



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL REGULAR MEETING MINUTES
TOWN HALL COUNCIL CHAMBERS – 155 F. Road, Loxahatchee Groves, FL 33470
Tuesday, August 6, 2024**

TOWN COUNCIL AGENDA ITEMS

CALL TO ORDER

Mayor Kane called the meeting to order at 6:18 P.M.

PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE:

Mayor Kane led the Pledge of Allegiance followed by a moment of silence.

ROLL CALL

Mayor Anita Kane, Vice Mayor Margaret Herzog, Councilmember Laura Danowski, Councilmember Phillis Maniglia (ABSENT), Councilmember Robert Shorr, Town Manager Francine Ramaglia, Town Attorney Tanya Earley, Public Works Director Richard Gallant, Public Works Superintendent Craig Lower, Project Coordinator Jeff Kurtz, Town's Planning Consultant Kaitlyn Forbes (of Complete Cities), Town's Financial Consultant Chris Wallace (of Munilytics) and Town Clerk Valerie Oakes were present.

ADDITIONS, DELETIONS AND MODIFICATIONS

Mayor Kane called for any additions, deletions, modifications or approval of the agenda.

Town Manager Ramaglia stated due to the absence of Town Attorney Torcivia, he has asked that we move agenda items no. 17, 19, & 21.

MOTION: COUNCILMEMBER SHORR MOVED TO APPROVE THE AGENDA AND REMOVE ITEM NO 17, 19, & 21. MOTION PASSED BY CONSENSUS (4-0).

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

No public comments received.

PRESENTATIONS

1. Presentation on the Overview of the Legislative Session by Ronald L. Book, PA. and the Pittman Law Group

Ronald L. Book presented the Overview of the Legislative Session.

Sam Peltier (Associate Director of Governmental Affairs for the Pittman Law Group) spoke of representing the City in Tallahassee and thanked them for the opportunity.

Public comment by Cassie Suchy. Town Council discussion ensued.

CONSENT AGENDA

Councilmember Shorr requested to pull items no. 4 & 9 off the Consent Agenda.

**MOTION: COUNCILMEMBER DANOWSKI/VICE MAYOR HERZOG
MOVED TO APPROVE CONSENT AGENDA WITH THE
REMOVAL OF ITEMS NO. 4 & 9. MOTION PASSED
UNANIMOUSLY (4-0).**

2. Presentation of Quarterly Reports
3. Approval of **Resolution No. 2024-52**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING AN ELECTRONIC SIGNATURE POLICY; PROVIDING FOR SEVERABILITY, CONFLICT, AND AN EFFECTIVE DATE.
4. Approval of **Resolution No. 2024-53**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE PURCHASE OF A SANY SY60C EXCAVATOR THROUGH COOPERATIVE PURCHASE WITH SOURCEWELL CONTRACT SOLICITATION NO. 011723; AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER PURSUANT TO THE COOPERATIVE PURCHASING CONTRACT TO IMPLEMENT THE INTENT OF THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Item pulled off consent for further discussion.

**MOTION: VICE MAYOR HERZOG/COUNCILMEMBER DANOWSKI
MOVED TO APPROVE RESOLUTION NO. 2024-53. MOTION
PASSED (3-1 with COUNCILMEMBER SHORR DISSENTING).**

5. Approval of Resolution No. 2024-54: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE ENTRY BY THE TOWN INTO A THIRD AMENDMENT TO GRANT AGREEMENT WITH LOXAHATCHEE GROVES CERT TEAM, INC. TO PROVIDE AN EXTENSION TO THE TERM, A GRANT AWARD, AND USE OF THE TOWN LOGO AND FOR CHANGES IN LAW; AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS IN FORMS ACCEPTABLE TO THE TOWN MANAGER AND TOWN ATTORNEY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
6. Approval on Resolution No. 2024-55: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA APPROVING THE ISSUANCE OF A CHANGE ORDER FOR INSTALLATION OF A BRIDGE CULVERT AT 12th PLACE NORTH AND F ROAD; APPROVING AN AGREEMENT WITH KRISTIAN AND KIMBERLY STRONG REGARDING CULVERT REPLACEMENT RELATED TO THE CHANGE ORDER; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
7. Approval of Resolution No. 2024-56: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AUTHORIZING AN AGREEMENT WITH AL'S AUTO REPAIR OF LOXAHATCHEE, INC TO PROVIDE VEHICLE AND EQUIPMENT PARTS AND SERVICES TO THE TOWN AND PROVIDING AN EFFECTIVE DATE.
8. Approval of Resolution No. 2024-57: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AUTHORIZING AN AGREEMENT WITH RONALD L. BOOK, P.A., AND THE PITTMAN LAW GROUP FOR LOBBYING SERVICES; AND PROVIDING AN EFFECTIVE DATE.
9. Approval of Resolution No. 2024-58: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING SURCHARGE AND COLLECTION OF CREDIT CARD, CHARGE CARD, DEBIT CARD, AND ELECTRONIC FUNDS TRANSFER SERVICE FEE CHARGES; AND PROVIDING FOR AN EFFECTIVE DATE.

