



Town of
LOXAHATCHEE GROVES

Town of Loxahatchee Groves

Town Council Meeting

Thursday, September 11, 2014 - 7:00 p.m. to 10:30 p.m.

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

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

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

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

MINUTES

PUBLIC HEARING

SOLID WASTE ASSESSMENT / TENTATIVE MILLAGE / TENTATIVE BUDGET FY 2014/2015

1. OPENING

a. Call to Order & Roll Call

Only three (3) Members of Council were present, and Town Attorney Cirullo pointed out since there was neither Mayor nor Vice-Mayor the remaining members would have to appoint a Chair Pro Tem.

Councilman Rockett appointed Councilman Ryan Liang as Chair Pro Tem.

Councilman Liang called the meeting to order at 7:01 p.m. In attendance were Councilman Liang as Chair Pro Tem, Councilmen Tom Goltzené, and Jim Rockett. Mayor David Browning and Vice-Mayor Ron Jarriel were not present at this time. Also in attendance were Town Manager Mark Kutney, Town Attorney Mike Cirullo, Bill Underwood of Underwood Management Services, and Town Clerk Janet K. Whipple.

- b. Pledge of Allegiance & Invocation – Chair Pro Tem Councilman Liang
- c. Approval of Agenda

Motion: Councilman Rockett made a motion to approve the Agenda as presented. Councilman Goltzené seconded the motion. Upon vote, the motion passed 3/0.

Town Attorney Cirullo stated for the record that all votes have to be unanimous in order to take action.

2. CONSENT AGENDA - NONE

3. PUBLIC COMMENT

No Public comments.

4. PRESENTATIONS – NONE

5. COMMITTEE REPORTS - NONE

6. RESOLUTIONS

a. RESOLUTION NO. 2014-09: PUBLIC HEARING / SOLID WASTE ASSESSMENT FY 2014/2015

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES IN THE TOWN OF LOXAHATCHEE GROVES, FLORIDA; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES FOR FISCAL YEAR 2014-2015; IMPOSING A RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF LOXAHATCHEE GROVES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2014; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Town Attorney Cirullo provided background and read the title of Resolution No. 2014-09.

Bill Underwood, Underwood Management Services, noted this was a perfunctory resolution like the Town passed last year. The rate for the Waste Collection Assessed Costs for the 2014-2015 Fiscal year, commencing October 1, 2014, will be \$344.10 annually per dwelling unit, as was the

prior year. The Town currently has 1,256 units being assessed, and the cost will be \$432,190 for removal of residential solid waste.

Motion: Councilman Rockett made a motion to approve Resolution No. 2014-09.

Councilman Goltzene stated the Council needed to consider the letter from Catherine Roze first.

Town Attorney Cirullo summarize that Ms. Roze, 1044 D Road, was being assessed solid waste fees for two units on this piece of property, one of which is a Recreational Vehicle (R/V) which she states is now used for storage. She may be responsible for some fees, but the assessments would be imposed for cost of services going forward.

Catherine Roze, 1044 D Road, provided the Council with a brief history of her property, and noted the trailer was now storage, so she felt she should only be assessed for one unit on her property.

Council discussed the assessment for Ms. Roze with Town Attorney Cirullo and Mr. Underwood.

Mr. Underwood referenced page eight (8) of sixty-two (62) paragraph "c" to identify the total assessed cost which was \$432,190 would now be \$431,846.

Perla Underwood, Underwood Management Services, explained how, and when, the solid waste fees are assessed.

No comments from the audience.

Motion: Councilman Rockett made a motion to approve Resolution No. 2014-09 with the amendment to the Service Assessment Revenue to now be \$431,845.50, and to reduce the assessment on this property to one (1) unit from two (2) units. Councilman Goltzené seconded the motion. Upon roll call vote, the motion passed 3/0.

Town Attorney Cirullo requested that when making motions for the tentative millage rate and budget that the motion include the date of the 2nd and Final Public Hearing which will be Tuesday, September 23, 2014, at 7:00 p.m.

b. RESOLUTION NO, 2014-10: FIRST PUBLIC HEARING / TENTATIVE MILLAGE FY 2014/2015

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING THE TENTATIVE MILLAGE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2014-2015, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED; SETTING FORTH THE DATE, TIME AND PLACE FOR THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE

TOWN'S MILLAGE RATE FOR THE FISCAL YEAR 2014-2015 AND DIRECTING PUBLICATION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Bill Underwood explained the procedures for adopting the final millage rate and the final budget and requested how Council would like to proceed. He explained excess funding, the rolled back rate is 1.0954, and the millage is 1.5 which is a 36.94% increase over the prior year.

Council discussed budget items with Mr. Underwood, and whether to approve the 1.2 or 1.5 millage rate.

Motion: Councilman Rockett made a motion to set the tentative millage rate at 1.2 mills. Councilman Goltzené seconded the motion for discussion.

Councilman Goltzene felt the full Council should be present to vote on this matter, and that Council should vote on 1.5 mills tonight and move forward. He would encourage Councilman Rockett to change his motion for this meeting, so that the subject could be discussed further with a full Council.

