

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
DECEMBER 4, 2007**

I. (A) CALL TO ORDER, ROLL CALL:

Mayor Malcolm Lewis called the meeting to order at 6:30 p.m.

The following members and officials were present:

Malcolm K. Lewis, Mayor
Tom Mayes, Jr., Vice Mayor
Robert M. W. Shalhoub, Pres. Pro Tem
Valentin Rodriguez, Jr., Council Member
Gregory Freebold, Council Member
Joann Hatton, Town Administrator
Jo Plyler, Town Clerk
Wes Smith, Chief of Police
Charles Schoech, Town Attorney

(B) PLEDGE OF ALLEGIANCE:

Mayor Lewis led the assembly in the pledge of allegiance to the American Flag.

II. APPROVAL OF AGENDA:

Motion made by President Pro Tem Shalhoub to approve the agenda, seconded by Council Member Mayes; Motion approved (5-0).

III. CONSENT AGENDA:

- A) Approval of Minutes of the November 6, 2007 Council Meeting.
- B) Approval of Land Use Permit – Diane Smith, 8310 West Lake Drive, Dock and Boatlift.
- C) Approval of “Special Recognition Awards” to be presented to the Grand Marshals of the December 1, 2007 “Holidays in Paradise” Parade.
- D) Approval of Saturday, December 6, 2008, Annual “Holidays in Paradise” Parade.

- E) Approval of Saturday, December 6, 2008 “Christmas Tree Decorating and Caroling” at 5:00 p.m.
- F) Approval of Staff Holiday Dinner on Tuesday, December 11, 2007.
- G) Approval of Agreement with Dave Ragsdale, General Partner, Run Palm Beach, to Manage the 2nd Annual Loop around the Lake 6K & Kids Run.
- H) Approve the following proposals from Alarm Guard for the new Police Building:
 - a. CCTV Surveillance System - \$11,934.32
 - b. Security Alarm System - \$3,894.42

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

IV. PRESENTATIONS:

- A) State Representative Shelley Vana briefed the Council on the following proposed tax relief constitutional amendments that will be placed on the January 29, 2008 ballot:
 1. Increased Homestead Exemption (additional \$25,000)
 2. Portability - \$500,000 (applies to all taxes including school taxes)
 3. Tangible Personal Property Exemption (\$25,000)
 4. Assessment Cap for Non-Homestead Property (10% applies to non-school levies only)

V. TOWN ENGINEERS:

- A) Keith Jackson, SFRN, Inc., Town Consulting Engineer
- B) Jeffrey Renault, LBFH, Inc., Town Utilities Engineer

In the absence of the Engineers Keith Jackson and Jeffrey Renault, Mayor Lewis referenced their Status Reports stating that all projects are moving forward.

VI. UNFINISHED BUSINESS:

- A) Lake Worth Drainage District (LWDD) Lateral 7 Canal, Right-of-way adjacent to Lake Clarke Shores Community Park - Alternate proposal for irrigation & storm water drainage.

Mayor Lewis advised that he and Town Administrator Joann Hatton met with Ron Crone, District Manager, LWDD, regarding their request that the Town relinquish 15 feet of the LCS Community Park property for additional right-of-way adjacent to the L7 Canal. The Mayor stated that Town Engineer Keith Jackson re-submitted the engineering drawings to LWDD with the outfall culvert removed and revised the drainage calculations accordingly. Mr. Jackson determined that the removal of the culvert does not adversely impact any adjacent properties. As to irrigation, a well can be constructed without LWDD's permit.

Following discussion **Council Member Rodriguez made a motion to approve an irrigation well contingent upon obtaining a cost analysis for having water drawn from the LWDD L7 Canal to be presented at the January Council meeting, seconded by Council Member Freebold; motion approved (5-0).**

B) Rental Property within Residential Districts – Attorney Charles Schoech

In response to a prior discussion concerning single-family homes being rented on a room-by-room basis, Attorney Schoech referenced his November 20th memorandum and stated that the Town cannot prohibit property owners from renting rooms. Section 86-212 of the Town Code of Ordinances appears to prohibit an owner from renting individual rooms to more than three (3) tenants that are not related by blood or marriage or to tenants that are not living together as a single housekeeping unit, in addition, it prohibits boardinghouses in single-family residential districts.

VII. NEW BUSINESS: None

VIII. AUDIENCE COMMENTS:

John Dowd, 1721 Carandis Road, Suggested that Council schedule a Community Park organizational meeting to review the status of the project. Mayor Lewis responded that a meeting would be scheduled the first of the year.

Jim Tackett, Chairman, 50th Anniversary Committee, thanked the members of the staff, Council, and residents who participated in making the “Christmas Tree Decorating and Caroling” a tremendous success.

TOWN ADMINISTRATOR:

Town Administrator, Joann Hatton, referenced her Status Report dated November 29, 2007 and indicated that she had nothing further to report.

IX. REPORTS:

- A) Attorney Charles Schoech referenced the Status Report dated November 28, 2007 adding the following updates:

Town Municipal Complex - The draft documents for the issuance of the Town's promissory note series 2007 in the amount of \$850,000 have been forwarded to Wachovia Bank for their review and comment. The closing is scheduled for Monday, December 17, 2007.

Barby Property, 7011 Haden Road – In the process of filing an answer to Palm Beach County Office of Equal Opportunity for a housing discrimination complaint filed by Mr. Barby's attorney.

- B) Chief Wes Smith advised that he has distributed his monthly report to Council and that he has no further comments.

- C) Town Council:

Council Member Freebold stated that he had polled the residents in the area of the Keller Gate regarding the timing of the gate and the residents indicated that they were satisfied with the current 15 seconds delay and did not wish to have the waiting time extended.

He further thanked everyone for helping to make the Bass Fishing Tournament a great event.

Council Member Rodriguez commented on the following:

1. The December 17th Movie Night was a great success with over 100 in attendance and he proposes to have this event every 3 months.
2. The Bass Fishing Tournament and the Christmas Tree Decorating Event were very successful and pleased with the participation from everyone on the 2007 50th Anniversary Events.
3. Spoke on the State Board of Administration's (SBA) action to temporarily freeze the assets of the Local Government Investment Pool and was of the opinion that the Town's funds should be removed as soon as the SBA lifts the restriction. It was the consensus of the Council that this matter be placed on the January 8, 2008 agenda.

Vice Mayor Mayes congratulated the 50th Anniversary Committee and all those who participated in making the 2007 events such a success and that he is proud to be a resident of the Town.

President Pro Tem Shalhoub commented on the following:

1. With regards to the SBA implementing a temporary freeze on the Local Government Investment Pool, the Town should shop for a better return of the money as soon as withdrawals are permitted.
2. Thanked all who helped with the Parade, Christmas Tree Lighting and the Movie Night event.
3. Suggested that the Town look into placing a barrier at the Head of the Lake to prevent the flow of trash from the LWDD Canals into our lake.

Mayor Lewis requested that Town Administrator Joann Hatton make recommendations on what the balance of Renewal & Replacement (R&R) Utilities fund should be which at this time is due to be reimbursed from unappropriated funds.

X. ADJOURNMENT:

Council Member Rodriguez made a motion to adjourn the meeting at 8:25 p.m., seconded by Council Member Freebold; Motion approved (5-0).

Malcolm K. Lewis, Mayor

Jo H. Plyler, Town Clerk