



Town of Loxahatchee Groves

Town Council Meeting

Tuesday, June 16, 2015 - 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.)

TOWN HALL

155 F Road, Loxahatchee Groves Florida, 33470

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 William F. Underwood, II
Town Clerk Janet K. Whipple
Town Planning Consultant Jim Fleischmann
Town Attorney Michael D. Cirullo, Jr.

MINUTES

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, Jim Rockett and Ryan Liang. Also present were Town Manager Bill Underwood, Town Attorney Mike Cirullo, 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. Invoice from Goren, Cherof, Doody & Ezrol, P.A.
- b. Minutes: **April 7, 2015:** Regular Town Council Meeting

Motion: Councilman Rockett made a motion to approve the Consent Agenda, as presented. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.

3. PUBLIC COMMENTS

Marge Herzog, 966 A Road, reported the Loxahatchee Groves Land Owners Association will hold a meeting next Thursday.

Keith Harris, 2580 C Road, thanked Underwood Management for their endeavors in acquiring the new Town Hall. He talked about the political machine behind the scenes.

Bill Louda, 1300 E Road, brought historical documents, along with maps and charts, for the Town Archives.

Motion: Councilman Liang made a motion to Receive and File the documents. Vice-Mayor Jarriel seconded the motion. Upon vote, the motion passed 5/0.

4. PRESENTATIONS – NONE

5. COMMITTEE REPORTS

- a. Lung Chiu, Chair of the Finance Advisory and Audit Committee (FAAC), to speak. There is no FAAC Report this month.

Lung Chiu, new Chair of the Finance Advisory and Audit Committee (FAAC), recognized Greg Tindall as the new Vice-Chair. Mr. Chiu stated, he felt, the Finance Reports were not acceptable, then proceeded to express his concerns; and passed out documents on accountability.

Motion: Councilman Liang made a motion to Receive and File the documents presented. Councilman Rockett seconded the motion. Upon vote, the motion passed 5/0.

Discussion ensued on the appropriateness of the topics brought up by Mr. Chiu, which included the Underwood Management Contract.

Virginia Standish, 15410 North Road, expressed her concerns, and stated she will be withdrawing from the Finance Advisory and Audit (FAAC).

6. ORDINANCES

- a. **ORDINANCE NO. 2015-04: PUBLIC HEARING/FIRST READING:** *(Criteria Changes for the 2016 Municipal Election).*

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, SCHEDULING THE DATE OF THE TOWN'S 2016 GENERAL MUNICIPAL ELECTION, PURSUANT TO SECTION 101.75, FLORIDA STATUTES, TO MARCH 15, 2016 TO COINCIDE WITH THE 2016 PRESIDENTIAL PREFERENCE PRIMARY; PROVIDING FOR THE QUALIFYING PERIOD FOR THE 2016 MUNICIPAL GENERAL ELECTION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Underwood explained the reasoning behind the 2016, Municipal Election changes.

Town Attorney Cirullo further explained about the Presidential Preference Primary (PPP) and why the Town is affected. The Election will be held March, 15, 2016, and November 3 thru November 10, 2015, will be the new qualifying dates for Town Council Candidates.

Town Attorney Cirullo read the title of Ordinance No. 2015-04, for First Reading.

Motion: Councilman Liang made a motion to approve Ordinance No. 2015-04 on First Reading. Vice-Mayor Jarriel seconded the motion. Upon roll call vote, the motion passed 5/0.

- b. **ORDINANCE NO. 2015-05: PUBLIC HEARING/FIRST READING:** *(Okeechobee Boulevard Moratorium Extension).*

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING ORDINANCE 2014-08, WHICH IMPOSED A MORATORIUM ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, RELATING TO COMMERCIAL LAND USES ON PROPERTIES FRONTING ON OKEECHOBEE BOULEVARD WITHIN THE CORPORATE BOUNDARIES OF THE TOWN, TO EXTEND THE MORATORIUM UNTIL DECEMBER 31, 2015 TO ENABLE THE ADOPTION OF APPROPRIATE AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Cirullo explained, and read the title, of Ordinance No. 2015-05, for First Reading.

Motion: Councilman Liang made a motion to approve Ordinance No. 2015-05, for First Reading. Vice-Mayor Jarriel seconded the motion. Upon roll call vote, the motion passed 5/0.

