



## OFFICIAL MINUTES

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

**CITY COUNCIL WORKSHOP – DISTRICTS II, III, IV & V  
Wednesday, May 11, 2016– 5:00 PM**

### 1. Call To Order and Roll Call.

Deputy Mayor Pearce called the City Council Workshop-Districts II, III, IV and V of Wednesday, May 11, 2016 to order at 5:00 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  
Paula Bousquet, Councilwoman

##### Absent:

Samuel J. Ferreri, Mayor  
Judith Dugo, Councilwoman

Attendees from Public: 5  
Press: 0

##### 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

### 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.

Norman Tursky, Vice President of Pine Ridge South III Homeowners Association, (PRS III) informed Council that he was instrumental in gathering residents and meeting with City officials and the builders to discuss trees during construction of the Municipal Complex. The City promised residents that the trees fronting Melaleuca Lane would not be removed unless it was

necessary for the construction of the building. Mr. Tursky was not aware of anything in writing to that effect; however, he has noticed that the trees are being cut and does not understand why. He hoped the City would keep the landscaping as is and hopes it will remain the same.

Larry Kupillas, President of Pine Ridge South III Homeowner Association, stated he was present for the same reason. Our residents were originally promised that this complex would enhance our area and we are now being told the landscaping will be removed. Mr. Kupillas explained that he has been trying for the past five (5) years to enhance their development by bringing it up to scale. Taking away the landscaping in front of City Hall, coupled with the new Harvest Pines development, most of the trees will be removed. His community has had to work with the City regarding every tree they have replaced. "City Hall is a beautiful complex; like a park; if the landscaping is removed it would not look appealing." He trusts the City will keep it "as is".

Assistant City Manager Thomas J. Lanahan explained that the City has not removed any trees. Within the last year, undergrowth has been removed along with minor pruning near the bus shelter; however, no tree removal has occurred. Council has had discussions about some possible changes in the front.

Mr. Kupillas reported that he was being informed that Council has decided to take down most of the trees.

Councilwoman Bousquet pointed out that discussions have taken place and the majority of Council was in agreement; however, she was the exception.

Mr. Tursky reported contacting an arborist for their trees in PRS III to determine what trees needed to be removed; what can be replaced, etc. He disagreed that nothing has been removed since he had witnessed truckloads of plant materials and he has photos of how it looked before and now. He invited Council to meet with him to show them his view.

Public Works Director Carlos Cedeno explained that the City is very cautious when it comes to tree removal especially near power lines, right-of-ways, etc. He explained that native trees are added to City Hall each year to provide a diverse canopy. What Mr. Tursky might be witnessing is the removal of exotic vegetation like Acacia, Brazilian Peppers and vines that take an area over. He offered to meet with Mr. Tursky the next day to discuss this further.

Mr. Tursky explained that before he could not see City Hall; now he can.

Councilman Noble pointed out that although some may have one view of how City Hall should look, others may have a different view. With such a beautiful building, it would be an asset to the street and to the neighboring Pine Ridges, and to keep it completely hidden is a negative for the City. He stated that he is not proposing to remove all the trees but perhaps by removing some trees, it could satisfy both points of view.

Councilwoman Bousquet emphasized that the City is known as a Tree City USA. Council at the time made promises and the neighbors made many concessions during the construction phase. Recent tree trimming has made it possible to now see the building from the street.

Deputy Mayor Pearce explained to Mr. Kupillas that during the last City Council meeting of May 2, 2016, Council had agreed to meet with the homeowner associations of Pine Ridge South I, II and III.

Mr. Tursky emphasized that he was the guy who asked the questions when the Municipal Complex was built, but did not get anything in writing. They were told that the trees would remain.

Betty Anne Litowsky of Pine Ridge South I, pointed out that you can now see City Hall if traveling east/west along Melaleuca Lane whereas last week it was not visible.

Mr. Tursky reiterated that they were told that the only trees that would be removed were those needed to build the facility.

Councilwoman Bousquet asked about the site plan for the Municipal Complex.

Mr. Lanahan reported that the landscape plan for the project shows a bubble around many areas of the perimeter of the site plan indicating that those trees should remain, particularly in the front of the property. Some materials that were planted like Washingtonian Palms behind the entrance, and others, were added.

Deputy Mayor Pearce asked Mr. Lanahan to talk about the Harvest Pines development and the trees for that project.

Mr. Lanahan reported that City Code requires the preservation of existing non-invasive tree materials where possible. When creating residential buildings many trees are removed due to grading. Pine trees are sensitive to fill. Harvest Pines had a fair amount of non-native materials and some of the remaining trees were removed due to them being within the building footprints. Several trees were preserved along Melaleuca Lane and the perimeter; however, once the lots were graded, it was down to one pine that was salvaged on Melaleuca Lane due to the power lines. There were weakened oak trees due to being skinned by FPL. Mr. Lanahan explained that the developer is required to mitigate by replacing/installing new trees in multiples depending on the diameter. Pine trees and Saw Palmetto were planted to recreate a natural environment.