By consensus, the Town Council agreed to table Resolution No. 2024-58 to a later time.

MOTION: COUNCILMEMBER SHORR/COUNCILMEMBER DANOWSKI

**MOVED TO TABLE RESOLUTION NO. 2024-58. MOTION
PASSED UNANIMOUSLY (4-0).**

10. Approval of **Resolution No. 2024-51**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE ADOPTED SCHEDULE OF RATES, FEES, AND CHARGES FOR PLANNING AND ZONING, PERMITTING, CODE ENFORCEMENT, AND OTHER SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
11. Approval of **Resolution No. 2024-59**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RATIFYING THE ENTRY BY THE TOWN INTO AN INTERLOCAL AGREEMENT WITH INDIAN TRAIL IMPROVEMENT DISTRICT FOR EMERGENCY AID AND ASSISTANCE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT; AUTHORIZING THE TOWN MANAGER AND THE TOWN ATTORNEY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
12. Authorize the Mayor to Sign the Letter to Florida Department of Transportation (FDOT) Regarding Traffic Lights at the Intersection of Southern Blvd. and B Road
13. Authorize Mayor to Sign the Letter to Palm Beach County Engineering & Public Works Regarding the Traffic Lights at the Intersection of Southern Blvd. and B Road
14. Authorize the Mayor to Sign a Letter to Florida Power & Light (FPL) to Address/Repair the Damaged Culverts and Junction Boxes

REGULAR AGENDA

15. Approval of **Ordinance No. 2024-08** on First Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE III "OFFICERS AND EMPLOYEES", DIVISION 2 "CODE OF ETHICS", SECTION 2-87 "STANDARDS OF CONDUCT", PARAGRAPH (10) OF THE CODE OF ORDINANCES AND PART V "DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS", ARTICLE 120 "QUASI-JUDICIAL HEARINGS", SECTION 120-020 "EX-PARTE COMMUNICATIONS" OF THE UNIFIED LAND DEVELOPMENT CODE OF THE TOWN OF LOXAHATCHEE GROVES TO PROVIDE FOR PROCEDURES REGARDING HOLDING AND DISCLOSURE OF EX-PARTE COMMUNICATIONS AND REMOVING ANY PRESUMPTION OF PREJUDICE; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Town Clerk Oakes read the title of Ordinance No. 2024-08 into the record.

There were no public comments. Town Council discussion ensued.

MOTION: COUNCILMEMBER SHORR/VICE MAYOR HERZOG MOVED TO APPROVE ORDINANCE NO. 2024-08 ON FIRST READING. MOTION PASSED UNANIMOUSLY (4-0).

16. Consideration of **Ordinance No. 2024-07** on First Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, REPEALING SEC. 20-050 “RECREATIONAL VEHICLES” OF ARTICLE 20 – “RESIDENTIAL ZONING DISTRICTS”; AND ESTABLISHING ARTICLE 92 “RECREATIONAL VEHICLES” WITHIN PART III “SUPPLEMENTAL REGULATIONS” WITHIN THE UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Town Clerk Oakes read the title of Ordinance No. 2024-07 into the record.

Public comments provided by Virginia Standish, Jane Holding (read letter for Lena), Marianne Miles, and Robert Austen. Town Council discussion ensued.

