



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF WORKSHOP/SPECIAL MEETING
AUGUST 2, 2022**

Meeting audio available in Town Clerk's Office

CALL TO ORDER

Vice Mayor Danowski called the meeting to order at 6:33 p.m.

PLEDGE OF ALLEGIANCE

Vice Mayor Danowski led the Pledge of Allegiance.

MOMENT OF SILENCE

Vice Mayor Danowski led a prayer.

ROLL CALL

Mayor Robert Shorr (Via Zoom), Vice Mayor Laura Danowski, Councilmembers Phillis Maniglia, Marianne Miles, and Margaret Herzog, Town Manager Francine L. Ramaglia, Town Attorney Elizabeth Lenihan, Esq., Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS AND MODIFICATIONS

Motion was made by Councilmember Miles seconded by Councilmember Herzog to approve the agenda as is; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia and Miles. Motion passed unanimously.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

There was a public comment made by Deborah Klaine.

PRESENTATION

1. Awarding of the Town of Loxahatchee Groves Scholarship.

The Town of Loxahatchee Groves again has provided scholarships through donations to deserving Loxahatchee Groves Post High Students and Special Needs Students who have shown dedication to their education and participation in community service. Monies were donated by the Town Council members, Town Organizations, Town Residents and Vendors doing business with and in Loxahatchee Groves.

The Scholarship Fund Committee, consisting of Anita Kane, Ken Johnson and Mary McNicholas met to review, and nominate the Loxahatchee Groves Subcommittee which held the responsibility of reviewing and scoring the applications received by the Town and final decision on awards of scholarship money.

The Subcommittee consisted of Judy Blake, Principal of Education Place Private School, Kim Lancaster, Dean at Palm Beach State College and Avasue Hickerson and Richard Myerson (alternate), Principal of Loxahatchee Elementary School. They independently received and reviewed the applications received by the Town, and then sent over their recommendation of final discussions and awarding of the scholarships

Vice Mayor Danowski and Palm Beach County Commissioner McKinlay presented the Town of Loxahatchee Groves' scholarship to the recipients that had been chosen by the subcommittee.

2. SAFEbuilt (Code Enforcement) update.

Bernard Pita, Code Enforcement Manager and Marie Pineda, Account Manager for SAFEbuilt, will present an update on the following:

- How code started with outreach through door hangers, addressing the older cases and collaboration with Fire, building and engineering for land clearing, waste franchise agreement enforcement, vacant homes needing maintenance with squatters and work without permits. Addressing environmental issues such as truck repair.
- Highlight Gov-Easy and how it organizes the cases, etc. as well as implementing of Magistrate Hearing cost recovery worksheet.
- Review of priorities, increase in Notice of Violations for tree removal/land clearing, collaborating with Public Works addressing manure, fill and manure haulers more effectively, enforcing RV rules, etc.
- Future goals for code and public works to conduct hurricane preparations, clear right of way hazards, address sight triangle concerns, collaboration with PBSO to track possible workers living on properties in containers, sheds, other structures or R/Vs.

Councilmember Maniglia thanked them for coming and stated next time make sure the audience can see the presentation. Councilmember Maniglia stated that she has never had an issue with getting information. SAFEbuilt was hired to enforce Code, very disappointed in them stating that they had no direction for 10 months. Have a lot of issues, personally told the Manager about issues dealing with health and safety. If you listen to our meeting, every meeting the Town Council speaks on issues maybe need to do homework. Like to see someone from the company in meetings. Like things to change.

Councilmember Herzog asked about the Flood plan violation. Town Manager Ramaglia responded.

Does your group of officers drive around and spot check? Mr. Pita responded, yes. She also asked about D & D Grading. Mr. Pita stated he would like someone to check that.

Councilmember Miles stated she likes how he said Code Compliance. In the past some residents have been gone after and fines. Her first priority is health and safety. Rather not see us go in as gang busters. Think it is very important to educate the residents. An update will be great but doesn't need to be in meetings.

Mayor Shorr thanked both for the presentation. Doesn't need to come to meetings paying by the hour. Interlocal agreement is there anything the Town can do to help. Mr. Pita responded that would be great.

