



TOWN OF LOXAHATCHEE GROVES

REGULAR COUNCIL MEETING

101 West "D" Road, Loxahatchee Groves

MINUTES NOVEMBER 17, 2009

Mayor Dave Browning called the meeting to order at 7 pm. In addition to Mayor Browning, the following were present: Councilmen Bill Louda, Ryan Liang, and Ron Jarriel, and Vice-Mayor Dennis Lipp. Present from staff were Frank R. Spence, Town Manager; Mike Cirullo, Town Attorney, and Ann Harper, Deputy Town Clerk.

The Pledge of Allegiance and Invocation followed the roll-call.

Motion was made by Councilman Louda, seconded by Councilman Jarriel, to approve the Agenda. The motion carried by voice vote, 5/0.

CONSENT AGENDA

- 6 a) **October 6 and October 29 Town Council Minutes**
- b) **Town Attorney Invoice – October 2009**

Motion was made by Councilman Liang, seconded by Vice-Mayor Lipp, to approve the Consent Agenda. Vice-Mayor Lipp noted that there were numerous typographical and other errors in the two sets of minutes and recommended that they be corrected. He distributed to Council members and Staff a sample set of minutes in an outline form and suggested that the Council consider having minutes transcribed in this manner. Mr. Spence suggested that the October 6 and October 29 minutes be approved as corrected and amended, and copies of the revised documents will be furnished to the Council.

Mayor Browning called for a voice vote on the motion to approve the consent agenda, which carried 5/0. The Council by consensus approved changing the minutes style from verbatim to outline and summary.

REGULAR AGENDA

7) Committee Reports

- a. **Finance Advisory and Audit Committee** – Councilman Liang said the unanimous recommendation of this Committee was to approve the audit services proposal of the firm of Nowlen, Holt & Miner, PA, of West Palm Beach. The Committee also recommended that a "punch list" be maintained by Town Staff.
- b. **Inter-governmental Committee** *Mayor Browning* – Mayor Browning presented the following items for the December IGC agenda:
 - (1) The Town should develop a road improvement policy that addresses "courtesy" grading;
 - (2) Issue of whether or not 40th Street is designated as a street – also on the Council January 2010 agenda

Public Comments

Marge Herzog:

- (1) Said that before changing the designation of any streets, Dave Hardin should be consulted;
- (2) Suggested using a local resident for carcass removal from canals.

Frank Schiola said Waste Pro could do the removals, but Staff should check with other local agencies.

Councilman Jarriel said that the Town should work toward justifying the naming of roads, and he prefers keeping N. 40th as a road since the Fire Department and Police Department have it designated as such.

- 8) **September 2009 Financials** – Mr. Spence said this report was received on Wednesday, the day before the Agenda was distributed, and he recommended deferring consideration of this item to the December 1, 2009, meeting.
- 9) **RFP 2009-006-Audit Services - Proposals for Audit Services** – Mr. Spence said the Town advertised for proposals for Auditing Services. The town is offering a three-year contract with two one-year extensions. The Finance Advisory and Audit Committee met on November 12, 2009, to discuss and rank the four submissions for Audit Services. The FAAC unanimously recommended the West Palm Beach firm of Nowlen, Holt & Miner, PA.

Motion was made by Vice-Mayor Lipp, seconded by Councilman Louda, to accept the FAAC recommendation. The motion carried by voice vote, 5/0.

10) RFP 2009-007-Recommendation from FAAC for Revised Code Enforcement Services

Mr. Spence said the FAAC met on November 12, 2009, and recommended revising the RFP for Code Enforcement Services to consolidate the text and also to attract more respondents. The Committee also asked the Town Manager to research the section on insurance. Mr. Spence said he called the Town's insurance carrier, FMIT, and learned that they insure the Town, but all employees are under contract and are responsible for obtaining their own insurance. Therefore, insurance requirements for Code Enforcement staff will be placed back into the proposal.

Vice-Mayor Lipp said that since the land development codes are not complete, there is no hurry in selecting new code enforcement services. He suggested placing the RFP on the FAAC January agenda for further consideration and bring it back to the Council when it is ready.

11) Administration Update

- a. November and December 2009 Meeting Calendar – Mr. Spence recommended cancelling the regularly-scheduled Council meeting on 12/15/09 since it is so close to the Christmas holidays.

Mr. Spence said the Community of Hope has requested that they be placed on the December 1 agenda for Plat Approval, and it will be a quasi-judicial hearing. The Applicant has agreed to pay all fees related to this request, including our Attorney's fees.

ITEMS AT THE REQUEST OF THE PUBLIC

12) Public Comments

Marge Herzog requested Council members appoint 3 volunteers each to the Census Complete Count Committee and commented on roads in the Town which are not on census maps and need to be identified for census purposes.

Frank Schiola reported on increased illegal dumping of construction debris.

13) Town Management Comments

14) Town Attorney Comments – Attorney Cirullo called a Shade Meeting for Tuesday, December 1, at 6 p.m. in the Town Administrative Offices. The meeting relates to the Callery-Judge and Seminole Improvement District lawsuit.

15) Town Council Member Comments – Vice-Mayor Lipp requested an update on ERM be placed on the Council agenda in January or February 2010. Councilman Ryan requested to place an item on the December agenda about forming a panel or group to address the land use regulations and non-conforming businesses.

There being no further discussion and no additional public comment , the meeting was adjourned at 7:55 p.m.

 Dave Browning
DAVE BROWNING , Mayor

____ January 5, 2010 ____
Date Council Approved

Attest:

 Ann Harper
Ann Harper, Deputy Town Clerk