

**MINUTES  
TOWN OF LAKE CLARKE SHORES  
REGULAR TOWN COUNCIL MEETING  
SEPTEMBER 6, 2011**

*Immediately following First Public Hearing 2011/2012 Town Budget*

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

**Mayor Gregory Freebold, called the meeting to order at 6:45 p.m.**

The following members and officials were present:

Gregory Freebold, Mayor  
Valentin Rodriguez, Jr., Vice Mayor  
Thomas C. Mayes, Jr., President Pro Tem  
Malcolm K. Lewis, Council Member  
Robert M. W. Shalhoub, Council Member  
Daniel Clark, Town Administrator  
Mary Pinkerman, Town Clerk  
Wes Smith, Chief of Police  
Charles Schoech, Town Attorney

**B) PLEDGE OF ALLEGIANCE:**

Mr. John Studdard led the assembly in the pledge of allegiance to the American Flag.

**II. APPROVAL OF AGENDA:**

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

**III. CONSENT AGENDA:**

- A) Approval of the Minutes of the August 9, 2011 Second Budget Workshop.
- B) Approval of the Minutes of the August 9, 2011 Town Council Meeting.
- C) Approval of Proclamation recognizing and expressing support for the 10<sup>th</sup> Anniversary of 9/11 National Day of Service and Remembrance.
- D) Approval of agreement with Caldwell, Pacetti, Edwards, Schoech & Viator, LLP as Town Attorney.
- E) Approval of agreement with Clarke Aquatic Services doing business as Aquatic Weed Technology to provide services from October 1, 2010 until September 30, 2011.

- F) Approval of contract with Land Research Management, Inc. for yearly Comprehensive Plan Amendment update.
- G) Approval of Professional Services Contract with Burton & Associates Inc. to perform FY 2011 Water/Wastewater Revenue Sufficiency Analysis Update.
- H) Approval of Forfeiture Expenditure in the amount of \$5,660.09 for the Police Department purchase of eight (8) I-Pad 2's to be used in both Emergency Operations Centers (Police EOC & Town Hall EOC) and in the field during storm recovery and/or other emergency situations.
- I) Approval of Forfeiture Expenditure in the amount of \$2,726.83 for the Police Department purchase of a ticket writer for the motorcycle used by the Lake Clarke Shores Police Department.
- J) Approval of proposal from Southwide in the amount of \$4,180.45 to cover costs to install thermoplastic pavement markings and reflective pavement markers along certain sections of the roadways in Town, with the money to be transferred from unappropriated funds to General Fund Roads & Streets.

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

**IV. PRESENTATIONS:**

- A) None

**V. UNFINISHED BUSINESS:**

- A) None

**VI. NEW BUSINESS:**

- A) First Reading of Ordinance #11-03 – Attorney Charles Schoech

An Ordinance of the Town Council of the Town of Lake Clarke Shores, Florida, Amending Chapter 30-Offenses, of the Town's Code of Ordinances, by repealing Section 30-3, Discharge of Weapons, in its entirety; Providing authority to codify; Providing a conflicts clause, a severability clause and an effective date; and for other purposes

**Motion made by Council Member Shalhoub to approve first reading of Ordinance #11-03, seconded by Council Member Lewis; Motion approved (5-0).**

**VII. AUDIENCE COMMENTS:**

Ashok Kulkarni, 8131 West Lake Drive – stated that he had written a letter to the Town regarding the outdoor kitchen located at 8112 South Lake Drive and noted that he had not

received a response to his letter. Mr. Clark noted that he had sent a copy of the letter to Mr. Schoech, who will respond on behalf of the Town. Mr. Schoech noted that he will have his response ready by the next Council Meeting.

Ann Warren, 7524 Edgewater Circle – discussed the vegetation that is placed at the roadside for pickup on the wrong day and the garbage cans that should be hidden from view. She noted that if Code Enforcement issues Notice of Violations, by the time the Case goes to the Code Enforcement Board, the violations no longer exist because the vegetation has been picked up or the trash cans have been moved. She would like the Town to do something more so that these types of violations will not continue.

It was noted that lawn service companies should be hauling away the debris that they generate and that there is a Code Enforcement hotline that residents can call to report code violations.

Banna Ghioto, 16105 Carissa Road – agreed with Ms. Warren and noted that residents also do not put the lids back onto the garbage cans, which is a health issue. She would like to see the C.O.P. volunteers be used to issue notices to residents who are violating these codes. She also noted that people use her driveway as a shortcut and would like the Police Department to do something to stop this.

Panna Kulkarni, 8131 West Lake Drive – also agreed with Ms. Warren and Ms. Ghioto regarding the vegetation and trash issue. She then discussed the increasing noise due to the excessive number of airplanes that are flying over the Lake Clarke Shores area. She also discussed the increased traffic that will be generated from the new Walmart that is being built on 10<sup>th</sup> Avenue.

It was noted that the flight paths are rerouted according to the direction of the wind for safety and that, while Walmart is in the Village of Palm Springs, the LCS Police Department monitors traffic within Town limits and will keep speeding at bay.

Charlie Johnson, 8121 Pine Tree Lane – discussed the vacant properties that are not being maintained.

It was noted that Code Enforcement has issued violations to the property owners of record, that liens have been or will be imposed on some of these properties and that the Town could abate the situation by mowing the yard and placing a lien against the property for the cost involved, but the Town would have to pay for this and then may not be able to recoup the money. It was also noted that Mr. Schoech is working on an Ordinance that is not meant to keep the property maintained, but will take care of the overgrown lawn issue. It was further noted that the Town has a placard that will be placed on the foreclosed properties that will note that the property has already been cited by Code Enforcement.

Timothy Daughtry, 1410 Keller Road – noted that he is on the Code Enforcement Board. He stated that Officer Schack issues violation notices to residents whose properties are not being maintained and that when the properties do not come into compliance, the owner goes before the Code Enforcement Board. He also noted that Officer Schack

provides the Board with a report of all of the violations that she issued for the month and that she could provide a copy of the report to anyone that asks for it.

#### **VIII. STATUS REPORTS:**

Mr. Schoech – did not have anything to add to his Status Report dated August 31, 2011.

Mr. Clark – noted that FDOT does not have any problems with using solar lights along Forest Hill Blvd and that he is continuing his talks with FPL about this issue.

Chief Smith – noted that Police Officers were involved in additional traffic enforcement operations over the Labor Day weekend.

#### **IX. COUNCIL COMMENTS:**

A) Town Council:

Council Member Shalhoub – thanked the Town staff for their work on the budget.

Vice Mayor Rodriguez – did not have any comments at this time.

President Pro Tem Mayes – did not have any comments at this time.

Council Member Lewis – did not have any comments at this time.

Mayor Freebold – noted the residents present and their passion concerning landscape issues.

#### **IX. ADJOURNMENT:**

**Council Member Shalhoub made a motion to adjourn the meeting at 7:30 p.m., seconded by Vice Mayor Rodriguez; Motion approved (5-0).**

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Gregory Freebold, Mayor

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Mary Pinkerman, Town Clerk