

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
APRIL 15, 2008**

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*Before calling the first meeting in the new Town Hall to order, Mayor Lewis said a few words about how much progress has taken place with the Town Hall since the Town's beginning in 1957. He also commented on the many exciting events that have taken place during the month of April - including the delivery of the 50<sup>th</sup> Anniversary book, the opening of Community Park on Carandis Road and the completion of the new Town Hall.*

**I. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE:**

**(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, President Pro Tem  
Valentin Rodriguez, Jr., Council Member  
Gregory Freebold, Council Member  
Joann Hatton, Town Administrator  
Mary Pinkerman, Acting Town Clerk  
Charles Schoech, Town Attorney  
Wes Smith, Chief of Police

The following official was absent:

Jo Plyler, Town Clerk

**(B) PLEDGE OF ALLEGIANCE:**

Mayor Lewis 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 Robert Shalhoub by Senior Judge Richard Burk. The Oath of Office was administrated to Council Member Tom Mayes, Jr. by his Mother, Gwen Mayes. The Oath of Office was administrated to Council Member Valentin Rodriguez, Jr. by Judge Ronald Alvarez.

**REORGANIZATION OF THE TOWN COUNCIL:**

Nominations for Mayor, Vice Mayor and President Pro Tem.

Council Member Shalhoub re-nominated Malcolm Lewis as Mayor; Council Member Rodriguez re-nominated Tom Mayes, Jr. as Vice Mayor and Robert Shalhoub as President Pro Tem. All nominees agreed to continue in their positions.

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

**II. APPROVAL OF AGENDA:**

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

**III. CONSENT AGENDA:**

- A) Approval of Minutes of the March 4, 2008 Candidate Forum.
- B) Approval of Minutes of the March 4, 2008 Council Meeting.
- C) Approval of Resolution #08-07 - Proclaiming the results of the Election held on March 11, 2008.
- D) Approval of Proclamation proclaiming April, 2008 as “Water Conservation Month”.
- E) Approval of License Application for Seawall replacement – Patricia Russo, 7600 Clarke Road
- F) Approval of License Application for Seawall Replacement – Greg McDenough, 8235 Pine Tree Lane
- G) Approval of contract with James P. Fleischmann, LRM, INC., to prepare mandated update of the Town’s Comprehensive Plan.
- H) Approval for Shenandoah Construction to clean, televise and repair damaged pipe at 7931 West Lake Drive in amount of \$12,135.00

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

**IV. PRESENTATIONS:**

- A) Children's Town Hall Illustrations – Council Member Rodriguez  
Council Member Rodriguez explained the concept of the contest and acknowledged all the children that participated in the drawing contest of the new Town Hall. It was noted that the drawings are being displayed in the lobby at Town Hall. The winner of each category received a \$25.00 savings bond donated by Flagler Bank. Each child received 2 movie tickets.

The 1<sup>st</sup> Place Winners are:

4 to 6 year olds – Haley Jean Kvarnberg  
7 to 9 year olds – Molly Hoban  
10 to 14 year olds – Susanna Rodriguez

- B) American Cancer Society – Relay for Life

Ms. Gabrielle Maharaj gave a brief overview on the American Cancer Society. She explained how the Relay for Life event raises money. Lt. Robert Shaw, Lake Clarke Shores Police Department, stated that they will be signing up for the event in honor of Captain Rod Thomas, who lost his battle with cancer in March. Ms. Fran Carlton expressed interest in this event since Michelle Rodriguez, formerly with the American Cancer Society, was instrumental to the 50<sup>th</sup> Anniversary Committee. Town Council, town staff and town residents were encouraged to participate in the 18 hour event that will be held in Palm Springs on May 30, 2008.

- C) Presentation of 2006-2007 Fiscal Year Audit

Mr. Ron Bennett, Senior Manager, Nowlen, Holt & Miner, P.A. referenced both the Auditor's report contained in the Financial Statement and the Financial Highlights pamphlet. He stated that the Town's financial statements had no deficiencies. He also stated that while the Town's General Funds revenue decreased 7% due to the prior year's acquisition of grant money that was not available for 2006/07 fiscal year, other revenue, including ad valorem taxes, increased. Expenditures for capital outlay have increased due to the construction of the new town complex. He explained that the Fund Balance on the pamphlet was incorrect. The correct amount should have been \$1,811,891

(as of September 2007), which is a reasonable amount to have in reserves. He also briefly discussed the transfers made from the Utility Funds to the General Funds. He noted that the non-recurring expenses/revenues are not included in the pamphlet, since the monies received and spent for these items cancel out.

After questions and comments from the Mayor and Town Council, it was suggested that Mr. Bill Thrasher, Town Finance Director, provide an up-to-date Fund Balance amount at the next Town Council Meeting.

**V. TOWN ENGINEERS:**

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

Mayor Lewis acknowledged the Status Reports submitted by the Town Engineers.

**VI. UNFINISHED BUSINESS:**

- A) Barby Mediation – Mr. Charles Schoech stated that nothing was resolved during the first mediation and that while a second mediation is forthcoming, he is requesting that the Town continue to pursue with legal action. It was noted that Mr. Shane Weaver, Mr. Barby’s attorney, has filed a request for rehabilitation grant funds from Palm Beach County, which if awarded, would be used to rehabilitate the dwelling. Mr. Schoech also stated that the property and dwelling have been cleared of the debris that was causing a rodent problem and that the tires are slowly being removed from the property. Mr. Schoech will notify the Mayor and Council of the trial date, when it is set.

