



Summary of Discussion
Loxahatchee Groves Town Council
Town Council Regular Meeting
Tuesday, August 21, 2007
Loxahatchee Groves Water Control District Council Chambers
7:00 PM – 9:00 PM

Members Present:

Dave Browning, Mayor
Marge Herzog, Vice Mayor
Dave Autrey, Council Member
Dennis C. Lipp, Council Member
Dr. J. William Louda, Council Member

Members Absent:

None

Others Attending:

Phyllis A. King, Transcriber, PKING Consulting
Matthew Lippman, Interim Town Clerk (NCS)
Dr. Irv Rosenbaum, Interim Town Manager (NCS)
David N. Tolces, Esq., Town Attorney
Members of the Public

A meeting of the Loxahatchee Groves Town Council; "Council," "Board," or "Committee" was held at 7:00 p.m. on Tuesday, August 21, 2007 at the Loxahatchee Groves Water Control District Council (LGWCD) Chambers; 101 D. Road, Loxahatchee, FL.

1. – 4. Call to Order/Roll Call/Pledge of Allegiance/Invocation

Mayor Dave Browning called the meeting to order at 7:00 p.m. He then requested the roll call by Vice-Mayor Herzog. Upon completion of the roll, Mayor Browning requested everyone stand for the Pledge of Allegiance and Invocation. Upon seating, Mayor Browning moved to Item 5 - Approval of Agenda.

CONSENT AGENDA:

5. Approval of Agenda

Vice-Mayor Herzog MOTIONED to approve the Consent Agenda. Councilman Louda SECONDED.

Mayor Browning asked if there were any additions or corrections. There being none he called for public comment. There was no public comment.

MOTION passed unanimously.

Mayor Browning moved on to Item 6 - Approval of Minutes from July 17, 2007 Town Council Meeting.

Mr. Tolces informed the Council that Item 5 should have been pulled out, but Items 6-12 can be approved under a motion to approve the Consent Agenda.

Vice-Mayor asked how to make the corrections.

Mr. Tolces stated that if something is going to be pulled out then when the motion to approve the Consent Agenda is made, then you would state the items to remove and discuss them separately. Mayor Browning stated that they would make the MOTION and SECOND it; then discuss the items to be removed or changed.

Councilman Louda MOTIONED to approve Consent Agenda Items 6-12 with corrections to Scrivener's errors within the Meeting Minutes as follows:

- **Pages 2-14 - change 'Workshop Meeting' to 'Regular Meeting'**
- **Page 4 – change 'Ilene Ryndom' to Ilene 'Rindom'**
- **Page 10 – change 'Shoemocker' to 'Shewmake'**
- **Page 12 – change 'Indian Creek' to 'Indian Trails'**

Councilman Autrey SECONDED; and the motion passed unanimously as modified.

6. Approval of Minutes – Town Council Meeting of July 17, 2007

7. School Speed Zone Status Report
8. Expenditure Approvals:
9. Town Management Office State of the State
10. PBC Planning, Zoning, & Building Town Report
11. Financial Report
12. Newsletter

REGULAR AGENDA:

Mayor Browning introduced Michael Haggerty, Dynamic Towers (*Zoning Application Submittal for a Stealth Wireless Communications Facility on 1950 "A" Road*).

13. PRESENTATIONS:

a. **Michael Haggerty, Dynamic Towers Inc.** presented his proposed Stealth Wireless Communications System for 1950 "A" Road to the Council and showed a PowerPoint presentation.

Questions posed and answers provided were as follows:

Vice-Mayor Herzog stated that the Towers at the Elementary School and at C Road were not pointed out.

Mr. Haggerty explained that the Tower at the Elementary School is a cement Tower and strictly for the schools communication.

Discussion ensued regarding Towers missing from the presentation. Mr. Haggerty advised that their information is pulled from the FCC filings.

Councilman Louda asked if extensions were required.

Mr. Haggerty responded no and stated that the reason for Stealth is to keep it from looking odd.

Discussion ensued regarding the time span for answering calls.

Mr. Tolces: If I might just briefly; to the extent that an application for any kind of approval may need to come through the Town Council. I just want to caution you from formulating any opinions or making any decisions with respect to this item at this time.

Mr. Lippman informed the Council that Mr. Haggerty is presenting his ideas, not seeking approval. He informed the Council that the presentation is for information only. He stated that questions and answers are not appropriate and cautioned not to lead to how many are in favor or not in favor.

David Bates - Project Planner explained the process of the Universal Land Development Code (ULDC) of Palm Beach County.

