TOWN OF LOXAHATCHEE GROVES

TOWN COUNCIL MINUTES OF REGULAR MEETING

MAY 5, 2020

Meeting audio available in Town Clerk's Office

TOWN COUNCIL AGENDA ITEMS

CALL TO ORDER
Mayor El-Ramey called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE
Mayor El-Ramey led the Pledge of Allegiance.

MOMENT OF SILENCE
Mayor El-Ramey led a prayer.

ROLL CALL
Mayor Lisa El-Ramey, Vice Mayor Marge Herzog, Councilmembers Laura Danowski, Phillis Maniglia and Robert Shorr, Town Manager James Titcomb, Town Attorney Brian Shutt and Town Clerk Lakisha Burch.

ADDITIONS/DELETIONS/MODIFICATIONS OF AGENDA

Councilmember Maniglia asked that items 4 a, b, c, and e to be postponed to another day due to just receiving the hard copies tonight and not having time to review the old contracts. Mayor El-Ramey stated that only one of the contracts would be expiring this month which she believes is WBI. Councilmember Maniglia stated that she doesn't believe that really matters, and that her issue was Johnson-Davis contract was not included. Town Clerk Burch responded to Councilmember Maniglia stating that she had put the Johnson-Davis in the packet, and it was not fully executed, and she stated that when everything was put on the website.

Town Manager Titcomb stated that he was to reiterate the action item on the agenda is to potentially extend the duration only of the current contracts that is in place minus the one that was mentioned. The content of all the original contracts were not on the agenda tonight for reconfiguration but only the one that will expire between now and your next meeting.

Mayor El-Ramey asked Town Attorney Shutt could discussion be done before Council vote. Town Attorney Shutt responded that Council is still looking at if they are still trying to amend the agenda. It is up to Council to see they want to move forward. Councilmember Maniglia stated that the website is not up for the public to see.

Councilmember Shorr stated that these contracts are existing contracts that has been in placed years ago, only thing that we can do is extend it does not modify it. He stated is suggest that we extend but really look at these contracts and get public comments then because that is when the

contracts can really be modified, his opinion tonight is for housekeeping so that we can have someone under the umbrella.

Councilmember Maniglia asked Town Attorney Shutt have the rewritten the contracts. Town Attorney Shutt responded that the amendments that are in front of Council tonight is the extended renewal that just extending the same terms and conditions, whatever those terms and conditions are, as is, it was bought to the attention of staff that renewals were not renewed and there are no findings.

Councilmember Danowski asked could this be done month to month. Town Attorney Shutt responded yes but feel that this is easier.

Mayor El-Ramey gave her comments regarding the extension of these contract. She feels that they should stay on the agenda so each can be discussed.

Councilmember Maniglia withdrew her motion.

Councilmember Danowski stated could she add an item number 9 to speak about Munilytics' contract.

Town Clerk Burch stated for the record, that your Town Council comments section is for Town Council to speak about anything that they choose and that she is not shunning any Councilmember by not putting topic on the agenda. Councilmember Maniglia stated that she and Town Clerk Burch spoke about this, and she just feel that if Town Council is voting on an item, the residents should be aware of what is being voted on. She also stated that she and the Town Clerk has spoken about a few items that she has spoken about in her comments on several occasions that have not been on the agenda, such as bonds, Thing a digger and OGEM roads. Mayor El-Ramey stated that she speaks about that at Town Council comments where it can be discussed in further details.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS:

There were public comments by Ken Johnson.

CONSENT AGENDA

1. Approval of Meeting Minutes:
    a. December 11, 2019, Special Meeting
    b. December 17, 2019, Town Council Workshop Meeting

Councilmember Shorr stated that a spelling correction be made on page 9, stating that it says intuitionally and believe it should be institutional.