7. RESOLUTIONS

- a. **RESOLUTION NO. 2015-19:** *(Amending Town Council Meeting Location).*

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AMENDING RESOLUTION 2014-08 RELATING TO TOWN COUNCIL MEETINGS TO AMEND THE PLACE OF REGULAR TOWN COUNCIL MEETINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Cirullo explained, and read, the title Resolution No. 2015-19.

Motion: Councilman Liang made a motion to adopt Resolution No. 2015-19. Vice-Mayor Jarriel seconded the motion. Upon Roll call vote the motion passed 5/0.

8. MANAGER'S REPORT – *Town Manager Underwood*

- a. **Agenda Item Report (AIR)** - Updates on various activities and issues concerning the Town.

Town Manager Underwood updated Council on components of his Manager's Report.

- b. PBSO Monthly Report - May 2015 *(on file)*
c. Fire Rescue Monthly Report – May 2015 *(on file)*

Council discussed a lien on 1666 C Road, issues with the B Road improvements, and lighting at 2658 A Road.

9. OLD BUSINESS – *NONE*

10. NEW BUSINESS

- a. Consideration to appoint an Elected Official to act as a voting delegate, from the Town of Loxahatchee Groves, who will vote on various legislative issues during the Florida League of Cities Annual Conference, August 13-15, 2015, at the World Center Marriott Orlando.

Town Manager Underwood provided information on the Voting Delegate's responsibility while attending the Florida League of Cities Annual Conference.

Council discussed the need for sending an Elected Official as the Town's representative, and one who might be available to attend. The matter will be addressed during a later meeting. In the meantime, Town Manager Underwood will provide information to the Council concerning policies.

- b. Consideration for renewal of the Interlocal Agreement between the Town of Loxahatchee Groves and the Loxahatchee Groves Water Control District (LGWCD), for the funding of construction, reconstruction, and maintenance of public roads located within the Town of Loxahatchee Groves, for Fiscal Year 2014/2015. (from Steve Yohe, Loxahatchee Groves Water Control District Administrator).

Town Manager Underwood provided history on the 2014 Interlocal Agreement (ILA).

Motion: Vice-Mayor Jarriel made a motion to approve the Interlocal Agreement between the Town and the Loxahatchee Groves Water Control District, for funding on construction, reconstruction and maintenance of public roads within the Town for Fiscal Year 2014/2015 (current year). Councilman Liang seconded the motion.

(Clerk Note: Recorder was not started until 8:00 p.m.)

Upon vote, the motion passed 5/0.

11. COUNCIL REPORTS

- a. Councilman Rockett

- 1. Whether / When the Council sends out an RFP for Town Management Services.

Motion: Councilman Rockett, made a motion to send out a Request for Proposal (RFP) for Town Management Services. Councilman Liang seconded the motion.

Council discussed the pros and cons of either renewing the current Management Services Contract or going out for a Request for Proposal (RFP).

Members of the audience voiced their opinions concerning the lack of continuity by changing Management Companies; a reminder the current Management Company was instrumental in acquiring the new Town Hall Building, and a new financial system; Town Management can be contracted without an RFP; a background was provided on Town Manager Underwood (Underwood Management Services), and a history on his team who have provided detailed accounting and have found discrepancies with the Loxahatchee Groves Water Control District (LGWCD); and that some may be trying to avoid transparency. There were a couple who felt Underwood Management should submit a bid for an RFP. Others felt the Town currently has a good Management Company and Team, and it would be nuts to make them go out to bid on an RFP.

Town Manager Underwood stated he would work with the new company, as he will not be submitting a Proposal for Bid.

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

Town Attorney Cirullo explained the time frame, and recommended the RFP be put on the next Agenda (July 7, 2015). The RFP will have to be noticed, allowing time for the decision to be in place by September 30, 2015.

Council discussed with Town Attorney Cirullo debris monitoring which is part of the Management Contract.

Town Attorney Cirullo will be out of town, August 4, 2015.

2. Status and schedule of implementation of the new Accounting System purchased by the Town.

Town Manager Underwood provided an update on the process of the Town's new Financial Software System. There is a delay, at this time.

Discussion ensued.

3. If not already planned, please cover the 2015 / 2016 Budget schedule including critical dates, Council meeting dates to meet the critical dates and when the Council and FAAC will see a preliminary budget.