Mr. Lippman informed the Council that he would represent the Town Council and Town Staff with any comments and all of the meeting would be included in the whole packet.

Discussion ensued regarding the height of a Pine Tree.

Councilman Louda asked how much revenue this type of activity for the landmark generates.

Mr. Haggerty: I would like to be able to give you a dollar figure on it. It's not something that I can state without Land Analyst permission.

Councilman Louda stated that five or six years ago they heard a figure of about \$18,000 a ring, per year. He then suggested that according to the map it may be better to go further north.

Mr. Haggerty stated that there are more residences going north that would be impacted.

Vice-Mayor Herzog asked why it wouldn't be facing Okeechobee instead of a dirt road and how many feet it is to the roads.

Mr. Haggerty advised that it is facing Okeechobee and it's approximately 800 feet. He then stated that it was about 150 feet from A Road.

Mayor Browning asked if there were further comments from the Council members.

Councilman Lipp stated that the property is owned by an LLC known as Wagflo. There have been previous issues with Loxahatchee Groves Landowners' Association and now with the Town. He advised that this is the worse spot to pick because it's the Plant Factory. He

explained that the residents living near the factory have had to spend thousands in legal fees to get the manure pile lowered and eventually taken away. He suggested looking for another site because of the problems associated with this parcel of land.

Woody Williams - Dynamic Construction informed the Council of the process involved with caring for the Pine Tree Towers. He explained that it could be done, but he wanted to advise them of the down side for something of that nature.

Mr. Tolces suggested that the Council provide Mr. Lippman with direction so that when he attends the DRO meetings he could present any concerns of the Town.

Mr. Lippman asked Mr. Haggerty if he had a date of which the proposal will go before the DRO.

Mr. Haggerty stated that the application has not been submitted to the DRO. He advised that they wanted to come to the Town in advance. He then stated that the plan is to submit the application to Palm Beach County on September 19 and that would put the application on the DRO for November 10.

Mr. Lippman advised that once the application is submitted he would have all the information to go over with the Council and they would have at least 2 to 3 weeks to comment.

There being no further comments The Mayor opened the floor for Item 13b Beth Preston (Clean-up Campaign). Councilman Autrey introduced Ms. Preston.

b. Beth Preston (Clean-up Campaign) suggested utilizing the graduating seniors to help beautify the Community. She stated that they have 150 hours of Community Service, which has to be completed to graduate. Ms. Preston also advised that she would research how to become an Authorized Community Service Provider. She then stated her concern with illegal dumping around easements and informed the Council that she didn't know who could help.

Mayor Browning opened the floor for comments.

Councilman Louda stated that the LGLA would handle the issues.

Mr. Tolces stated that the Town Council could handle her concerns.

Discussion ensued regarding the High School Senior's Community Service requirement.

Councilman Louda asked how the liability would be extended by throwing canoes and nets into the canal.

Mr. Tolces advised that this would be something to coordinate with the Water Control District.

Ms. Preston: Mark Jackson and I have been speaking about this, he said he would help me organize it and he told me that he has tried to get the Water management District to address the garbage in the canal and it fell on deaf ears.

Discussion ensued between Council members.

Ms. Preston: Another thing is what we do with the trash after we've pick it up.

Councilman Louda informed Ms. Preston who to contact.

Mayor Browning stated that in the past the garbage collector would donate a couple dumpsters. He then asked if there were further comments.

Mr. Lippman asked for direction on two issues: to direct the Town Staff to assist in the Clean Up Campaign and requests Vice-Mayor Herzog be appointed the liaison to work with Counsel.

Mayor Browning asked for consensus on the issues and Council agreed. He then asked Councilman Autrey to read Item 14, Ordinance No. 2007-005.

14. ORDINANCE NO. 2007-005 (1st reading)

Town Attorney Dave Autrey read Ordinance No. 2007-005 (1st reading) into record.

Councilman Louda MOTIONED to approve the 1st reading of Ordinance No. 2007-005, Councilman Lipp SECONDED.

Discussion: Mayor Browning opened the floor for discussion from Council.

Councilman Louda stated that as Council moves forward they can decide which to eliminate but they won't start eliminating until the Ordinance has been adopted after September 4.

Mr. Lippman stated that there would still be other Ordinances to adopt.

Mayor Browning advised that a decision couldn't be made at the Workshop.

Vice-Mayor Herzog stated that the date at the first "Where As" should be October 10, 2006 and discussion ensued regarding which date is correct to use.

Councilman Louda MOTIONED to approve the 1st reading of Ordinance No. 2007-005, Councilman Lipp SECONDED; Councilman Louda made an AMENDMENT by MOTIONING to change the date to October 10, 2006. Councilman Lipp SECONDED and the motion passed unanimously.