Town Attorney Cirullo stated the Council could not go higher on the millage rate that what was voted on this evening; however, they can go lower.

Public comments were opened at 7:37 p.m.

Keith Harris, 2580 C Road, requested Council vote for the 1.5 mills this evening so that a full Council will have the opportunity to decide at the next meeting.

Virginia Standish, 15410 North Road, speaking as a resident first, then as Chair of the Finance Advisory and Audit Committee (FAAC) she would like the millage to be 1.2 but also feels that a full Council should be present for such a serious decision.

Public Comments closed at 7:40 p.m.

Upon roll call vote the motion failed 1/2 with Councilmen Liang and Goltzené casting dissenting votes.

Motion: Councilman Goltzene made a motion to approve the millage rate of 1.5 mills. Chair Liang passed the gavel to Councilman Rockett and seconded the motion. Upon roll call vote, even though the vote passed 2/1 (with Councilman Rockett casting the dissenting vote) the vote failed for lack of a unanimous vote.

Council seriously deliberated on the millage rates, and were told they needed to make a decision at this meeting in order to move forward to the final millage at the next Town Council Meeting. There was a brief break from 7:55-7:58 p.m. as Councilman Goltzené left the dais.

A formal break followed from 7:59-8:05 p.m.

Members of the audience expressed their opinions on the matter.

Motion: Councilman Rockett made a motion to amend his motion, contrary to his principals, to allow for full Council vote for procedural purposes. He will change his motion to approve the tentative millage to 1.5 mills solely for the purposes of moving the vote on the millage rate for vote of full Council. Notwithstanding, Councilman Rockett is against 1.5 mills and will vote for 1.2 mills at the next meeting. Filling in the blanks the motion will be for 1.5 mills which is 36.9% greater than the roll back rate at 1.0954. The next meeting will be on September 23, 2014, at 7:00 P.M. at the Loxahatchee Groves Water Control District (LGWCD) location to discuss, in final, the millage and budget. Councilman Goltzené seconded the motion. Upon roll call vote the motion passed 3/0.

Town Attorney Cirullo read the title of Resolution No. 2014-09.

c. RESOLUTION NO, 2014-11: FIRST PUBLIC HEARING / TENTATIVE BUDGET FY 2014/2015

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; SETTING FORTH THE DATE, TIME AND PLACE FOR THE SECOND PUBLIC HEARING FOR THE ADOPTION OF THE TOWN'S BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND DIRECTING PUBLICATION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Town Attorney Cirullo read the title of Resolution No. 2014-10.

Mr. Underwood further explained budget items in Revenues and Expenditures.

Motion: Councilman Goltzené made a motion to adopt the Tentative Budget as presented. Councilman Rockett seconded the motion.

Councilman Goltzené left the dais at 8:21, and there could not be a vote until all Council Members were present.

Town Attorney Cirullo suggested a recess.

Councilman Rockett seconded the motion to adopt Resolution No. 2014-11, with the contingency that Staff has prepared options for Council to show a Budget with the 1.2 millage rate.

Council discussed various aspects of the budget and millage rate.

Councilman Goltzene withdrew his motion, and at this time there is not motion on the table.

Chair Liang passed the gavel to Councilman Rockett and wanted to make made a motion that with direction to Council to suggest any and all Budget cuts to be discussed at the next meeting.

During discussion, Mayor Browning arrived at 8:40 p.m. and took over meeting.

There was not a motion on the table to take action on.

Councilman Goltzené requested a five (5) minute break to recap the meeting for Mayor Browning.

Mayor Browning called for a break, 8:41-8:45 p.m.

Mayor Browning opened the discussion for Public Comments at 8:41 p.m.

No comments from the public.

Motion: Councilman Liang made a motion to adopt Resolution No. 2014-11 for the Tentative Budget. Councilman Goltzené seconded the motion. Upon roll call vote, the motion passed 4/0.

7. ORDINANCES - NONE

8. ADMINISTRATIVE UPDATE – Town Manager Kutney

Town Manager Kutney had no report this evening.

9. OLD BUSINESS - NONE

10. NEW BUSINESS - NONE

11. CLOSING COMMENTS

a. Public

No further comments.

b. Town Attorney

Town Attorney Cirullo stated "Go Gators".

c. Town Council Members

Councilman Rockett thanked everyone for coming.

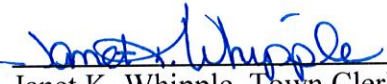
Councilman Liang also thanked everyone for coming.

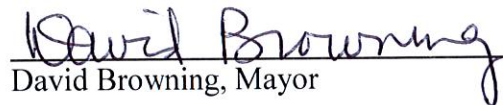
Councilman Goltzené thanked everyone for coming as well.

Mayor Browning thanked everyone for coming, including himself.

12. ADJOURNMENT

There being no further business to come before the Town Council, Mayor Browning adjourned the meeting at 8:48 p.m.


Janet K. Whipple, Town Clerk


David Browning, Mayor



These minutes were approved during the November 18, 2014 Town Council Meeting.