Deputy Mayor Pearce asked Mr. Lanahan to explain how developers cannot install just any trees; they must submit a landscape plan as part of the site plan approval process.

Mr. Lanahan explained that developers submit landscape plans that are reviewed by the Planning and Engineering Department staff. The quantity, location and species are considered. The plans are presented to the Planning Commission and City Council for approval. The developer then obtains a landscape permit and inspections are conducted for compliance. Projects are not complete until all inspections are satisfied.

Larry Kupillas asked if the trees/shrubs in Harvest Pines were indigenous to South Florida.

Mr. Lanahan explained that the majority of the trees/shrubs on Melaleuca Lane are Florida natives, e.g. Slash Pine and Saw Palmetto, that grow naturally. As those trees are required they cannot be removed unless they are dying, damaged or create a hazard and would have to be replaced.

Deputy Mayor Pearce called for additional comments; 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 Rivera made a motion to approve the Agenda.  
Councilwoman Bousquet seconded the motion.

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

**Motion carried: 3 - 0.**

5. **District II**

- School Bus Shelters

Councilman Noble noticed several nearby corners on South Jog Road where school children were waiting for the school bus and were standing for long periods of time in all types of weather. He was concerned with providing a more permanent structure to protect them against the elements. He asked if other cities provide something similar and asked if it would be cost effective.

Councilwoman Bousquet noted that the School Board is working on functionality.

Councilwoman Rivera confirmed that the School Board is experiencing issues with their bus transportation and had recently held a job fair strictly for bus drivers at \$14/hour. She recommended that the children bring an umbrella or raincoat like everyone else, instead of the City spending money to build a structure.

Councilman Noble asked Mr. Lanahan to look into the matter.

Mr. Lanahan reported that there are major developments that the County is requiring the installation of covered areas for school bus pick up areas. The City has one at Nautica Isles and one at Seminole Palms. School bus pickup is not a City issue; the School Board decides the routes. Nautica Isles is not currently using their bus shelter area because the parents were using it as a pickup/drop-off area creating traffic problems instead of going through the school pickup cue; so the access was closed off. To install school bus shelters along South Jog Road access to private property would be required. For public bus transportation, the City works with Palm Tran on projects on their route. If not, the City requires the developer to provide a bus shelter. He noted that nothing has been done similarly for school bus pickup.

Deputy Mayor Pearce stated that the Palm Tran bus shelters in the Pine Ridge North developments on Purdy Lane were damaged during the hurricanes of 2005 and never replaced by the County. In discussions with Palm Tran they seem to have problems maintaining the shelters.

- Empty Lot Across from Park Pointe

Deputy Mayor Pearce asked Councilman Noble about the empty lot across from Park Pointe (next to Atlantis Skateway) that was once a veterinary clinic that is now being used to park boats. He asked if he could talk to PBSO about issuing citations since it is County property.

Mr. Grimm reported that the property is in the City and Code Enforcement issues at least one code case yearly. The City condemned the building and required that it be demolished. They were also cited for signs and two (2) vehicles.

Deputy Mayor Pearce asked if PBSO could handle the situation instead of Code Enforcement.

Mr. Grimm reported that the County is implementing a new program called "curb stoning" that is being done in right-of-ways. He believed that in the future the program would also include residential properties. With the City's new citation system currently being proposed, it will help cite the violator instead of the property owner.

- Churches and Childcare Facilities

Councilman Noble asked how can the City discourage churches and childcare facilities from locating in the City.

Mr. Lanahan reported that the City has 10-12 childcare centers and was unsure of the number of houses of worship. Some of the storefront churches in plazas have received approval but are not active to date. He explained that there has been no analysis on a per capita basis. The City is required by federal law to treat churches as other businesses in relation to uses and intensity; they must be treated equally. Regarding daycare centers, code amendments now prohibit them in certain districts, including the 10<sup>th</sup> Avenue North Corridor. He noted that the City has done all it can do. He explained there are two main reasons why there are so many daycare centers in the City 1) there are 5 elementary schools which is high per capita, and 2) there are a lot of children; the City's demographics are drifting younger each year.

Mr. Stokes explained there are also state and federal acts that provide an extra layer of protection. Houses of worship are too expensive to contemplate legal action.

Councilman Noble asked instead of per capita, can a limit be placed on per mile?