Mayor Browning opened the floor for discussion from Council and subsequent public comment. There being none, the Mayor moved on to Item #15 Town Council Meeting Rules.

15. Town Council Meeting Rules (Irv Rosenbaum & Matthew Lippman)

Mr. Lippman advised Council of the importance of maintaining a professional and organized decorum. He then requested the approval of the memo for Procedures for Addressing the Town Council. He also explained the process for notifying the Public of the Procedures.

Vice-Mayor Herzog MOTIONED to approve the memo of Procedures for Addressing the Town Council. Councilman Louda SECONDED and the motion passed unanimously.

Mayor Browning opened the floor for discussion from Council and subsequent public comment.

Dr. Rosenbaum advised that they've tried to balance the Public's input verses the Council's. Councilman Louda stated that the memo looks very impressive. Mr. Lippman stated that the most important thing to survive is to allow for Citizens input.

Mayor Browning asked if a comment card could be filled out during the meetings. Mr. Lippman advised that a comment card could be completed until 8:45.

Mayor Browning opened the floor for further discussion from Council and subsequent public comment. There being none, Mayor Browning called the vote.

The MOTION passed unanimously, memo approved.

16. Town Code of Ethics (David Tolces)

Mr. Tolces advised the Council that pursuant to the Town Charter Section 9; paragraph A, entitled Standards of Conduct; the Council needs to adopt a Code of Ethics no later than 6-months from the effective date of incorporation. He stated that 6-months from that date would be September 30, 2007. He then stated that samples of two Codes of Ethics were included in their agenda packets. He then asked Council when they would like to discuss this issue.

Councilman Louda requested to add as part of the Town Code of Ethics; no Council member or Town staff shall meet with any one or any entity coming forward.

Discussion ensued as to how this would affect staff. Mr. Lippman informed the Council of the staff's position on the issue. Mayor Browning asked Mr. Tolces if this should be tabled for the Workshop or opened for discussion. Dr. Rosenbaum informed that staff should be able to generate something.

Mayor Browning asked for consensus to table Item 16 until the August 23, Workshop. The Council agreed.

Vice-Mayor Herzog asked if the Institute for Elected Municipal Officials should be a mandatory class for New Council members. She advised that the next meeting is October in Fort Lauderdale. Mr. Lippman stated that he would bring the information to the Workshop and they could make a decision at that point.

17. Consultant Agreement to facilitate the Town's Comprehensive Plan Amendment to amend the Future Land Use Map from 1 dwelling unit per 10 acres to 1 dwelling unit per 5 acres (Irv Rosenbaum).

Dr. Rosenbaum stated that the direction is to move ahead rapidly. He then asked for direction as to how the Council wanted to proceed.

Councilman Louda MOTIONED to approve Item 17, Consultant Agreement to facilitate the Town's Comprehensive Plan Amendment to amend the Future Land Use Map from 1 dwelling unit per 10 acres to 1 dwelling unit per 5 acres, Vice-Mayor Herzog SECONDED

Mr. Tolces suggested that the Council authorize the execution of the Agreement that incorporates the proposal. He stated that he would generate a Standard Town Agreement.

Councilman Louda MOTIONED to approve Item 17, Consultant Agreement to facilitate the Town's Comprehensive Plan Amendment to amend the Future Land Use Map from 1 dwelling unit per 10 acres to 1 dwelling unit per 5 acres and to direct staff and legal counsel to enter into an agreement with Calvin Gordano for fulfilling Proposal No. 07-1251. Vice-Mayor Herzog SECONDED and the motion passed unanimously.

Mayor Browning opened the floor for Council comments. Councilman Autrey asked if a completion date was set.

Shelley Eichner, Vice-President - Calvin-Gordano and Associates stated that they are ready to begin on August 22, 2007. She advised that the goal is to try to complete the Plan before the adopted target.

Mayor Browning called for further comments from the Council and subsequent public comment.

Linda Isaacs - Marcella Blvd asked for clarification on the Dwelling Amendment.

Mayor Browning explained the reasoning for changing to one dwelling unit per 5 acres. He then asked for further comments from the Public. There being none the Mayor moved on to discussion of Item 18a Facilitator.

18. Town Work Plan

a. Comprehensive Plan Facilitator RFP's

Dr Rosenbaum stated that they have one proposal from **Julia Trevarthen**, Director, The Institute for Community Collaboration, Inc. (SFRPC). He then advised that they are soliciting for another.

Mayor Browning asked what was needed on this issue.

