

Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, May 2, 2017 at 7:00 p.m.

MINUTES

1. OPENING

- a. Call to Order & Roll Call

Mayor Browning called the meeting to order at 7:00pm. Present were Mayor Browning, Council Members Jarriel, Liang, DeMarois and McLendon. Also present were Town Manager Underwood, Town Attorney Cirullo and Town Clerk Walton.

- b. Pledge of Allegiance & Invocation – Mayor Browning

2. ORDER OF BUSINESS

- a. Additions, Deletions or Modification, and Approval of Agenda

Vice Mayor Jarriel asked that item #9c be revised to read “Discussion and direction on RFP for non-motorized trails grant preparation”.

Vice Mayor Jarriel asked that item #11(b)(1) “Discussion and direction concerning responsibilities of FAAC” be moved from Council Reports to New Business Item #9d.

Manager Underwood asked that item #4a Resolution for former Council Member Goltzené be moved to the June Meeting as Mr. Goltzené had a conflict for attendance at tonight’s meeting.

Motion: a motion to approve the agenda as amended was made by Council Member Liang and seconded by Council Member DeMarois. Motion passed 5 – 0.

3. PUBLIC COMMENTS

Father Diego stated he received a code violation certified letter on April 4, 2017; and he does not remember receiving any other of the letters sent to him before this one. He had been ill since last May. He immediately called his friend Jesse Santamaria for assistance. The Church had not been built in a planned way and it was not intended to be neglected. Attorney Cirullo clarified that there had been a final Magistrate Order with fines now accruing. This matter could only be resolved through the Magistrate, not the Council. Mayor Browning suggested Father Diego come in and sit down with Staff to see what options he had to resolve the violations.

Julia Campbell stated she had mailed a letter to all the Council Members about issues with her code violations. She had been in business since before incorporation and had never before been told she was in violation. She met with the Town’s Code Officer and found him to be rude and was offended by the way this matter had been handled. Her business had dropped since removal of her signs and although she did stop the food truck from using the property, she felt she was treated differently because she saw food trucks all over the Town. Council asked if

Manager Underwood had reviewed the letter and investigated the issues. Manager Underwood responded he had contacted the owner of the property and was told Ms. Campbell was not a representative of the property, only of the business. The Code Officer was currently out of town on vacation; and therefore had not been interviewed yet. Mayor Browning stated this was public comment and not the time to review this matter.

Don Widing, Marsella Boulevard, stated he had lived here for 43 years and was in his 14th year as a member of the Water Control District Board. Prior to that he had spent two years converting code enforcement to code enhancement and understood the challenges. He was volunteering his services to the Town. He was not here to offend or accuse, but it seems every election had a controversy. The issues were voiced in the media and negativity eroded confidence. We need all the candidates and official and employees to follow ethics and create trust between the Town and the Water Control District.

Marge Herzog, A Road, announced that the next Landowner's Meeting on June 22nd would be a Candidate Forum for the Water Control District Elections. Also the street banners were now in place and she wanted to thank René and Dave Adams for donating the planters, Altman Nursery for donating the plants, Laura Tindall for planting everything and Dave Herzog for digging the posts. They were applying for another grant, but were informed by the County that these would not impact any Town grants that might be applied for.

Bill Louda, A Road, stated the first site for an equestrian recycling plant had been turned down by the County and suggested the Town send a letter to the County asking them to find another site. Also thanks to Marge. The banners and planters look very nice.

Ken Johnson, Collecting Canal, asked that Council remember the residential line on the north side of Collecting Canal when voting on commercial sites. The property owners don't want the noise and light pollution and requested a high berm and setbacks of 300 feet from the south side. Also enforcement was needed to slow the traffic on Collecting Canal. Thanks to Mr. Louda for his letter to Editor on the new 30mph speed limits.

