

**MINUTES
TOWN OF LAKE CLARKE SHORES
REGULAR TOWN COUNCIL MEETING
DECEMBER 12, 2006**

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

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

The following members and officials were present:

H. David Kelley, Jr., 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
Charles Schoech, Town Attorney
Wes Smith, Chief of Police
Keith Jackson, Town Consulting Engr.
Mary Pinkerman, Permit/License Supervisor

The following official was absent:

Robert M. W. Shalhoub, Vice Mayor

(B) PLEDGE OF ALLEGIANCE:

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

II. APPROVAL OF AGENDA:

Motion made by President Pro Tem Lewis to approve the agenda, seconded by Council Member Mayes; Motion approved (4-0).

III. CONSENT AGENDA:

- A) Approval of November 20, 2006 Minutes
- B) Resolution #06-27 – Expressing appreciation for services rendered by volunteers for the “Christmas Tree Decorating and Caroling” event held on December 2, 2006.

- C) Approval of Land Use Permit for Carl Auditore, 7515 Pine Tree Lane, for a New Seawall and Dock.
- D) Approval of Saturday, December 1, 2007, for the Annual “Holidays in Paradise” Parade.
- E) Approval of the design for the Bathroom and Storage Building at the LCS Community Park.
- F) Approval of proposal for demolition of Police Department building by Demo Doctor, Inc., in the amount of \$9,400.00.

Motion made by Council Member Mayes to approve the consent agenda, seconded by President Pro Tem Lewis; Motion approved (4-0).

IV. PRESENTATIONS:

- A) Bob Hill – Dow Howell Gilmore Associates, Inc. – Town Municipal Complex update.

Mr. Hill reviewed new drawings for the Police Department vehicle storage and the location of a new generator. Mr. Hill advised that preliminary drawings will be submitted on December 22nd and that he will be present at the January meeting for discussion. Construction documents will be ready for the bid process on January 24th, contract award in early March, and construction to begin in April.

President Pro Tem Lewis recommended the following:

- Old Generator sold to highest bidder
- A gate added to the north fence to allow for easier access to pavilion and park area.
- Develop a new construction phase plan

Motion was made by President Pro Tem Lewis to approve proposal from Jordon, Jones & Goulding in the amount of \$2,900.00 to prepare the civil engineering design and construction documents for adding a new force main within the Barbados Road right-of-way 900 feet from Town Hall site to an existing tie-in valve along the County’s 42” force main at Florida Mango Road, seconded by Council Member Mayes; motion approved (4-0).

- B) Fran Carlton – Member of the 50th Anniversary Committee – Council consideration for the purchase of utility pole banners.

Ms. Carlton presented designs and specifications for the banners to be attached on utilities poles throughout the Town and requested that the Council consider paying for the cost of the banners since they could be utilized for occasions other than the 50th anniversary event.

Following discussion **Council Member Rodriguez made a motion to approve purchase of town banners not to exceed \$12,000, from unappropriated funds, contingent upon approval from utility pole owners that will allow placement of banners on their poles, and final approval from the 50th Anniversary Committee, seconded by Council Member Mayes; motion approved (4-0).**

V. TOWN CONSULTING ENGINEER:

- A) In addition to his Status Report dated December 6, 2006, Keith Jackson, SFRN, Inc., discussed with the Council the following options for sewer at LCS Community Park (Carandis Park):

1. Hook up restroom building to the private lift station located east of the park.
2. Install a grinder pump for a Town lift station.
3. Install a septic tank system on the property.

Motion was made by President Pro Tem Lewis to proceed with the septic tank system for LCS Community Park, seconded by Council Member Rodriguez; motion approved (4-0).

