

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
FEBRUARY 27, 2007**

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

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

The following members and officials were present:

H. David Kelley, Jr., Mayor
Robert M. W. Shalhoub, Vice Mayor
Malcolm K. Lewis, President Pro Tem
Tom Mayes, Jr., Council Member
Valentin Rodriguez, Jr., Council Member
Joann Hatton, Town Administrator
Jo H. Plyler, Town Clerk
Mary Pinkerman, Permit/License Supervisor
Charles Schoech, Town Attorney
Wes Smith, Chief of Police
Keith Jackson, Town Consulting Engineer

(B) PLEDGE OF ALLEGIANCE:

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

II. APPROVAL OF AGENDA:

Motion made by President Pro Tem Lewis to approve the agenda, as amended, adding Resolution #07-04 under New Business VII. (B), seconded by Vice Mayor Shalhoub; Motion approved (5-0).

III. CONSENT AGENDA:

- A) Approval of February 13, 2007 Minutes.
- B) Approval of Palm Beach County District 3 Recreation Assistance Program Funding for Lake Clarke Shores Community Park in an amount not to exceed \$45,000.

- C) Approval of Palm Beach County District 3 Recreation Assistance Program for Lake Clarke Shores 50th Anniversary Events in an amount not to exceed \$20,000.
- D) Resolution #07-03 Proclaiming Mike Wade “2006 Volunteer of the Year”.
- E) Approval of April 21, 2007 for the “Lake Clean-Up” and approval of expenditures for the event.
- F) Approve Tuesday March 20th for the next Council Meeting.

Motion made by Vice Mayor Shalhoub to approve the consent agenda, seconded by President Pro Tem Lewis; Motion approved (5-0).

IV. PRESENTATIONS:

- A) Jim Tackett, Chairman, “50th Anniversary Executive Committee”, distributed a rendering of the fountain to be installed at Memorial Park.

Following discussion and the requests from Mr. Tackett, **Vice Mayor Shalhoub made a motion to approve cost of the pavers, benches, and future maintenance of the fountain from the General Fund, seconded by President Pro Tem Lewis; motion approved (5-0).**

V. TOWN CONSULTING ENGINEER:

- A) In addition to his Status Report #121 dated February 22, 2007, Keith Jackson, SFRN, Inc., commented on the following:
 - 1. Meeting scheduled with Whiteside Landscaping on February 28th to work out details for bidding the LCS Community Park project. This process will be a piggyback bid through Palm Beach County Parks & Recreation Department.
 - 2. The cleaning and televising of the culverts in phase I of the paving program will begin this week.
 - 3. The possibility of dredging Lake Clarke was discussed. Information on this issue will be ready for the April 17th Council meeting.

VI. UNFINISHED BUSINESS:

- A) Bill Murphy, Project Manager, Lake Clarke Shores Community Park, reported that the final plans for the park are complete, and bathroom facilities are ready for bid.

Upon the request of Mr. Murphy the following motions were made:

Vice Mayor Shalhoub made a motion that Mr. Murphy proceed with request for bid on final plans for Bathroom Facilities at LCS Community Park, seconded by Council Member Mayes; motion approved (5-0).

Vice Mayor Shalhoub made a motion to approve the Pavilion for LCS Community Park in the amount of \$19,109.25, seconded by President Pro Tem Lewis; motion approved (5-0).

VII. NEW BUSINESS:

- A) Neil Haeger, 1701 Mango Circle - Regarding permitted locations of Real Estate Signs. (RE: Chapter 86, Zoning, Division 12. Signs, Sections 86-580 and 86-582).

Mr. Haeger distributed copies of his background information and explained the reason for his request for Council to change Section 86.580 of the Town's Code to allow off-site signs to be placed on property of the residents who would allow him to place House For Sale signs.

Attorney Schoech responded that the Town could not make changes to allow Real Estate signs while prohibiting other signage because of legal issues with freedom of speech.

VIII. AUDIENCE COMMENTS:

Charles Ruzkowski – 1911 Laurel Lane, gave his opinion against real estate signs posted on property other than the property that is for sale. He also wanted to know if the public is invited to the Town Municipal Complex bid opening and how this project would be funded.

Town Council responded that the bid opening is open to the public and information on the funding for this project will be placed on an upcoming agenda.

The Shore Lines newsletter mailing process was also discussed.

Ashok Kulkarni - 8131 West Lake Drive, stated that he also agreed with the Town Council's decision not to change the real estate sign codes concerning the location of those signs.

