



**TOWN OF LOXAHATCHEE GROVES  
TOWN COUNCIL MEETING  
JANUARY 9, 2024, 6:30 P.M.**  
*audio available in the Town Clerk's Office*

**CALL TO ORDER**

Mayor Danowski called the meeting to order at 6:31 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Danowski led the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Danowski led a prayer.

**ROLL CALL**

Mayor Laura Danowski, Vice Mayor Robert Shorr, Councilmember Margaret Herzog, Councilmember Phillis Maniglia, Councilmember Marianne Miles, Town Manager Francine Ramaglia, Town Attorney Glen Torcivia, Public Works Director Richard Gallant, and Acting Town Clerk Lexi Collegio were present.

**ADDITIONS, DELETIONS AND MODIFICATIONS**

Mayor Danowski called for any additions, deletions and modifications to the agenda.

**Motion was made by Vice Mayor Shorr, seconded by Councilmember Maniglia, to approve the Agenda as written. The motion passed unanimously (5-0).**

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

Cassie Suchy, resident, requested that town meeting agendas be published earlier than the Friday afternoon preceding a Council meeting, which would give the public more time to review them.

Virginia Standish, resident, requested at least one crosswalk on Okeechobee Boulevard.

Jo Siciliano, resident, reminded all present of the upcoming Candidates' Forum scheduled for Wednesday, January 31, 2024, from 6 p.m. to 7 p.m. at Town Hall.

**CONSENT AGENDA**

**1. Consideration of approval of Meeting Minutes:**

- a. September 19, 2023 - Community Open Discussion Meeting
- b. September 19, 2023 - Town Council Final Hearing / Regular Meeting
- c. October 17, 2023 - Town Council Workshop Meeting
- d. October 23, 2023 - Town Council Special Meeting
- e. December 5, 2023 - Community Open Discussion Meeting
- f. December 5, 2023 - Town Council Regular Meeting
- g. December 18, 2023 - Town Council Special Meeting

Vice Mayor Shorr pulled item 1a for additional discussion and questioned the need to document late arrival at a workshop, as no business is conducted at those meetings. It was clarified that this was done because roll was taken and can be reconsidered in the future.

**Motion made by Vice Mayor Shorr, seconded by Councilmember Maniglia, to approve the consent agenda, which passed (4-1).** [The nay was undetectable due to audio difficulties.]

**2. Consideration of Resolution No. 2024-01 approving the lease purchase of ILF Aspen from Energreen America.**

Town Manager Ramaglia introduced the item.

Mayor Danowski opened the floor for public comment on the item. Cassie Suchy, resident, stated that she was not in favor of this expenditure, as the Town already has two machines used for mowing. With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

Town Council discussion ensued. Town Manager Ramaglia explained that it was determined that staff could do this work with the new equipment and attachment. It was confirmed that the equipment is included in the current year's budget. All Public Works staff members will be cross-trained on use and maintenance.

**Motion made by Vice Mayor Shorr, seconded by Councilmember Maniglia, to approve Resolution No. 2024-01, which passed unanimously (5-0).**

**REGULAR AGENDA**

**3. Consideration of Resolutions for the B Road Culvert.**

- a. **Resolution No. 2024-02 approving the Bill of Sale.**

Town Manager Ramaglia introduced the item.

Town Attorney Torcivia confirmed that Councilmember Miles may vote on this Item as she lives on the northside of Okeechobee Boulevard, not the southside.

Mayor Danowski opened the floor for public comment on the item. Cassie Suchy, resident, commented that she felt this project should be entirely funded by the Federal Emergency Management Agency (FEMA). With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

Town Council discussion ensued.

Mayor Danowski noted that the deadline for action by the Town is February 23, 2024, and the delivery of culvert pipe is anticipated to take four to five weeks. She expressed concern that the culvert affects several properties to the north, which would add significantly to residents' tax bills until it is paid.

Councilmember Maniglia was also concerned that the FEMA list of damaged culverts should be longer. Town Manager Ramaglia advised that Town Staff and FEMA personnel had attempted to identify as much damage as possible which could be directly correlated with the hurricane. If the bill of sale is not accepted by the Town, the onus will be on property owners to pay for the work. If the culvert is not repaired, it will affect additional residents.

