

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
MAY 6, 2008**

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**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.

**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 April 15, 2008 Council Meeting.**

**B) Re-appointment of the following:**

Town Administrator, Joann Hatton  
Town Clerk, Jo H. Plyler  
Chief of Police, Wes Smith

- C) Approval of date for Movie Night to be held on Friday, June 6, 2008.
- D) Approval of date for annual Loop Around the Lake 6K run to be held on Saturday, February 14, 2009
- E) Approval of date for the Town's Annual BBQ to be held on Sunday, March 15, 2009.
- F) Approval of date for annual Waterway Cleanup to be held on Saturday, April 18, 2009
- G) Approval of purchase of Phillips 42" LCD/HD Flat Screen TV in amount of \$1199.99 with proceeds from Forfeiture Fund to be utilized in Town's EOC.
- H) Resolution #08-08 – Appointing a representative and alternate representatives to the Palm Beach County League of Cities, Inc.
- I) Resolution #08-09 – Appointing Regular and Alternate Code Enforcement Board Members.
- J) Resolution #08-10 – Appointing Regular and Alternate Zoning Board of Adjustment Members.
- K) Resolution #08-11 – Expressing appreciation for the goods, equipment and services rendered for the Town's 4<sup>th</sup> Waterway Cleanup held on April 19, 2008.
- L) Resolution #08-12 – Expressing appreciation for services rendered by William Murphy as an alternate member of the Code Enforcement Board.
- M) Approval of Palm Beach County Law Enforcement Agencies Combined Operational Assistance and Voluntary Cooperation Mutual Aid Agreement.

**Motion made by President Pro Tem Shalhoub to approve the consent agenda, prior to Council Member Freebold seconding the motion, Vice Mayor Mayes requested that Consent Agenda item B be moved to Section VII New Business; Motion approved as amended (5-0).**

**IV. PRESENTATIONS:**

- A) Relay for Life – Chairperson Fran Carlton was not present for the meeting.

**V. TOWN ENGINEERS:**

- A) Keith Jackson, Engenuity Group, Inc., Town Consulting Engineer

- B) Jeffrey Greenfield, Boyle Engineering, Town Utilities Engineer

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

**VI. UNFINISHED BUSINESS:**

- A) Update on Durrance property – 6600 Pine Tree Circle

Mr. Charles Schoech stated that he had met with Ms. Joann Hatton, President Pro Tem Shalhoub, Ms. Mary Pinkerman, Ms. Tammy House, Mr. Joe Iagrossi, Chief Wes Smith and Code Officer Dana Schack to discuss the violations found on the property. Mr. Durrance will receive notification from the Town that will list the violations and explain what will need to be done to comply. He will be given 30 days to start work or he will need to demolish the remaining portion of the building. Mr. Durrance was present and stated that he has always complied with the notices and calls that he received from Code Enforcement, and will continue to do so.

- B) Barby Mediation

Mr. Charles Schoech stated that a trial will be held sometime between December 2008 and January 2009 to hear this case. He reported that Palm Beach County has approved the funding for a grant to repair the building located at 7011 Haden Road. The amount of the grant will be determined when the County inspects the property. He stated that significant progress has been made with the property and noted that the tires have now been removed, the fascia is being repaired and they have started painting the house.

Town Council requested that Mr. Schoech provide the Town Council with a list of the improvements that have been made to the property. It was also suggested that Mr. Shane Weaver, Mr. Barby's attorney, provide his own list of improvements made, so that the Town and Mr. Barby can agree on what has been done and what is still outstanding.

**VII. NEW BUSINESS:**

- A) Re-appointment of the following:

Town Administrator, Joann Hatton  
Town Clerk, Jo H. Plyler  
Chief of Police, Wes Smith

Vice Mayor Mayes discussed the availability of Town staff to cover job positions during extended absences of other office personnel. He requested that the job descriptions, salaries and benefit packages for the above positions be provided to the Council Members for their review. **Motion by President Pro Tem Shalhoub to re-appoint Joann Hatton, Jo H. Plyler and Chief Wes Smith, seconded by Council Member Rodriguez; Motion approved (5-0).**

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

**Panna Kulkarni, 8131 West Lake Drive** – Had questions about the Town’s consulting engineers. Mayor Lewis explained that the companies are the same, they just had name changes. He stated that when their contracts with the Town expire, we will obtain new contracts that will reflect the name changes.

Mrs. Kulkarni also asked about Ms. Plyler and if there was anything that the residents could do to help her out during her recovery from back surgery. Ms. Hatton thanked her for her thoughtfulness and stated that she would let Ms. Plyler know that Mrs. Kulkarni was thinking of her.

**Ashok Kulkarni, 8131 West Lake Drive** – Questioned Mr. Schoech about the Barby litigation. He wanted to know why, if Mr. Barby was obtaining grant money to fix his property, the Town was still proceeding with the court hearing. Mr. Schoech explained that this was an ongoing case, and while there has been progress made, it would be easier to cancel the court proceedings if the property comes into compliance, than to cancel now and have to restart proceedings if the property does not come into compliance.

**Christopher Costanzo, 7731 Pine Tree Lane** – He stated that he had taken a tour of the new facility and was very pleased with the progress that the Town has made and is encouraged that the Town continues to grow and flourish. He thanked the Town Council and staff for a job well done.

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

Joann Hatton, Town Administrator did not have any additional information to add to her status report dated April 30, 2008. She thanked the Mayor and Town Council for her reappointment.