4. PRESENTATIONS

This item was continued to the June Council Meeting

a. RESOLUTION NO. 2017-27 (T. Goltzene)

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ACKNOWLEDGING AND RECOGNIZING TOM GOLTZENÉ FOR HIS SERVICE AS COUNCILMAN AND VICE MAYOR OF THE TOWN OF LOXAHATCHEE GROVES, AND EXPRESSING THE APPRECIATION OF THE TOWN COUNCIL FOR HIS SERVICE TO THE TOWN OF LOXAHATCHEE GROVES; AND PROVIDING FOR AN EFFECTIVE DATE.

b. LGES School Carnival Donation Request

Mr. Byrnes Guillaume and Betty Argue, representing Loxahatchee Groves PTO, presented Mayor Browning with a plaque recognizing the Town's donation to last year's Carnival Fundraiser. Mr. Guillaume then read an email from one of the school's teacher explaining how important the funds from the carnival were for supplies for the kids. Ms. Argue

also stated the school was now streaming programs and had added some advanced classes at the school. Council Member McLendon stated the fundraiser was excellent but these funds were not in the budget, and thought it was not appropriate to approve the donation. However, he challenged each member of the Council to donate \$200 personally to cover the funds. Council Member Liang accepted the challenge. Vice Mayor Jarriel disagreed with him, but took the challenge.

Motion: a motion to authorize a \$1,000 donation to the Loxahatchee Groves Annual Carnival Fundraiser was made by Vice Mayor Jarriel and seconded by Council Member Liang. Motion passed 4 – 1, with Council Member McLendon dissent.

5. COMMITTEE REPORTS

a. FAAC Committee Report Vice Chair: Ken Johnson

Mr. Johnson stated the committee had reviewed all the data. The codes could change but the data cannot. The committee is only supposed to look at the data and make suggestion, not authorize changes. They approved the January, February and March expenses. The report was reconciled and the data was accurate. There was a lot of consternation at the last meeting. A member did not like how the reported was presented because of the color headings on the pages and Staff had agreed to take off the color; then the member didn't like the order the data was presented in. Mr. Johnson stated things should be left the way they were presented. Regarding public comment, one person showed up late, refused to fill out a comment card, but insisted on speaking.

Council Member DeMarois stated there had been a motion and second and he wanted the chance to speak. The staff had done a terrific job with the report. Mayor Browning added that he had concerns that we as a Council had to be careful not to have active roles on these committees.

Motion: a motion to accept January, February and March financial reports was made by Council Member Liang and seconded by Council Member McLendon. Motion passed 5 – 0.

b. RETGAC Committee Report Chair: Bill Louda

Chairman Louda stated the committee had discussed trail crossings at B and F Road and options to slow traffic down. A power point presentation showed areas to be addressed on B & F Road for creation of the trails and a suggestion that a horse bridge might be needed on North Road. Proposed wording for signage was also discussed and samples would be presented. Mr. Louda requested that the Town pass an ordinance regarding signage and restrictions on the trails.

Mayor Browning requested that Staff set an agenda item for a future meeting on a sign ordinance.

Council Member Liang requested that Staff prepare an agenda item for the next meeting for his appointment for the RETGAC Committee.

6. CONSENT AGENDA

(Public Comment will be permitted on consent agenda items prior to Council vote)

- a. Minutes: April 4, 2017 Town Council Meeting
- b. April 2017 Invoices for Goren, Cherof, Doody & Ezrol, PA
- c. RESOLUTION NO. 2017-26

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING CHANGE ORDER #9 FOR "B" ROAD PAVEMENT SURFACING, TO HARDRIVES OF DELRAY, INC. d/b/a HARDRIVES, INC., FOR A CREDIT IN THE AMOUNT OF ONE THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS (\$1,166.00), FOR A NEW TOTAL CONTRACT PRICE OF \$1,128,939.80; AND PROVIDING FOR AN EFFECTIVE DATE.

- d. Status Update on proposed gas tax bond and procedure for authorization resolution
- e. Approval and Funding of Escrow Recording Account for Criminal Division
- f. RESOLUTION NO. 2017-29

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH MUNICIPAL CODE CORPORATION (MUNICODE), FOR CREATION, LEGAL REVIEW AND CODIFICATION OF A CODE OF ORDINANCES FOR THE TOWN OF LOXAHATCHEE GROVES; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: a motion to approve the consent agenda as presented was made by Vice Mayor Jarriel and seconded by Council Member Liang. Motion passed 5 – 0.