Mr. Lippman presented options for the Council.

Mayor Browning opened the floor for Council discussion.

Councilman Louda asked for clarification on the proposals. Mr. Lippman explained that Item a. Comprehensive Plan Facilitator and Item b. Comprehensive Plan Planning Firm are two different aspects.

Dr. Rosenbaum advised that the first one is the visioning process.

Councilman Louda asked how much the visioning process costs. Mayor Browning advised \$5,750 per day.

Councilman Autrey inquired as to the availability of someone with a rural background to get into the loop for a quote. Dr. Rosenbaum advised that they had tried the local area also.

Councilman Autrey suggested using someone that's more familiar with a rural community.

Dr. Rosenbaum stated that it's hard to find people who facilitate this type of Rural Code. He then advised that some research could be done through University contacts.

Discussion continued between Dr. Rosenbaum and Council regarding what areas to seek a Facilitator with experience and setting a proposal deadline.

Mr. Lippman suggested a proposal deadline date of September 18. Mayor Browning asked for consensus on the date of September 18, and Council Agreed. He then moved on to Item 18b Comprehensive Plan.

b. Comprehensive Plan Planning Firm

Dr Rosenbaum stated that they have one proposal from Calvin-Giordano.

Councilman Louda asked if Dr. Charlie Roberts of FAU was contacted. He stated that Dr. Roberts was basically volunteering his services with some graduate students. He provided an update to his conversation with Dr. Roberts regarding GIS services. He then asked if the assistance from FAU could interface with Calvin Giordano's program without hindering the process.

Shelley Eichner Calvin-Giordano advised that this is definitely possible but her staff would have to supervise due to the specifics of the State requirements for the maps and to alleviate possible errors.

Discussion ensued regarding contacting Dr. Roberts. Town staff will arrange a meeting.

Mr. Tolces advised that staff would follow-up.

Mr. Lippman advised that the date of September 18 would apply here as well as to the Facilitator.

Discussion ensued regarding the official date. Councilman Autrey pointed out that Calvin-Giordano's proposal reflects March 2010.

The Council advised that three years from the date of the Town's Incorporation would be October of 2009. **Mr. Lippman advised that this would be corrected.**

19. Solid Waste Services: (David Tolces & Matthew Lippman)

- a. ILA with PBC Solid Waste Authority for 2007-2008 Services*
- b. Status of RFP process for 2008-2009 Solid Waste contracts*
- c. Status of County offering service to bill & collect 2007-2008 Solid Waste*

Mr. Lippman advised that Council that the revised copy of the Palm Beach County Solid Waste Authority (PBSWA) Interlocal Agreement (ILA) was received and changes requested by the Town have been incorporated. He provided a brief overview of the ILA which

accounts for the 2007-2008 Fiscal Year and attached payment Structure and Schedule which reflects a total cost of \$388,914 / \$318 per residence (not including Administrative Services). The first payment being payable to the PBSWA on January 5, 2008; which provides the Town the ability to get its Revenue Collection and Ad Valorem Taxes in gear.

Mr. Lippman informed the Council that staff is working with the Tax Collector's Office to see if they can assist with billing and a recommended plan will be brought forward in September to provide for the process for billing and collection of the Solid Waste Bills. He explained that since Loxahatchee Groves is no longer in unincorporated Palm Beach County the SWA could not forward the charge to the Tax Collector; therefore the charge will not appear on resident's tax bills but the Town will have to send out a separate bill and put in a process to collect it.

Councilman Louda asked if the item goes forward what recourse the Town would have for non-payment of the bill. He asked if Solid Waste could be told not to pick up.

Mr. Lippman replied no and advised that a non-payment penalty and administrative fee to cover collections could be addressed at the time of the adoption of the ordinance.

Mr. Lippman advised that the RFP packet for SWA bids has been submitted to the Town Attorney for approval. He stated that upon approval from Dr. Rosenbaum and Mr. Tolces it will then be presented to the Council with an explanation of how it will work. He advised that the goal is to present it at the next RCM and to expedite the process in order to get it done by January 1, 2008 in order to be on the property tax roll for the next fiscal year.

Mr. Lippman reminded the Council that Administrative costs are not included in the proposal. He advised that he has had several talks and communication with the County but because it is a new process the County is delayed with giving him a final answer. He stated that Dr. Rosenbaum and he have indicated that once the County comes back with a proposal as to what it will cost; if the Town is okay with it then they can accept it; but if not then NCS is prepared to offer the service and provide a cost estimate as well.

Councilman Louda MOTIONED to approve the ILA with PBC Solid Waste Authority for 2007-2008 Services, SECONDED by Councilman Autrey.