Gary Goldstein - 8323 Pine Tree Lane, asked about the possibility of a time capsule being buried when the Town was established in 1957. It was determined that a time capsule from 1957 did not exist.

He also discussed public records and how mailing labels at locations other than Town Hall fit into public record laws.

Town Attorney Schoech explained that the Town documents are open to public record laws. If someone purchases a copy of a town record, that copy belongs to that person and is no longer subject to the public record law.

Carla Lee - 7606 Pine Tree Lane, stated that she would like to see something done about the deteriorating docks along the waterways. Wood planks are falling off these docks and could cause damage to boats and other watercraft.

It was noted that, once the police equipment has been installed onto the new boat, the Code Enforcement Officer will have access to the waterways and will be able to issue notice of violations to the owners of properties that are not in compliance with the town codes. It was also noted that the Town would hold a waterway clean up on April 21, 2007, which would help to remove wood and other debris from the waterways.

IX. TOWN ADMINISTRATOR:

Town Administrator Joann Hatton did not have a status report available (she was out of town), but discussed the fact that the old police building has been demolished and debris removal should be completed by Friday, March 2, 2007.

She discussed the date for the Candidate Forum, which is scheduled for March 6, 2007 at 6:30 pm and the date of the next Town Council Meeting, which will be held on March 20, 2007, at 6:30 pm.

X. REPORTS:

A) Town Attorney Schoech had nothing to add to his report dated February 22, 2007, but discussed the matter of obtaining a Special Magistrate to hear cases concerning minimum housing standards. According to town code, a Special

Magistrate would be appointed by the Town only if requested by the Respondent in a code enforcement case based on the minimum housing standards.

- B) Chief Smith stated that the new boat was in the process of being outfitted with electronics that were purchased from the traffic ticket fund (\$12.50 money). The new boat should be ready by the March 25th barbeque.

- C) Town Council:

Council Member Mayes

Council Member Mayes stated that he is excited about the waterway cleanup that will take place on April 21st. He discussed the possibility of holding some sort of competition during the cleanup to see who can pick up the most unusual item, the largest item, etc. It was noted that during the first waterway cleanup a few years ago, there was competition between the boaters themselves to see who could fill up their boat the fastest, unload the debris and then get back out to collect more debris.

President Pro Tem Lewis

President Pro Tem Lewis discussed the worker's compensation coverage for the "special duty" police officers working in Palm Springs and stated that it will be a minimum expense to the Town.

He also noted that there would be limited access to the Town Hall playground once construction begins on the new complex. Town staff is already working on arranging access to the park.

He also discussed the Candidate Forum. It was noted that the Town Administrator already has procedures in place to monitor the way the meeting will be held.

Council Member Rodriguez

Council Member Rodriguez commented on the delicious food that will be served during the March 25th barbeque and that volunteers are still needed. He also mentioned the volunteer / donation cards that were included in the letters that he and Vice Mayor Shalhoub sent to the residents. He asked the residents present at the Council Meeting if they would take some of the extra cards, give them to their neighbors and encourage them to participate in both the barbeque and waterway cleanup.

Vice Mayor Shalhoub

Vice Mayor Shalhoub stated that they will start cooking the 600 lbs. of pork for the barbeque on Friday, March 23rd and that volunteers will be needed to help pull the pork that afternoon. He discussed the possibility of having food available on Saturday for those who wish to purchase lunch. He also mentioned that their (his and Council Member Rodriguez') letters were being mailed in stages and that if a resident did not receive the letter yet, they should receive it soon.

He discussed the Waterway Cleanup and stated that the volunteer list will be available at the barbeque. He agreed with Council Member Mayes that some sort of contest would be interesting, but in light of the items collected during the last cleanup, it would be hard to figure out what item would be the most unusual.

He also discussed the silt in Lake Clarke and stated that the Council Members need to be kept informed on the dredging issue in order to make sound decisions concerning these matters.

Mayor Kelley

Mayor Kelley reminded the residents of the March 13, 2007 election. He hopes everyone will participate in the election process and vote.

FUTURE AGENDA ITEMS: TENTATIVE, SUBJECT TO REVISION

- A) Comcast Franchise Agreement
- B) Municipal Complex – Ongoing
- C) Personnel Policy

XII. ADJOURNMENT:

President Pro Tem Lewis made a motion to adjourn the meeting at 8:10 p.m.; seconded by Council Member Mayes; Motion approved (5-0).

H. David Kelley, Jr., Mayor

Mary Pinkerman, Permit/License Supervisor