

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
APRIL 10, 2007**

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

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

The following members and officials were present:

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  
James Watt, Town Attorney (Charles Schoech arrived at 8:05 p.m.)  
Wes Smith, Chief of Police  
Keith Jackson, Town Consulting Engineer

The following official was absent:

H. David Kelley, Jr., Mayor

**(B) PLEDGE OF ALLEGIANCE:**

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

**(C) OATH OF OFFICE:**

The Oath of Office was administrated to Council Member Malcolm K. Lewis by Judge Richard Burk. The Oath of Office was administrated to Council Member Gregory Freebold by his Sister-In-Law, Patricia Gringeri.

**REORGANIZATION OF THE TOWN COUNCIL:**

Nominations for Mayor, Vice Mayor and President Pro Tem.

Council Member Rodriguez nominated the following slate of officers  
(Slate #1):

Robert M. W. Shalhoub – Mayor  
Malcolm K. Lewis – Vice Mayor  
Tom Mayes, Jr. – President Pro Tem

Council Member Mayes nominated the following slate of officers (Slate #2):

Malcolm K. Lewis – Mayor  
Tom Mayes, Jr. – Vice Mayor  
Robert M. W. Shalhoub – President Pro Tem

Vice Mayor Shalhoub called for a vote on the following officers in Slate #1:

Robert M. W. Shalhoub – Mayor  
Malcolm K. Lewis – Vice Mayor  
Tom Mayes, Jr. – President Pro Tem

Rodriguez, Shalhoub – For

Mayor Shalhoub called for a vote on the following officers in Slate #2:

Malcolm K. Lewis – Mayor  
Tom Mayes, Jr. – Vice Mayor  
Robert M. W. Shalhoub – President Pro Tem

Lewis, Mayes, Freebold – For

The reorganization of the Council was complete with the following officials:

Malcolm K. Lewis – Mayor  
Tom Mayes, Jr. – Vice Mayor  
Robert M. W. Shalhoub – President Pro Tem

Mayor Lewis assumed the gavel.

## **II. APPROVAL OF AGENDA:**

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

## **III. CONSENT AGENDA:**

- A) Approval of March 20, 2007 Minutes.

**B) Approval of Resolutions:**

1. Resolution # 07-05, proclaiming the results of the Election held on March 13, 2007 and the Runoff Election held on March 27, 2007.
2. Resolution #07-06, expressing appreciation to H. David Kelley, Jr., for his dedicated service to the Town.
3. Resolution #07-07, expressing appreciation for financial assistance, goods, equipment and services rendered by barbeque donors.
4. Resolution #07-08, expressing appreciation for services rendered by barbeque volunteers.
5. Approval of Interlocal Agreement for NPDES Third Term Permit.
6. Approval of Charles S. Whiteside, Inc., Asphalt Overlay Project at a Cost of \$90,000.

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

**IV. PRESENTATIONS:**

**A) Jim Tackett, Chairman, “50<sup>th</sup> Anniversary Executive Committee”, reported the following:**

1. Fountain and pavers have been installed in Memorial Park.
2. He also indicated that the committee has tentatively approved a plaque for Memorial Park.
3. Committee will make a decision on the date for a celebration commemorating the Town’s 50<sup>th</sup> Anniversary at their April 24<sup>th</sup> meeting.
4. Committee is planning a movie night Memorial Park.
5. Following discussion on the proposed flagpole in Memorial Park, **President Pro Tem Shalhoub made a motion to nullify the \$12,000 approved on December 12, 2006 for the purchase of anniversary banners and to approve \$4,000 for a flagpole, flag, and electric to be installed at Memorial Park, seconded by Council Member Rodriguez; motion approved (5-0).**

**V. TOWN CONSULTING ENGINEER:**

**A) In addition to his Status Report #123 dated April 5, 2007, Town Consulting Engineer, Keith Jackson, clarified the Department of Transportation (DOT)**

road and landscape project proposed for Forest Hill Boulevard, from Haverhill Road to West of I-95, and advised that the project schedule is July 2008 to June 2009 and will be constructed at no cost to the Town.

## VI. UNFINISHED BUSINESS:

### A) Municipal Complex Bid Approval.

Following explanation by Mayor Lewis on the bid process for the Town Municipal Complex, **President Pro Tem Shalhoub made a motion to accept the low bid submitted by David Brooks Enterprises in the amount of \$2,320,000 seconded by Council Member Rodriguez; motion approved (5-0).**

Bob Hill, Dow Howell Gilmore Associates, Inc., briefed the Council on David Brooks Enterprises and their past accomplishments and was of the opinion that the Council made a very good choice.

Ashok Kulkarni, 8131 West Lake Drive, submitted a suggested alternate site and building plan along with a comment sheet for the Municipal Complex for Council consideration.

Mayor Lewis responded to Mr. Kulkarni that his viewpoint is appreciated, however, the design and bids have already been approved and the Council will not be able to change this far into the planning and process.

Panna Kulkarni, 8131 West Lake Drive, stated that the residents have not been informed on the Municipal Complex project and they want the Town to do other needed projects instead of a Municipal Complex.

Jim Tackett, 7525 Pine Tree Lane, expressed his opinion that residents would be aware of Council decisions by reading the Town newsletters and participate in Town Council meetings.

