



OFFICIAL MINUTES

**CITY OF GREENACRES
5800 Melaleuca Lane
Greenacres, FL 33463**

**CITY COUNCIL WORKSHOP – DISTRICT I
Monday, May 2, 2016 – 3:00 PM**

1. **Call To Order and Roll Call.**

Deputy Mayor Pearce called the City Council Workshop-District I of Monday, May 2, 2016 to order at 3:00 p.m. Denise McGrew, City Clerk/Administrative Services Director, called the roll.

ROLL CALL:

Council Present:

Jonathan G. Pearce, Deputy Mayor
Lisa Rivera, Councilwoman
Peter A. Noble, Councilman
Judith Dugo, Councilwoman
Paula Bousquet, Councilwoman

Staff Present:

Andrea McCue, City Manager
Thomas Lanahan, Asst. City Manager/P&E Director
James D. Stokes, City Attorney
Denise McGrew, City Clerk/Admin. Services Director
Michael Grimm, Director/Building
Thomas Hughes, Director/Finance
Mark Pure, Fire Chief/Fire Rescue Department
Michele Thompson, Director/Leisure Services
Carlos Cedeño, Director/Public Works
Melody Larson, Assistant to the City Clerk
Capt. Sean Murray/PBSO

Absent

Samuel J. Ferreri, Mayor

Attendees from Public: 13

Press: 1

2. **Pledge of Allegiance to the Flag.**

Deputy Mayor Pearce led the Pledge of Allegiance.

3. **Comments From the Public for Agenda Items Only.**

Deputy Mayor Pearce asked if there were comments from the public; hearing none, he continued with the Agenda.

4. **Agenda Approval.**

- A. Additions, deletions, or substitutions to the Agenda.
- B. Motion to approve and adopt entire agenda as set.

Deputy Mayor Pearce inquired if there were any additions, deletions or substitutions to the Agenda; hearing none, he called for a motion.

MOTION: Councilwoman Bousquet made a motion to approve the Agenda. Councilwoman Rivera seconded the motion.

VOTE ON THE MOTION: **In Favor:** Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

Motion carried: 4 - 0.

5. District I Workshop.

Councilwoman Rivera thanked everyone for attending the workshop to address concerns in District I.

Deputy Mayor Pearce requested a description of the boundaries for District I.

Assistant City Manager Thomas J. Lanahan described District I as being the eastern portion of the City located east of the E-3 Canal, west of South Military Trail, slightly north of 10th Avenue North, south to almost Lantana Road, including the east ½ of Pickwick Park Mobile Home Park.

- Speeding in the Original Section

Councilwoman Rivera stated that a resident had requested a 4-way stop sign on Swain Boulevard prior to a recent fatality. She was awaiting traffic data from Capt. Murray and requested staff's feedback.

Capt. Sean Murray reported that current data was not available on the traffic violations for that area. He reported that approximately 300 tickets had been issued in the Original Section in last 1.5 months and most consisted of running stop signs.

Deputy John Pedone reported that Swain Boulevard is the most travelled road that runs north/south from 10th Avenue North south to Lake Worth Road. He reported that the center road is Biscayne Drive that runs east/west; all other north/south streets have stop signs with the exception of Fleming and Jackson Avenues. He recommended installing speed bumps since 4-way stop signs would create bottlenecks.

City Attorney James Stokes suggested hearing first from the Fire Chief since emergency vehicles travel easier through stop signs than over speedbumps.

Detective Steve Murray reported that because the speed limit in the Original Section is 25 mph, drivers are using Fleming Avenue and Swain Boulevard between Lake Worth Road and 10th Avenue North. He agreed with Deputy Pedone's recommendation of installing speed bumps.

Councilwoman Bousquet asked for an update on the solar speed markers being used in District I.

Councilwoman Rivera reported that they are working well in coordination with the rumble strips on Empire Way. They have been a big help in slowing traffic; however, on weekends the speeding returns.

Fire Chief Mark Pure noted that over the years, they have found that stop signs don't help when it comes to drunk drivers. He reported that the 15,000 lb. fire rescue trucks transporting patients have problems going over speed bumps. He recommended using rumble strips as a better solution.

Councilwoman Dugo asked what type of rumble strips should the City consider.

Mr. Lanahan reported there are different types; some are carved into asphalt and others are attached to the surface. The strips on Empire Way and Centurian Way consist of thick thermoplastic paint applied in 3 layers that create audible versus physical distortion of vehicles. It is an effective attention grabber, is used to alter locations where children frequent, and do not have the negative effects speed bumps pose. He reported that the City has never allowed speed bumps on City roads because of the issue of emergency response. The acute issues are where they should be installed versus the number of driveways which will impact their location.

