



Town of Loxahatchee Groves
Town Council Meeting

Tuesday, September 23, 2014 - 7:00 p.m. to 10:30 p.m.

(Times established by Resolution No. 2014-08... commencing at 7:00 p.m., and ending no later than 10:30 p.m., which can be extended by motion of the Council.)

Loxahatchee Groves Water Control District, 101 West "D" Road

Mayor David Browning (Seat 4)
Vice Mayor Ronald D. Jarriel (Seat 1)
Councilman Tom Goltzené (Seat 5)
Councilman Ryan Liang (Seat 3)
Councilman Jim Rockett (Seat 2)

Town Manager Mark Kutney
Town Clerk Janet K. Whipple
Town Attorney Michael D. Cirullo, Jr.

MINUTES
FINAL MILLAGE AND FINAL BUDGET

1. OPENING

a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00 p.m. Present were Mayor David Browning, Vice-Mayor Ron Jarriel, Councilmen Tom Goltzené, Ryan Liang, and Jim Rockett. Also present were Town Manager Mark Kutney, Town Attorney Mike Cirullo, Bill Underwood, Underwood Management Services Inc., and Town Clerk Janet K. Whipple.

b. Pledge of Allegiance & Invocation – Mayor Browning

c. Approval of Agenda

Motion: Councilman Liang made a motion to approve the Agenda as presented. Councilman Rockett seconded the motion. Upon vote, the motion passed 5/0.

2. CONSENT AGENDA

- a. Consideration for renewal of Tew and Taylor Fiscal Year 2014/2015 Contract for Code Enforcement Related Services.
- b. Consideration for renewal of Frank Schiola's Fiscal Year 2014/2015 Independent Contractor Agreement for Public Works and Solid Waste Consulting Services.
- c. Approval of Town Manager Change

Motion: Vice-Mayor Jarriel made a motion to pull items "a." and "b." for discussion, and to approve the Consent Agenda, as amended. Councilman Liang seconded the motion. Upon vote, the motion passed 5/0.

Consent Agenda Item "a." - Town Manager Kutney provided background on the Tew and Taylor Contract for Code Enforcement Related Services.

Motion: Councilman Liang made a motion to approve the Tew and Taylor Contract for Fiscal Year 2014/2015. Vice-Mayor Jarriel seconded the motion. Upon vote the motion passed 5/0.

Consent Agenda Item "b." - Town Manager Kutney provided background on the Independent Contract with Frank Schiola for Public Works and Solid Waste Consulting Services.

Council discussed various aspects of Mr. Schiola's Contract.

Motion: Councilman Rockett made a motion to renew the Independent Contractor Agreement for Public Works and Solid Waste Consulting Services for Fiscal Year 2014/2015 for Frank Schiola. Councilman Goltzené seconded the motion. Mayor Browning opened the discussion for Public Comments.

John Ryan, 3508 A Road, discussed the problems we had with Waste Pro. He has seen the work Mr. Schiola has done with the manure hauling problems, and noted Mr. Schiola has not billed the Town for a lot of endeavors he has participated in.

Keith Harris, 2580 C Road, felt Mr. Schiola is a dedicated Loxahatchee Groves resident, and has worked hard to make this a better Town. Mr. Harris encouraged Council to renew the contract with Mr. Schiola.

Upon vote, the motion passed 5/0.

3. PUBLIC COMMENT

Keith Harris, 2580 C Road, respectively requested Collecting Canal Road be placed back in the Budget for OGEM resurfacing, and that the Town should take charge of existing roads. Mr. Harris also suggested to move the traffic light expenditure from Capital Improvements; the need

to develop a Town Road Policy, to let Palm Beach County fund the traffic light on Okeechobee Boulevard; and requested to submit a petition of two-hundred, ninety-two (292) signatures of registered voters, for the record.

Motion: Councilman Liang made a motion to *receive and file* the petition submitted by Mr. Harris. Councilman Goltzené seconded the motion. Upon vote, the motion passed 5/0.

Marge Herzog, 966 A Road, wanted to know who maintained B Road, noted the Town should get a contractor, and wanted to talk about the Town Manager's Contract. She also requested the Town send a letter of recognition to the sixty-five (65) Honor Society Students who have helped clean up Okeechobee Boulevard.

4. PRESENTATIONS – NONE

5. COMMITTEE REPORTS - NONE

6. RESOLUTIONS

a. RESOLUTION NO. 2014-12: PUBLIC HEARING / FINAL MILLAGE

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL MILLAGE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2014-2015, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Cirullo read the title of Resolution No. 2014-12.

Bill Underwood elaborated on the differences in the budget when applying either the 1.2 or the 1.5 millage rates.

Motion: Councilman Liang made a motion to approve the 1.2 millage rate. Councilman Rockett seconded the motion, and requested to know why the Town would have a millage increase.

Council complimented the Finance Advisory and Audit Committee (FAAC), and hopes commercial businesses will come into our Town and pay taxes so that the Town can give back to the residents. Council conducted further discussion on the 1.5 millage rate, special taxing districts and how they were established by ordinance.

