



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL MINUTES OF REGULAR MEETING
APRIL 6, 2021**

Meeting audio available in Town Clerk's Office

TOWN COUNCIL AGENDA ITEMS

CALL TO ORDER

Vice Mayor Herzog called meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Shorr led the Pledge of Allegiance.

MOMENT OF SILENCE

Vice and Acting Mayor Herzog led a prayer.

ROLL CALL

Vice and Acting Mayor Margaret Herzog, Councilmembers Phillis Maniglia, Laura Danowski, Marianne Miles and Robert Shorr, Town Manager James Titcomb, Asst. Town Manager Francine Ramaglia, Town Attorney James Brako, Esq., Public Works Director Larry Peters, and Town Clerk Lakisha Burch.

ADDITIONS, DELETIONS & MODIFICATIONS TO THE AGENDA

Town Clerk Burch requested that Item 1 be pulled from the agenda and if item regarding Rules of Order and Board and Committees be placed at the end of the agenda before Town Council Comments

Councilmember Maniglia made a motion to modify the agenda as requested by Town Clerk Burch and seconded by Councilmember Danowski; Voting is as follows Ayes: Acting Mayor and Vice Mayor Herzog, Councilmembers Maniglia, Danowski, Shorr, and Miles. Motion passed unanimously.

APPOINT SEAT OF MAYOR- RESOLUTION NO. 2021-15

Councilmember Maniglia made a motion to appoint Robert Shorr as Mayor. Seconded by Councilmember Miles. Voting is as follows Ayes: Mayor Shorr, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Miles. Motion passed unanimously.

APPOINT SEAT OF VICE MAYOR- RESOLUTION NO. 2021-16

Mayor Shorr made a motion to appoint Laura Danowski as Vice-Mayor. Seconded by Councilmember Miles. Voting is as follows Ayes: Mayor Shorr, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Miles. Motion passed unanimously.

APPOINT SEAT OF CHAIR OF BOARD OF SUPERVISORS- RESOLUTION NO. 2021-DD01

Councilmember Maniglia made a motion to appoint Laura Danowski as Chair of the Board of Supervisors. Seconded by Vice Mayor Danowski. Voting is as follows Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

APPOINT SEAT OF TREASURER OF BOARD OF SUPERVISORS-RESOLUTION NO. 2021-DD02

Councilmember Maniglia made a motion to appoint Councilmember Herzog as Treasurer of the Board of Supervisors. Seconded by Vice Mayor Danowski. Voting is 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 public comment made by Virginia Standish, Kenneth Johnson, Catherine Roze, and Nina Corning.

CONSENT AGENDA

- 1. Approval of Meeting Minutes – ITEM PULLED FROM CONSENT AGENDA UNDER ADDITION DELETIONS AND MODIFICATIONS**
 - a. January 19, 2021
 - b. February 2, 2021
 - c. February 16, 2021
- 2. Approval of Resolution No. 2021-13 authorizing the entry by the Town into agreements with vendors for goods and services utilizing for Village of Wellington ITB #202032 Hardwood Tree pruning village wide authorizing the mayor to Execute necessary documents in forms acceptable to the Town Manager and Town Attorney to take necessary action to implement such Cooperative Purchasing Agreements.**
- 3. Approval of Resolution No. 2021-14 authorizing the entry by the Town into agreements with vendors for goods and services utilizing Palm Beach County's Towing and Recovery of County Vehicles Solicitation #15-055R/ZG; authorizing the mayor to execute necessary documents in forms acceptable to the Town Manager and the Town Attorney to implement the intent of this resolution.**

Councilmember Maniglia made a motion to approve the Consent Agenda without item #1. Seconded by Councilmember Herzog. Voting is as follows Ayes: Mayor Shorr, Councilmember Maniglia, and Herzog. Nays: Vice Mayor Danowski, and Councilmember Miles. Motion passed 3-2.

PUBLIC HEARING

4. Approval of First Reading of **Ordinance No. 2021-01** assigning Commercial Low (CL) Zoning map designation on the Town of Loxahatchee Groves zoning map to the following three parcels of land located at 14711 Southern Boulevard, comprising 2.62 acres. Approval of First Reading of **Ordinance No. 2021-02** amending the Unified Land Development Code to (1) revise Article 10 definitions, abbreviations and construction of terms to add to the definition of limited access Self-Storage Facility; (2) amend Article 25 Commercial Zoning Districts Section 25-015 permitted uses to revise the warehouse, self-storage use to read limited access self-storage facility permitted with category “A” Special Exception approval, subject to Section 80-075 limited access Self-Storage Facility; and (3) add Article 80 conditional uses Section 20-075 limited access Self-Storage Facility.