Mr. Lanahan pointed out that the use of a 4-way stop sign is the second highest warrant in traffic control devices, the highest being traffic lights. The traffic volumes must be warranted for visibility and other factors. He noted that the City does not want to create scenarios where drivers will be inclined to ignore the devices. Last summer, the City was asked to look into traffic calming devices at Biscayne Drive and Swain Boulevard to address speeding. The City's traffic engineer determined that summer was not a good time to study traffic volumes. Physical counts were done and a traffic circle was found to not be a viable solution due to pedestrian traffic. Vehicle volumes were insufficient; however due to the pedestrian traffic and the proximity to the elementary school a 4-way stop sign was warranted. With Biscayne Drive and Swain Boulevard being the busiest intersection in the Original Section, implies that other internal roads would not warrant the same. He reported that the Departments of Planning and Engineering and Public Works are procuring the materials to install a 4-way stop sign.

Councilwoman Rivera asked if the rumble strips and solar speed markers installed in Palm Beach Villas II would also benefit the Original Section especially following the completion of the Community Center expansion.

Mr. Lanahan agreed to review the best locations such as the proximity to the park and the elementary school. He cautioned against placing the strips everywhere to avoid drivers from ignoring them.

Councilwoman Rivera anticipated more traffic along Swain Boulevard following the completion of the Community Center expansion and asked staff to look into installing a solar speed marker. She cited the 97 citations issued in a 5-hour period (5 pm – 10 pm) in the Original Section during the last month.

Mr. Lanahan noted that from the statistics cited, there were a number of stop sign violations which proves that more stop signs will not deter lawlessness.

- Low Shrubs in Medians

Councilwoman Rivera asked if the existing low shrubs could be eliminated from the medians.

Public Works Director Carlos Cedeño provided a brief history of the City's xeriscape landscaping efforts of the 1990's and the 2004 FDOT maintenance agreement to plant and maintain the medians. FDOT's xeriscape concept failed when irrigation was unavailable. The asphalt adds 20°F to the medians which creates a very intense environment with a limited planting season. He reported that a CIP project to add additional funds for median landscaping was being included in the FY 17 budget and noted there are a total of 72 medians Citywide. The City is reviewing irrigation costs for the medians along South Jog Road noting that Lake Worth Road would be challenging.

Councilwoman Rivera asked if Public Works needs materials or supplies to make this task easier. With the approval of the Greenacres Nissan dealership, the current state of the medians is an eyesore and does not look presentable. She asked by installing sod and trees only without shrubs would that help lower maintenance costs.

Mr. Cedeño agreed and suggested discussing this with FDOT.

Councilwoman Dugo stated that median landscaping has been an issue for her since her election into office. A test area has been installed with artificial turf and irrigation but costs will prevent further exploration. She pointed out that it has been 2 years and nothing has been done to remove the dead shrubs. She asked how the plants were irrigated before and if the City's water truck was used. She wanted to see a better attempt at maintaining the medians. Council met with a landscape architect who submitted plans and nothing has been done since.

Mr. Stokes pointed out that if this is the approach Council desires, he suggested directing staff to meet with FDOT since they own the medians.

Mr. Lanahan explained that Council is discussing medians along Lake Worth Road. He clarified that the plans presented by the landscape architect were for medians along South Jog Road. Four options were presented to Council. Council directed staff to install a test median (with irrigation) adjacent to Community Park. He reported that the construction plans were completed and permit coordination with FPL and the County is underway. This project went out to bid and was advertised this weekend. Once the bids are received, it will be presented to Council for award. This will give Council a more comprehensive idea of how it will look with the selection of plant materials and irrigation as compared to the artificial test median and medians with sparse shrubs.

Mr. Lanahan reported that many years prior, Council directed the installation of landscaping along those medians. The City installed the plants. The City then entered into a maintenance agreement with FDOT. Approximately 10 years ago, FDOT replanted the medians along Lake Worth Road which turned out to be very labor intensive and the wrong plant materials were installed. Staff has been waiting for the passing of the winter months to replace plant materials which are now being ordered and installed.

Councilwoman Dugo suggested taking the \$7,000 in the budget and use them to remove the dead shrubs and install sod.

Mr. Lanahan explained that it would provide different aesthetics than what the Council at the time wanted which was landscaped medians, not just grass. Some plants are fine. If Council wants to change the approach for Lake Worth Road, the City can contact FDOT for a grass solution. Make sure it is the look Council wants.

Deputy Mayor Pearce pointed out that no Council direction will be given here today. District I has been an eyesore for many years. This workshop aims to set things in the right direction.

