

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
JUNE 17, 2008**

**(IMMEDIATELY FOLLOWING FIRST BUDGET WORKSHOP)**

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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 7:31 p.m.

The following members and officials were present:

Malcolm K. Lewis, Mayor  
Robert M. W. Shalhoub, President Pro Tem  
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:

Tom Mayes, Jr., Vice Mayor  
Valentin Rodriguez, Jr., Council Member  
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 Council Member Freebold; Motion approved (3-0).**

**III. CONSENT AGENDA:**

- A)** Approval of Minutes of the May 20, 2008 Council Meeting.
- B)** Approval of Dow Howell Gilmore Associates, Inc. Change Order Request No. 9 - for increased costs associated with the Municipal Complex sanitary

sewer connection at the corner of Florida Mango and Barbados Road in the amount of \$15,758.00.

- C) Approval of Boyle Engineering Project Authorization No. 24 – Utility Inventory to outline a 5-year maintenance, and if applicable, a replacement plan for older utility infrastructure. Cost for this review and subsequent report in the amount of \$9,500.00.
- D) Resolution #08-13 – Updating “User Fees and Charges Schedule” for various Town services and permits.
- E) Resolution 08-14 – Updating “Schedule of Taxes” for Business Tax Receipts.

**Motion made by President Pro Tem Shalhoub to approve the consent agenda after moving Item B from the Consent Agenda to Item A under New Business, seconded by Council Member Freebold; Motion approved as amended (3-0).**

#### **IV. PRESENTATIONS:**

- A) 50<sup>th</sup> Anniversary Committee Report – James Tackett, Chairman

Mr. Tackett stated that the final 50<sup>th</sup> Anniversary Committee Meeting took place on May 21, 2008. The Committee’s last task was to recommend a location for the Time Capsules. They suggested that the time capsules be placed on Town Complex property near the new location for the flag pole. If that location is not possible, their second choice for the time capsules would be a location within Community Park on Carandis Road.

He also discussed that many events should continue that took place during the Town’s 50<sup>th</sup> Anniversary year such as the Movie Nights and annual Tree Decorating at Memorial Park. He suggested that the Town Council appoint a new committee in the same manner as they did the 50<sup>th</sup> Anniversary Committee. The new committee could make arrangements with volunteers to set up and clean up before, during and after events. There would be no budget involved, if the Town Council decided to form this new committee.

Mr. Tackett stated that he appreciated all the hard work done by the 50<sup>th</sup> Anniversary Committee and Town Council that made the 50<sup>th</sup> Anniversary events such a big success and stated that their involvement showed their love for the Town. He also commended Ms. Hatton and the town staff that worked during the various events. He thanked Council, staff and all volunteers involved.

#### **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) Purchase of new police vehicles – It was noted that at this time, money is available in the current budget to purchase the three (3) police vehicles outright at a total cost of \$77,703.36.

**Motion made by President Pro Tem Shalhoub to purchase three (3) police vehicles, seconded by Council Member Freebold; Motion approved (3-0)**

- B) Update on Barby Litigation – 7011 Haden Road

Mr. Charles Schoech stated that work is proceeding to make needed repairs according to the process required by the Palm Beach County grant. He also noted that the inspection by GFA International scheduled for Friday, June 20, 2008 has been cancelled.

**VII. NEW BUSINESS:**

- A) Approval of Dow Howell Gilmore Associates, Inc. Change Order Request No. 9 – for increased costs associated with the Municipal Complex sanitary sewer connection at the corner of Florida Mango and Barbados Road in the amount of \$15,758.00. (*Moved from Consent Agenda item B*)

There was lengthy discussion on who was responsible for the errors that led to the need for the change order, why the Town should have to pay the additional \$15,758.00 and if the Town Attorney should review and research future change orders.

**Council Member Freebold made a motion to approve Change Order Request No. 9, to have Mr. Schoech review the change order and note on the paperwork that the Town did not order this change, seconded by Mayor Lewis; Motion approved (2-1 with President Pro Tem Shalhoub opposed).**

**VIII. AUDIENCE COMMENTS:**

Fran Carlton, 8432 Waterway Drive – Mrs. Carlton stated that Community Park looks wonderful but needs outdoor lighting. Mayor Lewis stated that there is electricity already on site, but there was not enough money in the budget for lighting the park. The Town will consider lights for the park in the near future, possibly with the Phase III grant money.