Vice Mayor Danowski stated she had a couple questions. Residents can access GovEasy. Mr. Pita responded. She also asked can you look at the status. Mr. Pita responded would ask the IT department. Also asked about tree canopy-awareness and education that trees are a big deal in Loxahatchee Groves. Town Attorney Lenihan stated that if it is a code situation that is going on elected officials should not be involved. Flyers go to every real-estate company. Ms. Pineda responded to Vice Mayor Danowski.

Councilmember Maniglia stated that we make policy and procedures, direction comes from staff. Realtors care and there are a lot of realtors that don't want to lose a sell, should be sent to the Town Hall.

Ms. Pineda mentioned her municipal background understand what it is to work for your town. Implantation of Code Enforcement. She also stated that workshops will benefit everyone. That they will invite agencies to partnership Animal Control, South Water Management and hear from the residents.

There was a discussion among the Town Council, Town Staff, Mr. Pita, and Ms. Pineda.

CONSENT AGENDA

3. Approval of Meeting Minutes
 - a. December 14, 2021, Attorney-Client Closed Door Session.
 - b. June 7, 2022, Town Council Regular Meeting Minutes.
 - c. July 19, 2022, Community Resident Workshop Meeting Minutes.
4. Consideration of **Resolution No. 2022-42** accepting easements.
5. Receive and File vendors payments in FY 2022 between \$10,000 and \$25,000.

Motion was made by Councilmember Maniglia seconded by Councilmember Miles to approve the Consent Agenda items 3,4,5, and 8; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

6. Consideration of **Resolution No. 2022-43** waiving rates, fees, and charges for Planning and Zoning, permitting, and other services. **PULLED FROM CONSENT**

Town Manager Ramaglia presented the item to Town Council stating that on July 5, 2022, at the Community Resident Workshop, Mr. Gordon addressed the Town Council stating that he had

some questions regarding permit fees. He stated he wanted to add a concrete driveway which led to nearly \$1,000.00 in permit fees which he would like reduced. Specifically, he wished to have at least \$500 in fees waived.

Based on reviewing the details of Mr. Gordon's applications, Town Manager Ramaglia waived \$402.00 in cost recovery fees, leaving Mr. Gordon owing \$261.00 dollars for his driveway building permit and \$500.00 dollars for the related right of way permit. Mr. Gordon requested that the right of way permit fees also be waived. The Town's code is silent with respect to adjustments and/or waivers to Council approved fees and/or charges; however, it does require a right of way permit regardless of driveway surface and/or whether previously existing. Therefore, Mr. Gordon's request for a waiver of the \$500 right-of-way permit fee is being brought to the Council for approval.

Motion was made Councilmember Maniglia seconded by Mayor Shorr to approves Resolution No. 2022-43 by amending the right-a-way for existing driveway right-a-way from 500 hundred dollars to one hundred dollars; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

7. Consideration of ***Resolution No. 2022-41*** of Communication Emergency Response Teams (CERT) Agreement Modification (Store trailers in Public Works Yard). **PULLED FROM CONSENT**

Town Manager Ramaglia presented the item to the Town Council stating that the Town of Loxahatchee Groves desires to assist community organizations that provide public benefits to the citizens of the Town. Communication Emergency Response Team (CERT) is comprised of members who are trained through a Citizens Emergency Response Team program which is created by the Department of Emergency Management to assist in storm related events and other emergencies. CERT provides voluntary emergency response assistance within the Town and has entered into a one-year grant agreement. The Town and CERT desire to extend the grant agreement and to provide for parking and storage of the CERT equipment and supply trailer(s). While they are parked and stored in the Public Works Yard, they will be covered as part of the Town's insurance policy without being specifically listed assets as their value is currently less than \$25,000.

Vice Mayor Danowski stated that she appreciated the job that the CERT team does.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve Resolution No. 2022-41 authorizing the entry by the Town into a first amendment to grant agreement with Loxahatchee Groves CERT Team, Inc. to provide an extension to the term and to provide for parking and storage of equipment and supply trailer(s); it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

8. Consideration of **Resolution No. 2022-31** of Broadband Interlocal Agreement-For Co-utilization of the Palm Beach County Information Technology Services. **PULLED FROM CONSENT-SPOKE BEFORE ITEM 6**

There was a public comment made by Todd McLendon.