Councilman Noble pointed out that the medians past Woolbright Road on South Jog Road consist of grass and trees and look nice, neat and attractive.

Councilwoman Rivera showed a photo with trees and sod only and believed it would be easier for the City to maintain and less labor intensive for staff.

- Streetlighting

Councilwoman Rivera pointed out that South Haverhill Road is a major roadway through the City, and she requested the help of staff to install streetlighting along South Haverhill Road between Melaleuca Lane, north to Lake Worth Road.

Mr. Lanahan pointed out that South Haverhill Road is a County roadway. The City historically partnered with the County on streetlighting. He reported that it is common for the County to not install lighting on their roadways; the City has paid for the installation of lighting on most major roadways. The City recognizes the safety and crime prevention benefits of proper lighting.

He reported that with South Haverhill Road being slated for widening, the City believed it would be a good opportunity to also ask for lighting; however, the County rejected the idea. Staff followed up on the request and had a detailed conversation where he learned that the County actually agreed; but, did not have the necessary funds. The City would need to add this as a CIP project to have an engineer design the lighting. FPL will install lighting for local streets; for major roadways, the County will only accept lighting plans from an engineer. The City has received a proposal from the County's lighting design engineer; however, the City cannot prepare a requisition until this engineer renews his contract with the County. A cost analysis would be prepared with FPL for approval by Council. The City's goal is to use FPL's Streetlight Program where lights are mounted to existing power poles which leaves only a cost of \$11/month to be incurred by the City. FPL would be responsible for bulb replacement, fixtures and poles. Mr. Lanahan noted that there may be some roads where the City would have to pay FPL to install new poles which would require a capital expenditure.

Mr. Lanahan noted that the City has not paid for lighting for roads where only ½ of the roadway is in the City. This is the case on South Haverhill Road where Lake Worth Road south to Lantana Road has sections that are not in the City. That is a policy decision. Does Council want to use taxpayers' money to light parts of

roadways that are not in the City's jurisdiction? The pros and cons of providing lighting for areas not in the City are safety, cost and responsibility. Council must decide whether or not to move forward.

Councilman Noble asked about the future annexation of properties along South Haverhill Road.

Mr. Lanahan confirmed that the area is part of the City's future annexation plans. The vast majority of annexations have been voluntary and the properties must be contiguous and not create an enclave. It is the City's established plan per the Comprehensive Plan. Parcels limited in size (<10 acres) are processed as interlocal annexations in conjunction with the County and do not require property owner approval. In 2009, the City annexed 17 parcels to close existing enclaves. The maximum size of enclaves has recently been increased and staff will be meeting with County Planning to explore further.

Councilwoman Bousquet asked Mr. Lanahan to include lighting along Melaleuca Lane when he meets with FPL. Since its widening in 2007, this road went from a 2-land road to a 4-lane road but remains very dark.

Mr. Lanahan reiterated that the engineer would have to review the costs and provide a separate proposal; the City would be paying for every new pole needed.

Councilwoman Dugo asked what the current percentage of annexations is in relation to the City's Comprehensive Plan.

Mr. Lanahan explained that in 1989 the City adopted its Comprehensive Plan and the City's annexation boundaries were Southern Boulevard to the north, South Military Trail to the east, Lantana Road to the south and State Road 7 to the west. In 1999, (predates the incorporation of the Village of Wellington), the Olympia development was built and was annexed up to the Florida Turnpike; the City litigated that project and lost the case. It was then that the City's defacto western boundary became State Road 7 and the incorporated limits of Wellington. In 2005, the Evaluation and Appraisal Report (E.A.R.), a 5-year update, identified and recognized Wellington existed and adjusted the boundary. Council had a policy discussion about changing the western boundary but decided against doing so. Leaving it as State Road 7 allowed the opportunity to see where development was headed. The focus became on closing out enclaves in 2009 where there was real service demand problems.

- Lake Worth Road Businesses

A slide of various banner signs on businesses was shown.

Councilwoman Rivera believed that certain businesses look like a flea market in District I. She asked Mr. Grimm to help with Mil-Lake Plaza.

Building Official Michael Grimm agreed that the banner signs may not have Temporary Use permits. The monument signs should be uniform and should be similar in color.

Slides of Hogan Gas and Pawn Shop on Lake Worth Road were shown. Councilwoman Rivera wanted to know what could be done about the colors of these buildings.

Mr. Lanahan pointed out that the City does not have a separate ordinance that addresses business colors. Today, as part of the City's site plan approval for new projects, petitioners present a color scheme prior to approval for harmony. In the early 90's, the City had the Community Appearance Committee (CAC) that reviewed color schemes. These buildings being shown date back to the 1960's and predate City regulations.

