

**TOWN OF LOXAHATCHEE GROVES**  
TOWN HALL COUNCIL CHAMBERS  
**TOWN COUNCIL WORKSHOP/SPECIAL MEETING**

**ACTION SUMMARY**

**This is not official minutes.**

**August 3, 2021**



**TOWN COUNCIL AGENDA ITEMS**

**CALL TO ORDER**

Mayor Shorr called meeting to order at 7:11 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Shorr led the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Shorr led a prayer.

**ROLL CALL**

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

S

**EX PARTE COMMUNICATION & DECLARED CONFLICTS**

Town Attorney Lenihan explained ex parte communication and Councilmember Maniglia declared she had a conflict with item 5 second reading of Ordinance No. 2020-03 (1) amend map # FLU 1.10 future land use of the future land use element to add the Okeechobee Rural 5 Overlay; (2) amend Table 1-8 future land uses of the future land use element to increase the intensity of the Commercial Low (CL) land use category and add the Okeechobee rural 5 (or 5) land use overlay; (3) add objective 1.16 and supportive policies to the text of the future land use element to regulate land use and intensity of use along the Okeechobee Boulevard and Southern Boulevard corridors; and (4) revise map #TRN 2.3 existing functional classification and maintenance responsibility of the transportation element and add map #TRN 2.3.1 proposed roadway classification, table 2.1 local road functional classification system, and policy 2.2.5 to the transportation element to clarify the functional classification of town roads and would remove herself from the discussion and vote of this item.

**ADDITIONS, DELETIONS AND MODIFICATIONS**

Town Clerk Burch asked that item 4- Presentation by Chair Anita Kane of the Finance Audit and Advisory Committee (FAAC) Report/ Recap of Joint Meeting between FAAC and Town Council be removed from the agenda.

Motion was made Vice Mayor Danowski seconded by Councilmember Miles to approve the agenda with removing item 4 Presentation by Chair Kane of the Finance Audit and Advisory Committee (FAAC); it was voted 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 were public comments made by the following: Sally Cicerone, Ken Johnson, Robert Miller, Virginia Standish and Cassie Suchy.

#### **CONSENT AGENDA**

Councilmember Maniglia asked if item 3 approval of forth addendum to the Law Enforcement Service Agreement (LESA) could be pulled from the Consent Agenda for discussion. Item 3 was pulled for discussion.

1. Approval of Resolution No. 2021-36 appointing **Paul Coleman** as a regular voting member of the Town's Charter Review Committee.

2. Approval of Resolution No. 2021-37 appointing **Jackie Roys Clifton** as a regular voting member of the Unified Land Development Committee (ULDC).

**Motion was made by Vice Mayor Danowski seconded by Councilmember Maniglia to approve the remaining items Consent Agenda items; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia and Miles. Motion passed unanimously.**

**Motion was made by Vice Mayor Danowski seconded by**

3. Approval of forth addendum to the Law Enforcement Service Agreement (LESA).  
**PULLED FROM CONSENT AGENDA FOR DISCUSSION**

Town Manager Titcomb presented the item to Town Council.

**Motion was made by Vice Mayor Danowski seconded by Councilmember Miles to discuss item 3 approval of forth addendum to the Law Enforcement Service Agreement (LESA); it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia and Miles. Motion passed unanimously.**

**Motion was made by Vice Mayor Danowski seconded Councilmember Miles to renew the Law Enforcement Service Agreement (LESA) and see if the Town can renegotiate some of the terms in the original contract; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski and Councilmembers Miles. Nyes: Councilmember Herzog and Maniglia. Motion passed 3-2.**

#### **PRESENTATIONS**

4. Presentation by Chair Anita Kane of the Finance Audit and Advisory Committee (FAAC) Report/ Recap of Joint Meeting between FAAC and Town Council. – **PULLED FROM AGENDA**