Presentation was given by Bradley Miller, Urban Design Studio and Jim Fleischman, Town Planner

Councilmember Maniglia commented/inquired about the following regarding Ordinance 2021-01:

- Was a crime study conducted for the property?
- Office hours for the Employees for the Storage Facility
- A&G Plaza and Post Office Property located near the site
- Use of the A&G Plaza by Tractor Trailer drivers and Migrant workers
- Was the petitioner willing to give up the height for 35% of the gross site
- Requested that “indoor self-storage” is placed throughout the ordinance and development order in order to clarify the use of the property.
- Support of the no compete clause

Councilmember Miles commented/inquired about the following regarding Ordinance 2021-01:

- How many bays are the in the facility and the size of each unit
- Staffing of the storage facility and customer access to the property
- Checking in of customers at the front desk
- Who ensure customers are leaving and not sleeping in the unit?
- How will law enforcement respond if a customer stays after hours

Councilmember Herzog commented/inquired about the following regarding Ordinance 2021-01:

- Gate at Tangerine Boulevard
- Responsibility for the gate in a secure area
- Size of the trail in width
- Size of the lake
- Number of parking spaces at the facility
- Accommodation of trucks with limited parking
- Future plans for Lockhart Storage property behind A&G
- Number of 35-foot buildings along Southern Blvd. Concerned about height of the buildings.

Vice Mayor Danowski commented/inquired about the following regarding Ordinance 2021-01:

- Access to the lockbox key on Tangerine
- Palm Beach County Fire Rescue and Sheriff Office access issue to property off Southern Boulevard
- Dealing with the Wetland Mitigation of the property
- Intent to purchase property to the west of the site to convert property to a different use
- Stricken language in Article 10 of the development order

Mayor Shorr commented/inquired about the following regarding Ordinance 2021-01:

- More detail required for the Northern and Southern of the property
- Solidification of sidewalks on Department of Transportation property on the drawing
- Requested better details of the Northenden at Tangerine Drive.
- Requirement for green space for Flood Plain Development
- Property line on Tangerine Drive

There was a consensus of 4-1 to move forward with the project. Consensus is as follows Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Maniglia, and Miles. Nays: Councilmember Herzog.

- Councilmember Miles made the following additional comments/inquiries regarding Ordinance 2021-01:
- Emergency backup in the event of a Hurricane
- Petitioner paying for excessive calls to Palm Beach County Sheriff's Office

Councilmember Maniglia made the following additional comments/inquiries regarding Ordinance 2021-01

- Request for petitioner to pay for law enforcement services at the site
- Implementation of Impact fees

Ordinance No 2021-01 was read into the record by Town Attorney James Brako.

Town Planner Jim Fleischman provided comment on the approval of the Ordinance.

There was public comment made by Casey Suchy and Virginia Standish.

Councilmember Maniglia made a motion to approve Ordinance 2021-01 on first reading with an addition to add the word "indoor" to self-storage throughout the Ordinance and development order. Seconded by Vice Mayor Danowski. Voting is as follows Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Ordinance No 2021-02 was read into the record by Town Attorney James Brako.

Town Planner Jim Fleischman provided a brief presentation on Ordinance 2021-02.

Councilmember Maniglia commented/inquired about the following regarding Ordinance 2021-02:

- Splitting acres for Commercial Districts
- Two-mile requirement for the same type of business on Southern Boulevard
- Elevation grade standards
- Schematic of the site plan with the Planning and Zoning Board requirement
- Lost of units if ratio is reduced to 25%
- Town Council to review height definition requirement
- Addition of indoor storage language to the ordinance

Mayor Shorr commented/inquired about the following regarding Ordinance 2021-02:

- Ratio clarification
- Minimum and maximum square footage of an acre
- Building height definition in the Town Code of Ordinances
- Reference point changes
- Plot coverage definition

Councilmember Maniglia made a motion to approve Ordinance 2021-02 on first reading with an addition and/or changes: Add the word “indoor” to self-storage throughout the Ordinance and development order, Change Item 2 to verbiage limiting the separation of two miles between Self Storage Development and add height to finish grade. Seconded by Vice Mayor Danowski. Voting is as follows Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

REGULAR AGENDA

5. Update from Groves Town Center (redesigned retention pond perimeter)

Matthew Barnes from WGI provided an update on the Groves Town Center retention pond.