Council Member Freebold asked about Ms. Plyler and questioned how much longer she will be out. Ms. Hatton stated that she is due back to work by July 1<sup>st</sup>, but Ms. Plyler hopes to be back sometime in June.

Vice Mayor Mayes stated that he went with Chief Smith to view the streetlights around the town. He would like to monitor the speed limits along West Lake Drive and Pine Tree Lane one evening with the Chief.

**X. REPORTS:**

A) Town Attorney Schoech did not have any additional information to add to his status report dated April 30, 2008.

B) Chief Smith stated that he appreciated being reappointed by the Mayor and Town Council.

He also thanked the Town Council and Ms. Hatton for all of the help and support received during Captain Thomas' illness and death. He stated that Captain Thomas' private memorial service was held on April 19<sup>th</sup> at the New Alliance Church and thanked the Church for their involvement.

Mayor Lewis noted that he attended the service and stated that the Lake Clarke Shores Police Officers did a wonderful job during the service. He also stated that he wrote a letter of thanks to the Chaplain and the church.

C) Town Council:

**Council Member Rodriguez**

Council Member Rodriguez stated that "The Bee Movie" will be shown on June 6, 2008 at the new park on Carandis Road. Donations are being accepted to help pay for this event. There was discussion concerning the park dedication and if it would be possible to hold this in conjunction with the movie night.

Mayor Lewis stated that he met with Ms. Hatton and Mr. Murphy regarding the grand opening of the park. Mayor Lewis would like to have the Community Advisory Committee meet to discuss the issue and make suggestions to Town Council on when the dedication could be held.

Mr. William Murphy, Project Manager and resident, stated that the park would not be ready for a formal dedication by June 6<sup>th</sup>.

After further discussion, it was determined that the movie night event would be considered as the "Inaugural Movie Night at the Park". It was determined that Council Member Rodriguez would contact the Jesus Christ of Latter Day

Saints Church to discuss parking on their property during the movie night event.

Council Member Rodriguez also noted that he is looking for instructors to hold lessons in the Town Hall Council Chambers when it is available.

### **Vice Mayor Mayes**

Vice Mayor Mayes congratulated Ms. Hatton, Ms. Plyler and Chief Smith on their reappointments. He also thanked Mr. Schoech for all his work on the Barby and Durrance properties.

He stated that the Town budget needs to be worked on, but looks good so far.

He asked Ms. Hatton if she was able to secure property insurance for the May 15th through September 30, 2008 time frame. She stated that the Florida League of Cities came in with the lowest bid of \$9509.00 and that they will be covering the town during this time period.

Vice Mayor Mayes also asked about the Town's Personnel Policy. It was noted that Mayor Lewis had suggested in the past that the updated Personnel Policy be placed on an August or September agenda. He suggested this in anticipation of the move into the new Town Hall and because of the current staff workload.

### **President Pro Tem Shalhoub**

President Pro Tem Shalhoub acknowledged that Mr. Crozier, 6601 Pine Tree Circle, was in the audience. He asked Mr. Crozier for his thoughts on what had transpired earlier in the meeting with regards to the Durrance property located at 6600 Pine Tree Circle. Mr. Crozier appreciated what has been done and hopes that the property will improve soon.

He congratulated Ms. Hatton, Ms. Plyler and Chief Smith on their reappointments.

He thanked the Town staff and many volunteers that worked to make the Waterway Cleanup a success and stated that the next waterway cleanup will be held on April 18, 2009.

President Pro Tem Shalhoub also discussed the new park and wanted to remind staff to invite Daniel Lewis to the various park events.

## **Council Member Freebold**

Council Member Freebold congratulated Ms. Hatton, Chief Smith and Ms. Plyler on their reappointments.

He discussed the aquatic weeds in the Town waterways and stated that we need to be mindful of the other things that are also in the lake like fish, snakes, alligators and otters, when spraying to rid the waterways of the weeds. He thanked Ms. Banna Ghioto, who was present at the meeting, for her participation in the waterway cleanup.

He also stated that he would like to see additional exercise stations added to Pine Tree Park since the park is being utilized quite a bit for that purpose and adding new stations would make it more challenging.

Council Member Freebold asked Mr. Schoech what the Town could do to prevent other properties from getting into the same condition as the Barby and Durrance properties. Mr. Schoech responded that the Town Code Enforcement issues violation notices. If the property owner does not comply, fines are levied. It is up to the property owner to comply or liens are placed against the property.

He also mentioned that hurricane season was upon us and announced that he will be sponsoring a “Community Awareness for Hurricane Preparedness Meeting” to be held on June 12, 2008 in the Town Council Chambers from 6:00 – 7:00 PM. This informative meeting will include handouts and door hangers on various hurricane issues. Also discussed will be information on crime watch and other police issues. All residents are welcome to attend.

He also discussed the Police Department and the various ways that other municipalities operate – such as having officers take home vehicles to prevent the excessive wear and tear of running the vehicles 24/7. He stated that is very beneficial to the Town to retain Police Officers. He will discuss these issues and provide additional information at a later Town Council meeting.

## **Mayor Lewis**

Mayor Lewis stated that the 2008/09 draft budget is available for review. There are issues with the utility fund that he will discuss during a future meeting.

**XII. ADJOURNMENT:**

**President Pro Tem Shalhoub made a motion to adjourn the meeting at 7:35 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