MOTION: COUNCILMEMBER SHORR/COUNCILMEMBER DANOWSKI MOVED TO APPROVE ORDINANCE NO. 2024-07 ON FIRST READING WITH THE FOLLOWING CHANGES TO SEC 92-10 B FOR \$500.00 FOR A 5 YEAR SITE APPROVAL, ANOTHER RV FEE FOR NON-RENTERS FOR \$100.00, AND A \$100.00 FEE PER RV FOR THOSE RENTING A RV FOR MAXIMUM OF 179 DAYS. MOTION PASSED UNANIMOUSLY (4-0).

17. Approval of **Resolution No. 2024-60**: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AMENDING PERSONNEL POLICIES IN THE HUMAN RESOURCES POLICY MANUAL; REPEALING PREVIOUSLY ADOPTED PERSONNEL POLICIES; PROVIDING AN EFFECTIVE DATE.

Agenda item no. 19 was pulled from the agenda by consensus.

DISCUSSION

18. Discussion on Moore's Groves

Project Coordinator Jeff Kurtz presented the discussion on Moore’s Groves.

19. Discussion on Proposed Culvert Special Assessment Program Ordinance.

Agenda item no. 19 was pulled from the agenda by consensus.

20. Discussion on Code Enforcement Remedies:

Tanya Earley (Town Attorney) presented the following:

A. Foreclosures

By consensus, the Town Council directed the Attorney to move forward with the Code Enforcement Ordinances with guidelines, to be placed on a future agenda.

B. Civil Citations

By consensus, the Town Council directed the Attorney to move forward with the Civil Citations, to be placed on a future agenda.

C. Unoccupied Property Registry

D. Camera Program in conjunction with Palm Beach County

E. Administrative Warrants

F. Partnerships with other agencies

G. Compliance and Enforcement for Property Registration and Business Tax Receipts (BTR)

21. Discussion on Social Media Policy

Agenda item no. 19 was pulled from the agenda by consensus.

22. Discussion on Overview of Public Works FY 25 Maintenance Plan

Craig Lower, Public Works Superintendent presented the Maintenance Plan.

**MOTION: VICE MAYOR HERZOG/COUNCILMEMBER SHORR MOVED
TO EXTEND THE MEETING AT 10:28 P.M. MOTION PASSED
UNANIMOUSLY (4-0).**

There were no public comments. Town Council discussion ensued.

23. Updates, Items of Interest and Future Agenda Items

Town Manager Ramaglia provided an overview of the updates, items of interest and future agenda items.

TOWN STAFF COMMENTS

Town Manager acknowledged that recent agendas have been "very full" and that staff have been working hard to keep up with Council's requests. She noted that the team is close to delivering on the projected items for upcoming events and has been flexible in adjusting timelines, including moving a couple of agenda items that night and expressed hope that Council members would review the substantial agendas and determine if any items should be postponed to a future meeting or if anything not currently scheduled needs to be seen sooner. Ms. Ramaglia explained that more contracts would be coming forward and proposed that a good approach to manage time and

workload would be to continue placing a greater number of items on the consent agenda that night with 16 items. She emphasized that placing more items on consent allows Council members the opportunity to review and vet matters in advance, ask any needed questions, and efficiently approve items that do not require extended discussion, and it would streamline meetings and allow more time for critical matters while maintaining thorough oversight.

The Town Manager affirmed that the staff is happy to continue utilizing the consent agenda more extensively and explained a new procedural approach that includes holding discussion sessions on ordinance-related topics prior to a first reading, as had occurred that evening with a code discussion. They stated that this prevents the team from getting too far ahead in drafting without first obtaining Council's direction and confirmed that this format was intentional and would continue. She invited Council members to offer any comments or questions or to suggest additional agenda items and reminded the Council that committee meetings would resume next week, including ULC (Uniform Land Code) and Financial Advisory and Audit Committee Meeting (FAAC), and the upcoming first budget workshop.

Town Attorney had no report.

Public Works Director had no report.

Town Clerk read email sent by Councilmember Maniglia to be read into record.