Vice Mayor Herzog stated that when minutes are done, in the minutes it reflects what item was discuss but the sentence ends with this person, this person spoke but you don't know what they spoke about, and it could be helpful if we knew some of the general ideas of what they talked about because it could be in conflict with what the other person introduced. Town Manager Titcomb responded to Vice Mayor Herzog stating that when he first got here minutes were being done nearly verbatim minutes and other times, we have done action meetings. We do record, broadcast, and caption every minute, part is through put and staff capabilities, it possible to be more extensive but takes more staff time. As a Council, the directive has settled into this action minutes with highlights of things talked about, but Council you can direct staff to go in whatever direction either less or more. Vice Mayor Herzog asked what the legal document is. Town Titcomb responded by stating that legally we on have to state take minutes of the attendance and action taken at the meeting only. All the rest, public conversation, back and forth among Council is optional as far as transcribing it. It's about efficiency, resources, staff time and providing enough information. The argument for not doing a narration is because you can go to the website.

Councilmember Shorr stated that he would like to see more motion made by Council we they are an issue that needs to have an action.

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

PUBLIC HEARING

2. Approval of SECOND Reading of Ordinance 2020-01 Amending Chapter 34 "Planning and Development" Amending Chapter 34 "Planning and Development", Article II Planning and Zoning Board", Section 34-25 "Composition and Term of Office".

Town Attorney Shutt read on second reading Ordinance No. 2020-01 Amending Chapter 34 "Planning and Development" Amending Chapter 34 "Planning and Development", Article II Planning and Zoning Board", Section 34-25 "Composition and Term of Office into the record.

Councilmember Shorr stated that he handed out information from the Property Appraiser's tax roll and he feels that it is important that we understand, he continued to give data. He also stated (speaking of landowners being on committees) that a committee needs to be diverse and a merger of different people coming with different views and that the Council makes the final decision.

Councilmember Maniglia stated that when Water District was in power, the landowners had a big say on what went on here. She also spoke about a document that she handed out and continued to speak about a landowner's being on the advisory committees. She feels that the resident of this community deserves better and doesn't feel a landowner should be on the Planning Zoning Board.

Councilmember Danowski commented that in thinking about this topic the phrase keeps coming to mind "do what you always done, get what you always got" she continued to state that if someone is a landowner and comes and present ideas – she feels at least their thinking and she has mixed feelings. She doesn't have a problem with a nonresident landowner sitting as an alternate on a board. After other comments made by Councilmember Danowski she stated she has no problem with a nonresident landowner who brings ideas to move the town forward on the Planning Zoning Board maybe in an alternate seat.

Vice Mayor Herzog commented that a person could be activate on attending these meetings and giving their input from the floor as the discussions goes on but doesn't necessarily think we need to have them as a sitting person who has a right to vote.

Mayor El-Ramey thanked Councilmember Shorr for putting the data together and gave some percentages. She then stated we have already move forward on committees that we are allowing a nonresident landowner to seat on and perhaps this year we wait it out to see how that performance goes to see before we put nonresidents on the committees see what affect they are making positive or negative before making the mover to put them on Planning Zoning Board.

Councilmember Shorr stated that this is a seconded reading, so it passed on first reading 4 to 1 but maybe the voters need to know why a Councilmember changed their mind from the first to second reading. There were additional comments made by Councilmember Danowski and Maniglia. Councilmember Maniglia asked about the two alternates and how are they determined. Town Clerk Burch stated that the Council votes for the slate that is presented to them.

There was public comment by Paul Coleman, Town Clerk Burch read into record.

Motion was made by Councilmember Shorr seconded by Councilmember Danowski to approve on second reading Ordinance No. 2020-01 amending Chapter 34 "Planning and Development" Amending Chapter 34 "Planning and Development", Article II Planning and Zoning Board", Section 34-25 "Composition and Term of Office, allowing nonresident

landowners on the Planning Zoning Board; it was voted as follows: Ayes: Councilmember Danowski and Shorr. Nays: Mayor El-Ramey, Councilmembers Herzog, and Maniglia. Motion failed 3-2.

3. Approval of FIRST Reading of Ordinance 2020-02 Amending the Code of Ordinances by Repealing Chapter 2 "Administration, Article V "Procurement" and Enacting a New Article V "Procurement" Regarding Procurement Requirements; Providing for Conflict, Severability, Codification, and an Effective Date.

Town Attorney Shutt read on first reading Ordinance 2020-02 Amending the Code of Ordinances by Repealing Chapter 2 "Administration, Article V "Procurement" and Enacting a New Article V "Procurement" Regarding Procurement Requirements into the record and present them item. He stated that there is some conflicting language in the Ordinance regarding Town Manager's spending authority of 10,000.00 or 25,000.00 dollars and items such as bid protest, disposal of surplus goods and exemption for going out to bid, piggybacks and sole interest.