7. OLD BUSINESS- none scheduled

8. PUBLIC HEARINGS

- a. ORDINANCE NO. 2017-05 (SECOND READING)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ANNEXING THE FOLLOWING CONTIGUOUS PARCELS OF LAND: THE 0.75 ACRE MORE OR LESS PARCEL OF LAND LOCATED AT 347 FOLSOM ROAD, THE 1.55 ACRE MORE OR LESS PARCEL OF LAND LOCATED AT 397 FOLSOM ROAD, THE 1.55 ACRE MORE OR LESS PARCEL OF LAND LOCATED AT 455 FOLSOM ROAD, AND THE 140 FOOT WIDE, MORE OR LESS ADJACENT FOLSOM ROAD AND FOLSOM CANAL RIGHTS-OF-WAY, LOXAHATCHEE, FLORIDA 33470 BEING MORE FULLY DESCRIBED IN EXHIBIT "A" HERETO; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Village Attorney Cirullo stated the ordinance had been publicly noticed and read the ordinance by title. Mayor Browning asked for comments from the Council and then from the public. There were no comments.

Motion: a motion to adopt the ordinance on second reading was made by Council Member McLendon and seconded by Council Member Liang. Motion passed 5 – 0.

b. ORDINANCE NO. 2017-06 (SECOND READING- (QUASI-JUDICIAL))

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ASSIGNING “RURAL RESIDENTIAL 5” FUTURE LAND USE MAP DESIGNATIONS ON THE TOWN OF LOXAHATCHEE GROVES FUTURE LAND USE MAP TO THE FOLLOWING CONTIGUOUS PARCELS OF LAND: THE 0.75 ACRE MORE OR LESS PARCEL OF LAND LOCATED AT 347 FOLSOM ROAD, THE 1.55 ACRE MORE OR LESS PARCEL OF LAND LOCATED AT 397 FOLSOM ROAD, AND THE 1.55 ACRE MORE OR LESS PARCEL OF LAND LOCATED AT 455 FOLSOM ROAD, LOXAHATCHEE, FLORIDA 33470 BEING MORE FULLY DESCRIBED IN EXHIBIT “A” HERETO, SAID PARCELS OF LAND TO BE CONCURRENTLY ASSIGNED AN “AGRICULTURAL RESIDENTIAL” ZONING DISTRICT DESIGNATION ON THE TOWN OF LOXAHATCHEE GROVES ZONING MAP; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Village Attorney Cirullo stated the ordinance had been publicly noticed and read the ordinance by title. Planning Consultant Jim Fleischmann and property owner Gary Cramer were sworn in to give testimony. Mr. Cramer wanted to know why his properties were being rezoned. Planning Consultant Fleischmann responded that when properties were brought from the County into Town boundaries, it was necessary to assign Town land use and zoning designations, even though they are the same RR5 and Ag Residential. Planning Consultant Fleischman also stated that the LPA/P&Z Board had reviewed this request and had recommended approval. Council Member McLendon suggested Mr. Cramer review the Town’s ULDC Code since the Town’s requirements might differ from the County, even if the designations seemed the same. There were no comments from the public.

Motion: a motion to adopt on second reading was made by Council Member Liang and seconded by Council Member McLendon. Motion passed 5 – 0.

c. ORDINANCE NO. 2016-09 (SECOND READING)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA COMPREHENSIVE PLAN, IN ACCORDANCE WITH SECTION 163.3184(3) FLORIDA STATUTES TO ADD SPECIAL POLICY 1.15.7 TO THE TEXT OF THE FUTURE LAND USE ELEMENT RELATING TO FUTURE LAND USE WITHIN THE AREA DEFINED BY THE FOLLOWING FEATURES: COLLECTING CANAL (NORTH); SOUTHERN

BOULEVARD (SOUTH); "C" ROAD (EAST); AND "B" ROAD (WEST); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Village Attorney Cirullo stated the ordinance had been publicly noticed and read the ordinance by title. Planning Consultant Fleischmann stated this was a land use text amendment to add Special Policy 1.15.7 to the Comp Plan. Mayor Browning asked for questions or comments from the Council and then from the public.

Council Member McLendon state he had the same issue as first reading with the code requiring a 300 foot buffer to the adjoining property and also a 100 foot buffer to property next door. Also, there was no access from B Road. There was also a small technical issue with the map not being included when the information was sent to the State after first reading. Planning Consultant Fleischmann responded that this was not a map amendment to the comp plan and the area was described in the policy. The State was limited in the comments to statewide concerns and the map had no bearing on the responses. There was one minor typo error on page 106 Exhibit A of the ordinance. It should read "1.15.7" not "1.15.5". Mayor Browning stated he had concerns that this would change the intentions of the Town to have commercial only on Southern Boulevard. Vice Mayor Jarriel stated that the P&Z Board also had concerns. Planning Consultant Fleischmann stated that the P&Z Board had recommended that this be denied; however Council had the final decision on this matter. The County correspondence received was also not in favor of this.