**Motion made by Councilmember Maniglia, seconded by Councilmember Herzog, to approve Resolution No. 2024-02 accepting the Bill of Sale for the culvert located at 1823 B Road and 1825 B Road. The motion passed 4-1 (Mayor Danowski dissenting).**

**b. Resolution No. 2024-03 awarding piggy-back contract to Johnson & Davis.**

No additional discussion on the item.

**Motion made by Councilmember Maniglia, seconded by Councilmember Herzog to approve Resolution No. 2024-03 approving work authorization for Johnson & Davis regarding bridge culvert at 1823 B at a total cost of \$127,600.00. The motion passed 4-1 (Mayor Danowski dissenting).**

**4. Consideration of Resolution No. 2024-04 accepting a donation.**

Town Manager Ramaglia explained that this \$250,000 donation from the Miami Dolphins organization would not be earmarked for any specific spending. If approved, the funds could

be allocated towards two segments of road work; additional items proposed by the donor may be brought forward in the future.

Mayor Danowski opened the floor for public comment on the item.

Cassie Suchy, resident, addressed Items 4 and 5, stating there should be no strings attached to a donation. She did not feel the donation should move the desired work to an earlier position on the schedule. Town Manager Ramaglia advised that there were no strings attached to the proposed donation, and the funds did not have to be allocated to the uses recommended by staff.

Virginia Standish, resident, felt the public should be aware that the sod farm is managed by an out-of-state entity, the Related Company of New York. She concluded that the donation appeared to seek to establish goodwill for a future project, and she was not in favor of accepting the money.

A resident (name was not disclosed) was concerned that the owner of the sod farm may be looking for a quid-pro-quo and that the Council should proceed cautiously.

With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

The Councilmembers discussed the item, with Mayor Danowski agreeing that no company would make a donation of the proposed size without expecting something in return. Town Manager Ramaglia clarified that staff had approached the Miami Dolphins organization to discuss a partnership and would need to meet with them again to discuss additional conservation measures.

Town Manager Ramaglia described and answered questions regarding potential uses and locations for conservation easements, which would be documented in a lease agreement and emphasized that negotiations are still underway.

Mayor Danowski requested to see a policy developed for the acceptance of gifts. Town Manager Ramaglia replied that this policy exists, recalling that it has been used in the past for acceptance of donations to the Town's scholarship fund. She further clarified that during budget discussions, staff had asked if they could work with private landowners to discuss funding projects. This was the only direction received from the Council on this issue.

Councilmember Miles felt there would be no issues with accepting the donation if it was offered by a source other than the sod farm. She questioned if the Council accepted the

donation and the donor then attempted to attach conditions, whether the Town would then be able to return the money. Town Manager Ramaglia confirmed this would be the case.

**Motion made by Councilmember Maniglia, seconded by Councilmember Miles, to approve Resolution No. 2024-04, accepting the donation by South Florida Sod Farm, LLC or a related party. The motion passed 4-1 (Mayor Danowski dissenting).**

**5. Consideration of Resolution No. 2024-05 authorizing an agreement with J.W. Cheatham, LLC to provide Roadway Construction Services.**

Councilmember Miles recused herself from discussing voting on Item 5, as she lives on B Road north of Okeechobee Boulevard.

Mayor Danowski opened the floor for public comment on the item.

Frank Standish, resident, expressed concern with the paving of Town roads and cited a number of roadways in need of repair and recommended addressing these needs before doing more work at other locations; the Town should take another look at the proposal.

Virginia Standish, resident, addressed Items 4 and 5 together, agreeing that there should be a policy for acceptance of larger donations from corporate entities. Furthermore, pointed out that there are deficiencies near the South Canal Bank which should be addressed before the road, and asked if the scope of work would apply to regular automobile traffic only or large trucks as well.

Jo Siciliano, resident, stated concerns with the safety of the canals and felt paving roads was premature until the conditions of the canals were addressed.