Motion was made by Councilmember Maniglia seconded by Councilmember Miles to rescind her motion to approve Consent Agenda items 3,4,5, and 8; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Motion was made by Councilmember Maniglia seconded by Councilmember Miles to approve the Consent Agenda items 3,4, and 5; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

There was consensus by the Town Council to stay with the current provider, meet with Mr. McLendon for his input and try to get better services.

REGULAR AGENDA

Vice Mayor Danowski asked Captain Turner from the Palm Beach County Sheriff Department to give an update.

9. Consideration of **Resolution No. 2022-35** approving contract with CGP.

Town Manager Ramaglia presented the item to Town Council stating that The Town contracted with CGP Agency, LLC in December of 2020, the agreement between the parties ended prior to completion of the needed work. The scope of services and compensation limit have grown since the original agreement. It is beneficial for the Town to have a single creator of its communications content and production. Pursuant to Section 2-133 (b)(12) of the Town's Code of Ordinance, the staff has determined that this agreement is in the best interests of the Town as it provides for consistency in the development of communications content and production necessary to complete this work. She also stated that the contract will expire on September 30, 2023. Town Attorney stated that if the contract was to go longer it would have to come before Town Council. There was discussion among the Town Council and Town Staff.

Motion was made by Mayor Shorr seconded by Councilmember Miles to approve Resolution No. 2022-35 authorizing an agreement with CGP Agency, LLC. to provide communications content and production and to extend for one year ending September 30, 2023; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

10. Discussion of alternate methods of collection of Solid Waste and consideration of **Resolution No. 2022-30** approving amendment to Solid Waste Hauler contract for Extraordinary Rate Adjustment.

The Town of Loxahatchee Groves entered into Solid Waste and Recycling Collection Services Agreement which was amended by the First Amendment the Second Amendment all on November 5, 2019, and the Third Amendment on August 17, 2021. Resolution 2022-30 amends the rate schedule in Exhibit I of the Solid Waste and Recycling Collection Service agreement due to an extraordinary rate increase as provided by Section 6.D of the contract with Coastal for the escalating cost of fuel.

Councilmember Maniglia passed an email to the Town Council to receive and file.

Motion was made by Vice Mayor Danowski seconded by Councilmember Miles to receive and file email received by Councilmember Maniglia; it was voted as follows: Ayes: Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Nay: Mayor Shorr. Motion passed 4-1.

John Casagrande presented the item to the Town Council.

Councilmember Maniglia stated that the most complaint is vegetation. Also, a lot of vacant land keeps putting vegetation out. Asked how much Costal charging are for

Mr. Casagrande thanked Vice Mayor Danowski. Vice Mayor Danowski asked how to report the witnessing of commercial landscaping dumping. Town Manager Ramaglia commented that all need to be reported to PBCSO.

Councilmember Miles asked about cameras on the front and back of truck.

Motion was made by Councilmember Maniglia seconded by Mayor Shorr to approve Resolution No. 2022-30 approving amendment to Solid Waste Hauler contract for Extraordinary Rate Adjustment; it was voted as follows: Aye: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

There was a public comment made by Nina Corning.

11. Consideration of **Resolution No. 2022-44** designating property as surplus.

Asst. Public Works Director Mario Matos presented the item stating that the Town Council has authority under Florida Statutes and Town Code and Policy to declare items of tangible personal property as surplus. Surplus property is either at the end of its life cycle or the Town has no use for it. Town Council has directed staff to inventory the vehicles and equipment in the Public Works yard and identify those items that may be declared as surplus. Pursuant to the applicable laws and policies, items valued at less than \$5,000 have been provided to the Interim Town Manager for review and declaration as surplus. Items valued at \$5,000 or greater are proposed to be declared surplus by the Town Council.

