



TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF FIRST BUDGET HEARING AND REGULAR
MEETING
SEPTEMBER 8, 2022

Meeting audio available in Town Clerk's Office
Meeting is also available on YouTube.

CALL TO ORDER

Mayor Shorr called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Mayor Shorr led the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Shorr led a prayer.

ROLL CALL

Mayor Robert Shorr, 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, Assistant Public Works Director Mario Matos, Town Planning Consultant James Fleischman, and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS AND MODIFICATIONS

Town Clerk Burch stated that there were some scribbles errors that needed to be corrected on item #4 the Resolution No. should be 2022-59 instead of 2022-55 accepting easements, item #5 should be Resolution No. 2022-58, instead of 2022-60 designating Acting Town Manager, and item # 9 should be 23 instead of 22.

Motion was made by Vice Mayor Danowski seconded by Councilmember Maniglia to approve the agenda with scribbles errors corrections; 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 were public comments made by the following: Todd McLendon, Virginia Standish, and Cassie Suchy

PRESENTATION

1. Presentation from Solid Waste Authority and discussion of recycling method.

Ramana Kari, Chief Engineer for the Solid Waste Authority presented a PowerPoint presentation (hard copy can be found in Town Clerk's office) to the Town of Council regarding recycling and giving his recommendations. Mr. Kari's recommendations are as follows:

- Continue the dual-stream curbside collection.
- Do not adopt Community Drop-off locations.
- Shared commitment to the Interlocal Agreement (ILA)
- Continue to be a part of the Recycling Revenue Share program.
- Together, let's work towards making Palm Beach County the No. 1 recycler in the State.

Councilmember Maniglia stated that she finds it interesting that Palm Beach County start recycling in 1975, is that true. Mr. Kari responded that the authority started in 1975, the recycling in Palm Beach County started in 1992. She stated that the idea to stop recycling did not come for Town Council to stop the recycling it was suggested by our waste hauler, so don't be mad at us. She then asked why people do not do the return deposit bottles anymore and why did it stop. Mr. Kari responded that is a statewide issue and it called a Bottle bill, then he continued to explain. She also asked what happens to the contaminated materials, she also stated that according to the chart the Town received about 8, 000.00 dollars. Mr. Kari responded that it is based on commodity and oil prices. Vice Mayor Danowski asked what the total volume of the Town of Loxahatchee Groves. Mr. Kari responded 108 tons/.2%. There continued to be discussion among the Town Council, Town Staff, and Mr. Kari.

There was public comment made by Todd McLendon and Vic Paro.

CONSENT AGENDA

5. Consideration of *Resolution No. ~~2022-60~~ 2022-58* designating Acting Town Manager.

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

2. Approval of Meeting Minutes. **PULLED FROM CONSENT**
 - a. May 5, 2020, Town Council Regular Meeting Minutes
 - b. February 15, 2022, Town Council Workshop/Special Meeting Minutes
 - c. June 21, 2022, Town Council Regular Meeting Minutes
 - d. July 5, 2022, Town Council Regular Meeting Minutes

Councilmember Maniglia stated that she didn't have a comment, she just didn't want the minutes on the Consent Agenda.

Councilmember Herzog stated that reading the minutes were difficult due to things be repeated and this minutes just were not like the usually. Town Clerk Burch responded by saying that these minutes are done almost verbatim.

Motion was made by Vice Mayor Danowski seconded by Councilmember Miles to approve Meeting Minutes a-d; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog and Miles. Nay: Councilmember Maniglia. Motion passed 4-1.

3. Consideration of *Resolution No. 2022-47* contract for LSSL, Inc. **PULLED FROM CONSENT**

Vice Mayor Danowski asked if Town Staff could give a brief summary of what LSSL, Inc. does. Town Manager Ramaglia responded. There was discussion among the Town Council and Town Staff.

Motion was made by Vice Mayor Danowski seconded by Councilmember Maniglia to approve Resolution No. 2022-47 authorizing an agreement with LSSL, Inc. for accounting and related services, in the Town's best interest; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

4. Consideration of *Resolution No. ~~2022-55~~ 2022-59* accepting easements. **PUULED FROM CONSENT**

Councilmember Maniglia stated she was not happy how this easement was obtained and asked the Town Attorney where the address is. Town Attorney Lenihan and Town Manager Ramaglia responded. There was discussion among the Town Council and Town Staff.