Discussion: Councilman Louda asked if the administrative costs include manual bills. Mr. Lippman responded yes. He explained that the \$388,914 is simply the cost involved and administrative costs are the actual mailing and processing of the actual bills.

Councilman Louda asked approximately how much it would cost for those services. Mr. Lippman replied that it could be anywhere from 2% to 5% over the total amount which would be divided by the number of units.

Councilman Lipp asked if there were any fees for agricultural (Ag) usage; where the person wouldn't live on the property. Mr. Lippman advised that the charges are just for residential.

The Mayor called for other comments from the dais. There being none called for public comments on the item.

Ken Johnson – Collecting Canal referred to the 1,223 homes count provided by the SWA. He advised that based upon his most recent study there are 1,501 pieces of property in Loxahatchee Groves. He asked if this means the differential would pay no trash pickup.

Mr. Tolces advised that Commercial properties have their own solid waste contracts. Councilman Louda asked if it included built properties or platted properties. Mr. Johnson stated that they are platted properties.

Councilman Louda advised that there are a lot of vacant properties. Mr. Johnson expressed concern with that they would be paying nothing.

Councilman Autrey stated that some properties could be platted / divided but only has one residence on it.

Mr. Johnson then questioned properties with a Nursery and asked if they have to pay. Mr. Tolces responded that if they are a commercial property then it is his understanding that they would have their own contract with the Solid Waste Authority.

Mr. Johnson stated that current garbage services are picking up from those properties that have businesses on them but he believes they are paying nothing.

Mr. Tolces explained that the Town has been provided a list of billing from the SWA of customers that will be billed. He stated this is what the Town is relying on the will be obligated to pay. He added that if the SWA is providing service to properties and not being compensated for it then that's their concern.

A conversation ensued and consensus on the dais was to leave the count as provided by the SWA since it is used to get the ILA established.

Mr. Johnson asked if there is a different rate between a residence and a residence/business that produces more garbage.

Mr. Tolces explained that the unit price is the same for every unit. He stated whether a piece of property has two or more units would have to be looked at. But the goal is that the Town will put out its own RFP for Solid Waste and Recycling Collection Services for the 2008-2009 Fiscal Year so the Town will be able to go through the process to design a Solid Waste and Recycling Collection Service that meets the Town's needs.

A discussion ensued that more debris will be generated by the larger properties and the little properties might be subsidizing the larger properties.

Recommendation: Councilman Lipp suggested tailoring the Solid Waste program more appropriately depending upon property size.

Mr. Lippman advised that if the Council could provide feedback concerning the RFP those concerns and suggestions can be incorporated.

Mayor Browning called the question. I's were stated and the MOTION passed unanimously; ILA approved.

20. Webmaster RFP's

Mr. Lippman advised that a memo and three Webmaster proposals were provided in agenda packets for consideration. He advised that they are self-explanatory and offered to answer any questions from the Council.

Questions were posed by Councilman Louda and Vice-Mayor Herzog.

Mr. Lippman explained that the big difference in pricing is due to services that the lower Webmaster does not provide and the fact that the other two Webmasters provide an Administrator's website where content can be managed by the Town. He advised that the most user-friendly and easy to learn of those capabilities is Fusedog.

Following a brief discussion and recommendation from staff the Mayor called from a motion.

Councilman Louda MOTIONED to select Fusedog as the Town's Webmaster based on Staff's recommendation and subject to the execution of an agreement. Vice-Mayor Herzog SECONDED.

Discussion: Councilman Autrey suggested providing sites as examples of what the Town is looking for to the Webmaster. Mr. Lippman advised that he will provide his research that could help the Council in their research. He also welcomed members of the Town to come by the office and give suggested to Town staff of what they would like to see on the website.

Mayor Browning called for public comment on the issue. There were no public comments.

Mayor Browning called the question. I's were stated and the MOTION passed unanimously.

Mr. Lippman stated that the second Motion needed would be the decision on the Town's Domain Name. He stated that Loxgroves.com; Loxgroves.org, and Loxgroves.net is property of Don who has had them for 8 years. He advised that he has temporarily reserved through the .gov website. He advised that there is a fee of \$100 application fee and \$100 per year to maintain the **loxgroves.fl.gov**.

A debate ensued as to whether the website should be called LoxahatcheeGroves vs. Loxgroves. It was explained that a WebCrawler would be added to the site to point people searching for the Town's the website directly to the site.

Vice-Mayor Herzog MOTIONED to make the Town's website domain name LoxahatcheeGroves.gov, SECONDED by Councilman Louda. MOTION passed unanimously.

