

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
MARCH 4, 2008**

**IMMEDIATELY FOLLOWING THE CANDIDATE FORUM**

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

**Mayor Malcolm Lewis called the meeting to order at 6:55 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 Vice Mayor Mayes; Motion approved (5-0).**

**III. CONSENT AGENDA:**

- A) Approval of Minutes of the February 5, 2008 Council Meeting.
- B) Approval of agreement with Florida League of Cities to collect unpaid business tax receipts from insurance companies that sell policies within the Town limits.
- C) Approval of Land Use Permit Application for Seawall – Steve Buettner, 1408 Alpha Court.
- D) Approval of Land Use Permit Application for Boatlift – Arnold Chane, 8360 West Lake Drive.

- E) Approval of Land Use Permit Application for Moving Boatlift Pilings – Michael S. Brill, 1408 Arabian Road.
- F) Approval to dispose of Police Department Fixed Asset - Ricoh Copier Inventory #00356.

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

#### IV. PRESENTATIONS:

- A) Mayor Lewis read Resolution #08-04 proclaiming Jim Tackett and Fran Carlton “2007 Volunteers of the Year” for their outstanding dedication to the Town and presented Mr. Tackett with a plaque expressing appreciation for his services rendered to the Town during 2007 and in particular his dedication as Chair of the “50<sup>th</sup> Anniversary Celebration” Committee. Clerk’s Note: Mrs. Carlton was presented with a plaque at the February 5, 2008 meeting.
- B) William Murphy, Project Manager, Lake Clarke Shores Community Park, briefed his status report dated February 27, 2008 and advised that plans are in place to open the park in April. Mr. Murphy further discussed a Brick Fundraiser that makes available the sponsorship of inscribed bricks to be placed in the walkways of the park. In response to question from Vice Mayor Mayes, Mr. Murphy stated that the Town Office would handle the funds received from the Fundraiser.

Council discussed the possibility of having a Movie Night grand opening event at the park for the residents.

- C) Following a request from Dave Ragsdale, 6K Run Event Director, **President Pro Tem Shalhoub made a motion to approve a five day Lake Clarke Shores Youth Running Camp 2008 in July or August, for Middle School aged and younger children, free of charge and funded from a portion of this year’s race proceeds, seconded by Council Member Rodriguez; motion approved (5-0).**

#### V. TOWN ENGINEERS:

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

Mayor Lewis referenced the Status Reports submitted by the Engineers and asks for questions. There were no questions.

## VI. UNFINISHED BUSINESS:

- A) Attorney Charles Schoech briefed the Town Council on the mediation held on February 27, 2008 to resolve the health and safety violations for the James Barby property, located at 7011 Haden Road, advising that an agreement was not met at that time. Attorney Schoech recommended that the Council suspend the order to vacate and focus on the code violations at this time.

Attorney Shawn Weaver, Palm Beach County Legal Aid Society, representing Mr. Barby, requested a thirty-day (30) suspension on the order to vacate, in order that Mr. & Mrs. Barby can continue to live on the premises until the continuation of the mediation process.

President Pro Tem Shalhoub addressed the mediation rules and procedures that prevent the disclosure of what happens in the mediation. He stated that the Town has an obligation to uphold the law, referring to the couple staying in the house despite the order to vacate and further that the property does not meet the required minimum housing standards. He stated that the residents have been subjected to the code violations for years and that the Town needs to move forward and pursue the order to vacate.

In response to question from Council Member Rodriguez, Attorney Schoech responded that upon a recent inspection, the house was declared to be structurally sound.

Following further discussion **Council Member Freebold made a motion to suspend the order to vacate until the next Council Meeting, April 8, 2008, seconded by Vice Mayor Mayes; motion approved (3-2), Shalhoub, Rodriguez opposed.**

**President Pro Tem Shalhoub made a motion to authorize the Town Attorney to advertise a notice for an Executive session following the mediation to consider the opinions of litigation, seconded by Vice Mayor Mayes; motion approved (5-0).**

## VII. NEW BUSINESS:

- A) President Pro Tem Shalhoub discussed his concerns regarding the recent water and sewer rate increase from Lake Worth and suggested that a professional rate study be performed on the Town's water and sewer rates.