Discussion between Council and Town Manager Underwood concerning dates for a Budget Schedule Review.

Town Manager Underwood stated September 22, 2015, will be the best time for the Final Budget Hearing.

It was the consensus of Council that the Final Budget Hearing will be on September 22, 2015.

There will be a special Budget Meeting on September 11, 2015.

Vice-Mayor Jarriel

1. a. RFP for mowing and hedging Town Roads.
b. ILA with Loxahatchee Groves Water Control District to mow and hedge while waiting on RFP.

Town Manager Underwood is working on a Request for Proposal (RFP), for hedging.

Motion: Vice Mayor Jarriel made a motion for the Town Manager to draft an Interlocal Agreement with the Loxahatchee Groves Water Control District (LGWCD) for mowing and hedging, and Council Member Rockett seconded the motion. Upon vote the motion passed 4/1 with Councilman Goltzené casting the dissenting vote.

2. Discussion/Direction to install financial software and update accounting procedures.

Vice Mayor Jarriel reported the Loxahatchee Groves Water Control District is preparing their Budget and they need to know what the percentages is for their TRIM (Truth on Millage) notice.

Town Attorney Cirullo provided information concerning Vice-Mayor Jarriel's request.

Motion: Councilman Goltzené made a motion to open up discussion by Council. Vice-Mayor Jarriel seconded the motion. Upon vote the motion passed 5/0.

3. Discussion/Direction to apply (prepare) for a grant to assist in the design and construction of recreational trails. Estimate cost.
4. District finalizing their Budget. Discussion/Direction on Gas Tax Funds for District Roads. \$93,787. TRIM Notice for Loxahatchee Groves Water Control District, July 14, 2015.

Discussion.

c. Councilman Goltzené

1. New committee member appointment.

Councilman Goltzené appointed Anita Kane for the Finance Advisory and Audit Committee (FAAC).

Town Attorney Cirullo will create a resolution for Council approval.

2. Discussion and direction for Finance, Audit, and Advisory Committee Resolution. (*Attachments*)

12. CLOSING COMMENTS

a. Public

Virginia Standish, 15410 North Road, requested Council investigate how the Loxahatchee Groves Water Control District (LGWCD) is influencing the Town Council. She is contacting the District Attorney.

Elise Ryan, 3508 A Road, brought up the Code of Ethics.

Sharyn Browning, 3056 D Road, stated she was very upset with the decision of Town Council, concerning the Management Team. She is saddened by the unintended consequences and hopes that won't bite them in the butt, and she hopes it does not damage the Town.

Joyce Batcheler, 760 E Road, is in favor of the trimming. Specific corners are dangerous.

Councilman Goltzené felt everything should be put on the back burner until a Management Team is selected.

- b. Town Attorney
 - Ethics Training

Town Attorney Cirullo stated the Ethics Training will be June 18, 2015, from 10:00 to 11:00 a.m., and 5:30 to 6:30 p.m., and is mandatory in order to meet the July 31, 2015, deadline. This is in reference to the new State Law for Elected Officials to take a three (3) hour Ethics Training which can be completed on-line and will have to be certified on Financial Forms beginning 2016.

- c. Town Council Members

Councilman Rockett had hoped Town Manager Underwood would partake in the RFP process. He will accept any changes Town Manager Underwood would like to make on his contract.

Councilman Liang felt like the management selection process should be reviewed as there has always been some division between two groups in the Town, and it is tearing the Town apart. He would like to move on to bigger items.

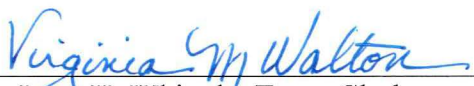
Vice-Mayor Jarriel thanked everyone for coming, and to be safe.

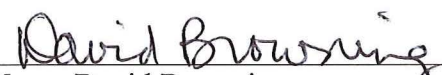
Councilman Goltzené stated the residents know what to do and for them to wake up, that some have cheated and are throwing the current Management Team out, as a cover up.

Mayor Browning stated the community of Town Managers is very small. When word gets around he hopes they can get someone.

13. ADJOURNMENT

There being no further business to come before Council, Mayor Browning adjourned the meeting at 10:20 pm.


For: Janet K. Whipple, Town Clerk


Mayor David Browning

These minutes were approved during the April 5, 2016 Town Council Meeting.