



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, March 06, 2023, at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

Mayor Flores called the meeting to Order at 6PM and City Clerk Moorer called the Roll.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve the Agenda.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, Councilmember Bousquet

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

Ms. Elizabeth Larson, resident of Pine Hov asked how many fires had occurred in the City due to the shutters being closed. She also recommended Fire Rescue find a particular gadget to allow shutters to remain open year-round; she felt it was an inconvenience to remove hurricane shutters after storms.

Mr. Virgil Linger, resident of Pine Hov Circle recommended the City use new heat detection camera technology to see inside of homes, so residents were able to keep their shutters on the properties year-round.

Mr. Herbert Salus, resident of Pine Hov Circle, felt the shutter ordinance was implemented to produce revenue gains and he felt there was no reason to remove the shutters since the condo would be vacant.

Mr. Edward Whittier resident of Pine Hov Circle suggested allowing the clam shell shutters to remain up year round. He also recommended adding a signal to the front door to indicate when the condo was or was not occupied.

SPECIAL BUSINESS

- 1. Proclamation:** Bike Month March 2023. - Brian Ruscher, Deputy Director of Multimodal, Palm Beach Transportation Planning Agency.

Mr. Ruscher thanked the City of Greenacres for promoting Bike Month 2023.

Photos were taken.

- 2. Proclamation:** Let's Move Palm Beach County Month. - Wil Romelus, Digital Vibez.

Ms. Moorer read the proclamation by title.

Mr. Romelus was not present, Mayor Flores accepted the proclamation on his behalf.

- 3. Proclamation:** Women's History Month. - CaraJoy Nash, President, Susan Kaplan, Vice President and Selena Samios, Executive Director of Women's Chamber of Commerce of Palm Beach County.

Ms. Moorer read the proclamation by title.

Ms. Nash thanked the City for their recognition and welcomed them to an upcoming award ceremony.

Photos were taken.

CONSENT AGENDA

- 4. Official Meeting Minutes:** City Council Special Meeting, February 1, 2023, and City Council Meeting, February 6, 2023. - Quintella L. Moorer, City Clerk.

Motion made by Councilmember Bousquet, Seconded by Councilmember Noble to approve the Consent Agenda.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

REGULAR AGENDA

- 5. PUBLIC HEARING: Ordinance 2022-35: Second Reading:** Amending Chapter 16, Article 3, District Regulations, Division 11, Commercial Intensive, Section 16-499(30) to allow for outside car detailing at standalone car washes within the Commercial Intensive (CI) zoning district; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young explained the Quasi-Judicial procedures and stated the items would be discussed and presented together as they were all related and went hand in hand.

Ms. Moorer swore in five people.

Mr. Josh Nichols, Agent for the owner reiterated the request from the First Reading. He highlighted the changes, showed some site renderings, letters of support and photos.

Ms. Gardner-Young explained the requested changes and stated the ordinance was approved by Staff.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve Ordinance 2022-35 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

6. QUASI-JUDICIAL PUBLIC HEARING: Ordinance 2022-36: Second Reading:

Approving a zoning change and official zoning map amendment for three parcels of land totaling approximately 3.62 acres, located on the south side of Lake Worth Road approximately 200 feet west of Empire Way at 4840 Lake Worth Road, from a City of Greenacres designation of Commercial General (CG) to a City of Greenacres designation of Commercial Intensive (CI), as requested by the Petitioner, Schmidt and Nichols, Agent for the owner, Mint Eco Car Wash Acquisition Co., LLC; providing for changes to the official zoning map, repeal of conflicting ordinances, severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated no changes had been made since the First Reading. Staff recommended approval.

Ex-Parte Communications.

Councilmember Bouquet disclosed she had some communications with the applicant.

Councilmember Diaz disclosed she had some communications with the applicant which did not alter her decision.

Mayor Flores disclosed he had communications prior to the First Reading of the ordinance which caused some minor changes to the proposal.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-36 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

7. PUBLIC HEARING: Ordinance 2022-37: Second Reading:

Amending Chapter 4 "Buildings and Building Regulations," Article 1 "in General," by deleting Section 4-4, "Greenacres Property Maintenance Code," and creating a new Chapter 7, Article 8, to be entitled, "Greenacres Property Maintenance Code," and amending provisions of the Greenacres Property Maintenance Code; providing for severability, conflicts, codification, and an effective date. - Caryn Gardner- Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young reviewed the amendments and stated since the First Reading the City changed the time frame to remove and/or open shutters to 14 days directly after a storm or event.

Mr. Brian Fuller, Fire Rescue Chief presented a presentation on the importance of removing hurricane shutters after storms and the risk of keeping them on. Staff recommended with the one change.

Deputy Mayor Tharp stated he felt the City needed to follow the lead of the Fire Rescue expert.

Councilmember Diaz confirmed that the ordinance was approved in 2019 and that tonight's revisions was not omitting the ordinance but only revising the shutter removal timeframe.

Councilmember Noble suggested postponing the item and to form a Committee with residents to discuss for more solutions.

Ms. Ann Cadaret, resident of Pine Circle spoke in favor of removing the shutters in 14 days after a storm or event. She felt the condos looked ugly and was a target with the shutters being shut year-round.

Mr. Herbert Salus, resident of Pine Circle stated closing the shutters was an indication the residents were not home. He also mentioned the shutters must shut as the insurance agency require it. Mr. Salus felt the City was causing a hardship and the shutters were protection.