Members of the audience voiced their opinions on the 1.2 versus the 1.5 millage rates.

Upon roll call vote, the motion passed 3/2 with Councilman Goltzené and Mayor Browning casting dissenting votes.

Motion: Councilman Rockett made a motion to adopt Resolution No. 2014-12/Final Millage. Councilman Liang seconded the motion. Upon roll call vote, the motion passed 4/1 with Councilman Goltzené casting the dissenting vote.

b. RESOLUTION NO. 2014-13: PUBLIC HEARING / FINAL BUDGET

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; ADOPTING FISCAL POLICIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Bill Underwood explained the various aspects of the Budget.

Motion: Councilman Rockett made a motion to approved Resolution No. 2014-13/Final Budget. Councilman Liang seconded the motion.

Town Attorney Cirullo read the title of Resolution No. 2014-13 and noted it was a Public Hearing.

Mayor Browning asked for Public Comments, hearing none, he called for a vote.

Upon roll call vote, the motion passed 5/0.

7. ORDINANCES – NONE

8. ADMINISTRATIVE UPDATE – *Town Manager Kutney*

Town Manager Kutney discussed speaking with Palm Beach County Engineer George Webb concerning the traffic light on Okeechobee Boulevard; the 6th Court North Equestrian Trail; Randy Wertepny, P.E., Sr. Project Manager, for [Keshavarz & Associates](#) working with the National Pollutant Discharge Elimination System (NPDES); and the Simmons and White proposal for the traffic light study.

Town Manager Kutney conveyed that this was his final meeting and proceeded to read his letter of appreciation.

Council Members, and a member of the audience, elaborated on their views of the traffic light on Okeechobee Boulevard.

9. OLD BUSINESS

- a. Update and Discussion of Central Palm Beach County Chamber of Commerce Building.

Town Manager Kutney noted that Wayne Burns, Chief Executive Officer (CEO) for the Central Palm Beach County Chamber of Commerce was in the audience and his presentation on the Chamber Building had been given to the Finance Advisory and Audit Committee (FAAC) at their meeting last night (Monday, September 22, 2014).

Wayne Burns provided his presentation to Council, with option for leasing or purchasing the Chamber Building.

Council discussed with Mr. Burns the various logistics involved in the procurement of the Chamber of Commerce Building.

Virginia Standish, Chair for the FAAC, was disappointed there was no spreadsheet provided at their meeting on Monday night, and that the Committee was not recommending a purchase.

Motion: Councilman Rockett made a motion recommending Town Staff come back to the next Council Meeting with a proposal for an outright purchase, money up front, and pay off in three (3) years; or other options. Vice-Mayor Jarriel seconded the motion, for discussion.

Council continued to discuss the options.

Councilman Rockett modified is motion to include an inspection and appraisal before the Town “pencils in” and agreement, and to come back with alternate options. Vice-Mayor Jarriel’s motion to second stands.

Council discussed parking, and purchase versus renting.

Members of the audience spoke of calling the Office of Inspector (OIG) concerning the need for numbers; relocating the Loxahatchee Groves Water Control District (LGWCD); the current Town offices which are sub-par, and not secure; and not enough significant information, concerning the Chamber, from the FAAC meeting last night, suggesting a cost benefit analysis.

Wayne Burns, stated for the record, the numbers he presented to Council were the same numbers he presented to the FAAC, but in a different format. He came in good faith and suggested using standard business practices. He stressed the Town and the Chamber can walk through it together.

Council discussed the timeframe with Mr. Underwood. Mayor Browning can talk with the Palm Beach County Commissioners and Mr. Underwood can talk with Staff, for better clarification.

Upon vote, the motion passed 4/1 with Councilman Goltzené casting the dissenting vote.

10. NEW BUSINESS - NONE

11. CLOSING COMMENTS

a. Public

Marge Herzog, 966 A Road, questioned whether the new Town Manager will be attending countywide meetings. She noted the Trails and western Council are being represented but no others.

b. Town Attorney

No further comments this evening.

c. Town Council Members

Councilman Goltzene stated the Gators aside, thanked Mark Kutney for his tenure and stated they have had a good working relationship.

Vice-Mayor Jarriel thanked Mark and wished him good luck in his new endeavors.

Councilman Liang thanked everyone for coming.

Councilman Rockett noted the Roadway, Equestrian Trails and Greenway Committee (RETGAC) will be discussing speed humps and those need to be revisited. He appreciated what Mark Kutney has done for the Town, even though they might not have always agreed. Thanks to everyone for coming.

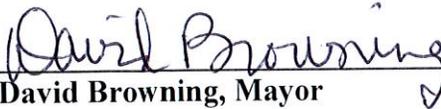
Mayor Browning thanked everyone for coming.

12. ADJOURNMENT

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 9:31 p.m.



Janet K. Whipple, Town Clerk



David Browning, Mayor



These minutes were approved during the Town Council Meeting of December 16, 2014.