I have the right as a Council member to be heard although time and location does not allow me to attend. I am hoping my fellow Council members will allow my comment to be read aloud at the end of the meeting. As a resident, I respect and completely agree with fellow residents' concerns regarding commercial ventures invading our small town. As a resident, I also appreciate the need for some business ventures being allowed within our town in order to augment our malnourished tax base and provide relief to residents from carrying that load on their own. As a resident, I agree that we must be diligent about what types of ventures we allow in this town as well as where we allow these businesses. As a resident, I feel like most other residents that the Southern Boulevard Corridor is the most logical and least impactful area to all residents for these businesses to be placed. As a resident, I absolutely believe that a recreational business with an abundance of green space is a welcome alternative to the choices we made in the past—ugly buildings, huge parking lots, unwelcome traffic, and unfulfilled landscapes—like were allowed on Southern Northbound.

As a Councilmember, I feel that a recreational business is a viable option, and the location is of minimal impact to the majority of the town as a whole and could have positive impact on our financial future. As a realtor, I can also share with you that I have not listed a property for anything other than agriculture or residential use, nor have to date been approached by any other agricultural venture—equine or otherwise—regarding development of a property directly off Southern Boulevard. But I have been approached by many speculators and developers wanting to know how many multi-family units they can put in Loxahatchee Groves. I tell them the codes are in municode.com and refer them to Town Hall. You all know my position to protect the town, or I wouldn't have received the number of votes I did. So, it won't take long for big box stores and/or strip mall developers to smell blood in the water with all the residential development to our west and north. As a Councilmember, I think we need to circle the wagons, reinforce our town borders, and fortify our land development maps and face big commercial encroachment as a unified force.

Stop the infighting. Stop the useless reactionary blame game over the past events and get our blank together for the entire town. We have to get ahead of the situation and stop playing whack-a-mole on a case-by-case scenario as we've been doing in the past to no avail.

TOWN COUNCILMEMBER COMMENTS

Councilmember Laura Danowski (Seat 2) stated it was a fabulous meeting tonight.

Councilmember Phillis Maniglia (Seat 1) was absent.

Councilmember Robert Shorr (Seat 4) began by expressing gratitude for being allowed to participate the previous month as he had scheduled time out of town, assuming there wouldn't be meetings in July, as there were none last year, and apologized for missing this one. He reiterated appreciation for the opportunity to be part of the discussion and characterized the meeting as a good one. He proceeded with his thoughts on the RV matter, stating that at first glance it did not appear to be exactly what was previously discussed. However, upon further review, much of it made sense. He expressed a hopeful attitude about moving forward with the project and emphasized that while perfection may not be achieved on the first or even second attempt, what matters most is progressing and doing their best.

Vice Mayor Margaret Herzog (Seat 5) began by referencing ongoing public discussion surrounding the Business Tax Receipt (BTR) exemption, noting that there had been significant chatter about it within the community. She then shifted topics briefly to ask how the "Back to School" event had gone.

Town Council discussion ensued.

Vice Mayor Herzog brought up concerns about the 35-foot height restriction, specifically referencing the Night Vision Goggle, D model (NVG D) and "10-foot at grade" measurement terminology. She asked for clarification and consensus from the Council on whether the original intention was indeed to limit buildings to a height of no more than 35 feet. She then emphasized the importance of confirming that intention to avoid future developments, such as a four- or five-story hotel, that might conflict with what was originally understood to be allowed.

Town Council discussion ensued.

Vice Mayor Herzog addressed the upcoming hotel project and inquired whether there was any possible way for the Council to rectify the situation in order to ensure that what moves forward truly reflects the town's original vision and intent.

Mayor Anita Kane (Seat 3) discussed the upcoming homelessness bill with a deadline of October 1st, referenced to a recent Mayor's symposium. She explained that after attending the symposium, she visited a conference room at the convention center that was filled with homelessness-related resources where she gathered one of everything available, filled a large bag with materials, and brought it back so that staff can review the materials and develop a resource that could be used proactively in town to address homelessness. Mayor Kane emphasized the importance of addressing homelessness from both ends—not only helping those already experiencing it but also

working to prevent it in the first place. She stated that without doing both, efforts would not be effective, and the problem would persist as a vicious cycle.