Councilwoman Rivera noted that in 2015 Hogan Gas was painted a neutral color but shortly thereafter was painted a neon blue. She asked if there was anything the City could do to require these businesses to comply with more neutral colors.

Mr. Lanahan said there is currently nothing in the City's Code that regulates building color. Some cities have incorporated citywide color regulations for commercial/residential buildings. An enforcement factor would be to require a permit to paint wherein an approved color palette can be established. The Village of Wellington has an established palette in their Code and the City of Atlantis has a standing committee that reviews color schemes.

Mr. Stokes explained that for businesses like those being shown, the approach would be to coordinate with the Planning and Engineering Department, Code Enforcement and the Fire Rescue Department to review the Code to ensure they are in compliance. If not, the City could use code enforcement as leverage for compliance at which time perhaps the City could encourage business owners to lighten their color selection. He noted that even if the City adopted an ordinance regulating building colors, these existing businesses would not be required to comply with the new color palette.

Mr. Grimm acknowledged that there were issues like removing the word "PAWN" in white letters on the shutters that he would be addressing with the business owner and he would mention the building color as well.

Chief Pure reminded everyone that there are County pockets along Lake Worth Road and even if the City attempts to clean up its properties, blocks away are less appealing ones.

Councilwoman Bousquet recalled some properties falling under the "grandfather" clause when it comes to compliance.

Mr. Lanahan explained that until a property owner approaches the City requesting a modification, the City cannot require them to change the architectural features of the building. However, if business owners are seeking substantial changes to the structure the opportunity exists to make suggestions. The difference between current development standards and these existing properties is substantial. Short of a complete tear-down, the City could not make any changes.

Mr. Grimm pointed out that the City has been highly prolific in combating the LED lighting on businesses which will help improve aesthetics.

Councilwoman Dugo requested a copy of the Sign Code regulations from Mr. Lanahan or Mrs. McCue for review.

- PBSO Substation

Councilwoman Rivera stated that she would like to see a PBSO substation in the Original Section. Benefits would include a police presence, reassurance for residents, visibility, and a C.O.P. Program base area. Mrs. Rivera had 2 locations in mind: the Greenacres Historical Society or the Community Center. She asked Capt. Murray if he believed a substation would be beneficial.

Captain Murray agreed that having a substation would be beneficial; however, reported that PBSO does not have the manpower to staff one. A possibility would be to house the COP volunteers there to serve as a decoy and PBSO deputies could use the facilities to file reports. As for the location, he asked Sgt. Owen Pickert for his preference.

Sgt. Pickert believed with the completion of the Community Center, there would be more parking available for vehicles than the Historical Society.

Councilwoman Rivera asked for details on the amount of manpower that would be needed to staff a substation.

Capt. Murray stated in order to staff an office Monday-Friday; 8:00 am-4:30 pm would require 9 employees (7 officers and 2 supervisors) based on the current agreement with the City.

Councilwoman Rivera asked what if we just provide unmanned office space to be used for reports, bring victims, eat, etc.

Deputy Mayor Pearce pointed out that Public Safety used one side of the Community Center as an unmanned substation. There are several offices that could be used as a small conference room or for the COP Program and there is available parking. Staff can address this in the upcoming budget process. Having this substation is a key component of the City's comprehensive plan for District I.

Councilwoman Dugo agreed with the need for a substation but not at the expense of impacting Road Patrol.

Councilwoman Rivera offered to revisit this subject upon the completion of the Community Center.

- Veteran Monuments

Councilwoman Rivera showed a slide of two (2) concrete monuments located on the property of a Pentecostal church.

Mr. Lanahan explained that the property is the former American Legion Hall located at 364 Swain Boulevard and who are the proprietors of the monuments.

Councilwoman Rivera asked if the monuments could be relocated to City Hall under the American Flag.

Councilwoman Bousquet spoke with the parents of one of the men who died. They lived in District I and had paid to have the monument placed there. They have agreed to relocate it if it is placed in a respectable location in District I.

Deputy Mayor Pearce was pleased to learn their identify and relocation should be easy. Several locations were suggested: below the City Hall flag, at the Community Center, or the Historical Society.

- Portable Advertising Signs

Councilwoman Rivera showed a slide with multiple advertising signs. She stated that she has seen signs for 4 consecutive weeks in the same location and asked how often the City collects them.

Mr. Grimm replied, “Every weekend”. He explained they cannot be removed if on private property; if they are on right-of-ways, they can easily be removed.

- City Code Enforcement

A slide of a black and white striped Code Enforcement vehicle was shown.