### **PUBLIC HEARING**

5. Approval of **Ordinance No. 2020-03** on second reading (1) amend map # FLU 1.10 future land use of the future land use element to add the Okeechobee Rural 5 Overlay; (2) amend Table 1-8 future land uses of the future land use element to increase the intensity of the Commercial Low (CL) land use category and add the Okeechobee rural 5 (or 5) land use overlay; (3) add objective 1.16 and supportive policies to the text of the future land use element to regulate land use and intensity of use along the Okeechobee Boulevard and Southern Boulevard corridors; and (4) revise map #TRN 2.3 existing functional classification and maintenance responsibility of the transportation element and add map #TRN 2.3.1 proposed roadway classification, table 2.1 local road functional classification system, and policy 2.2.5 to the transportation element to clarify the functional classification of town roads; providing for codification; providing for conflicts, providing for severability; and providing for an effective date.

Town Attorney Lenihan read heading of Ordinance No. 2020-03 into the record.

James Fleischmann, Town Planning Consultant presented the item to the Town Council regarding (1) amend map # FLU 1.10 future land use of the future land use element to add the Okeechobee Rural 5 Overlay; (2) amend Table 1-8 future land uses of the future land use element to increase the intensity of the Commercial Low (CL) land use category and add the Okeechobee rural 5 (or 5) land use overlay; (3) add objective 1.16 and supportive policies to the text of the future land use element to regulate land use and intensity of use along the Okeechobee Boulevard and Southern Boulevard corridors; and (4) revise map #TRN 2.3 existing functional classification and maintenance responsibility of the transportation element and add map #TRN 2.3.1 proposed roadway classification, table 2.1 local road functional classification system, and policy 2.2.5 to the transportation element to clarify the functional classification of town roads.

There were public comments by the following: Bobbie Amos, Aileen Banky, Nina Corning, Simon Fernandez (received documents by Town Clerk Burch), Deborah Marshall, Darcey Murray (read into record by Town Clerk Burch) Cassie Suchy

Councilmember Maniglia removed herself from participating in discussion and vote of this item due to her having a conflict. Councilmember Maniglia left the dais.

**Motion was made by Vice Mayor Danowski seconded by Councilmember Miles to receive and file documents received by Town Clerk Burch from Simone Fernandez; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmember Herzog, Maniglia and Miles. Motion passed unanimously.**

**Motion was made by Vice Mayor Danowski second by Councilmember Miles to continue Ordinance No. 2020-03 (1) amend map # FLU 1.10 future land use of the future land use element to add the Okeechobee Rural 5 Overlay; (2) amend Table 1-8 future land uses of the future land use element to increase the intensity of the Commercial Low (CL) land use category and add the Okeechobee rural 5 (or 5) land use overlay; (3) add objective 1.16 and supportive policies to the text of the future land use element to regulate land use and intensity of use along the Okeechobee Boulevard and Southern Boulevard corridors; and (4) revise map #TRN 2.3 existing functional classification and maintenance responsibility of the transportation element and add map #TRN 2.3.1 proposed roadway classification, table 2.1 local road functional classification system, and policy 2.2.5 to the transportation element to**

**clarify the functional classification of town roads to the Regular Meeting to be held on September 21, 2021; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia and Miles. Motion passed unanimously.**

6. Approval of **Ordinance No. 2021-05** on second reading amending Article I, in general, and Article III, Collection of Waste; Franchises and Registration of Contractors authorized of Chapter 38, Solid Waste, Loxahatchee Groves Code; providing for severability; providing for conflicts; and providing for an effective date.

Town Attorney Lenihan read Ordinance No. 2021-05 into the record.

Town Attorney Lenihan asked the Town Council to continue the second reading of Ordinance No. 2021-05 stating that staff need additional time. There was discussion among Town Council and the Town Attorney.

