



**TOWN OF LOXAHATCHEE GROVES
TOWN COUNCIL REGULAR MEETING MINUTES
TOWN HALL COUNCIL CHAMBERS – 155 F. Road, Loxahatchee Groves, FL 33470
Tuesday, October 1, 2024**

TOWN COUNCIL AGENDA ITEMS

CALL TO ORDER

Mayor Kane called the meeting to order at 6:13 p.m.

PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE:

Mayor Kane led the Pledge of Allegiance followed by a moment of silence for Mayor Fred Pinto of the Village of Royal Palm Beach.

ROLL CALL

Mayor Anita Kane, Vice Mayor Margaret Herzog, Councilmember Laura Danowski, Councilmember Phillis Maniglia (arrived at 6:16 p.m.), Councilmember Robert Shorr, Town Manager Francine Ramaglia, Town Attorney Glen Torcivia, Public Works Director Richard Gallant, Project Coordinator Jeff Kurtz, Town's Planning Consultant Jim Fleischman (of Land Research Management, Inc.) 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 asked the Town Council to move item no. 11 up to item no. 6.

MOTION: COUNCILMEMBER SHORR/COUNCILMEMBER HERZOG MOVED TO APPROVE THE AGENDA AS MODIFIED. MOTION PASSED UNANIMOUSLY (4-0).

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

No public comments on non-agenda items.

CONSENT AGENDA

Councilmember Danowski requested to pull item no. 2 off the consent agenda. Mayor Kane placed the item as no. 11 on the agenda.

MOTION: COUNCILMEMBER SHORR/COUNCILMEMBER HERZOG MOVED TO APPROVE THE CONSENT AGENDA AS MODIFIED. MOTION PASSED UNANIMOUSLY (5-0).

1. Approval of Resolution No. 2024-76: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RATIFYING EXPENDITURES IN EXCESS OF \$25,000, AS SHOWN ON THE ATTACHED COMPOSITE EXHIBIT "A" AND AUTHORIZING THE PAYMENT FOR SUCH; AND PROVIDING FOR AN EFFECTIVE DATE.

Agenda item no. 1 approved on consent.

2. Receive & File: Vendor Payments in FY 2024 between \$10,000 and \$25,000

Agenda item no. 2 was pulled off the consent agenda.

PRESENTATIONS

3. Presentation on Resilient Florida Project Work Plan Status and Update

Randy Werterpny, P.E., Vice President of Engineering for Keshavarz & Associates provided a presentation on Resilient Florida Project Work Plan Status and Update.

REGULAR AGENDA

4. Consideration of Approval on Resolution No. 2024-74: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA AUTHORIZING THE FIFTH AMENDMENT TO SOLID WASTE AND RECYCLING COLLECTION SERVICES AGREEMENT WITH COASTAL WASTE & RECYCLING OF PALM BEACH COUNTY, LLC; PROVIDING FOR AN EFFECTIVE DATE.

MOTION: COUNCILMEMBER MANIGLIA/COUNCILMEMBER HERZOG MOVED TO APPROVE RESOLUTION NO. 2024-74. MOTION PASSED UNANIMOUSLY (5-0).

DISCUSSION

5. Discussion of Proposed Culvert Ordinance (Revised)

Jeff Kurtz, Project Coordinator, provided and explained the proposed culvert ordinance.

By consensus, the Town Council directed staff to modify the proposed ordinance.

6. Discussion on Town Council Priorities:

Town Clerk Oakes provided an overview on the Town Council priorities.

- Review of the Legislative Calendar
- Review of Agenda Item Schedules (forthcoming)
- Review of Annual Special Events & Approval of *Resolution No. 2024-67*:
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RECOGNIZING CERTAIN DATES SUPPORTING LOCAL GOVERNMENT AND APPROVING ANNUAL SPONSORSHIPS AND EVENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION: COUNCILMEMBER SHORR/COUNCILMEMBER MANIGLIA
MOVED TO APPROVE RESOLUTION NO. 2024-67 AS MODIFIED.
MOTION PASSED UNANIMOUSLY (5-0).**