After contacting other municipalities and meeting with Mr. Stokes and Mrs. McCue, Councilwoman Rivera explained her intention is to improve the presence of Code Enforcement. She asked how difficult would it be to restripe City Code Enforcement vehicles. She wants residents to see their presence.

Mr. Grimm pointed out that most code enforcement divisions fall under police departments.

Deputy Mayor Pearce asked Mr. Stokes for an update on the Special Magistrate Ordinance.

Mr. Stokes reported that Ordinance No. 2016-07 is under review and could be scheduled for first reading on May 16th and second reading on June 6th.

Deputy Mayor Pearce wanted to provide the Code Enforcement Board members with a copy of the Ordinance upon adoption.

Mr. Grimm explained he was proposing a 3-month implementation period to order the new citation forms, provide training and hire a Special Magistrate. He anticipated an Oct 1st launch.

- Newspaper Stands

The next slide showed unsightly newspaper stands on Empire Way and Lake Worth Road being used as trash receptacles. Councilwoman Rivera asked how can the City remove these stands.

Mr. Grimm reported that the City would be looking to remove them by notifying the publication of their condition and subsequent removal; similar to what the County did.

Mr. Stokes cautioned that these stands are protected by law.

- Trailer on Jackson Avenue

Councilwoman Rivera showed a slide of a makeshift trailer parked on a swale and reported that this trailer has been parked on Jackson Avenue for the past 6 weeks.

Mr. Grimm explained that although it is a code violation, the trailer is actually parked on the right-of-way, not private property. With the proposed Special Magistrate Ordinance, it will be a complete rewrite of the City's entire citation system and will allow the City to cite the property owner. He pointed out that cars can be parked on the City's parkway strip, but not boats, trailers, trucks or commercial vehicles. The property owner is responsible for maintaining the parkway.

Councilwoman Rivera thanked everyone for attending, for their brainstorming and their feedback. She announced that she would be requesting additional staff for the Building Department in this budget cycle. She asked Mr. Grimm how he determines the administrative costs for fines.

Deputy Mayor Pearce asked Mr. Grimm about double gates in the Original Section. He recalled the Council discussed adopting an ordinance to address the issue of property owners driving their trailers over the curbs and sidewalks into their backyard with lawn maintenance equipment damaging the concrete curbs and sidewalks. Part of that discussion was over RV's as well. What he was concerned with was the large double-wide gates.

Mr. Grimm recalled working on a proposed parking ordinance to deal with motorhomes and boats but it was set aside due to the size of the recreational vehicles. He offered to revisit the issue. He reminded Council that many properties in the Original Section do not have hard-surface driveways. Staff also looked at incorporating regulations in the City's Property Maintenance Code (PMC).

Councilwoman Rivera asked Mr. Grimm to explain how he determines the fine amounts for code violations.

Mr. Grimm explained that fines take into account staff time to initiate and mail notices, agenda preparation, etc. together with the willingness and time the owner takes to comply. Also considered is whether the violation is a life safety hazard, an eyesore or was it created by the owner.

Councilwoman Rivera asked Mr. Stokes if Code Enforcement is in the business of collecting funds through code violations. She asked if sufficient funds could be collected to support another Code Enforcement position.

Mr. Stokes explained that the intent of Code Enforcement is compliance which in some cases requires monetary fines. He explained that monetary fines are used to encourage compliance. Large fines if challenged in court, could be viewed as confiscatory. Many municipalities charge significant fines where Code Enforcement is self-supportive.

There is nothing wrong with generating funds through Code Enforcement but it is not the City’s intent; the intent is compliance.

Councilman Noble interjected that there are over 200 property owners who are struggling to pay their garbage bills and urged Council to be careful when considering fines. He could understand charging developers or financial institutions, but there are many who are simply unable to pay.

Mr. Grimm was pleased to report that there were many vacant properties due to the real estate collapse and the City through working with developers, gained a reputation for encouraging investors to repair the damaged and neglected properties.

Councilwoman Bousquet suggested holding a similar workshop for the remaining four (4) districts to review similar concerns.

Deputy Mayor Pearce commended Councilman Noble for pointing out that there are residents less fortunate and the City should consider code cases on a case-by-case basis when assessing fines. He thanked the department heads and their staff.

6. Adjournment.

Deputy Mayor Pearce inquired if there were any additional comments; hearing none, Councilwoman Bousquet made a motion to adjourn, seconded by Councilwomen Rivera and Dugo. The meeting adjourned at 4:40 p.m.

CITY COUNCIL

Respectfully submitted,

Deputy Mayor

Denise McGrew,
City Clerk/Administrative Services Director

Date Approved: _____

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