

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
AUGUST 7, 2007**

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

**Mayor Lewis called the meeting to order at 6:30 p.m** and announced that at this time there is not a quorum and that President Pro Tem Shalhoub is in route to the meeting. He will proceed with the informal agenda items and when President Pro Tem Shalhoub arrives, he will move on to the agenda items requiring a vote.

The following members and officials were present:

Malcolm K. Lewis, Mayor  
Robert M. W. Shalhoub, Pres. Pro Tem (arrived at 6:40 p.m.)  
Gregory Freebold, Council Member  
Jo Plyler, Town Clerk  
Mary Pinkerman, Permit/License Supervisor  
Charles Schoech, Town Attorney  
Wes Smith, Chief of Police  
Keith Jackson, Town Consulting Engineer

The following officials were absent:

Tom Mayes, Jr., Vice Mayor  
Valentin Rodriguez, Jr., Council Member  
Joann Hatton, Town Administrator

**(B) PLEDGE OF ALLEGIANCE:**

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

**II. PRESENTATIONS:**

**A) Presentation of plaque to Corporal William Howell from “Florida Operation Lifesaver”**

Mayor Lewis gave a brief background on Forest Hill Boulevard traffic conditions at the railroad crossing. Florida Operation Lifesaver recognizes the joint effort between the Town and rail agencies during Train Safety Awareness Week 2007 with a plaque congratulating the following officers for outstanding

teamwork in delivering public awareness and enforcing state statues in the effort of saving lives on the South Florida Rail Corridor:

Corporal William Howell, Officer Mike Brawner and Officer Jonathan Waters.

Chief Smith presented Team Leader Corporal William Howell with the plaque and stated that Corporal Howell had issued 22 citations at the rail crossing within the last two (2) days. Officer Mike Brawner and Officer Jonathan Waters were not present.

### **III. TOWN CONSULTING ENGINEER:**

- A) Town Consulting Engineer Keith Jackson referenced his Status Report # 130 dated August 1, 2007, and stated that his firm is conducting on-site construction observations jointly with JJG on site/civil improvement as needed to ensure quality control.

He further advised that the Chain of Lakes grant application has been submitted and that he will be attending a Grant Committee presentation on August 29, 2007.

Council Member Freebold commented that the recent dredging of the C-51 canal by South Florida Water Management has improved the quality of water in the Town's canals along the C-51 and spoke about the possibility of piping the causeway for better water flow of Lake Clarke. Mayor Lewis indicated that he has reservations about putting a pipe in the causeway due the possibility of debris from the C-51 flowing into Lake Clarke.

President Pro Tem Shalhoub arrived at 6:40 p.m.

### **IV. APPROVAL OF AGENDA:**

**Motion made by President Pro Tem Shalhoub to approve the agenda, seconded by Council Member Freebold; Motion approved (3-0).**

### **V. CONSENT AGENDA:**

- A) Approval of Minutes:
1. July 24, 2007 Budget Workshop
  2. July 24, 2007 Town Council Meeting
- B) Approval of bid from All Lake Electric in the amount of \$54,784.00 for New Control Panel for Seminole Man Lift Station #2 – Project #03-0194V.

- C) Approval of bid from Capitol Contracting Group in the amount of \$316,700.00 for Seminole Manor Water System Improvements – Project #03-0194S.
- D) Approval of Land Use Permit Application – Russell J. Warder, 7319 Venetian Way – Seawall and future dock.

**President Pro Tem Shalhoub made a motion to approve the consent agenda, seconded by Council Member Freebold; Motion approved (3-0).**

**VI. UNFINISHED BUSINESS:**

- A) Following discussion on the Policy to allow Telephone or Video Participation by Council Members unable to be present at meetings pertaining to budget and ad valorem taxes, **Council Member Freebold made a motion to adopt the policy as presented, Mayor Lewis passed the gavel to President Pro Tem Shalhoub and seconded the motion; motion approved (3-0).**

Mayor Lewis assumed the gavel.

- B) Town Municipal Complex Financing

Mayor Lewis referenced his Memorandum dated August 3, 2007 including a spreadsheet and Appendices A, B & C regarding the suggested various possible sources of funding the balance (\$2 million) to complete construction of the Town Hall Complex.

Finance Director, William Thrasher, presented an informal presentation on funding the Complex by using available pooled cash of (\$2 million) from the General Fund and the Utility Fund.

Mayor Lewis suggested that the Council consider voting on this matter at the September 18, 2007 meeting.

- C) Barby Property, 7011 Haden Road

Attorney Schoech informed the Council that Mr. Barby had been given 30 days to bring his property into compliance and upon re-inspection on August 2, 2007, no apparent improvements have been made.