Banna Ghioto, 1605 Carissa Road, indicated that the residents are concerned about the new Municipal Complex and would like to know how much it is going to cost them before making a final decision.

Mrs. Ghioto further suggested that the Town have all the prints hanging in the Town Hall that were donated by the Sandpiper Garden Club, appraised and put into the new complex.

### B) Draft Ordinance amending Chapter 62 “Waterways” to provide for the issuance of owner builder permits for the installation of certain bulkheads.

Building Official, Joe Iagrossie, stated his opposition to the amendment allowing owner/builder permits for the following reasons:

1. Building Inspectors do not work on weekends and usually this is the time home owners have to complete their home projects.
2. Inspector would not be able to determine the depth of the sheathing in the ground or inspect the deadman during weekend projects.

Following discussion, it was the consensus of the Council that the Town Attorney revise the proposed ordinance to include proper safeguards for the issuance of owner/ builder permits for bulkheads.

Richard Hasbrouck, 7825 West Lake Drive, expressed his opposition to the current ordinance that prohibits owner/builder permits for bulkheads and encouraged Council to consider the proposed change.

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

- A) First Reading – Ordinance # 07-02 to amend Chapter 58 “Utilities”, Division 2 “Conservation” by adopting water restrictions as declared by South Florida Water Management District.

**President Pro Tem Shalhoub made a motion to adopt first reading of Ordinance #07-02, seconded by Council Member Freebold; motion approved (5-0).**

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

Chuck Ruzkowski, 1911 Laurel Lane, Questioned how many phases are on the street asphalt overlay project. Keith Jackson responded that based on the condition of the roads, the overlay priority project consist of eleven (11) years.

William Murphy, 1841 Evergreen Drive, presented application forms with schedules for the City of West Palm Beach “2007 Hook A Kid On Golf Tee Level Clinics” and stated that additional forms are available in the lobby of the Town Hall.

#### **IX. TOWN ADMINISTRATOR:**

In addition to her status report dated April 4, 2007, Town Administrator, Joann Hatton, reported on the following:

1. Louvers have been installed on lights on the middle bridge.
2. In response to question from Council Member Mayes regarding the condition of the Blanton properties at 1561 & 1609 Florida Mango Road, in the

unincorporated area of Palm Beach County, Ms. Hatton responded that PBC Code Enforcement is fining the owner \$500.00 per day and we will call the owners again in two weeks to inquire about their interest in annexation into the Town. Council Member Mayes stated that he would schedule a meeting with the owner to determine what is planned for the property.

Attorney Schoech arrived at 8:05 PM.

**X. REPORTS:**

- A) Town Attorney Schoech referenced Item #2 of his status report dated April 5, 2007 regarding the Barby property, 7011 Haden Road, and advised that he will have an update following the re-inspection of the property by GFA International.
- B) Chief Smith advised that his report will be disseminated to the Town Council later in the week.
- C) Town Council:

Council Member Rodriguez

Council Member Rodriguez thanked everyone for participation in making the Barbecue a great success.

Council member Rodriguez encouraged the Council Members to move as quickly as possible to finalize the new Town Municipal Complex and have ground breaking as soon as possible.

President Pro Tem Shalhoub commented on the following:

1. Noted the recent Police Department accomplishments and the many letters of appreciation received from the residents.
2. President Pro Tem Shalhoub discussed the procedures to be used during the Lake Clean up on April 21<sup>st</sup> stating that the boaters will be assigned zones for the waterway debris pickup.
3. He thanked all the volunteers that participated in making the March 25<sup>th</sup> Barbecue a wonderful success that served over 1200 guests.

Council Member Freebold

Council Member Freebold commented that he was looking forward to the Lake Clean up scheduled for April 21<sup>st</sup> and stated that he has many ideas to present

during his tenure including providing assistance to the elderly from students and other residents to help with chores and upkeep for their homes.

Council Member Mayes commented on the following topics:

1. Requested that Project Manager, Bill Murphy submit a time line and status report on the progress of the LCS Community Park.
2. Vice Mayor Mayes indicated that after talking with the Town Administrator, he was comfortable with the financial condition of the Town as it relates to the funding of the new Municipal Complex and requested that residents be kept informed through the Town web site of the progress and status of the project.

Mayor Lewis reported the following:

1. Mayor Lewis stated that the Town is in sound financial condition and able to proceed with financing a new Municipal Complex and that this issue will be discussed at future Council meetings.
2. He advised that lunch would be provided for the volunteers at the April 21<sup>st</sup> Waterway Clean up.
3. Mayor Lewis introduced Lt. Shaw and thanked him for the excellent job organizing the recent relocation of the Police Department trailer.

#### **FUTURE AGENDA ITEMS: TENTATIVE, SUBJECT TO REVISION**

- a. Comcast Franchise Agreement
- b. Municipal Complex – Ongoing
- c. Personnel Policy

#### **XII. ADJOURNMENT:**

**President Pro Tem Shalhoub made a motion to adjourn the meeting at 7:36 p.m.; seconded by Vice Mayor Mayes; Motion approved (5-0).**

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Malcolm K. Lewis, Mayor

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Jo H. Plyler, Town Clerk