VI. UNFINISHED BUSINESS:

- A) Second Reading Ordinance #06-08 – Adopting a new Article III “Disasters” of Chapter 22 “Emergency Services” to include provisions to declare a State of Emergency. **President Pro Tem Lewis made a motion to approve second and final reading of Ordinance #06-08, seconded by Council Member Rodriguez; Motion approved (4-0).**
- B) Second Reading Ordinance #06-10 – Amending Chapter 50, Taxation, by repealing Article II in its entirety and readopting same with revisions and a new title such that Article II shall now be entitled “Business Tax Receipts” in order to comply with the requirements of State Law. **President Pro Tem Lewis made a motion to approve second and final reading of Ordinance #06-10, seconded by Council Member Mayes; Motion approved (4-0).**

- C) First Reading Ordinance #06-11 – Creating a new Article IX entitled “Dangerous Buildings” to be included in Chapter 26 “Environment”. **Council Member Rodriguez made a motion to approve first reading of Ordinance #06-11, as amended, by adding wording to inspect “at reasonable times” to Section 26-194, (2), seconded by President Pro Tem Lewis; motion approved (4-0).**

- D) First Reading Ordinance #06-12 – Creating a new Article X entitled “Minimum Standards for Habitable Structures and Outdoor Areas”. **Council Member Mayes made a motion to approve first reading of Ordinance #06-12, as amended, by adding verbiage to Sec. 26-220 (b) & (c), seconded by Council Member Rodriguez; motion approved (4-0).**

- E) Discussion regarding the regulation of aircraft, seaplane, helicopter, glider, balloon, parachute or other aerial apparatus from taking off or landing within the limits of the Town of Lake Clarke Shores.

Following discussion it was the consensus of the Council that Attorney Schoech prepare an Ordinance for first reading in January that prohibits the use of aircraft within the waters of Lake Clarke Shores.

VII. NEW BUSINESS:

None

VIII. AUDIENCE COMMENTS:

Mayor Kelley acknowledged a Public Comment Card received from Gary Goldstein, 8323 Pine Tree Lane, indicating that he wanted to address the Americans with Disabilities Act (ADA) in reference to speed bumps; however, Mr. Goldstein had to leave the meeting prior to Audience Comments.

Mirda Diaz, 1846 Evergreen Drive, spoke on the potential potable water project for the residents on Evergreen Drive (Private Road) and requested that the cost that is being researched by the Town Engineer be assessed per linier foot, not per resident lot.

Edna M. Signo, 1848 Evergreen Drive, stated that water service was provided to her residence by Palm Beach County twenty (20) years ago and that she would not be a part of this assessment.

IX. TOWN ADMINISTRATOR:

Town Administrator, Joann Hatton referenced her Status Report dated December 5, 2006 noting that the January 2007 meetings are scheduled for the 9th and 23rd.

In response to request from President Pro Tem Lewis, Keith Jackson agreed to provide a five (5) year colored phase plan map of the proposed street-resurfacing project.

X. REPORTS:

- A) Town Attorney referenced his Status Report dated December 6, 2006. There were no comments from the Town Council concerning his report.
- B) Police Chief addressed Council Member Mayes concerns of increased burglaries within the Town stating that the Police Department has been investigating. The suspects seem to be from Dade and Broward Counties.
- C) Town Council:

Council Member Rodriguez

Council Member Rodriguez discussed the off-duty special detail by the LCS Police Officers outside the Town Limits and was of the opinion that the Town needs to move forward with an agreement with Palm Springs. Following discussion regarding liability, legal, and overtime issues, it was the consensus of the Council that Attorney Schoech prepare a draft agreement for further consideration.

Council Member Rodriguez further stated that he enjoyed the recent “Holidays in Paradise” Parade and the 50th Anniversary “Christmas Tree Decorating and Lighting Party”.

President Pro Tem Lewis advised that the petition to determine the cost of potable water service to the residents on Evergreen Drive was e-mailed to the Town by Ms. Mirda Diaz, 1846 Evergreen Drive. This petition was only for cost purposes.

Council Member Mayes expressed his appreciation for the street resurfacing project in the area of Lake Clarke Drive and the progress being made on the LCS Community Park. He further advised that he is working with Tuppen’s Marine & Tackle on getting a better price for a new Police Department boat.

Mayor Kelley

No comment.

XI. FUTURE AGENDA ITEMS: TENTATIVE, SUBJECT TO REVISION

- A) Comcast Franchise Agreement – January
- B) Municipal Complex – Ongoing
- C) Personnel Policy

XII. ADJOURNMENT:

Council Member Rodriguez made a motion to adjourn the meeting at 8:30 p.m.; seconded by President Pro Tem Lewis; Motion approved (4-0).

H. David Kelley, Jr., Mayor

Jo H. Plyler, Town Clerk