



# CITY COUNCIL MEETING

## City of Greenacres, Florida

Monday, November 07, 2022 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 Councilmember Bousquet to approve the Consent Agenda.

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

#### COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

#### SPECIAL BUSINESS

- 1. Proclamation:** National Hunger and Homelessness Awareness Week, November 12-20, 2022. - Pamela Payne, CEO of The Homeless Coalition of Palm Beach County.

Ms. Moorer read the proclamation by title.

Mayor Flores accepted the proclamation and thanked the Homeless Coalition of Palm Beach County for their continued dedication to the City.

Photos were taken.

- 2. Proclamation:** World AIDS Day, December 1, 2022 - Richardo Jackson, CEO and Natacha Etienne of Campbell Health Solutions, Inc.

Ms. Moorer read the proclamation by title.

Ms. Etienne thanked the City for their acknowledgement and welcomed all residents to visit her clinic for free HIV testing during the month of November.

Photos were taken.

Mayor Flores thanked Kara Irwin-Ferris for seven years of dedicated service to the City of Greenacres. Ms. McCue said Ms. Irwin-Ferris was a great access to the City professionally and personally. Mayor Flores presented her a gift from the City.

Photos were taken.

**3. Presentation:** Certificate of Appreciation to Greenacres Firefighters and Palm Beach County Sheriff's Officers, District 16. - Mayor Joel Flores.

Mayor Flores recognized some Fire Rescue and PBSO members who dedicated time and effort to deploy for eight days in response to Hurricane Ian Recovery.

Certificates of Appreciation were provided.

Photos were taken.

### CONSENT AGENDA

**4. Official Meeting Minutes:** City Council Meeting Minutes, October 17, 2022. - Quintella Moorer, City Clerk.

**5. Ratification of the Charter Review Committee Appointment:** Appointing Aquanette Thomas to serve a (3) three-year term. - Andrea McCue, City Manager.

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

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

### REGULAR AGENDA

**6. PUBLIC HEARING: Ordinance 2022-29: Second Reading:** Amending Chapter 12, Subdivisions and Land Development Regulations, Article 3, Improvements and design standards, Section 12-58, drainage, by adding Sub-section 12-58(K), imposing drainage requirements between properties; providing for repeal of conflicting ordinances; severability, inclusion in the code, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the ordinance was Second Reading and was needed to address flooding situations in residential properties.

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

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-29 on Second Reading.

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

**7. PUBLIC HEARING: Ordinance 2022-23: First Reading:** Amending Chapter 16, Zoning Regulations, Article 1, in General, Section 16-1, by amending certain definitions and adding definitions; further amending Chapter 16, Article 4, Supplemental District Regulations, Division 1, Generally, by adopting new Section 16-609, to be entitled “Live Entertainment Permit”; Section 16-610, to be entitled “Outdoor storage, Display, Sales, Cooking and sales of propane tanks”; Section 16-611, to be entitled “Placement and use of portable storage units”; and, Section 16-612, to be entitled “Outdoor seating”; providing for conflicts, severability, codification, an effective date; and for other purposes. - Caryn Gardner-Young, Zoning Administrator.

*Ms. Pamela Payne arrived to accept the proclamation. Mayor Flores presented the proclamation to Ms. Payne. She thanked the Council for the proclamation and mentioned the importance of addressing hunger.*

Ms. Moorer read the ordinance by title.

Ms. Irwin-Ferris stated the changes would strengthen code regulations for issues that were occurring within the City relative to live entertainment and businesses acting outside of their definitions.

Ms. Irwin-Ferris presented a supplemental regulation for the City. She mentioned a few changes such as definitions, outdoor sales, parking, permit requirements and outdoor seating.

She mentioned the City would use the existing special event permit requirements to regulate the Code. Staff recommended approval.

Deputy Mayor Tharp asked would food trucks fall under Ordinance 2022-23. Ms. Irwin-Ferris stated food trucks were a separate Code and were allowed in the City.

Councilmember Dugo asked the duration of permits. Ms. Irwin-Ferris stated usually a year.

Councilmember Diaz stated she had a few reservations regarding the ordinance as it encompassed various topics. She asked what the requirements were for maintaining the permit and not violate. Ms. Irwin-Ferris replied that the permit would need to be an accessory use. She said the business must maintain the original use. Councilmember Diaz was concerned some businesses would be violated for coming close to the edge of the ordinance and in effort to stop other businesses whom have completed change uses.

Councilmember Diaz asked how the City would educate the businesses so they may remain compliant. Ms. Irwin-Ferris stated letters, internal education and Code officers who were called on complaints would talk to the owners first and advise of requirements. She mentioned the permit cost was \$110.00.

Councilmember Dugo asked about outdoor table use and what was the requirement. Ms. Irwin-Ferris stated the plaza owners must approve. She said cases varied based on ADA, style, walkable traffic flow.

Council and Staff talked about tables outside of businesses and requirements.

Councilmember Dugo was concerned with the amount of language in the ordinance regarding outdoor seating. Ms. Irwin-Ferris stated individual areas of businesses may return for further discussion.

Mayor Flores questioned live entertainment requirements and were they now considered an event. Ms. Irwin-Ferris stated if a DJ was added it would be considered live entertainment and could be listed under a blanket permit based on frequency.