**Motion was made by Vice Mayor Danowski seconded by Councilmember Herzog to continue Ordinance No. 2021-05 second reading amending Article I, in general, and Article III, Collection of Waste; Franchises and Registration of Contractors authorized of Chapter 38, Solid Waste, Loxahatchee Groves Code; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia and Miles. Motion passed unanimously.**

7. Approval of **Ordinance No. 2021-06** on second reading amending Article 10 definitions, abbreviations and construction of terms, Section 10-15 definitions of its Unified Land Development Code to revise the definition of height: providing for conflict, severability, codification, and an effective date.

Town Attorney Lenihan read Ordinance No. 2021-06 into the record.

**Motion was made by Councilmember Maniglia seconded by Councilmember Herzog to approve on second reading Ordinance No. 2021-06 reading amending Article 10 definitions, abbreviations and construction of terms, Section 10-15 definitions of its Unified Land Development Code to revise the definition of height: it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog, Maniglia and Miles. Motion passed unanimously.**

### **TOWN COUNCILMEMBER COMMENTS**

#### **Phillis Maniglia (Seat 1)**

- Turtle Creek Bypass
- Tractor
- Hardrives (selling millings)
- Law of Torcivia, Donlon, Goddeau & Rubin, P.A.
- Being a local realtor

#### **Laura Danowski (Seat 2)**

- Thing-A-Digger
- Code Red
- Joint meeting (Town Council and Finance Audit and Advisory Committee (FAAC)) will be held on August 16, 2021

- Backpack Drive- gave Thanks

**Marianne Miles (Seat 3)**

- Residents concern about notification of flyer that showed up in their mailboxes.
- Hurricane Season
- Tree trimming

**Marge Herzog (Seat 5)**

- Thanked residents on contacting Town Council on their concerns and views.

**Mayor Robert Shorr (Seat 4)**

- Gas Tax
- Tractor
- Thanked Town Council for the appointment approval.

**TOWN STAFF COMMENTS**

**Town Manager**

**Assistant Town Manager**

**Town Attorney**

- Roadway Projects and Conflicts of Interest
  - June 15<sup>th</sup> – B Road
  - July 20<sup>th</sup>

**Motion was made by Councilmember Maniglia seconded Vice Mayor Danowski to extend to 11:00 p.m.; it was followed: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmember Herzog, Maniglia and Miles. Motion passed unanimously.**

Councilmember Maniglia disclosed that she is abstaining from the vote due to having conflicts regarding North B Road and South D Road due to her selling property on those roads.

Councilmember Miles disclosed that she is abstaining from the vote due to having a conflict regarding North B Road due to her residing on that road.

**Motion was made by Vice Mayor Danowski seconded by Councilmember Herzog to resend the vote that was made on June 15<sup>th</sup> regarding North B Road; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski and Councilmember Herzog. Motion passed 3-2. Abstaining due to conflict-of-interest Councilmembers Maniglia and Miles.**

**Motion was made by Councilmember Herzog seconded by Vice Mayor Danowski to resend the vote that was made on July 20<sup>th</sup> regarding South D Road; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmembers Herzog and Miles. Motion passed 4-1. Abstaining due to conflict-of-interest Councilmember Maniglia.**

**Motion was made by Vice Mayor Danowski seconded by Councilmember Herzog to pave South D Road from Southern Blvd. to Okeechobee Blvd. utilizing all of Big Dog remaining funds; it was voted as follows: Ayes: Mayor Shorr, Vice Mayor Danowski, Councilmember Herzog and Miles. Motion passed 4-1. Abstaining due to conflict-of-interest Councilmember Maniglia.**

**Public Works Director**

**Town Clerk**

- Thanked everyone who donated to the Backpack Drive.
- Thanked the residents of the Town of Loxahatchee Groves for their support in making her ideas of helping the community become a reality.
- Accepting food (non-perishable items) and toys for the upcoming Holiday.

**ADJOURNMENT**

There being no further business meeting was adjourned at 10:46 p.m.