Mayor Kane expressed satisfaction that progress had been made on the RV ordinance and hoped other issues would soon be resolved specifically mentioning the HR manual, expressing disappointment that it had not yet been finalized. She explained that after being elected, she was given the manual and told that all other Council members had already had the opportunity to review and comment on it. She feels she was led to believe she was the last person to provide input, and that one Council member reportedly declined to review it altogether, while others had already submitted their comments. After submitting 10 to 15 revisions, she believed the document would then move forward. However, the process stalled, and the manual was still unfinished. Mayor Kane requested that the current version of the HR manual be distributed once more for Council review and asked that the invitation for feedback be extended again, and that all Council members take time to review the revised manual prior to the next meeting, when the Town Attorney, Mr. Torcivia, is expected to attend. She further stressed the importance of finalizing the document with all changes reviewed before that upcoming session.

Town Manager Ramaglia stated she regrets if another workshop was done for the manual but she will do whatever is directed by Council. She mentioned that staff spent four workshops, each lasting multiple hours during which they went through the manual page by page. The original document had been heavily edited by attorneys, making it difficult to read. The Council had asked for a clean version of the document, but the attorneys insisted that changes must be made first before they would provide a clean version. She recognized that Council had identified and tracked 60 specific changes requested by members. Town Manager Ramaglia explained the process included back-and-forth communication with labor attorneys and emphasized that they had ensured each requested word change was included and so discovered that some of the attorneys' recommendations conflicted with the Town Charter—for example, regarding budget limits and procedures for adopting budget-related items and employee matters. These inconsistencies were corrected. She gave an example related to language on Paid Time Off (PTO), clarifying that no changes were made to the PTO policy.

She then addressed two areas they did want to revisit which was first was jury duty. She emphasized that serving on a jury is a civic duty and noted that requiring employees to use PTO during jury duty may be unfair and expressed a desire to allow a limited number of paid jury duty days but clarified it would not apply to long trials. The second issue was bereavement leave. The manual allowed only two days, but the Town Manager Ramaglia wanted to increase that to five days to accommodate out-of-state travel or situations where an employee must handle funeral arrangements. She believed five days was a more reasonable and compassionate standard. She made mention of a change to the rehire policy regarding former employees and how this had been documented in the list of updates sent to Council. Another change addressed the manual's language concerning medical conditions, including pregnancy stating she was not comfortable with how the original language singled out pregnancy and wanted a broader, more appropriate phrasing. She said they had tried to explain that change in the summary provided, mentioning a change in the threshold for part-time employees, adjusting it from 25 to 29 hours in line with federal Affordable Care Act guidelines, which define the limit as 29 hours on average. Town Manager Ramaglia wasn't sure whether there were 11 or 15 total changes but described another key revision related to the definition of "family" but stated the manual originally had three inconsistent definitions, one

of which referenced the Family and Medical Leave Act (FMLA), which the town is not subject to, and Council agreed to use the term “immediate family” instead. She clarified that this term could flexibly include nontraditional family structures—for example, if a grandparent raised someone, they would qualify as immediate family.

She further explained that changes were made to allow the hiring of family members under certain conditions, such as when the family members would not be supervising one another. The town had previously lost two promising equipment operators because they were brothers. The updated policy would provide more flexibility while still avoiding nepotism and reiterated that most changes were made either to clarify confusing or outdated language or to reflect Council consensus. One such example was the inclusion of a definition for “substantive,” which they clarified meant “something more than minor.” She noted that if the Council wanted to remove that definition, they could, but its inclusion was intended to ensure clarity and stressed that all these updates had been transparently documented and were available for Council review.

Mayor Kane asked to alter her request. She clarified that her request was now for the document, as it currently stands, to be provided to Council with the changes that were made clearly notated. These notations should be understandable to the Council, regardless of who made the changes. She asked that the changes must be clearly marked and that the updated document should be distributed to Council immediately adding that the document should be ready in a form suitable for Council review. Mayor Kane stated that this would give Council members a number of weeks before the next meeting to review the document individually, to come in and meet if needed, and to ask questions. The goal was to have the document placed on the next agenda, ideally on the Consent Agenda.

ADJOURNMENT

There being no further business before the Council, Councilmember Shorr moved to adjourn the meeting at 11:30 PM, which was seconded by Councilmember Danowski and passed unanimously (4-0).

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Mayor Anita Kane, Seat 3

Town Clerk

Vice Mayor Margaret Herzog, Seat 5

Councilmember Phillis Maniglia, Seat 1

Councilmember Laura Danowski, Seat 2

Councilmember Robert Shorr, Seat 4