Motion was made by Mayor Shorr seconded by Councilmember Maniglia to approve Resolution No. 2022-44 designating property as surplus; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

DISCUSSION

12. Discussion of fees charges, waiver, and adjustment guidelines.

Town Manager Ramaglia presented the item stating that attached are proposed guidelines for adjustment and/or waiver of Town fees and/or charges which enables staff and the Town Manager to adjust and/or to waive certain fees and/or charges with adequate justification. The total amount of administratively approved adjustments and/or waivers meeting certain conditions would be limited to \$500 individually and \$2,000 in the aggregate per month. Any requested fee adjustments exceeding these amounts would be subject to Council approval. All adjustments and/or waivers would be reported to the Council at least annually. In addition to this proposed policy, there may be required ordinance changes as well as fee schedule modifications necessary.

Councilmember Maniglia stated that she immediately thought about the previous manager giving a code enforcement.

Councilmember Miles feels that revisiting the fees is the way to go first. This is not code violation specific. Town Manager Ramaglia responded. Let's leave code enforcement fines and fees separate - can't wait to bring back the fee schedule- not here to make money off the backs of residents. Wait to see the fee schedule.

Mayor Shorr hired Francine to do her job. She will be reporting issues to Town Council tools for her to work through this situation.

Vice Mayor Danowski stated that financial hardship is none of the Town Council's business. So, when does this need to come back? Bring back before Town Council at its anniversary. Will send fee schedule to Town Council.

13. Discussion of HR Workshop and dates.

Town Manager Ramaglia presented the items to the Town Council stating that in the upcoming months there are numerous HR items (such as HR Manual, Benefits, etc.) that will be coming before Town Council, and it is believed that it would be beneficial for Town Council and staff to carve out time to work on these items together rather than separate.

Separate conversation from any contractual agreements. What has been talked about is tacking on a workshop on the August 15th. On August 16th the Gehring Group presented a report to Town Council about our insurance.

Councilmember Miles since it does affect the budget, can it be done after the budget. Town Manager Ramaglia stated yes, it can be. Present on the 15th and see how it goes.

Mayor Shorr thinks that we have some financial issues that need to be addressed. Need to take care of the payoff-wipe slate clean and move forward.

TOWN STAFF COMMENTS

Town Manager

Thanks Town Council and staff.

Town Attorney

Following up on bringing back another Shade meeting.

Public Works Director

Mr. Matos stated that we are two positions down from what were two months ago, and just wanted to ask the Town Council to consider advertising for the two positions. Immediately temporary work.

Councilmember Maniglia stated she would like to have Public Works to do the vetting.

There was consensus by the Town Council to advertise and hire temporary.

Town Clerk

Palm Beach State College has approved us to have the Palm Beach County League of Cities luncheon to be held on January 25th @ 11:30 a.m.- Also they have an approved list of caterers that has to be used.

We still have backpacks available for pick-up: pre-K, K-5 and high school

TOWN COUNCILMEMBER COMMENTS

Marianne Miles (Seat 3)

Hurricane Season is still here - if you are going to put stuff out please keep off the road.

Marge Herzog (Seat 5)

Felt really proud that we could give so many scholarships.

Phillis Maniglia (Seat 1)

Low flow toilets- adding to new Building Code

Clear cutting

Permit boxes.

Announced the Adult Education recipient of the Town of Loxahatchee Groves' scholarship.

Laura Danowski (Seat 2)

How exciting about CodeRed. Pondering on how to get it out.

Backpack stuffing - thanked staff for donation, goody bags.

Glad Marica Andrews came to speak about brick and mutter - more people moving in, more people on our roads. Massive expansion at the Equestrian - people are coming. Full faith in staff and Public Works.

Pre Storm-Sweep.

Mayor Robert Shorr (Seat 4)

Congratulations to the Town Scholarship winners.

Position at Public Works-gave Town Manager authority on filling these position.

Backpack thanked all who donated.

Year to date expenditures- send out to Town Council

Talk to the Mayor is coming back in September. The Vice Mayor is doing an excellent job.

ADJOURNMENT

There being no further business the meeting adjourned at 10:00 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Robert Shorr

Vice Mayor Laura Danowski

Councilmember Marge Herzog

Councilmember Marianne Miles

Councilmember Phillis Maniglia