of Resolution 2024-04 – Amending the Bulkhead, Dock and Boatlift Policy. *(Moved from the consent agenda)*

Council Member Maasbach asked for clarification for the change in the policy. Mr. Schoech explained that the Town currently requires property owners to provide annual proof of \$300,000 of personal liability to maintain the Land Use License for bulkheads, docks and boatlifts when they are placed within the Town's waterways. He noted that property owners are having a hard time obtaining the required \$300,000 in coverage so the Town is looking to lower the personal liability coverage to \$100,000.

Motion made by Council Member Maasbach to approve Resolution 2024-04, seconded by Council Member Materio; Motion approved (5-0).

E. Approval for the Town to foreclose on the property located at 7011 Haden Road. *(Moved from the consent agenda)*

Council Member Maasbach noted that the liens against the property are more than the property's value and asked if the Town would receive any money if the Town were to foreclose on the property.

Mr. Schoech noted that there are other liens against the property that may be superior to the Town's lien but the Town may still receive some money. He explained that there may be an heir to the property, but the Town Council could go ahead and approve the foreclosure, then see what happens with the heirs.

Douglas Mastroni, 7005 Haden Road – noted that the fence between his property and 7011 Haden Road is damaged and that he would like whoever owns the property at 7011 Haden Road to fix the fence.

Tom Gerbus, 1811 Carandis Road – noted the property is infested with vermin and needs to be exterminated before anything else is done to prevent infestation to neighboring properties.

There was further discussion on what happens if the property is under the current resident's ownership or if the heirs plan on keeping the property or selling it.

Motion made by Council Member Maasbach to foreclose on the property, seconded by President Pro Tem Keating; Motion approved (5-0).

12. Status Report

Chief Tracy Adams, PBC Fire Rescue – noted that she was glad to be back. She provided statistics for the Fire Rescue responses in the Town for the past month. She noted the social media account for Palm Beach County Fire Rescue and the Drowning Coalition's information on swimming lessons. She also noted that hurricane season starts in June and encouraged everyone to start their preparations now.

Chief Smith – he provided statistics regarding the number of calls, assists and citations that the Police Department handled during the last month. He also noted the number of vehicles checked by the various cameras in Town, the number of vehicles crossing the Keller Road bridge and the number citations issued by the Code Enforcement Officer. He noted that Lt. Fisher attended the Florida Police Chief's Association Future Chiefs Training at Florida Atlantic University.

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

Mr. Lo Bello – noted the next Town Council Meeting will be on May 14th. He also noted the coming events.

He noted that he attended a virtual meeting with the Governor's office to discuss the need for additional funding for the Pine Tree Bridge project; that Town staff is working on obtaining new security and surveillance cameras for the Police Department, Town Hall and the Town parks; and the status on the developer's agreement for the proposed Maralago Cay water utility service.

He also noted that the 2022/2023 Audit will be presented during the May Town Council Meeting and gave an update on the water meter changeout and lead pipe inventory. He noted that the Town has begun promoting the CRA on social media and that the Town will be working on the bid for the lights at Community Park in July.

13. Council Comments

Council Member Massbach – thanked everyone for coming to the meeting and those that stayed throughout the meeting. She noted the resolution thanking the BBQ sponsors and thanked Robert and Paul Shalhoub for all of their work to make the BBQ a success.

She noted that waiving garage sale permit fees for seniors came up during a discussion at the Town BBQ.

There was further discussion among the Town Council about removing or reducing the fee for garage sale permits for senior citizens.

Council Member Materio – thanked the Town Council for reappointing her for another year.

Council Member Keating – thanked Council Members Materio and Maasbach for their willingness to serve on the Town Council. She noted that she is looking forward to serving with them and the rest of the Council.

Council Member Maples – thanked everyone for attending the meeting. He noted that he would support changes to allow the senior citizens to pay a reduced amount for garage sale permits.

Mr. Schoech noted the Town Codes require that a fee be charged for garage sale permits. He noted that the Town's fees and charges are set by resolution. He stated that while the fee

can be lowered by resolution, if the Town Council decides to waive the fee altogether, they will have to adopt a new ordinance.

Mayor Freebold – thanked those that assisted with the Fishing Tournament that took place on April 6th. He noted the Waterway Cleanup that will take place on April 20th and encouraged everyone to volunteer.

14. Adjournment

Motion made by Vice Mayor Maples to adjourn the meeting at 9:05 PM, seconded by President Pro Tem Keating; Motion approved (5-0).

Gregory Freebold, Mayor

Mary Pinkerman, Town Clerk