Mayor Lewis stated that we also need a financial review of the Town's Enterprise Fund.

Following discussion, it was the consensus of the Council that Town Administrator, Joann Hatton, initiate an in-house team to perform a study on the water and sewer rates.

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

William Murphy, 1841 Evergreen Drive, commented that the Town should move quickly on the issue of water and sewer rates if revenue is being lost. Mayor Lewis assured Mr. Murphy that the Town is not losing revenues and the rates are governed by ordinance.

Bernadette Shalhoub, 8429 West Lake Drive, questioned if the fees can be negotiated with the providers of water and sewer or are we at their mercy. Mayor Lewis responded that we are at their mercy.

Terry Glenn, 7121 Clarke Road, questioned if the Town has adopted the Standard Building Code. Attorney Schoech responded that the Town has adopted the code by ordinance.

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

Joann Hatton, Town Administrator, referenced her Report dated February 27, 2008, and reported on the following:

1. Upon the request of Joann Hatton, it was the consensus of the Council to approve a Mother's Day Event, coordinated by Bernadette Shalhoub, for children to decorate cakes that will be purchased from Publix for \$6.50 per cake. Proceeds of \$1.50 per cake will go to the Town Parks & Recreation fund.
2. Code Enforcement violations that were brought to the attention of the Town during the Candidates' Forum by David Keir will be addressed.
3. In response to question from Vice Mayor Mayes, Ms. Hatton advised that staff is currently working on updating the Town's Personnel Policy.

**X. REPORTS:**

- A) Attorney Charles Schoech referenced his Status Report, dated February 28, 2008, and indicated that he had nothing further to report.
- B) Chief Wes Smith: No comment.
- C) Town Council:

Council Member Rodriguez indicated that he would coordinate a “Movie Night” event with Bill Murphy for the opening of the LCS Community Park.

Vice Mayor Mayes commented on the following:

1. Discussed the memorandum from Bill Thrasher, Finance Director, regarding his recommended increase in Off-Duty Rates to Palm Springs. Chief Smith responded that he is discussing this issue with the Chief of Palm Springs.
2. Will not know the disposition of the Blanton Property on Florida Mango Road, located in the unincorporated area of the County, until May at which time a decision will be made to rebuild or demolish the structures.
3. Questioned the status of the property located at 6600 Pine Tree Circle that has been partially demolished for two years and the owner has neglected to begin reconstruction. Mayor Lewis responded that the owners have submitted plans for rebuilding that are currently being reviewed by the Building Official.

President Pro Tem Shalhoub commented on the following:

1. Requested that staff keep track of the code violations pointed out by David Keir.
2. Clarified sections of the Code that address minimum housing standards and requested that the Chief determine if some of the Barby property violations are defined as Standard Building Code violations.
3. Recognized Val Rodriguez as being a dedicated member of the Council and that it has been a pleasure working with him and wished him the best in reelection to his seat.

Council Member Freebold extended his best wishes to Council Member Rodriguez for reelection on the Council in the upcoming March 11<sup>th</sup> election.

Mayor Lewis commented on the following:

1. Congratulated President Pro Tem Shalhoub and Vice Mayor Mayes for their unopposed seats for the next two-year term on the Town Council.

2. Briefed Council on the progress of the New Town Hall stating that the move is scheduled for the end of March.
3. Requested that Chief Smith provide him with a list of the equipment in the police vehicles.

**XI. ADJOURNMENT:**

**President Pro Tem Shalhoub made a motion to adjourn the meeting at 9:00 p.m., seconded by Vice Mayor Mayes; Motion approved (5-0).**

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, Mayor

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Jo H. Plyler, Town Clerk