Upon the recommendation of Attorney Schoech, **President Pro Tem Shalhoub made a motion that the Building Official order the occupant(s) to vacate the property within forty eight (48) hours and declare the property to be unfit for human occupants as it is dangerous to the health,**

**morals, safety, and general welfare of its occupants, seconded by Council Member Freebold; motion approved (3-0).**

**President Pro Tem Shalhoub made a motion that the occupant(s) be given notice that there will be a Town Council meeting on August 21, 2007 at which time the Council will consider a recommendation from the Code Enforcement Officer that an order be issued for Town work or contracted work to repair or secure the property. Such work shall include removal of debris and inoperable vehicles located outside the building or structure, seconded by Council Member Freebold; motion approved (2-1), Mayor Lewis opposed.**

Mayor Lewis informed the Council that he received a letter from Palm Beach Mayor Jack McDonald, and Chair of Let Us Vote Committee requesting that the Town donate \$4,150 in support of the Committee's initiative to change the Palm Beach County Charter. It was the consensus of the Council that Mayor McDonald be advised that the Town supported the Committee by Resolution No. 07-10 on June 19, 2007, however, due to recent budget restraints, the Town is unable to donate funds for this initiative.

#### **VII. NEW BUSINESS:**

- A) Following Discussion on House Bill 537 that was recently passed to allow municipalities to move the date of their General Election to the date of the Presidential Preference Primary (January 29, 2008), **President Pro Tem Shalhoub made a motion that the Town continue with the established date of the second Tuesday in March for the Municipal Election, seconded by Council Member Freebold; Motion approved (3-0).**

#### **VIII. AUDIENCE COMMENTS:**

Chuck Ruzkowski, 1911 Laurel Lane, commented on the following:

1. Trees along the FPL lines need to be trimmed. Council Member Freebold responded that he would contact FPL.
2. Questioned the status of the four (4) 50<sup>th</sup> Anniversary shirts that he ordered. 50<sup>th</sup> Anniversary Chairman, Jim Tackett, responded that he would check and get back with Mr. Ruzkowski.
3. Inquired about having the budget and salaries on the webpage. Ms. Plyler responded that the budget is currently on the webpage and that the salaries will be posted within the next couple of days.

Banna Ghioto, 1605 Carissa Road, stated that she was very pleased to read that the Town is initiating a program to assist residents who may need assistance with improving the appearance of their homes but questioned what would happen if

someone was injured while working on a resident's house. Council Member Freebold responded that parents, students and homeowners would be required to sign a release of liability.

Mrs. Ghioto further commented on the impressive 50<sup>th</sup> Anniversary issue of the Shore Lines and suggested that additional copies be printed and made available to the residents.

John Macgregor, 8115 Pine Tree Lane, stated that he would like for Council to have meetings broadcast over the Comcast cable channel. He also noted that the monthly financial statement binder displayed in the foyer was not up to date and that the statements should be placed on the webpage.

\*Clerks note: The financial statement binder was up to date and the monthly reports has been on the website for months.

Panna Kulkarni, 8131 West Lake Drive commented on the following topics:

1. Questioned if the Town Council can adopt a lower millage rate. Mayor Lewis responded that at the First Public Hearing on September 4, 2007, the Council has the opportunity to consider a rollback millage minus 5%. Mrs. Kulkarni stated that she would like additional information on the minus 5% when Ms. Hatton returns from her vacation.
2. Mrs. Kulkarni further requested a copy of the cost analysis and progress report on the Community Park when completed.

Jim Tackett, 7525 Pine Tree Lane gave a brief report on the status of the various 50<sup>th</sup> Anniversary projects and stated that the committee has met with The Palm Beach Post to discuss having a featured article, however, the Committee has no control over what the Post will print.

Ashok Kulkarni, 8131 West Lake Drive questioned the status of the budget being made available on the webpage. Mayor Lewis responded that the budget has been placed on the webpage as of this date.

## **IX. TOWN ADMINISTRATOR:**

In the absence of Town Administrator Joann Hatton, Town Clerk Jo Plyler stated that she did not have a report.

## **X. REPORTS:**

- A) Attorney Charles Schoech referenced his status report dated August 1, 2007 and stated that he had nothing further to report.

B) Chief Smith

No report

C) Town Council:

Council Member Freebold

1. Requested that Attorney Schoech prepare a liability release form for parents and students to sign for the Town's community service project and also a separate form for residents to sign allowing access to their property.
2. Requested that Bill Murphy, Project Manager, LCS Community Park, provide a progress report on the park to be available to the residents and posted on the webpage.
3. Advised that the November 10<sup>th</sup> Bass Fishing Tournament is on schedule.

President Pro Tem Shalhoub requested the Council consider purchasing time capsules for the 50<sup>th</sup> Street Festival Event. The residents may bring items and ideas for inclusion, the Council will chose items to be included in a drawing at the Street Festival.

**President Pro Tem Shalhoub made a motion to approve expenditure up to \$2,000 for time capsules with contents to be approved by the Town Council, seconded by Council Member Freebold; motion approved (2-1), Mayor Lewis opposed.**

Mayor Lewis

No Report

**XI. ADJOURNMENT:**

**President Pro Tem Shalhoub made a motion to adjourn the meeting at 8:15 p.m.; seconded by Council Member Freebold; Motion approved (3-0).**

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Malcolm K. Lewis, Mayor

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Jo H. Plyler, Town Clerk