Mr. Lawrence Reid resident of Pine Circle agreed with Councilmember Noble to create a Committee to implement a solution. He also asked does the ordinance include clam shells and how open should the shutters be opened.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Diaz to approve Ordinance 2022-37 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Diaz, and Councilmember Bousquet.

Voting Nay: Councilmember Noble

- 8. PUBLIC HEARING: Ordinance 2023-01: Second Reading:** Amending Chapter 16 "Zoning Regulations," Article 6, "Signs Regulation." Division 5, Sign Regulation by Zoning District, Section 16-983, Identification Signs, to clarify the maximum sign copy area; providing for severability, conflicts, codification, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorero read the ordinance by title.

Ms. Gardner-Young stated the amendment was due to the omission of some language in the ordinance and no changes had been made since the First Reading.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2023-01 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

- 9. QUASI-JUDICIAL PUBLIC HEARING: Resolution 2023-06:** Approving the petition for a Special Exception to allow a standalone car wash in a Commercial Intensive (CI) zoning district, located at 4840 Lake Worth Road, as requested by the petitioner, Josh Nichols, Agent for Mint Eco Car Wash Acquisition CO., LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorero read the ordinance by title.

Ms. Gardner-Young stated the resolution meets all requirements and Staff recommended approval.

Ex-parte communications:

Mayor Flores stated he met with the applicant prior to the presentation to review the site.

Councilmember Diaz stated she met with the owner of Mint Eco car wash to review the site and her decision was solely on the evidence produced at the meeting.

Councilmember Bousquet stated she had conversations with the owner.

Councilmember Noble questioned the limit on car wash businesses in the City. Ms. Gardner-Young replied the car washes met all requirements and felt mostly likely business was good for car washes.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve Resolution 2023-06.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

10. Resolution 2023-07: Approving a site and development plan to allow for a standalone car wash in a Commercial Intensive (CI) zoning district, located at 4840 Lake Worth Road, as requested by the Petitioner, Josh Nichols, Agent for the contract purchaser, Mint Eco Car Wash Acquisition CO. LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the resolution by title.

Ms. Gardner-Young stated the request included phasing, 55 parking spaces, landscape buffers and the six-foot wall with access to Empire Road and Lake Worth Road. She stated a variance was granted and all other outside requirements were approved. Ms. Gardner-Young also mentioned art in public places and impact fees would be collected. Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Resolution 2023-07.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

11. QUASI-JUDICIAL: PUBLIC HEARING: Ordinance 2023-03: First Reading: Approving a zoning change for six parcels of land totaling approximately 7.9636 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6492, 6350, and 6323, Lake Worth Road, and 4148, 4080, and 4020, Jog Road, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) as requested by the Planning, GIS and Engineering Division; providing for changes to the official zoning map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the property was recently annexed into the City. She mentioned the City and County had various commercial zoning designations and the zoning change was required by the City. She showed the Council the parcels on a map.

Staff recommended approval.

Councilmember Noble thanked Ms. Gardner-Young for such great presentations.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Noble to approve Ordinance 2023-03 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

12. PUBLIC HEARING: Ordinance 2023-04: First Reading: Amending the future land use map of the future land use element of the City's Comprehensive Plan, to change the future land use designation of six parcels of land totaling approximately 7.9636 acres, located at the Southeast corner of Lake Worth Road and Jog Road at 6492, 6350, and 6323, Lake Worth Road and 4148, 4080 and 4020 S. Jog Road, from a Palm Beach County designation Commercial High (CH) to a City of Greenacres designation of Commercial (CM) as requested by the Planning, GIS and Engineering Division; providing for repeal of conflicting ordinances, severability, transmittal, inclusion in the Comprehensive Plan; and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated this ordinance was the companion of Ordinance 2023-03, this was the land use zoning designation, and the two designations must match. The request was needed due to the annexation.

Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Ordinance 2023-04 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

DISCUSSION ITEM - None.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mr. Brett Brown, former Historical Society President stated he took over as President as of November 2019. He was not aware of the previous issues of the Society. He addressed the City's concerns with the display of items, portable bathrooms, locks, and Wi-Fi issues.

Mayor Flores wanted to have a meeting with Mr. Brown and the contact of the Historical Society.

Mr. Frank Medrano resident of the Original Section stated the school zone for L.C. Swain Middle School needed more signage as the current signage was too long and easy to miss.

Mr. Bradley Stemtrong, resident stated he would like to assist with the Historical Society and suggested Hometown Hero Project banners for veterans. He would like to be involved with the City. Mayor Flores suggested adding Hometown Hero to the next agenda for discussion.

CITY MANAGER'S REPORT

13. CRS Department Report.

14. Development and Neighborhood Services Report.

15. Finance Report.

16. Fire Rescue Report.

17. Information Technology Report.

18. Palm Beach Sheriff's Office District 16 Report.

19. Public Works Report.

20. Purchasing Report.

21. Youth Programs Report.

Ms. McCue reminded everyone of the upcoming Let's Talk Session regarding Substance Abuse.

CITY ATTORNEY'S REPORT

No report.

MAYOR AND CITY COUNCIL REPORT

Deputy Mayor Tharp requested adding property insurance to a future agenda item for discussion.

Councilmember Diaz updated the Council regarding the final school districting maps and she requested adding an Educational Advisory Committee to an upcoming agenda for discussion.

Mayor Flores stated they would continue the septic to sewer fight in Tallahassee during the Palm Beach County Days. He also mentioned the audio system needed updating as soon as possible and requested testing prior to the meeting. Mayor Flores also recommended addressing the school zone issues.

ADJOURNMENT

7:54PM.

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____