21. Gangs (Bill Louda)

Councilman Louda discussed a recent newspaper article on the Palm Beach Police Department's Street Sweepers. He advised that Palm Beach Police also publishes a comic book called Gangbusters which he suggested the Town might want to try to distribute to the public. Councilman Louda advised that he plans to attend the next meeting which will be held on September 6, 2007 from 2:00 p.m. to 4:00 pm at FAU; at which time he will bring back a report. Councilman Louda stated that he has noticed the graffiti around Town and it is not their problem it is everyone's problem.

Mayor Browning requested that any residents who sees someone spraying graffiti to please telephone the police.

22. E Road Update (Bill Louda)

Councilman Louda stated that both the LUAB and the BCC did not want to confuse the DCA by passing any amendment to Tallahassee. He advised that their answer to the ORC report on the second plan is out there but they do not wish to let them know that anything is going on. Councilman Louda stated that the E Road Update would be on amendment round 0801. He stated that Commissioner Santamaria has assured the Town that if nothing happens by then. It will be decided at that time and he will be trying to get it removed at the local level rather than taking it out now. He advised that traffic impact was about 2% on any scenario that it would bother by taking it off. Councilman Louda stated that it is being pushed forward but it appears that the first time will be on or about March 2008 before a decision is finally made.

Councilman Lipp advised that on August 29th and 30th the DOA hearings will be held at the Vista Center. He stated that one of the 7 items to be discussed is a Transportation Element. He stated in 2.10-L contains E Road / 140th. He stated that he plans to attend the DOA meeting.

Mr. Tolces advised that the hearing Councilman Lipp is referring to is an actual DOA mediation proceeding with representatives from Palm Beach County, neighboring municipalities, the various landowners, Developers and the DCA. Mr. Tolces advised that the meeting is scheduled from 9 a.m. to 5 p.m. on both days. He advised that he is planning on attending on behalf of the Town because Legal Counsel is an intervener in the proceeding.

Councilman Lipp advised that in reading the DCA report E Road / 140th is being lumped in with Hurricane evacuation. He stated that Commissioner Santamaria is quite adamant in sticking with the Town and asks the Town to keep focus and keep on the pressure.

23. Travel Policy (*David Tolces*)

a. Staff recommendations for adoption of policy

Mr. Tolces stated that this item is to see if the Council is interested in adopting a Travel Policy. He explained to the Council that under Florida Statutes the Town is governed by the per diem and travel expenses of public officers and officials in the State. He advised that the Statutes also authorize the Town to adopt its own Town Policy; which can exceed or not that of the State Statute. Mr. Tolces explained that should the Town adopt its own policy there would be no requirement to go through the voucher process that the State Statute would require otherwise. He referred the Council to the third page of Section 166.02(1)c for an example of what the Council would have to go through under the Florida Statute.

Mr. Tolces advised that the Town currently provides for \$6 breakfast, \$11 lunch, and \$19 dinner which he states is reasonable and therefore there would be no reason to adopt a policy in excess of that.

Councilman Louda inquired as to mileage reimbursement in the State Statute. Mr. Tolces advised that it is 44.5 cents per mile.

Mr. Tolces advised that agenda packets contained an example travel policy which was recently adopted by another municipality in South Florida.

Councilman Louda stated that he would like to see a simple policy.

Councilman Louda asked if it is possible to simply have a policy where a cost estimate is determined and the Town simply cuts a check for the expenses.

Mr. Tolces advised the Council that it is their right to if expending funds for public purposes and the Town determines that the travel is for public purpose and serves the best interest of the municipality then such a motion can be made and approved at that time.

Councilman Louda stated that he would still like to see it fall under a simple ordinance.

Mr. Lippman suggested for consistency to the public that the Council really should provide the standards that it sets on a case-by-case basis. He stated that staff is looking for a motion from the Council to provide permission to create the policy.

Councilman Lipp advised that many governments have faced embarrassment over this issue and suggested the Council keeps it right so that the public can see it.

Consensus from the dais was for staff to create a very basic draft policy for consideration by the Council.

24. Code Enforcement: (Matthew Lippman)

a. Status of citizen complaints to be provided at meeting

Mr. Lippman advised that each item included in agenda packets at the last Council Meeting related to Code Enforcement has been followed through on. He advised that the next step is the Letter of Violation. Mr. Lippman offered Council members to come by his office to review the process and files at anytime.

Items at the Request of the Public

Individuals wishing to make a five minute presentation must complete the necessary form and submit it to the Town Clerk prior to 8:45 p.m.

25. Public Comments

There was no public comment at this time.