Town Manager Titcomb spoke about item number 8 on page 23 of the agenda, which refer to ***Resale***. *Food, beverages, and merchandise purchased for resale, may be acquired without utilizing a sealed competitive method or obtaining written quotes and without town council approval.* He then gave an example of what this meant, he also spoke about the Town Manager spending authority.

Councilmember Maniglia asked should a limit be placed on this. Town Attorney Shutt responded that you can certainly take it out and that he has done a Purchasing Policy at many large cities, he gave an example of the resale and explanation. Councilmember Maniglia also stated that these are items that are already budgeted and allocated. Town Manager Titcomb responded, yes then went to explain change orders.

Councilmember Danowski stated she is not comfortable with a 25,000 cap for the Town Manager. She then gave an example of her concern. She like the awareness of knowing what we spend and would like to see the 25,000 dollars lowered.

Councilmember Shorr asked that this is Article 5 Procurement so where is the rest of the Purchasing Policy has it been adopted, he understands the importance of establishing a limit due to budget but where is the remaining policy. Town Attorney Shutt responded that this is the Ordinance, the Purchasing policy will be coming back before them, later next month on second reading of this Ordinance. Councilmember Shorr stated that he understands it more now, and thanked Town Attorney Shutt for the explanation.

Vice Mayor Herzog stated if 25,000 is the magic number you can't exceed then who and how is the yearly spending monitored so that you don't exceed. Town Manager Titcomb responded that the controlling document for spending is the budget, once that document has been set it is the controlling document. He then went to explain the establishing of the budget process. Vice Mayor Herzog then asked will this be bought before the Finance Audit and Advisory Committee (FAAC). Town Manager Titcomb responded. Town Clerk Burch stated that a draft was given in December of the Policy Manual, she also stated that minor to little changes was given by FAAC.

Councilmember Maniglia asked to speak more on the 25,000. Town Manager Titcomb responded and then gave an example.

Mayor El-Ramey asked about a more refine process in the second reading would that require the Manager to provide to Council if something was at the that threshold or below that it was purchased or would it fall under the radar and never knew it was spent. Town Attorney Shutt responded by stating that he has seen it in other Purchasing Policy done many ways then gave an example. There was discussion among Town Council and staff.

Mayor El-Ramey asked should this be modified this tonight and have it bought back with some of the restriction or reporting requirements that was mentioned by Town Attorney Shutt. Town Manager Titcomb responded that is the reason you have second reading so that changes before second reading.

Motion was made by Councilmember Shorr seconded by Councilmember Maniglia to approve on first reading Ordinance 2020-02 Amending the Code of Ordinance by repealing Chapter 2 "Administration, Article V "Procurement" and Enacting a New Article V "Procurement" regarding Procurement Requirements striking number 8 and adding a monthly report for Town Manager to present in his comment's items above 10,000 to 25,000 dollars. Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

REGULAR AGENDA

4. Approval of Contracts
    a. Land Research Management, Inc. - Jim Fleishman

Councilmember Maniglia stated she asked for the original contract and secondly, she would like to see what Mr. Fleischmann received from the mitigation fund. She would also like to speak with Town Council about Mr. Fleischmann and stated that when there is zoning change, she would really like to see a planner on our side and one on their side. She continues to express her views regarding this matter. She also would like to discuss other way to go about this, she is not saying to necessarily don't renew his contract but maybe need someone on the other side.

Councilmember Danowski stated that she just wants to know more about what Mr. Fleischmann does and realize that it may be very detailed oriented and sometimes she feels if we had a different Planner or someone more geared to our makeup, things might a little different.

Vice Mayor Herzog stated that she remembers attending County meetings, and when the big push for development was go west go west go but if an area didn't allow for a certain thing to be done, she remembers the Commissioner saying change wording so that it can be allowable and sometimes when she listening to our Planner that is what she feels is happening now.