Mrs. Carlton also noted that there will be a Cancer Society Relay for Life benefit held at the New Life Alliance Church starting Friday, June 27<sup>th</sup> at 6:00 pm until Saturday, June 28<sup>th</sup> at 7:00 am. She stated that the various teams are accepting donations and encouraged everyone to participate in this event.

Panna Kulkarni, 8131 West Lake Drive – She questioned if there was some sort of insurance policy that contractors purchase to cover the type of problem that was discussed earlier (Change Order No. 9).

Mr. Schoech stated that it might fall under a malpractice type of policy and that he would be checking into this.

Bernadette Shalhoub, 8429 West Lake Drive – spoke about the great job that Mr. James Tackett and Mrs. Fran Carlton did with the 50<sup>th</sup> Anniversary Committee. She stated that many wonderful events took place as a result of the committee's efforts and that she would like to see some of those events continue. She would like to see the new committee discussed by Mr. Tackett be appointed and move forward.

William Murphy, 1841 Evergreen Drive – asked if the Town Council will be considering the recommendations made by the Parks and Recreation Advisory Committee. It was noted that this issue will be brought up at a future Town Council Meeting.

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

Ms. Hatton stated that she had received an email from FEMA that included information about grants that are available for Emergency Operation Centers. She noted that Chief Smith would be looking into this to see if the Town would qualify for a grant for the LCS police building.

#### **X. REPORTS:**

- A) Town Attorney Schoech had nothing to add to his Status Report dated June 13, 2008.
- B) Chief Smith stated that the 2008 Hurricane Manuals were completed and distributed to Town Council and staff. He noted that there is certain information within the manual that is confidential and should not be released to the public. He also noted that until the completion of the Police Department building remodeling project, the Town Council Chambers would be utilized as the EOC in case of a hurricane or other severe weather.

He discussed the letters that he received from Chief Pickens, Palm Springs, commending the actions of Cpl. William Howell and Off. Leonard Loiacono in apprehending suspects wanted for incidents that took place in Palm Springs.

Chief Smith also discussed Council Member Freebold's Hurricane Awareness Meeting at the Town Council Chambers on June 12, 2008 that took place from 6:00 to 7:00 pm.

C) Town Council:

**Council Member Freebold**

Council Member Freebold thanked Chief Smith for all his help with the Hurricane Awareness Meeting and he thanked the 50<sup>th</sup> Anniversary Committee for their hard work on all of the 50<sup>th</sup> Anniversary events that took place.

**President Pro Tem Shalhoub**

President Pro Tem Shalhoub stated that he would like the Town Council to appoint an "Events Committee" for future Town events at the next Town Council Meeting. Mayor Lewis noted that he asked Committee Chairman Tackett to put together a list of items or events that the 50<sup>th</sup> Anniversary Committee would like to see continue and that he was still waiting for this list.

He also asked Attorney Schoech to look into the change order from Dow Howell Gilmore Associates, Inc. to find out if due diligence was done and who was responsible for causing this problem. (Change Order No. 9)

President Pro Tem Shalhoub recognized Jim Tackett and Fran Carlton for all the work they did as Chairman and Vice Chairwoman for the Town's 50<sup>th</sup> Anniversary Committee.

He also thanked William Murphy for his assistance in making the June 6, 2008 Movie Night a success. Approximately 150 people attended the event at Community Park. He mentioned that the LCS Community Park's Advisory Committee recommended that there be no lighting at Community Park as they did not want any activity in the park after dark. He agreed that there should be lighting in the Park and perhaps there is grant money available to have the lighting installed.

President Pro Tem Shalhoub stated that he feels that the proposed budget should include merit increases for employees since their expenses have gone up just like everyone else. Mayor Lewis noted that the town's resident's expenses are also increasing. Ms. Hatton stated that the proposed budget includes a 4.5% COLA increase and that her memo discusses the costs associated with merit increases.

**Mayor Lewis**

Mayor Lewis introduced William Snow, Client Service Manager and Principal Engineer, Boyle Engineering Corporation and stated that he has been working on Town projects for the last few years.

**XII. ADJOURNMENT:**

**President Pro Tem Shalhoub made a motion to adjourn the meeting at 8:35 p.m.; seconded by Council Member Freebold; Motion approved (3-0).**

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Malcolm K. Lewis, Mayor

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Mary Pinkerman, Acting Town Clerk