26. Town Clerk Comments (*workshop announcements*)

Mr. Lippman reminded everyone that the 1st Ordinance Workshop will be held at the LGWCD Council Chambers on Thursday, August 23, 2007 at 7 p.m.

He advised that the goal of the Workshop is for any citizens to come forward with any specifics and for Council members to come with specific ordinances, specific language, and ideas for the Town Council to address. He advised the forum would be when a Council member picks an ordinance; discussion will take place on the dais and then get citizen's feedback. He advised that after discussion the Council can direct Town staff to investigate, draft, and finalize and bring back for further meetings they can do so. He advised as far as the citizen's role, they will be allowed the opportunity to briefly comment on some of the items and also at the end of the meeting they will be given the opportunity to also bring up items that may not have been brought up by the Council members.

Mr. Lippman advised that staff feels the Ordinance development will take place through a series of workshops.

Mr. Lippman also reminded everyone that the Workshop on the Solicitation of Day Workers will be held at the LGWCD Council Chambers on Tuesday, August 28, 2007 at 7 p.m. He suggested that Council members email any additional persons they would like invited to staff. He also advised that an Agenda would be provided within a couple days for Council feedback.

Councilman Louda mentioned that Mr. Voren suggested a possible worker's station at the Town Park.

Mr. Lippman requested feedback from the Council regarding the Newsletter by Friday. He advised that an insert that would go in there would be the contest on the Town Logo.

Vice-Mayor Herzog advised staff that the wrong address was used on the Solid Waste Ordinance.

27. Council Member Comments

Councilman Louda asked for a status on the Sheriff's Office. Mr. Lippman advised that he had a conversation with the Sheriff's Assistant, Tina Areola who advised that their Legal Counsel is still working on the document. He stated that he is hoping to receive a copy within the next two weeks in order to forward it to the Council for the September meeting.

Vice-Mayor Herzog advised that the Orlando Conference that the Town sent her to was very informative. She suggested in the future sending more people as there were so many workshops that you couldn't go to everything. She advised that she met representatives of the City of Grant-Valkaria which incorporated the same year as Loxahatchee Groves. She stated that she had the opportunity to sit and compare notes and it is interesting to note how parallel the paths are.

Councilman Autrey suggested a zoning moratorium, thus tabling any zoning decisions until after the Comprehensive Plan has been developed.

Mr. Tolces advised from his perspective if this is something the Council wishes to do then they should have a Land Planner assist Town staff and Legal Counsel in putting together a proper Moratorium Ordinance and provide the Council with the facts so they can determine whether or not there is a legal justification for enacting a moratorium.

A discussion ensued with comments made by Mr. Tolces, Councilman Louda, and Mayor Browning and whether or not to cease or continue forward.

Mr. Tolces advised if it is the Council's wish to direct staff to work on this issue; staff could develop an Ordinance for the Council for consideration.

Councilman Autrey stated that the Council needs to focus on preparing the Comprehensive Plan. Councilman Lipp reminded the Council that this was in Mr. Jim Fleishman's presentation.

Mr. Tolces explained that this would already be in the works and wouldn't necessarily come under a moratorium. He advised that when you enact a moratorium it would be anything

that is applied for by a certain date as provided for in that ordinance. He advised that the Council can move forward with that and also go forward with whatever moratorium the Council deems appropriate to give them the breathing space needed.

Councilman Louda advised that he would like to wait until the appropriate paperwork for the 1 in 5 is at DCA.

Mr. Tolces advised that assuming the Ordinance is drafted for the month of September and the transmittal hearing is held that will be it.

Councilman Lipp advised that Pat and Ken Johnson have organized the Citizen's Emergency Response Team (CERT) and have been going through the training which he advised is very effective. He stated that he believes that the CERT is something that the Community is going to be better for.

Councilman Lipp advised that he was contacted about a month ago by Commissioner Santamaria who asked him if he would serve on the Land Use Advisory Board. He advised that the nomination went through today and was voted through by the Board of County Commissioners. Everyone congratulated Councilman Lipp.

The Mayor thanked staff for their hard work.

28. Town Attorney Comments

Mr. Tolces advised the Council that they will be meeting other attorney's from his office. He advised that on Thursday night Jacob Horowitz, Esq. would be attending the Ordinance Workshop and on Tuesday night Julie Klahr, Esq. would be attending.

29. Adjournment

There being no further discussion and no additional public comment the meeting was adjourned at 9:00 pm.

Mr. Lippman advised the Council that a Public Speaker is present in the audience who was not scheduled. He asked Mayor Browning if he wished to reconvene the meeting to allow the speaker time to speak.