Councilmember Shorr stated that he will say the same thing on all these contracts, think we need to move forward just so that we can have someone under contract then we all need to look at these contracts read them, digested them, understand them, look at different options, talk to people in the field and do some homework, was just kind of handed them. Haven't done the research and haven't do the homework, but that is what is going to do. Also, may need to put this out to bid, but come back and discuss.

Councilmember Danowski stated that they all seem to look the same, but she wants to know what they do. Town Manager Titcomb responded that these contracts predate him they were set before him. He then explained what some of the things is he trying to do by cleaning up something. He also stated that they all are professional in their own right, he then went to explain Land Research Management, Inc. contract to Town Council.

Mayor El-Ramey stated that she agrees with Councilmember Shorr on the continuity we stay with it but would like to Mr. Fleischmann role in committees to scaled back and we do it in house and as we go forward it would give us time, but his contract give a little more time to start working on alternatives that might serve the time better.

Councilmember Maniglia stated that she agrees with Mayor El-Ramey because there are some committees that his historical knowledge would be needed like Unified Land Development Committee (ULDC) and if are eventually going to do overlays.

Vice Mayor Herzog stated that we were given a packet on Mr. Fleishmann and projects, how does this play on what we should decide. Town Manager Titcomb responded what is typically done is

to ask monthly contractors to give us a monthly update which is disturbed to you all so that you may read and be prepared, he also explained the workflow and agenda process.

Councilmember Maniglia asked with this contract can we asked Mr. Fleishmann to not do committee meetings. Town Manager Titcomb stated that is not in his contract.

Councilmember Danowski asked we are going contract for contract. Town Manager Titcomb responded that he believes that is how Town Council would like to handle it. Councilmember Danowski stated are we going to land them all on September 30, 2020, or do we have to follow the prescribed extensions. Town Attorney Shutt stated that he followed the prescribed extension that were in the underlined agreements. He then asked the Town council that if they want to approve it and shorten it, but they can be terminated at will and they are not exclusive, that was the purpose of this is to have a written agreement and someone on contract.

Councilmember Maniglia stated that it seems that all these contracts are due at the same time, and if these contracts can come in not all at the same time. Town Manager Titcomb responded you can change the dates anytime you want then he explained the budget process. There were continued discussion.

Motion was made by Councilmember Maniglia seconded by Councilmember Shorr to approve the extension of Land Research Management contract for planning through September 30, 2020, with the ability to renew for two additional two-year terms; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

b. Keshavarz & Associates

Councilmember Shorr stated that we can change anything, give 30-day notice, add other engineers, doesn't want to change date to pay more attorney fees.

Motion was made by Councilmember Maniglia seconded by Councilmember Shorr to approve the extension of Keshavarz & Associates contract for engineering services through July 24, 2022, it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

c. WBI Contracting of Palm Beach – Jorge Perez

Councilmember Maniglia asked were we in the middle of any drainage projects at this moment. Mayor El-Ramey responded to Councilmember Maniglia stated that this contract does not have anything to do with drainage, it is for Public Works services. Councilmember Maniglia asked did he have a separate contract for drainage and Mayor El-Ramey responded, yes. Town Manager Titcomb stated that the current contract that is being discussed is a general construction service contract which includes doing drainage work, emergency call out for road repair or culvert collapse secondly the catch basin drain project are contracted separately, he continued to explain that there is no exclusivity to this contract it is an on compassing general contract for repair in the Public Works. Councilmember Maniglia asked about Johnson-Davis. Town Manager Titcomb responded to her question but also stated that during his arrival he has not done any interacting with this company, and they have not been utilized since he been here. Councilmember Maniglia stated she would like to see the Johnson-Davis contract and she has a few problems with that and would like for staff to review all contracts and maybe go out to bid. She is not for approving this and would like to see this go out to bid.

Councilmember Shorr stated that when this went out to bid this was a unit cost, WBI was the lowest cost and Johnson-Davis was the second lowest cost and doesn't know who the others were, but the contract was executed with WBI, and the engineer's recommendation was with Johnson-

Davis and the contract was not executed with them. He stated that this is still locking with the prices they had two years ago.

Councilmember Maniglia asked were their additional work orders on all projects. Town Manager Titcomb asked where she is talking about catch basin, he then went to explain what was done in the contract and spoke about the rate schedule and explain the process. Councilmember Maniglia asked that we never had a contract with Johnson-Davis. Town Clerk Burch responded to Councilmember Maniglia stating that in her research WBI and Johnson-Davis both went before the Council and Johnson-Davis contract was not executed on either side.