Motion was made by Vice Mayor Danowski seconded by Councilmember Miles to approve Resolution No. 2022-59 acceptance of easement; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog and Miles. Nay: Councilmember Maniglia. Motion passed 4-1.

PUBLIC HEARING (QUASI-JUDICIAL)

Town Attorney Lenihan explained how the Public Hearing (Quasi-Judicial) process will be done this evening. She swore in all participants.

6. Consideration of *Resolution No. 2022-52* AutoZone Sign Variance.

Kerri Sabol, Johns Sign Company does signs for AutoZone. Ms. Sabol presented her position/proposal to the Town Council. Mr. Fleischmann, Town Planning Consultant also presented to the Town Council. There was discussion among the Town Council, Town Staff, and Ms. Sabol.

There were public comments made by the following: Ken Johnson, Todd McLendon, Karen Plante, and Cassie Suchy.

There was consensus by the Town Council for 38' for sign. Mayor Shorr asked Ms. Sabol did she agree. She stated that she could not make that decision but would take back to AutoZone. There continued to be discussion by the Town Council and Mr. Fleischmann.

Motion was made by Mayor Shorr seconded by Councilmember Maniglia to deny Resolution No. 2022-52 approving the AutoZone sign variance for land owned by BW Southern Binks, LLC, consisting of 0.76 acres more or less, located at the Northeast Corner of Southern Blvd. and "B" Road Loxahatchee Groves, Florida due to the Applicant not demonstrating that the variance proposed is the minimum variance that will make possible the reasonable use of the property and it will not confer on the applicant any special privilege that is denied to any other properties in the same zoning district; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, and Maniglia. Nay: Councilmember Miles. Motion passed 4-1.

7. Consideration of *Resolution No. 2022-53* Culvert's Sign Variance.

Mr. Fleischmann presented the item to the Town Council. There was discussion among the Town Council, and Town Staff.

There were public comments made by the following: Ken Johnson, Todd McLendon, Vic Paro, Virginia Standish, and Cassie Suchy. There was continued discussion among the Town Council, and Town Staff.

Motion was made by Mayor Shorr second by Councilmember Maniglia to deny Resolution No. 2022-53 approving the Culvers sign variance, for land owned by Kasey Bethel, consisting of 1.397 acres more or less, located on the Northside of Southern Boulevard east of "B" Road Loxahatchee Groves, Florida due the Applicant not demonstrating that the variance proposed is the minimum variance that will make possible the reasonable use of the property and it will not confer on the applicant any special privilege that is denied to any other properties in the same zoning district; it was as follows: Ayes: Mayor Shorr, Vice Mayor

8. Consideration of *Resolution No. 2022-54* Southern Lawn Care Site Plan.
James Hackett,

There were public comments made by the following: Todd McLendon and Cassie Suchy.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve Resolution No. 2022-54 approving the Southern Lawn Equipment site plan amendment for land owned by Lox Holding, LLC, consisting of 6.55 acres more or less, located on Southern Boulevard east of "D" Road, Loxahatchee Groves, Florida; it was voted as follows: Ayes: Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Nay: Mayor Shorr. Motion passed 4-1.

FIRST BUDGET AND PUBLIC HEARING

9. Discussion of proposed tentative millage rate and proposed FY ~~2021/2022~~ **2022-2023** Budget.

Town Manager Ramaglia presented the item to the Town Council.

- a. Summary presentation of the FY~~22~~ **23** proposed tentative millage rate and budget overview. Town Manager announcement of the percentage by which the adopted tentative millage rate exceeds the roll back rate.
- b. Consideration of *Resolution No. 2022-49* adopting the tentative millage rate for FY 2022-2023.

Town Manager Ramaglia presented the item to the Town Council.

There was public comment by Virginia Standish.