Cassie Suchy, resident, commented that a developer would not make a donation of the magnitude proposed on Item 4 without expecting something in return. The Town has approved a paving plan with a schedule, and other roadways have easements already in place but would be by-passed by the proposal. The Town should follow its existing paving plan.

With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

The Councilmembers discussed the Item, with Vice Mayor Shorr pointing out that there are no canal banks in the paving plan for 2024 and suggested bringing the paving plan back to a subsequent meeting to hear pricing for everything not completed in 2023 and scheduled in 2024, noting that the proposed work could be added to the paving plan at that time at the quoted costs.

Town Manager Ramaglia advised that Staff is concerned with canal banks and berms during culvert repairs. They have met with the sod farm to discuss repairs to culverts and banks and have recommended contractors for that work.

**Motion made by Vice Mayor Shorr, seconded by Councilmember Herzog to deny Item 5 as written and request that Staff bring back a new contract that includes all the roads already committed to do, and any other roads that we can afford to do at this cost.**

Mayor Danowski clarified that the **motion** would deny the Item as written and revamp the 2023-2024 paving plan to include the proposed segments. Vice Mayor Shorr explained that he wanted the contract proposed in Item 5 to be rewritten “to do everything” remaining from 2023 and through 2024 as well as the two roads cited in the proposal, using the proposed prices.

Town Attorney Torcivia advised that the contract can be brought back as a best interest contract. There was discussion that using the proposed contract would save enough money to add another road to the paving plan as well. Town Manager Ramaglia noted that this will be a two-step process: the paving plan for 2024 would be amended to add the additional roads agreed upon by the Council, and the Council would then be presented a best interest contract for approval.

**The motion failed 2-2 (Councilmember Miles recused).**

Town Attorney Torcivia pointed out that Councilmember Miles would be able to vote on the motion, as it would bring back an entire paving plan rather than single roadways. Town Manager Ramaglia added that a second motion would address the contract to cover the paving plan.

**Vice Mayor Shorr restated his motion as follows:**

**Motion made by Vice Mayor Shorr, seconded by Councilmember Maniglia to direct Staff to bring back a contract using these unit costs to complete the 2023 paving plan as well as the 2024 capital paving plan, and adding any of the other roads that we can afford to do this year using these costs. The motion passed unanimously (5-0).**

**Motion made by Mayor Danowski, seconded by Vice Mayor Shorr, to terminate and make moot Resolution 2024-05. The motion passed unanimously (4-0, Councilmember Miles recused).**

### **PUBLIC HEARING**

#### **6. Consideration of Ordinance No. 2023-08 on Second Reading.**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY REPEALING ARTICLE I “GENERAL” OF CHAPTER 10 “BUILDINGS AND BUILDING**

**REGULATIONS” IN ITS ENTIRETY; ENACTING A NEW ARTICLE I “GENERAL” OF CHAPTER 10 “BUILDINGS AND BUILDING REGULATIONS” REGARDING THE ADOPTION THE GROUP OF CODES KNOWN AS THE FLORIDA BUILDING CODE 8<sup>TH</sup> EDITION (2023) AND LOCAL AMENDMENTS, THE 2020 NATIONAL ELECTRICAL CODE AND THE FLORIDA FIRE PREVENTION CODE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND THE EFFECTIVE DATE. (APPROVED ON FIRST READING ON DECEMBER 5, 2023)**

Building Official Jacek Tomasik gave a brief overview of the Item, which adopts the most recent version of Florida Building Code.

Mayor Danowski opened the public hearing for public comment on the item. There were no public comments.

**Motion made by Councilmember Miles, seconded by Councilmember Maniglia, to approve Ordinance No. 2023-08 regarding the adoption of the Florida Building Code and Fire Prevention Code, following the public hearing and second reading. The motion passed unanimously (5-0).**

## **DISCUSSION**

### **7. Discussion on Building Department Activities**

Building Official Tomasik and Town Manager Ramaglia presented the improvements made by the Building Department to the Town’s permitting process, including new software and an upgrade of the Department’s website. The intent is to make the process easier for the public to obtain permits. Other agencies, such as the Fire Department, will be included in the permit review process as required. Staff is researching grants available for the further development of the Building Department.