Motion was made by Councilmember Shorr seconded by Councilmember Danowski to approve the extension of WBI Contracting of Palm Beach contract through May 17, 2021; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski and Shorr. Nay: Councilmember Maniglia. Motion passed 4-1.

d. Davis-Ashton, P.A. (Special Magistrates) – Mitty Barnard

Mayor El-Ramey announced that Mitty Barnard is being substituted for Keith Davis, and she has spent so time with Town Staff, and they fill she is qualified for the task.

Councilmember Danowski asked were there any Special Magistrates scheduled. Town Clerk Burch responded that staff was trying to get the contract in place first.

Motion was made Councilmember Maniglia seconded by Councilmember Danowski to approve the extension of Davis-Ashton, P.A. contract through September 30, 2020, with the ability to renew on an annual basis; it was voted as follows: Aye: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

c. Simmons & White

Motion was made Councilmember Maniglia seconded by Councilmember Danowski to approve the extension of Simmons & White contract through July 24, 2022, with the ability to renew for two additional three-year terms basis; it was voted as follows: Aye: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

5. Approval of Best Interest Invoices

Town Attorney Shutt commented that under the best interest acquisition under the current Purchasing Code it has to be approved at a 4-1 vote and can't be on the Consent Agenda and there has to be reasons why you are approving it. Councilmember Maniglia asked where the invoices were. Mayor El-Ramey asked for clarification by stating that we are not looking at what has been paid out but what the estimates will be going forward. Town Manager Titcomb responded that they are being bought forward because of future use. Councilmember Maniglia asked Councilmember Danowski is this in the realm of what she is used to approving as being a Board of Supervisor at the District. Councilmember Danowski responded that it is like comparing yellow apples and pears, as a Town compared to the district of years ago this Town has done more actual laborious road work than the district did which was primarily maintenance, can't say that a comparison could be made. Councilmember Maniglia stated that Councilmember Danowski is correct the trucks were out, the loader was out, they drop rock so were not going to be in that capacity she doesn't think we put down a million dollars' worth of rock, what happens if this is not used does it go back. Town Manager Titcomb stated that all unused funds go back in the

budget. There continued to be discussion among Town Council and Town Manager Titcomb. Mayor El-Ramey asked could item 5 be set aside due to it being contingent on items 6, 7, and 8. Town Attorney Shutt stated that will depend on the Council.

Motion was made by Councilmember Maniglia seconded by Councilmember Shorr to approve moving item number 5 after items 6,7, and 8 have been discussed; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

a. Palmdale Oil
b. Labor Finders
c. United Rentals

Motion was made by Councilmember Maniglia seconded by Councilmember Danowski to ratify purchases and payments year to date for Labor Finders, United Rentals, and Palmdale Oil authorize purchases and payments necessary for Labor Finders, United Rentals due to the purchase of the water truck reduction and Palmdale Oil through the remainder of the fiscal year ending September 30, 2020 and authorize staff to work with attorney to execute any necessary master agreements with Labor Finders, United Rentals, and Palmdale Oil to more formally document the approved terms and unit pricing; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

Councilmember Danowski stated that to the best of recollection the excavator came into the life of Loxahatchee Groves in 2012 for the severe flood of Isaac or Sandy, don't know if it came to us via FEMA or if there are any strings that comes with that to sell. Mr. Peters responded to Councilmember Danowski that it was purchased right out and that the machine is a valuable piece of equipment. There was discussion among Councilmember Maniglia and Mr. Peters.

Councilmember Shorr commented on the excavator was purchased because they were cleaning out canal segments, if Mr. Peters does have a plan, he would like to compare it to a contractor, like to see the comparison.

Vice Mayor Herzog asked did we have a skilled operator to run this piece of equipment and do we have the option of renting out the piece of equipment.

Mayor El-Ramey stated this is her first-time hearing about a plan and maybe they may want Mr. Peters to bring back for Council review.

Councilmember Danowski stated she would look into some of her old documents.

Town Manager Titcomb stated that the combination of these request may create a report that would answer Councilmembers Maniglia' s questions.