- Review Annual Proclamations & Approval of *Resolution No. 2024-68*:
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE DESIGNATION OF CERTAIN DAYS, WEEKS, AND MONTHS FOR ANNUAL PROCLAMATIONS TO BE ISSUED BY THE TOWN COUNCIL; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

**MOTION: COUNCILMEMBER _____ MANIGLIA/COUNCILMEMBER
DANOWSKI MOVED TO APPROVE RESOLUTION NO. 2024-68.
MOTION PASSED UNANIMOUSLY (5-0).**

- Review of the Florida City Government Week Schedule & Approval of Resolution No. 2024-75:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, PALM BEACH COUNTY, FLORIDA, RECOGNIZING FLORIDA CITY GOVERNMENT WEEK, OCTOBER 21 THROUGH 27, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: COUNCILMEMBER SHORR/COUNCILMEMBER MANIGLIA MOVED TO APPROVE RESOLUTION NO. 2024-75. MOTION PASSED UNANIMOUSLY (5-0).

7. Discussion on Roadway, Drainage and Emergency Management

Public Works Director Gallant provided a report on Roadway, Drainage and Emergency Management.

PUBLIC HEARING

8. Approval of Ordinance No. 2024-11 on Second Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN CONSISTENT WITH CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Clerk Oakes read the title of Ordinance No. 2024-11 into the record.

There were no public comments. Town Council discussion ensued.

MOTION: COUNCILMEMBER MANIGLIA/COUNCILMEMBER HERZOG MOVED TO APPROVE ORDINANCE NO. 2024-11 ON SECOND READING. MOTION PASSED UNANIMOUSLY (5-0).

9. Approval of Ordinance No. 2024-12 on Second Reading: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE II “TOWN COUNCIL” BY ADDING A NEW SECTION 2-20 “ELECTION QUALIFYING” OF THE LOXAHATCHEE GROVES CODE PROVIDING FOR THE CANDIDATE QUALIFYING PERIOD; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION AND AN EFFECTIVE DATE.

Town Clerk Oakes read the title of Ordinance No. 2024-12 into the record.

QUASI-JUDICIAL PUBLIC HEARING

None.

TOWN STAFF COMMENTS

Town Manager had no report.

Town Attorney had no report.

Public Works Director had no report.

Town Clerk had no report.

TOWN COUNCILMEMBER COMMENTS

Councilmember Maniglia (Seat 1) had the following questions from a resident: 1) Whether the Town's PUD ordinance allows for residential development. The response was that, generally, a PUD (Planned Unit Development) allows for residential uses, but the Town of Loxahatchee Groves does not currently have a residential PUD. Instead, it has a commercial mixed land use designation. It was clarified that while mixed land use could include residential, any such development would still have to follow the five-acre zoning requirement per residence unless Council approved different terms within a PUD. The process for approval would not be short and would require Council approval at multiple stages. 2) What controls would apply to residential development in a PUD if it were permitted. The response indicated that such considerations would be application-specific and ultimately at the discretion of the Council. Applicants can request whatever they want, but it is the Council's decision whether to approve or deny those requests. 3) Whether residential could be removed from the PUD ordinance altogether. Staff responded that while it is possible to amend the ordinance to prohibit residential use in a PUD, it would not prevent applicants from still requesting it through a Comprehensive Plan text amendment. Even if the ordinance were changed, an applicant could still apply for residential development, and the Council would have to go through the review and approval process. Councilmember Maniglia pushed further, asking whether the Town could remove residential from PUDs altogether to address residents' concerns about potential HOA developments. Staff explained that removing residential from PUDs would require an ordinance amendment, multiple public hearings, and significant costs. Additionally, removing residential would not entirely prevent applications from coming in, as anyone can request a Comprehensive Plan amendment. Ultimately, the final decision on any such request rests with the sitting Council.

Councilmember Maniglia expressed concerns from residents about road conditions, particularly regarding G Square, where there was an issue with a large hole in the middle of the road. She asked when it would be completed. Staff responded that the issue had not been widely reported, as only one resident had complained. The discussion then shifted to why the Town had not paved its existing maintained footprint without requiring additional easements. Staff clarified that some roads, referred to as "Gap roads," were scheduled for paving as part of the Town's 25-Year Paving Plan and were anticipated to be completed by next summer. Councilmember Maniglia continued to press the issue, asking why the Town could not simply pave what it had historically maintained.