### **8. Continuation of the Discussion on the Evaluation Appraisal Report from the Meeting on December 5, 2023**

Town Manager Ramaglia introduced Kaitlyn Forbes who was integral in this process and will assist in the Comprehensive Plan update.

Town Manager Ramaglia noted an incorrect reference to the Local Planning Agency (LPA) in the Evaluation Appraisal Report (EAR). The document should refer to the Planning and Zoning Board (PZB) rather than the LPA: the LPA addresses development, while the PZB handles

applications and transactional reviews. The Town Council serves as LPA for the purposes of the Town's Comprehensive Plan.

Mayor Danowski opened the floor for public comment on the item.

Cassie Suchy, resident, pointed out that previous Agendas which listed a discussion of the Comprehensive Plan refer to the EAR rather than spelling out "Evaluation Appraisal Report," which may be less familiar to residents. She encouraged the Council to review the document, recalling that there were items discussed during the December 2023 conversation which the Council did not want to include. She concluded that there should be further discussion of the EAR.

With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

The Councilmembers discussed the document. It was clarified that the plan must also be presented for a formal first reading before it can be transmitted to the State. As the Council serves as LPA, they would review the document. Once the plan has been sent to the State, the State has 60 days in which to review it. The State would provide a letter with any objections or comments on the document. It would then be presented to the Council for second reading and adoption, and sent back to the State once more with an adoption package.

Mayor Danowski strongly recommended that all Councilmembers schedule a meeting with staff to thoroughly review the Comprehensive Plan. It was determined that this review would be complete by the January 23, 2024, meeting. Residents will have an opportunity to comment on the document at that meeting. Furthermore, the Mayor clarified the instances in which the Council or the PZB act as LPA, reiterating that the PZB serves as LPA in cases of development review and approval of applications. The Council serves as LPA in all other cases, including land use approvals and Comprehensive Plan review.

Town Planner Forbes noted that the Plan will be a discussion item on the agenda for the January 23, 2024, meeting, as there is not sufficient time to advertise the first reading of the document and no motion has been made to establish first reading at that meeting. The first reading would be scheduled for the Tuesday, February 6, 2024, Town Council meeting. Additionally, no fines have been incurred.

## **9. Discussion Regarding Roadway and Drainage Update**

Mayor Danowski opened the floor for public comment on the item.



Virginia Standish, resident, stated that the Town's map shows an incorrect location for the sewer main and recommended that this be corrected; encouraged the Council to reach out to Palm Beach County to coordinate efforts and expressed concern that the County is not honoring its original agreement to allow residents to tie into the North Road water main.

Frank Standish, resident, commented that while Public Works' staff is doing a good job, an existing problem remains regarding tree growth which hangs over the roadway, particularly on the north side of the Town. He felt Staff should be proactive in addressing this safety concern.

With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

Public Works Director Gallant reviewed actions taken over the past month, including mowing on several roads and trimming of roadsides. Residents are given the opportunity to correct any nuisance elements, such as overhanging trees, before staff takes action. Staff has also addressed potholes and pavement edges on a number of roads. Irrigation has been repaired at Town Hall and new landscaping has been installed there; additionally, repairs and cleaning of canals are also planned.

Town Manager Ramaglia added that staff is reviewing quotations for upcoming projects, some of which are relative to nuisance abatement efforts. They are also reviewing contracts for assessing and clearing of culverts.

The Councilmembers discussed the update, including the overgrown tree issue raised during public comment as well as areas being paved or left unpaved, mowing of canal banks, and an update of the grading schedule.

Councilmember Herzog suggested that older residents may be in need of hardship consideration when staff addresses overgrowth on their properties. Town Manager Ramaglia advised that the Council would need to give policy direction before this could be considered.

There was additional discussion of the Town possibly removing exotic species that intrude into rights-of-way. Councilmember Miles recommended giving residents the option of removing exotic species themselves before the Town takes action, and advising the residents that they will be billed for the work if it is done by the Town.