Motion was made by Councilmember Maniglia seconded by Vice Mayor Herzog to instruct Mr. Peters to look into selling the excavator and bring back options (findings) for selling to the next meeting; it was voted as follows: Ayes: Vice Mayor Herzog, Councilmembers Danowski, and Maniglia. Nays: Mayor El-Ramey Councilmember and Shorr. Motion passed 3-2.

6. Approval of Message Board

Councilmember Maniglia stated that it is really hard to read, don't know why we have it, doesn't remember voting on this and how is it going to save us money and being that we have blown the wad and have done million dollars' worth of road, she doesn't see why we have to spend 15-16, 000.00 on a road sign. Councilmember Danowski stated she agrees.

Councilmember Shorr stated that Larry could speak on, but we have to have something to warn the people when working on the road. He also stated that there are so much more that these signs can do like inform the public of events, taking speed, etc. Councilmember Danowski stated that we need something that is multi functioning.

Vice Mayor Herzog asked if we have this, who is programming this. Mayor El-Ramey asked that Mr. Peters come forward. Mr. Peters stated that Public Works staff program it themselves. Councilmember Maniglia stated two Council meetings ago asked him to go get a car counter, has that been done. Mr. Peters stated there are multiple counters. Councilmember Maniglia asked to have you information on what was directed of you in regard to the car counter and how much does it cost of to hire Maintenance of Traffic (MOT)verses this machine on a 30-day period. Mayor El-Ramey stated that we need to both and is the lighted signs required by DOT or can we have just reflected signs. Mr. Peters responded that is could possibly be required by DOT, he continued to explain MOT and answer questions. Town Manager Titcomb also added explanation. Councilmember Maniglia asked what our budget is because she sees a bunch of toys and that we need to tighten our belts and not for buying mor stuff. Mayor El-Ramey asked Mr. Peters does he have a break down on United Rentals. Mr. Peters responded.

Motion was made by Councilmember Danowski seconded by Vice Mayor Herzog to not to approve item number 6 the Message Board; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

7. Approval of 4000 Gallon Water Truck

Councilmember Maniglia stated that she would be in favor of purchasing of the Water Truck and thinks that we would be saving money and believes they did their homework on this Water Truck but will ask once this road items are done that, they come back with selling of the Thing a digger.

Councilmember Shorr asked how we can justify spending this purchase of above $25,000 without using a government contract, sole source. Town Attorney Shutt stated that if they did want to purchase this Water Truck, this will be a best interest acquisition which will require a 4-1 vote for approval. The justification is in the memo unless Council has other justification and want to put on the record. Councilmember Shorr asked is this okay with the Inspector General and Town Manager Titcomb responded that he would agree with what the Town Attorney stated.

Councilmember Danowski asked the driver of the truck is not a rented person, but our employee, she also asked 6375.00 per month comes from, what budget line, are we going to go over, do we have enough. Town Manager Titcomb stated that there is a line item in the budget for this and Mr. Peters in still within that line.

Vice Mayor Herzog stated that when we are done with the machine that we would not let in stay in the yard and deteriorate and is the machine functional as it is, and do we have enough staff to man the equipment you have. Mr. Peters stated that under the current conditions he have limited staff and we have been limited to two people due to this virus. Town Titcomb gave explanation as to why staff is shorthanded. Vice Mayor Herzog asked urgent is this that we purchase this immediately. Town Manager Titcomb stated that he was not sure if he could answer that but it's an offer on the table and it is a piece of equipment that Council has stated it is needed so it is an opportunity to take the piece of equipment that we have been renting to purchase.

Mayor El-Ramey asked how many months we have been renting this equipment. Mr. Peters stated about 6 months. Mayor El-Ramey stated that in the last month give or take it has been weeks that it has been sitting due to staffing issues at the peak of the drought, we are coming into the raining

season, we are going serious concern about budgeting and it has not been used regularly in the season it which is was needed so it is an expenditure that is a bit extravagant at this time.

Councilmember Maniglia asked did Linda have a CDL. Mr. Peters responded, yes. She then asked so that means she could drive the water truck. Mr. Peters responded that she has driven the truck. She then stated that if we don't purchase this water truck, we will end up renting it and although they weren't using it when she thought it should out there be used but this is one piece equipment that we do need and get rid of something that we do not.