Mr. Aaron Taylor stated he had witnessed some of the issues Ms. Irwin-Ferris mentioned and agreed that the ordinance would help regulate some of the issues. He also suggested requiring the designated entertainment area be added to the floor plan of the business. Ms. Irwin-Ferris stated the stated suggestion from Mr. Taylor was included.

Mr. Nathan Galang felt certain parts of the ordinance were complicated and unnecessary.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-23 on First Reading.

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

Voting Nay: Councilmember Dugo and Councilmember Diaz.

- 8. QUASI-JUDICIAL PUBLIC HEARING: Resolution 2022-47:** Approving the petition for a Special Exception to allow a 2,016 square foot indoor recreational amusement use in a Commercial Intensive (CI) zoning district, located at 3757 S. Military Trail, as requested by the Petitioner, Aaron Taylor, Agent for the owner, 3757 S. Military Trail, LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

*Mayor Flores recessed the meeting at 7:01pm.*

*Mayor Flores reconvened the meeting at 7:04pm.*

Ms. Gardner-Young read the Quasi-Judicial process.

Ms. Moorer swore in two persons.

Ms. Moorer read the resolution by title.

There was no Ex-parte communication from the Council to report.

Mr. Aaron Taylor stated he was seeking approval of a special exception to allow indoor recreational amusement use in a Commercial Intensive zoning district. He provided some background history of the site since his takeover, such as electrical wiring issues.

Ms. Gardner -Young stated this was a second request of amusement use as the first request had a lack of activity. She said the application met the criteria of the City. Ms. Gardner-Young said the applicant agreed to all seventeen conditions, such as no alcoholic, size, and temporary use permits.

Staff recommended approval.

Mayor Flores questioned the current status of the permits. Mr. Taylor explained since he recently become involved the violations were resolved. Ms. Gardner-Young explained the in lieu process as it related to violations.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Resolution 2022-47.

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

- 9. Resolution 2022-60:** Authorizing the execution of an Interlocal agreement between the City of Greenacres and Palm Beach County, pursuant to Chapter 171.046, Florida Statutes, providing for the annexation of a portion of an enclave totaling approximately 7.9636 acres located at 4148 S. Jog Road, 4080 S. Jog Road, 4020 S. Jog Road, 6492 Lake Worth Road, 6350 Lake Worth Road, and 6323 Lake Worth Road; providing for transmittal to the Palm Beach County Board of County Commissioners for subsequent action; and providing for an effective date. - Kara Irwin Ferris, City Consultant.

Ms. Moorer read the resolution by title.

Ms. Irwin-Ferris stated the resolution was to approve an interlocal agreement with Palm Beach County which allows for annexation under ten acres of parcels. Staff recommended approval.

Councilmember Bousquet thanked Ms. Irwin-Ferris and Ms. McCue for their hard work on this annexation.

Motion made by Councilmember Bousquet, Seconded by Councilmember Noble to approve Resolution 2022-60.

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

- 10. Ratification of the Building Board of Adjustments and Appeals Board:** Appointing six (6) of (9) nine members to serve (4) four-year unlimited staggered terms. - Andrea McCue, City Manager.

Ms. McCue said the BBAA have had some issues with retaining members based on the criteria of the members. She proposed six applicants for approval and stated the total members needed were nine.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve the ratification of the BBAA.

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

## **DISCUSSION ITEM - None.**

## **COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

Mr. Nathan Galang commented on the power outage at Lakeview Gardens Condo. Mr. Galang felt this was not an isolated incident and felt the City could do more for housing.

## **CITY MANAGER'S REPORT**

Ms. McCue stated Lakeview Gardens situation was brought to the attention of the City later and she thanked Staff for their assistance with getting the some resolution for the residents.

She also mentioned the non-profit organization and electrical company who helped the residents and she desired to recognize them at the next Council meeting.

She mentioned some updates on Storm Nicole.

She mentioned a few reminders for events such as:

Veteran's Day, November 11.

Let's Talk, November 9.

Holiday in the Park, December 3.

Toy Drive for Estero, due by December 2.

Cancelling of the November 21, 2022, Council Meeting. The Council agreed.

**CITY ATTORNEY'S REPORT**

No report.

**MAYOR AND CITY COUNCIL REPORT**

Councilmember Bousquet thanked Ms. McCue, Mr. Lee, Mr. Wood and Staff regarding the hard work with Lakeview Gardens.

Councilmember Diaz thanked Ms. Gardner-Young and Ms. Thompson and Ms. Aviles for the Read for the Record event. She also thanked the Team regarding the Lakeview Gardens power outage issue and Ms. Irwin-Ferris for her dedication.

Noble, Dugo, Tharp thanked Ms. McCue and the entire team regarding the Lakeview Gardens power outage.

Mayor Flores said he was looking forward to the Comp Plan feedback. He was proud of the City Staff for their hard work as it related to Lakeview Gardens and he said he was the representative that called the media to bring light to the situation. Mayor Flores said he would not tolerate slumlords in the City. He was very disappointed at what occurred to the residents of Lakeview Gardens.

He thanked Ms. Irwin-Ferris. for her dedication.

**ADJOURNMENT**

7:44PM

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**Joel Flores**  
Mayor

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**Quintella Moorer, CMC**  
City Clerk

**Date Approved:** \_\_\_\_\_