Mr. Lanahan said no; houses of worship fall under the Constitution and freedom of assembly and are protected. City staff does not have an unfriendly attitude toward houses of worship. Parking, safety, buffers, hours of operation are all within the City's power to mitigate, beyond that, they must be treated on equal footing.

Deputy Mayor Pearce asked once a church is approved, if the conditions of approval are not being adhered to, how difficult is it for the City to enforce, for example, parking.

Mr. Stokes explained they should be treated as equally as any other type of business. If a violation is issued for parking, the City can force compliance; however, the City cannot remove their special exception use.

Mr. Grimm reported that the City does not shut down a church/business unless life-safety issues are present.

Mr. Stokes explained the City cannot pick and choose the type of churches it wants. There are many ancillary activities they can conduct such as clothing drives for the homeless, food banks, the law recognizes such activities.

Sherwood Forest Boulevard/South 57<sup>th</sup> Avenue

Councilman Noble asked if the name of this one road could be changed to one or the other to prevent confusion and asked staff for comments.

Mr. Lanahan explained the difference and explained that the name changes where it meets the canal. The straight section from Melaleuca Lane north on Sherwood Forest Boulevard has no properties fronting the road; the “S” curve up to Lake Worth Road uses street number addresses, and the businesses close to Lake Worth Road use Lake Worth Road addresses. The only time this issue is raised is when discussing sidewalks, streetlights, etc. Mr. Lanahan stated he would look into a possible name change.

- Lights & Sidewalks – Lake Worth Hills

Councilwoman Bousquet reported concerns over the lack of lighting on 2 streets, 37<sup>th</sup> and 38<sup>th</sup> Streets off of 57<sup>th</sup> Avenue.

Mr. Cedeno reported that it is possible that due to the lush tree canopies, the lighting may be affected. He noted that tree thinning is scheduled.

**6. District III**

- Shopping Carts

Deputy Mayor Pearce spoke on behalf of Councilwoman Dugo and reported that she has concerns over shopping carts, vagrants, panhandling and open containers.

**7. District IV**

- Shopping Carts

Deputy Mayor Pearce reported also having problems with abandoned shopping carts. Across from Veteran’s Park on Purdy Lane, there is a natural gas station where carts are left. He reported personally picking up 17 carts weekly that are used by residents of the Tavares Cove Trailer Park (not in the City’s jurisdiction).

- Illegal Parking in Purdy Lane Right-of-Way

Deputy Mayor Pearce reported that semi-tractor trailers were illegally parking on the right-of-way in front of Veteran’s Park on weekends and nights. The County since has installed “No Parking” signs.

**8. District V**

Councilwoman Bousquet reported that most of the developments in District 5 are homeowner associations and do not demand much from the City.

- Lake Worth Drainage District (LWDD)

Councilwoman Bousquet reported that not only have they had problems with the gate, but the LWDD will be reinstalling the pipe that allows drivers to gain access to Lake Worth Road through their development to Melaleuca Lane. Past experience has proven that more crime occurs as a result. Councilwoman Bousquet sought the help of County Commissioner Paulette Burdick who solved the problem the last time.

Mr. Grimm explained that the LWDD has a program that allows developments to install a gate at the homeowner's expense.

Larry Kupilla reported that from South 57<sup>th</sup> Avenue when the gate is up, that's fine. But without the hedges that Pine Ridge South I originally had, people now come in with trucks to fish, they jump the curb on Melaleuca Lane driving around to South 57<sup>th</sup> Avenue. This is occurring even in the middle of the night. When the pipe existed, it created a problem for the school children. They were walking from Lake Worth Road along the pipe and there were many vehicle break-ins reported. He asked that anything the City can do would be appreciated.

Dannette Fitzgerald, President of Sherwood Lakes/Chalet IV Homeowner's Association, reported discussing the traffic issues (speeding) on Sherwood Forest Boulevard/South 57<sup>th</sup> Avenue between Melaleuca Lane to Lake Worth Road with Councilwoman Bousquet and PBSO Capt. Sean Murray. Speeding through this area is unsafe.

Councilwoman Bousquet asked Mr. Grimm for suggestions on how to alleviate the problem.

Mr. Grimm stated he would need to conduct further research on the matter.

- Sidewalks

Councilwoman Bousquet reported that her sidewalk questions and concerns were addressed in the FY 17 CIP Program.

**9. Discussion Item:**

**District I**

Councilwoman Rivera reported the following:

- Beulah Church of God 7th Day that was recently approved has not yet begun construction; however, the property has parked cars on the sidewalks on weekends. She reported that it is not every weekend; only when the lawn is being maintained. She also noted that they do not pick up litter on their property.

- Wellman Apartments has palm fronds all over their property.
- Tractor Trailer on South Haverhill Road is back.

Mr. Lanahan asked if it is being parked in the yard or on the road-right-of-way. Vidal Rivera reported that the owner is parking in his backyard going over the sidewalk.