Motion was made by Councilmember Maniglia seconded Councilmember Shorr to execute a purchase order be written to United Rentals, in the amount of $76,500.00, payable at $6,375.00 per month, for twelve months, for the purchase of a 4000–4999-gallon model M2 106 Water Truck, United Rental Equipment No. 10283725, in accordance with Quote # 177836211; it was voted as follows: Ayes: Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Nay: Mayor El-Ramey. Motion passed 4-1.

8. Approval of Road Maintainer

Councilmember Maniglia made a comment regarding the piece of equipment, got a complaint from the McCoy folks, she then stated what the complaint was, she then stated that now that the Water Truck has been approved, she is not in favor of purchasing this.

Councilmember Danowski stated that she would like to see what the Water Truck and the roller and consistent grading does before we buy anything, it is a consideration but not now. Town Attorney Shutt stated that if Council wanted to purchase this it would be a best interest acquisition that would require a 4-1 vote and provide the justification of why it is in the best interest of the Town.

Councilmember Shorr stated that he had called the manufacture to see if they had any government pricing to justify this, but he said the guy did call back and stated that the Village of Wellington had two so he could see if there could be a demo and maybe we could look at this for next budget.

There was discussion among Town Council.

Motion was made by Councilmember Maniglia seconded by Vice Mayor Herzog to deny a purchase order be written to Bonnell Industries, Inc., in the amount of $27,583.00, for the purchase and freight, for a Model 312 Road Maintainer in accordance with quote no. 0141828; it was voted as follows: Ayes: Mayor El-Ramey, Vice Mayor Herzog, Councilmembers Danowski, Maniglia, and Shorr. Motion passed unanimously.

Town Councilmembers Comments

Councilmember Laura Danowski- wanted an update on Munilytics. Town Titcomb addressed Town Council, stating that there have been attempts to contact the company to come up with a better formula to come up for the residents of our town, many meeting with Munilytics but around the holidays the communications went dark. But as of today, received a version from Munilytics and is being vetted. He also suggested that Munilytics be invited to address Town Council at the June meeting. Councilmember Danowski asked for a draft. Town Manager Titcomb stated that they could more than likely get it tomorrow. There continued to be discussion among Town Council and Town Manager Titcomb.

There was consensus by Town Council to have Munilytics to come and present at the June meeting.

Vice Mayor Herzog asked did we have members that attends different organizations like the Western Council, League of Cities' monthly, Treasure Coast. Town Manager Titcomb stated he doesn't know if they are designated members. Vice Mayor Herzog stated that the reason she brings

it up is because at the last Western Council meeting 140th came up and no one was in attendance. Mayor El-Ramey and Mr. Titcomb stated that they have been on Zoom meetings regarding Western Council. Mayor El-Ramey stated that she wanted to delegate member to certain organizations and agency. There was continued discussion among Town Manager Titcomb and Vice Mayor Herzog and Mayor El-Ramey.

Mayor El-Ramey spoke about formalizing way to get agenda items for the agenda, need to formalizing Town Council items. Councilmember Maniglia stated that she has been trying to get bonds on the agenda, would like to get the bond attorney to come to the next meeting been trying to get on the agenda to explain the process. Mayor El-Ramey stated we are talking about how to formally get an item on the agenda. Town Manager Titcomb went to explain what Mayor El-Ramey was saying and how items get on an agenda. Mayor El-Ramey stated she is speaking on policy and procedures. Councilmember Danowski stated that we had a perfect example tonight regarding the excavator, she then proceeded to explain, she stated that she feels Town Council comments should be a vetting area. Mayor El-Ramey said maybe we should be more formalized. Councilmember Maniglia stated no, no, the residents need to know what is going on, want the bonds on the next meeting. Town Manager Titcomb stated the reason Mr. Peters bring items to you is because he has to, because they excessed the threshold. He then addressed Councilmember Maniglia' s concern regarding bonds.