**VII. NEW BUSINESS:**

- A) Property and Automobile physical damage comprehensive insurance from May 15, 2008 to September 30, 2008 – Ms. Hatton informed the Council that while the Town received quotes from 3 different insurance carriers, the quotes did not cover the same items, which made it difficult to compare prices and chose a company. She asked the Town Council to allow her to obtain exact cost quotes so that all the companies are quoting on the same items, which will make it easier to choose the best policy. **Motion made by President Pro Tem Shalhoub to authorize Ms. Hatton to obtain insurance coverage from the appropriate carrier, not to exceed \$12,000.00; seconded by Council Member Freebold. Motion approved (5-0).**

- B) Solid waste removal (trash and garbage) and recycling – Ms. Hatton stated that the current agreement with Waste Management for solid waste and recycling will expire on September 30, 2008. Waste Management will increase their fees starting October 1<sup>st</sup>, which will include new fuel charges and an adjustment to the current CPI cap. The Town has the option to extend the agreement for another 5 years or to go out for bid and obtain costs from competing companies. **Motion made by President Pro Tem Shalhoub to extend the agreement with Waste Management for an additional 5 years (to expire September 30, 2013); seconded by Council Member Rodriguez. Motion approved (5-0).**

#### VIII. AUDIENCE COMMENTS:

Carol and Jack Crozier – 6601 Pine Tree Circle

Dale Ebling – 6620 Pine Tree Circle

Michael Key – 6621 Pine Tree Circle

Mr. and Mrs. Crozier spoke on behalf of the neighbors who are in close proximity of the property located at 6600 Pine Tree Circle. They stated that there is standing water in the basement and that there is an abundance of snakes and rodents in the area because of this property. They would like to have the Town do something to alleviate this nuisance. Town staff was directed to provide the Town Council with current information on the status of citations and permits that have been issued to the property owner at the next Town Council Meeting to be held May 6, 2008.

James Boger – 7000 West Lake Drive, discussed the garbage and trash that had been placed at curbside along his street, but not picked-up by Waste Management as part of the regular pick-up schedule.

He also discussed the possibility of having information placed in the future Shorelines newsletter to introduce the Town police officers to the residents.

#### IX. TOWN ADMINISTRATOR:

Joann Hatton, Town Administrator did not have any additional information to add to her status report dated April 7, 2008.

#### X. REPORTS:

- A) Town Attorney Schoech did not have any additional information to add to his status report dated April 7, 2008.

B) Chief Smith stated that three officers are currently attending various training classes and two officers recently passed exams for the EMT program.

C) Town Council:

**Council Member Rodriguez**

He has Case Law and DUI information available for officer training.

He thanked everyone that voted and also participated in the March 11, 2008 elections. He also thanked the people that supported him and helped him with his campaign.

Our first event held at the Community Park will be a Movie Night on June 6, 2008 beginning at 5:30 PM.

Discussed the progress of the Town Municipal Complex and stated that he is pleased to have a part in the process.

**Vice Mayor Mayes**

He commended the Town Council Members for their work with the Town Complex and discussed utilizing the Town Hall for various future events that will benefit residents, such as Coast Guard boater training classes and CPR classes.

Stated that Palm Beach County Commissioner Bob Kanjian will once again participate in the Town Waterway Clean-up taking place on Saturday, April 19, 2008.

Congratulated Mr. Bill Murphy for all his work on getting Lake Clarke Shores Community Park developed. Mr. Murphy noted that the Town has applied for a third state grant for the Park and that we are waiting to see if it will be approved.

Mentioned the prior report from President Pro Tem Shalhoub regarding streetlights throughout the Town and mentioned that there are 2 streetlights that are not working on Lin Mar Drive. He would like to have an update on this at the next meeting.

Discussed the placement of speed humps at various locations within the town to slow traffic. Ms. Hatton explained that consideration for delays in arrival times of emergency vehicles will occur with each additional speed hump. It

was determined that emergency response times would be longer if more speed humps were added to the roadways

Stated that the 3<sup>rd</sup> Annual 6K Loop Around the Lake Run is tentatively scheduled for February 14, 2009.

### **President Pro Tem Shalhoub**

The Waterway Clean up will be held on April 19, 2008. Registration will start at the Town Boat Ramp at 8:00 AM. Lunch will be provided to all volunteers at the Town Hall Park at 11:30. Everyone is encouraged to participate.

Suggested that Ms. Hatton add information on the water and sewer rate study to her next Status Report.

Thanked all members of the Parks and Recreation Committee for all their work on the Lake Clarke Shores Community Park. He would like for them to receive recognition for their outstanding work.

The Palm Beach County League of Cities Gala Installation luncheon will be held on May 23, 2008. He stated that he would like members of the Town Council and certain staff to attend the luncheon on behalf of the Town. The cost for the luncheon is \$50.00 per person or \$500.00 per table. **Motion made by President Pro Tem Shalhoub to have the Town pay \$500.00 to reserve a table at the luncheon, seconded by Council Member Freebold; Motion approved (5-0).**

### **Council Member Freebold**

Congratulated the three Council Members that participated in the March election.

Discussed the need for water conservation efforts to preserve the water supply.

He looks forward to the future in the new Town Hall and appreciates all the hard work that has been and will be done.

### **Mayor Lewis**

Discussed all the work done by staff to prepare for the move to the new Town Hall. He stated that he appreciated the hard work done during and after the move to the new Town Hall by the employees, Mr. Joe Iagrossi and Mr. Bill

Murphy. He also appreciated the contractor, David Brooks, for allowing us to enter the building to install the filing system, furniture and other items prior to obtaining a Conditional Certificate of Occupancy for the building. He stated that it was his pleasure to be a part of this new era for the Town of Lake Clarke Shores.

**XII. ADJOURNMENT:**

**Council Member Freebold made a motion to adjourn the meeting at 8:20 p.m.; seconded by Council Member Rodriguez; Motion approved (5-0).**

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Malcolm K. Lewis, Mayor

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Mary Pinkerman, Acting Town Clerk