Councilmember Maniglia commented/inquired about the following regarding the retention pond and/or Groves Town Center:

- Effect of finish grade on the project
- Possibility of an Assisted Living Facility or hotel on the Groves Town Center Property
- Signage for unauthorized vehicles
- Reasons for project delay
- Buffer for the Northenden of the pond near Collecting Canal

Councilmember Miles commented/inquired about the following regarding the retention pond and/or Groves Town Center:

- Thanked the petition for rectifying the issue
- Possible trail for the site
- Width of the greenspace North and South
- Possibility of making the pond smaller and deeper for the berm

Councilmember Herzog commented/inquired about the following regarding the retention pond and/or Groves Town Center:

- Status of the oak trees at the site

Motion was made by Councilmember Maniglia to extend the meeting. Seconded by Mayor Shorr. Voting is as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Vice Mayor Danowski commented/inquired about the following regarding the retention pond and/or Groves Town Center:

- Time for planted trees to reach full maturity
- Permeable fiber under the trail

Mayor Shorr commented/inquired about the following regarding the retention pond and/or Groves Town Center:

- Deadline for the completion of the trail
- Brum just of the property

There was public comment made by Casey Suchy and Virginia Standish.

Motion was made by Councilmember Maniglia to extend the meeting. Seconded by Vice Mayor Danowski. Voting is as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

6. Update Town Council on turn-key Code Enforcement/Build and select date for workshop to discuss.

Assistant Town Manager Francine Ramaglia provided an update on Code Enforcement and Building Services for the Town and items for the Town Council Workshop

Town Council requested the following items be discussed at the workshop:

- Keshavarez and Associates to provide an update on culvert replacement projects for the city
- Drainage in front of Big Dog Ranch
- Purchase of tractors
- Cost to clean canals with excavators
- Easements
- Installation of bollards on South D Road
- FAAC committee update in regard to the Budget

Motion was made by Councilmember Maniglia to extend the meeting. Seconded by Mayor Shorr. Voting is as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

There was public comment made by Nina Corning.

7. Rules of Order and Procedure/Board and Committees – ADDED TO THE AGENDA UNDER ADDITIONS

Town Clerk Burch requested that Council review the Rules of Order and Procedures and send any additions and/or subtractions to be placed in the Resolution

The following items was discussed by Town Council and Town Staff regarding Town Boards and Committees:

- Implementation of Boards and Committees
- Process and qualification of member selection
- Sunset of Committees
- Necessity of Town Boards and Committees
- Purpose of Boards and Committees

Motion was made by Vice Mayor Danowski to extend the meeting. Seconded by Councilmember Maniglia. Voting is as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

TOWN COUNCILMEMBER COMMENTS

Phillis Maniglia (Seat 1)

- Provided status of the delivery of the dustless products
- Express concerned of the condition of the mower arm
- Implementation of fine for illegal parking on berm or canal bank

Laura Danowski (Seat 2)

- Status of produce company
- Complaints from residents regarding lack of communication with Coastal
- Status of the five-day work week
- B Road restoration efforts status
- Beer for My Horses event

Marianne Miles (Seat 3)

- Payment of \$59,000 from Dr. Kenneth Larson and closing date for the property
- Cost of asphalt millings
- Painting of speed bumps
- Review of the budget to allocate funds
- Interlocal agreement for the Okeechobee Boulevard Grant
- Emergency access and guard rail on 43rd Road N. and 140th Road

Motion was made by Councilmember Maniglia to remove phase 1 inspection requirement from Resolution 2021-12. Seconded by Councilmember Herzog. Voting is as follows: Ayes:

Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, and Maniglia. Nays: Councilmember Miles. Motion passed 4-1.

Motion was made by Councilmember Maniglia to extend the meeting. Seconded by Mayor Shorr. Voting is as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

Marge Herzog (Seat 5)

- Trash on D Road
- Signage on Collecting Canal
- Thanked staff for breakdown of workshop items

Mayor Robert Shorr (Seat 4)

- Grader operator position open at Public Works
- Letter to Surtax Oversight Committee regarding funding for paving and drainage

Motion was made by Mayor Shorr seconded by Councilmember Herzog to extend the meeting to 12:00 a.m.; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia, and Miles. Motion passed unanimously.

TOWN STAFF COMMENTS

Town Manager

- None

Assistant Town Manager

- None

Town Attorney

- Attorney General Opinion regarding law services provision for the Palm Beach County Sheriff's Office

Public Works Director

- None

Town Clerk

- None

ADJOURNMENT

There being no further business the meeting was adjourned at 12:17 a.m.

**TOWN OF LOXAHATCHEE GROVES,
FLORIDA**

ATTEST:

Lakisha Q. Burch, Town Clerk

Mayor Robert Shorr

Vice Mayor Laura Danowski

Councilmember Margaret Herzog

Council Member Maryann Miles

Council Member Phillis Maniglia