Motion was made by Councilmember Maniglia seconded by Vice Mayor Herzog to employ a bond council to come to the next meeting to discuss the two specific bonds already in place and bond options with those two bonds; it was voted as follows: Ayes:

Councilmember Danowski asked is your motion for the two specific bonds or the process in general. Councilmember Maniglia responded the two bonds that was voted on. Councilmember Danowski addressed Councilmember Maniglia by stating that if she changes her motion to general, she will vote for it but not the two specific bonds that was voted on. Town Attorney Shutt stated that his understanding is for staff to contact a bond council to speak about the two specific bonds. Councilmember Maniglia stated that if we are going to spend money on a bond council then we need to ask about what can be done on the specific two bonds. Mayor El-Ramey stated that neither of those bonds were for OGEM roads. There continued to be discussion among Town Council and staff. Councilmember Shorr stated that we are working on a master plan, master plans for the roads, everything is looking for the Town. He stated what is knows about the bonds the one bond was for gas tax and the other was to the people to pay ½ for their roads, he continued to explain bonds, thought we were working on a master plan and what kind of footprint do we have once the footprint is established how to budget it. He feels the process should be to finish the footprints then decided what we want to do and next March do a referendum. He is not sure if he is ready to write a blank check for an attorney and he continue to speak on the history of the bond. Councilmember Maniglia stated that she wanted to change her motion to general and she also asked Town Attorney Shutt does he have any idea of a cap that can be put on the attorney's bill. Town Attorney Shutt responded that it is going to be under 10,000.00 due to Town Manager Titcomb' s approval authority and can speak to the attorney, if it is anything higher then will come back to the Town Council. Councilmember Danowski asked could a certain question be asked specifically, so that we can be armed with information. Town Attorney Shutt stated he would just tell them to be generally familiar with the two bonds that were enacted there, and they just want to ask some general questions.

Motion was made by Councilmember Maniglia seconded by Vice Mayor Herzog to employ a bond council to come to the next meeting to discuss the general bonds and options with a finite cost of 3,000.00 and not to exceed; it was voted as follows: Ayes: Mayor Shorr, Vice

Mayor Herzog, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

Motion was made by Councilmember Shorr seconded Councilmember Maniglia to extend the meeting to 11:00 p.m.; it was voted as follows: Ayes: Mayor El-Ramey, Councilmembers Danowski, Maniglia and Shorr. Motion passed unanimously.

Councilmember Shorr commented about task list multiple meetings, things that have come up in the last year. He asked if everyone could review the list and come up with things they may want on the list, who is responsible and what the status. He also asked about a workshop. There was discussion among Town Council regarding workshops. He feels there are a lot of things that he feels need to hash out. Town Manager Titcomb responded back to him regarding meetings. Mr. Titcomb also spoke about the two different workshops that have been had by Town Council. Councilmember Shorr stated he would like for us to pick some off the list to bring forward such as: speed signs, hedging roadsides and trail sides and cut through closure and contract for canal cleaning. There was continued conversation among the Town Council and Town staff. There was also conversation regarding tire

There was consensus by Town Council to bring back an update on canal maintenance options to the next meeting.

Councilmember Maniglia commented that the OGEM roads should be a priority, she stated the following in order by roads A, C, D, and Northside, it was spoken about and would like Larry to bring back some options. She also would like to see the original letter from the previous Manager regarding opening the gates. Town Manager Titcomb responded that the letter was received today.

Mayor El-Ramey commented about the PBCSO month end report. She asked Town Attorney Shutt about consensus moving forward about the ticking for how we can up the ante. Town Attorney Shutt responded that he would reach out to PBCSO's attorney. Mayor El-Ramey also stated that June workshop should be focused on budget. She also spoke about utilizing Councilmember Shorr's way of getting things on the agenda.

Town Staff Comments

Town Manager

Town Manager Titcomb stated that he has started a FACEBOOK page which has not gone public as of yet, he stated that it would be as a push medium only. He also spoke about COVID-19.

Councilmember Shorr commented about the Ron Jarriel honor ride.

Adjournment

There being no further business meeting was adjourned at 11:03 p.m.

TOWN OF LOXAHATCHEE GROVES, FLORIDA

Mayor Lisa El-Ramey

ATTEST:

Lakisha Burch, Town Clerk

Vice Mayor Marge Herzog

Councilmember Laura Danowski

Councilmember Phillis Maniglia

Councilmember Robert Shorr