The Council also discussed drainage and canal banks. Public Works Director Gallant advised that material removed from canals, once dried, can be reused. The Town currently has no road standard, and cannot use FDOT standard, which is in development. Town Manager Ramaglia noted that the Town may extrapolate a road standard from its road classifications.

Mayor Danowski re-opened the floor for public comment on the item.

Jo Siciliano, resident, asked how cuttings from mowing are disposed and if easements are trimmed, this should include westerly easements as well.

It was clarified that cuttings go into the canal.

Cassie Suchy, resident, stated that some canal and roadway edges are maintenance easements owned by residents, and urged Staff to be aware of these easements.

Frank Standish, resident, recommended that Public Works generate a report showing the hours and miles spent on mowing and other maintenance. He added that he did not believe temporary work easements should have to come before the Council for approval, but should be generated immediately. Town Manager Ramaglia confirmed that the easement policy can be brought forward at a future meeting for modification.

With no other individuals wishing to speak at this time, Mayor Danowski closed public comment.

### **TOWN STAFF COMMENTS**

Francine L. Ramaglia, Town Manager - Transitions are underway with new Staff, and acknowledged that tonight's Agenda was generated later than usual. Future Agendas will be issued with a simpler format. While few officials attended Palm Beach County Days in Tallahassee due to inclement weather, the Florida League of Cities is arranging a trip. All five elected officials may attend if they wish.

Glen Torcivia, Town Attorney - No report.

Richard Gallant, Public Works Director - No report.

Lexi Collegio, Acting Town Clerk - No report.

## **TOWN COUNCILMEMBER COMMENTS**

Councilmember Herzog - Requested that staff remove signs that are leaning over Town canals so they do not fall into these waterways. It was clarified that these signs will be replaced once staff has replaced the Town's stop signs. Furthermore, recent heavy winds have blown feed bags into canals on and near B Road, which could lead to blockages if not removed. Additionally, suggested reviving the Finance Advisory, Audit Committee, and the Trails Committee during the next budget year so the Council can hear more input from residents.

Councilmember Maniglia - Stated she was not pleased that the upcoming Candidates' Forum is scheduled at a time when Councilmembers may be in Tallahassee, as this means she will not be able to attend the forum. If a road is to be paved, the entire road should be paved. Town Manager Ramaglia noted that she will attempt to change the date of the Candidates' Forum, as the event has not yet been advertised.

Councilmember Miles - Advised that she would like to see the majority of signage removed from canal banks and placed on the roadside instead, if feasible. It was noted that State law requires signs to be placed 2.5 ft. off the edge of the roadway, which means there may not be sufficient room for signage within easements. Unstable signposts, however, can be replaced with more stable materials. During the rainy season, the area south of Okeechobee Boulevard holds more water than the north side. She asked why smaller culverts on the north end are not used to slow the flow of water to the south. Public Works Director Gallant explained that smaller culverts create artificial pressure on culvert walls, which can lead to culvert failure.

Vice Mayor Shorr - Requested that guardrails be made a priority, and addressed the expense of roundabouts, which could cost the Town significantly. He recalled the success of previous visits to the State Legislature which have been successful, and recommended that the Mayor, at least, participate in the upcoming visit. Councilmember Herzog commented that other Councilmembers should be able to participate in the Tallahassee visit as well if they feel they can contribute. It was determined that the Mayor would serve as the Town's primary representative in working with the lobbyist, and other Councilmembers who wish to attend may participate in other activities.

Mayor Danowski - Recommended that speed bumps be painted so they are more visible to motorists. She expressed concern with the Town's purchase of a degraded culvert from a resident, with plans to use FEMA funds to repair it, which she felt could set an unwanted precedent.

## **ADJOURNMENT**

The meeting of the Town Council was adjourned at 10:06 p.m.

**TOWN OF LOXAHATCHEE GROVES,  
FLORIDA**

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Mayor Laura Danowski

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Vice Mayor Robert Shorr

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Council Member Margaret Herzog

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Council Member Marianne Miles

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Council Member Phyllis Maniglia

**ATTEST:**

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Lexi Collegio, Acting Town Clerk