Staff responded that they were working toward obtaining the necessary easements to complete the project properly.

Next, Councilmember Maniglia inquired about the status of the FPL undergrounding project, noting that residents continued to experience power outages. Staff informed her that discussions had been reopened with FPL, but progress was slow, especially since FPL was currently in hurricane recovery mode.

She then expressed satisfaction that Southern Lawn and Garden was finally moving forward with its project, urging that the Town continue pushing to ensure its timely completion.

Councilmember Danowski (Seat 2) noted that she occasionally receives calls from residents asking for updates on their permits. She inquired about the status of property liens, asking if the Town had placed any recently. It was confirmed that liens are filed shortly after a magistrate orders them. However, a lien is not placed at the beginning of a violation process. Instead, a property owner must first be found in violation and given time to come into compliance. If compliance is not achieved within the given timeframe, fines begin accruing, and only after all opportunities to resolve the issue have been exhausted does the lien get placed.

The Flapjacks fundraiser, a benefit event for The Outsiders Drill Team, which will be held at Red Barn on October 19th from 9:00 a.m. to 12:00 p.m. and will feature a tack swap and pancake breakfast to raise funds for the team.

Requested clarification on when she is allowed to ask questions about what she hears in developer meetings. Town Attorney Torcivia explained that during a quasi-judicial hearing, she can follow up with questions as part of the formal process. She gave an example, stating that she attended a developer meeting last week and heard something that confused her. Town Attorney Torcivia confirmed that while she cannot ask those questions during the current Council meeting, she is allowed to ask staff and then disclose that she had the conversation when the matter is formally discussed.

Councilmember Shorr (Seat 4) expressed his excitement about the implementation of the Town's new work order and permitting programs, emphasizing the need for improvement given the shortcomings of the current systems. He questioned why staff members are not proactively reporting problems they encounter, such as canal bank issues, potholes, and general maintenance concerns. He emphasized that equipment operators and maintenance personnel have a unique vantage point when working in the field and should be actively reporting these issues to ensure they get resolved. Regarding the permitting program, there is a failure in providing proper communication and feedback to permit applicants. When a contractor, engineer, or property owner submits a permit request, they should receive automatic updates at every stage of the process, rather than having to repeatedly call Town Hall for status updates. This lack of communication places an unnecessary burden on both the applicants and staff. He strongly advocated for the new program to incorporate automatic notifications, ensuring that applicants receive timely updates when their permit status changes. The upcoming transition to the new permitting system, stating that it is expected to be fully operational by the end of the year, with a target completion date around Thanksgiving. Since the Building and Code Enforcement Open House will not take place during Florida Government Week, a separate session will be held to educate the public on how to

use the new software. He inquired about whether existing permit data would be migrated into the new system or if only new submissions would be processed through it, to which it was confirmed that all permit data would be transferred. While there are still challenges, improvements are being made. He noted that he has seen weed eaters out working, recognizing the effort required to keep up with maintenance and expressing his appreciation for everyone's hard work in making the Town better each day.

Vice Mayor Marge Herzog (Seat 3) expressed her enthusiasm for the Town's progress and optimism for future accomplishments. Additionally, she announced her membership on the Florida League of Cities Legislative Action Committee, where she will engage in key discussions on legislative matters. The issue regarding Southern Lawn has been successfully resolved.

Mayor Anita Kane (Seat 3) shared key details regarding Read for the Record contest, hosted by the Literacy Coalition of Palm Beach County, and expressed her desire for the Town of Loxahatchee Groves to participate in the contest and encouraged Council's support and participation.

MOTION: COUNCILMEMBER MANIGLIA/MAYOR KANE MOVED TO EXTEND THE MEETING AT 9:55 P.M. MOTION PASSED UNANIMOUSLY (5-0).

ADJOURNMENT

There being no further business before the Council, Councilmember Maniglia moved to adjourn the meeting at 10:07 PM, which was seconded by Vice Mayor Herzog and passed unanimously (5-0).