Mr. Grimm recalled Code Enforcement issuing a citation for the gate and offered to verify.

- Illegal Signage - There are annoying homeowner insurance signs on South Haverhill Road that have been there for over two weeks.

Deputy Mayor Pearce asked if the City has the ability of fining violators for illegal signage. If not, will the proposed Special Magistrate Ordinance change that?

Mr. Grimm said currently there is nothing the City can do but with the new citation process that could change.

- Public Works Manpower

Councilwoman Rivera expressed her frustration over the length of time it takes to get things done and emphasized that during the review of the CIP budget she will be focusing on manpower. To that end, she has requested that the City Manager conduct a salary survey for Public Works personnel. She reported receiving many complaints about how unattractive the City appears. Perhaps instead of a \$40,000 website, the money could be better spent on City beautification efforts.

- Palm Villas II

Councilwoman Rivera reported that the wall surrounding Palm Villas II is owned by the property owners. When the neighborhood was built, it was originally intended to have a homeowner association. She asked what can be done to the wall that connects to the City around the park. She would like to see the City paint it all one color. Residents currently paint over graffiti, and asked if anything could be done.

Mr. Grimm reported after reviewing the plat, none of the common areas were dedicated to a homeowner association. The developer built the wall and the intent was that there would be a homeowner association and architectural committee, etc. The wall is on private property and when damage occurs, the individual homeowners are responsible for repairs. He explained that the City has no control over the wall.

Councilman Noble pointed out that South Haverhill Road would soon be widened and asked if the widening would affect the wall?

Mr. Lanahan explained that the only section that would be affected by the road widening is the one along the park property. There are no changes to sections in residents' backyards. It looks like a community wall, but that is not the case. The wall is on each individually owned lot. Without the permission of a property owner, it was his opinion that the City should not get involved.

Discussion followed on why a reserve was not created to maintain the wall at the time of development; the year the development was built, and the reasons for how this situation was created.

Councilwoman Rivera asked if a community painting effort could be scheduled.

Mr. Cedeno reported on how the City has painted that wall approximately 8 times in the last 12 years as part of the Great American Cleanup event. The City gets involved through volunteers (some from the Palm Villas II community) from the Great American Cleanup event and the International Coastal Cleanup event to encourage residents to take pride in their community.

Mr. Cedeno reported that the Great American Cleanup event is held the second week in April in conjunction with Earth Day; and the International Coastal Cleanup takes place the first or second week in September.

Discussion followed on the hazards of local government taking over maintenance activities that private communities should be handling themselves.

Councilwoman Rivera received an idea from students from L.C. Swain Middle School to paint a mural on that wall.

Councilwoman Bousquet pointed out that the property owners would have to approve the mural.

Councilwoman Rivera asked if a timeframe was available for the wall in relation to the South Haverhill Road widening.

Mr. Lanahan explained that the fence will be repaired this week. He explained that the fence is a temporary fix since the wall was destroyed in a car accident. The City has installed a PVC fence temporarily to provide privacy and will not be replaced with concrete block since that section will be part of the road widening program starting in the late summer.

- Biscayne Drive

Councilman Noble reported receiving a call where the residents were happy that fences/signs were replaced and thanked the Public Works Department.

Mr. Cedeno noted that he was raised in Greenacres, his kids play in Greenacres and he understands the issues at hand. His staff is diligent in handling the issues as they arise.

- Code Enforcement

Councilwoman Rivera stated as a former resident of Royal Palm Beach, she was unsure if the Village has code enforcement officers working nights and weekends. The violations occur after hours and on weekends.

Deputy Mayor Pearce pointed out that some cities have their law enforcement personnel handle illegal signage and believed if the proposed Special Magistrate Ordinance is passed; it will send a message to violators.

Mr. Grimm stated that one of the things he will be requesting are trucks and additional code enforcement officers dedicated solely to commercial businesses to help address some of these issues. Many communities have the same issues i.e. canals, safety, entry features, walls, fencing, etc. He would like to see some of the revenue generated by Community Champions to address those issues by creating a matching grant program for homeowner associations to apply for improvements to help pay for walls, fences, etc.

**10. Adjournment.**

Deputy Mayor Pearce inquired if there were any additional comments; hearing none, he called for a motion to adjourn. Councilwoman Bousquet moved to adjourn the meeting, seconded by Councilwoman Rivera. The meeting adjourned at 6:40 p.m.

**CITY COUNCIL**

Respectfully submitted,

\_\_\_\_\_  
Samuel J. Ferreri  
Mayor

\_\_\_\_\_  
Denise McGrew,  
City Clerk/Administrative Services Director

Date Approved: \_\_\_\_\_

/mel