Reconvened

The Mayor reconvened the meeting at 9:02 p.m. to allow for an unofficial presentation by Bishop Glover.

¹S-1 Bishop Glover

Ms. Pat Hastings, Hastings Realty and Nursery spoke on behalf of Bishop Roy Glover. She advised that she had been looking for land for Bishop Glover for several months. She advised that land has been located on Southern Boulevard and she is asking for the Council to think of the revenue that the place will bring to Loxahatchee Groves once it is built.

Bishop Roy Dean Glover presented the Jesus Christ Worldwide Christian Church (JCWCC) to the Council. He described a multiplex Christian Center which he advised includes a Conference Center / Church; Retail Administrative Offices; Hotel Accommodations which he stated will generate millions of dollars in tax revenue for the Town of Loxahatchee Groves.

Bishop Glover advised that he is willing to work with the Town Council on concessions, concerns and issues and most of all he advised that the JCWCC is willing to proceed with the Town Council in housing the Town's Administrative offices for free.

Bishop Glover introduced his wife Mrs. Sandra Glover and the Architect, Designer and Developer, Mr. Steve Siebert and the Mr. Ronald Davis, Operations Manager.

Mr. Siebert presented the proposed design to the Council. He advised that the proposed arena would hold 50 thousand occupants. He showed the parking garages, perimeter roads are stacking roads for backing the traffic up onto the roads the Center would be located on. He advised that the JCWCC are looking at several locations for sites. One is Southern

¹ "S-#" within the pages of this document = Supplemental Agenda items which were added during the course of this meeting.

Blvd., for access to the Airports. He advised that plans include hosting multi-national conferences and conventions for religious denominations and independent religious groups that need a large venue space. Mr. Siebert advised that the Complex is designed with a retail facility in the Center to act as a buffer and timing delay for the people when they exit the Arena and want to go straight to the garage to have opportunities to slow the traffic down so everyone is not driving out at once.

Mr. Siebert advised that one of the properties is located within the Loxahatchee District on Southern Boulevard. He asked if the Council could let them know if they might be interested and if not they will move on to look at other properties. However, he stated if the Town is interested they'd like to know who they need to meet to get to the next level on the property.

Mr. Lippman advised the Council that with respect to the presentation; tonight's venue is neither the forum nor the opportunity to make any decisions. He advised that the Town could provide information but cautioned the presenters not to ask Council to provide any opinions or directions on it.

Mr. Tolces advised that the Town Council has no application before it. So it would be inappropriate for them to comment about it at this time. He advised that the legal process for the Town of Loxahatchee Groves for Zoning, Land Use and Land Development approvals is by submitting the proper application with the Palm Beach County Planning and Zoning and Building Departments; who are the authorized entities to accept applications on behalf of the Town.

Mr. Siebert explained that the catch cycle is that Bishop Glover and the JCWCC needs the landowner's consent to final the applications that they have. Mr. Tolces explained that the Town Council does not have the authority to give the control.

Councilman Louda referred Bishop Glover to the Loxahatchee Groves Landowner's Association on the 3rd Thursday of September for possible feedback from citizens. He then asked Mr. Lippman if the term DRO should be changed to DRI.

Councilman Lipp expressed concern with not being able to provide an opinion as to whether they can advise if the proposed development will fit. Mr. Siebert stated that applications cannot be submitted until a commitment is made with a landowner.

Councilman Louda asked what the maximum reasonable acreage on the Center would be. Ms. Hastings advised 89 acres. She advised that it is the Simon property that is available.

Mr. Tolces cautioned the Council that the item was not on the agenda and they should not discuss.

Mr. Ryan Davis provided an overview of his background working with a number of public agencies and familiarity with working with local municipalities. He advised that he is there to work closely with the Town to provide community outreach and address any issues which might arise.

Mr. Tolces advised that the Simon property is currently going through the Land Use process and he does not know how this proposal fits into that one. This is why he states it would not be prudent for the Council to address the JCWCC's proposal at this time.

Mayor Browning advised that he received a comment card for public comment.

Public Comment

Joan Shewmake – B Road expressed concern with the proposed design and suggested Mr. Siebert look at the Rural Vista Design Standards on file with the County and on the Town's website; as the proposed design does not seem to comply with the approved standards for Loxahatchee Groves.

Sharon Browning – D Road stated as a resident that she personally believes that Loxahatchee residents do not care about the money that would be generated by anything that would be put in Loxahatchee Groves. She explained that they care about maintaining the current rural, quiet and dark sky nights lifestyle they are accustomed to. Ms. Browning