Al Malefatto, Attorney for the Applicant, Seth Brier, stated that they felt Mr. Fleischmann did a good job and all entities had a change to ask for more. They understood the Council's comments but opposed any delay since this was just the first step in the process.

Ken Johnson, Bill Louda, Nina Corning and George Perez all made public comments not in favor of commercial anywhere other than Southern Boulevard and B Road was too narrow for horses and any commercial traffic.

Seth Brier, Applicant, stated his residential property had lost value because of the Shopping Center and College even though he was not asked prior to those being built. Now there were busses off B Road. He was going through this process at the request of the Town.

Motion: a motion to approve this ordinance on second reading was made by Council Member Liang and seconded by Council Member Jarriel. Motion failed 2 – 3, with Council Members McLendon and Jarriel and Mayor Browning dissenting.

d. ORDINANCE NO. 2017-07 (FIRST READING)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING PART II, ENTITLED "ZONING DISTRICTS," ARTICLE 15 "GENERAL PROVISIONS" OF THE TOWN OF LOXAHATCHEE GROVES UNIFIED LAND DEVELOPMENT CODE BY ADDING A NEW SECTION 15-030, ENTITLED "WELL STIMULATION PRACTICES (FRACKING) PROHIBITED" TO PROVIDE FOR DEFINITIONS, PROHIBITING WELL STIMULATION PRACTICES WITHIN THE TOWN OF LOXAHATCHEE GROVES, AND PROVIDING FOR ENFORCEMENT; PROVIDING FOR CODIFICATION;

PROVIDING FOR CONFLICTS;; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This ordinance had been brought forward at the request of Council. The P&Z Board had recommended approval. Council Member McLendon commented that he did not think this should be put in the ULDC as it was not a development issue. Town Attorney Cirullo responded that he had spoken in length with Council Member McLendon and was not in agreement with his views. Mayor Browning stated he felt this was important since so many residents in Town were on well water. Further discussion ensued.

Bill Louda thanked the Council for bringing this ordinance forward. It was not just about the chemicals going into the ground, but also the transport of chemicals above the ground. This was development related. There were mineral rights involved in this and directional drilling from five miles away was still illegal.

Motion: a motion to approve on first reading was made by Council Member McLendon and seconded by Council Member Liang. Motion passed 5 – 0.

9. NEW BUSINESS

- a. Council Representative for Western Communities Council

Motion: a motion to appoint the Mayor to represent the Council, and the Vice Mayor as alternate if the Mayor is not available was made Council Member McLendon and seconded by Vice Mayor Jarriel. Motion passed 5 – 0.

- b. Council Voting Delegate and Alternates for Palm Beach County League of Cities

Motion: a motion to appoint the Mayor to represent the Council, and the Vice Mayor and each Council Member as alternates was made Council Member Liang and seconded by Council Member DeMarois. Motion passed 5 – 0.

“Revised “Discussion and direction on RFP for non-motorized trails grant preparation”

- c. ~~Work Authorization for Non-Motorized Trails Grants Preparation~~

Motion: a motion to direct staff to produce an RFP for preparation of grant applications for non-motorized trails was made by Vice Mayor Jarriel and seconded by Council Member Liang. Motion passed 5 – 0.

- d. Discussion and direction concerning responsibilities of FAAC (back up Resolution No. 2009-14 and Resolution No.2016-24)

Vice Mayor Jarriel stated the committee should go back to an oversight committee, as was the duties in the 2009 resolution. Council Member McLendon disagreed, felt the committee was doing a good job and suggested this wait for the next finance committee meeting and asked them to vote on whether they wanted to change back. Council Member DeMarois stated he supported this change as he attended the last meeting and there were errors on the January and December reports. Vice Mayor Jarriel stated three members of the committee were present and asked for their input.

John Ryan, Committee Member, was in support of changing back to the 2009 duties resolution. He was under the impression that they would operate independently through the Chair, with more meetings during budget and RFP processes. Council Member McLendon asked if the Water Control District had oversight during his tenure. Mr. Ryan stated no but the Town was more complicated.