Motion was made by Vice Mayor Danowski seconded by Councilmember Maniglia to approve Resolution No. 2022-49 adopting the tentative millage rate for Fiscal Year 2022/2023, directing the advertisement for the second Public Hearing on September 20, 2022; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmember Herzog, Maniglia, and Miles. Motion passed unanimously.

Motion was made by Councilmember Maniglia seconded by Councilmember Miles to extend the meeting to 11:00 p.m.; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

- c. Consideration of *Resolution No. 2022-50* adopting the tentative budget for FY 2022-2023.

Motion was made by Vice Mayor Danowski seconded by Councilmember Maniglia to approve Resolution No. 2022-50 adopting a tentative budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023; setting forth the date, time, and place for the second Public Hearing; for the adoption of the Town's Budget for the fiscal year beginning October 1, 2022, adopting the fiscal policies; and directing publication of notice thereof; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

- d. (d. & e.) Budget and policy exhibits attached.

10. Consideration of *Resolution No. 2022-51* adopting the Solid Waste Assessment.

Town Manager Ramaglia presented the item to the Town Council.

Motion was made by Councilmember Maniglia second by Councilmember Herzog to approve Resolution No. 2022-51 relating to the provision of residential Solid Waste Collection Services in the Town of Loxahatchee Groves, Florida; approving the assessment rate for residential Solid Waste Collection Services for Fiscal Year 2022-2023; Imposing a residential Solid Waste Collection assessment against assessed property located within the Town of Loxahatchee Groves for the Fiscal Year beginning on October 1, 2022; approving the assessment roll; providing for collection of the assessments pursuant to the uniform method of collection; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Town Council Recesses to convene as the Dependent District Board of Supervisors.

Chairperson Danowski called the meeting to order. Town Clerk Burch did roll call.

Town Manager Ramaglia presented the item to the Board of Supervisors.

11. Consideration of *Resolution No. 2022-DD06* adopting the Road & Drainage Acreage Assessment.

Motion was made by Board of Supervisor Maniglia seconded by Treasurer Shorr to approve Resolution No. 2022-DD06 relating to the provision of District Services, including Water Control Maintenance and Repair of Drainage and Roadways; approving the assessment rate for District Special Assessments for the Fiscal Year beginning October 1, 2022; imposing a District Special Assessment for the provision of District Services; approving the assessment roll; providing for collection of the assessments pursuant to the uniform method of collection; approving the District Budget for Fiscal Year 2022/2023 to be adopted as part of the Town's budget by the Town Council; it was voted as follows: Ayes: Treasurer Shorr, Board of Supervisors Herzog, Maniglia, and Miles. Nay: Chairperson/President Danowski. Motion passed 4-1.

Dependent District Board of Supervisors recesses to reconvene as Town Council.

Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to reconvene the Town Council Regular Meeting; it was voted as follows: Ayes: Mayor Shorr,

Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

TOWN STAFF COMMENTS

Town Manager

- Thanked Solid Waste Authority for attending.
- Rescinding the grant
- SAFEbuilt
- Council Meeting (1st Regular, 2nd Workshop)

Town Attorney

- Shade Session on October 3, 2022, at 5:00 p.m.

Public Works Director

- Replacement of culverts
- Resignation

Town Clerk

- Consideration of putting two referendum questions regarding the signatures and extension of borrowing of monies.

TOWN COUNCILMEMBER COMMENTS

Margaret Herzog (Seat 5)

- Agree with quarterly report in December (consensus)
- Action on clear cutting
- Code (quality)

Phillis Maniglia (Seat 1)

- Code staff (looking forward to a new chapter).
- Glad that there were residents in the audience.

Marianne Miles (Seat 3)

- Rethink roads for Capital Plan

Vice Mayor Laura Danowski (Seat 2)

- Thank you everyone.

Mayor Robert Shorr (Seat 4)

- Sign variance
- Look into garbage contract.

ADJOURNMENT

There being no further business meeting adjourned at 11:02 p.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Burch, Town Clerk

Mayor Robert Shorr

Vice Mayor Laura Danowski

Councilmember Margaret Herzog

Councilmember Marianne Miles

Councilmember Phillis Maniglia