Connie Bell, Committee Member, was not in support of changing back. She was not aware of any discrepancies. During December, January the Town was changing to the new accounting software system which caused some glitches; however those were all explained. She felt the meetings were going smooth and had not received any calls or concerns.

Council Member McLendon added that if you look for issues you will always find them. The committee member with concerns was not even present at the meeting. This was getting out of control and the Town should let the committee discuss and decide.

Vice Mayor Jarriel replied that the OIG said an oversight committee was needed, so this was not pushed by one person. Manager Underwood responded that the OIG had stated that the Council should do oversight. This was heading towards a political thing. Mayor Browning added that he had concerns as well. Two members have made no bones about wanting Manager Underwood out. This needs to be handled like adults.

Vice Mayor Jarriel stated he did not believe the Council was qualified to go oversight but his person was qualified. The last meeting was the best one and Perla and Cheryl had done a good job. Only issue was it was too long.

Motion: a motion to bring forward a resolution re-instituting the FAAC duties from the 2009-14 resolution was made by Vice Mayor Jarriel and seconded by Council Member Liang. Motion passed 3 – 2, with Mayor Browning and Council Member McLendon dissenting.

10. MANAGER’S REPORT – Town Manager Underwood

a. Palm Beach County Sheriff’s Contract Proposal for 2017/2018

Palm Beach County Major Araujo introduced himself to the Council and stated he would be happy to answer any questions or provide any guidance the Council requested. Council reviewed contract and had some comments:

- Requested a pick-up truck rather than cars – Major Araujo stated he had spoken to Sheriff Bradshaw and agreed to order them once contract was completed.
- Council appreciated the price reduction from the first proposal
- Requested that when officers write tickets they make sure that it reads Loxahatchee Groves – Major Araujo stated that has already been addressed
- Final Agreement has 5 officers, which was good since they would get to know the community and what type of crimes to look out for. Crime was getting worse and the additional costs would be worth it.
- Major Araujo made a clarification from the Agreement that they were requesting some office space here in Town Hall, not a separate office building.

- Clarification was asked if the pricing would remain the same since the agreement was from October 2017 through September 2027. Major Araujo responded that historically there would be yearly increases up to 6%, but for the past few years it had been around 2%.
- A Council suggestion was to put in a CPI no higher than 3% for each year.
- A Council suggestion was to look into a Town Police Department in the future. The costs were discussed and Major Araujo stated the Sheriff had been very benevolent with costs to the Town for the past ten years; however, they have done many studies about creating a new police department and would offer their expertise if the Town chose that avenue.
- Council comments on specific sections in the agreement:
 - a) Page 4 #2.3A – Exec. Officer shall notify Town Manager in timely manner of any major/significant crimes, incidents or emergencies – was suggested this be amended to read “timely manner, but not later than 12 hours”
 - b) Article 5.4 – payment before the 25th day of the preceding month of service – was suggested be changed to the first day of service or by the 15th day of service.
 - c) Article 7 #7.1 & #7.2 clarification – Town Attorney Cirullo clarified that this was limited to law enforcement claims. The Statute had been changed last year that civil forfeiture monies would be used for services within the Town.

Manager Underwood stated he would bring these suggestions for discussion with Major Araujo prior to the final agreement coming back to Council for signature.

- b. Palm Beach County Fire-Rescue Monthly Report March 2017
- c. Direction on FEMA Flood Compliance Ordinances

FEMA had closed the books on any further revisions. From the original letter received by the Town, 74 properties had been removed. The Town had contracted with the County LiDar program for overflights, which had been done in January and the data had been received for the October 5, 2017 rate map. If the Town does not adopt a flood ordinance, they could not participate in the County program and no flood insurance could be obtained within the Town. Council Member McLendon stated that non-residential farm buildings were exempt. Town Attorney Cirullo responded that the Statute said they can't exempt; but he would research.

Motion: a motion to direct the Town Attorney to “tweek” the model ordinance and bring it back for Council review and approval was made by Council Member McLendon and seconded by Vice Mayor Jarriel. Motion passed 5 – 0.

- d. Florida League of Cities Annual Conference Advertisement

Manager Underwood stated information had been received requesting sponsorship advertisements for the League of Cities Conference brochures and asked for Council interest in placing an ad.

Motion: a motion to approve \$400 for a half page advertisement was made by Vice Mayor Jarriel and seconded by Council Member DeMarois. Motion passed 4 – 1, with Council Member McLendon dissenting.

e. Funding Traffic Signal at Okeechobee Boulevard and D Road

According to the 2015 arrangement with the County and Minto, the funding amount was \$691,981. Now Minto was making an offer of \$210,000 and \$480,000 for the Town's responsibilities. Mayor Browning stated he had been present at the Palm Beach County Meeting and remembered the amount from Minto to be \$500,000, and Vice Mayor Jarriel agreed. Now Minto was starting to make conditions. Council Member McLendon suggested the Town get a copy of the conditions of approval from the County Meeting.

Motion: a motion to direct the Town Attorney to get with Minto and Palm Beach County to negotiate this matter, and to have the Town Attorney draft a letter to Minto for the Mayor's signature, was made by Vice Mayor Jarriel and seconded by Council Member Liang. Motion passed 5 – 0.

f. LGWCD Road Maintenance Payment

The Water Control District has requested that the Town give them some indication of the funds that will be available next year for the lettered roads. Council Member McLendon stated he understood that the roads would be turned over to the Town. Council Member DeMarois commented what if the majority of the Council doesn't want the roads because we haven't maintained them? Vice Mayor Jarriel added that next time the Town takes over a road, there should be some conditions that the District maintains them until the Town paves the road. Council Member DeMarois responded if there are conditions then the Town should leave the roads with the District. Mayor Browning stated the Town had requested Collecting Canal be turned over, but the District waters two times a day and grades that road.

Vice Mayor Jarriel stated they should take one problem at a time. Have the Town Manager go to the State for help with B Road and D Road.

Gisela Pferdekaemper, Collecting Canal Road, stated another month has gone by and nothing has been done. Make the Water Control District do something. When they do water it becomes a mud road and traffic keeps increasing.

John Ryan stated the WCD had voting on turning over the roads two months ago, but the motion failed for lack of a second and the District had stated they wanted another workshop to discuss this further.

Motion: a motion to extend the meeting for this one item was made by Council Member McLendon and seconded by Vice Mayor Jarriel. Motion passed 5 – 0.

Mayor Browning said no deal was necessary since it was the District's road and they being watering. There was further discussion by Council regarding either an agreement with the WCD for maintenance or moving forward with Statute 95.361 in order to gain control of the remaining roads. Town Attorney Cirullo stated there was a process for that which involved surveys, then recording of the survey maps to give ownership instead of easements. You would also need to address Southern Timber. It would be hard to use bond dollars on roads not owned by the Town. Consensus was to schedule joint workshop on June 6, 2017 prior to Town Council Meeting.

Motion: a motion to move forward, pursuant to Statute 95.361, recording survey maps and getting control of the roads was made by Council Member McLendon and seconded by Council Member Liang. Motion failed 2 – 3, with Vice Mayor Jarriel, Council Members DeMarois and Liang dissenting.

g. Agenda Item Report – Updates on various activities and issues concerning the Town

11. COUNCIL REPORTS

- a. Council Member Todd McLendon
 - 1. Discussion and Direction on Florida Statute 95.361(2)(b)(~~was discussed during item #10f~~)
 - 2. Discussion and direction to modify the ULDC requiring exotic vegetation removal within 10 feet of roadway
 - 3. Discussion and direction on road Improvement Area (IA) funding concept
- b. Vice Mayor Ron Jarriel
 - 1. Discussion and direction concerning responsibilities of FAAC (back up Resolution No. 2009-14 and Resolution No.2016-24) (~~moved to item #9d~~)
 - 2. Discussion and direction on paving Collecting Canal Road from B Road east to Folsom Road, and paving D Road south of Collecting Canal Road.

12. CLOSING COMMENTS

- a. Public

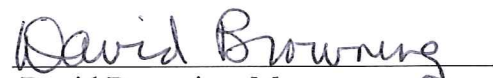
Ken Johnson commented that the signs and flag on B Road needed to be checked because their size looking illegal and there were too many.

- b. Town Attorney - none
- c. Town Council Members - none

13. ADJOURNMENT

Hearing no further business, a motion to adjourn the meeting was made at 10:50 PM.


Virginia Walton, Town Clerk


David Browning, Mayor

These minutes were approved by the Town Council on Tuesday, JUNE 6 2017.

