

CITY OF GREENACRES

OFFICIAL MINUTES TRACKING

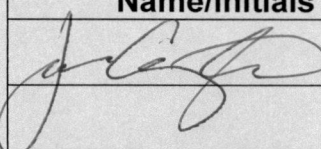
Council/Board: city Council

Meeting Date: 1-22-18

Transcribed by: muf No. of Pages: 16 Transcription Time: 5.75

REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
	<u>2/1/18</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

APPROVAL OF MINUTES

Meeting Date: 3-5-18

Motion By: Dugo Seconded By: Bousquet

Check One: ☒ Approved ☐ Tabled ☐ Denied Vote: 5/0

Changes requested by Council or Board? ☐ Yes ☒ No

If yes, note changes: _____

Date Scanned and Filed: _____ By: _____



OFFICIAL MINUTES

CITY OF GREENACRES
5800 Melaleuca Lane
Greenacres, FL 33463

CITY COUNCIL MEETING
Monday, January 22, 2018 – 7:00 P.M.

1. Call To Order and Roll Call.

Mayor Flores called the City Council Meeting of Monday, January 22, 2018 to order at 7:00 p.m.
City Clerk Joanna Cunningham called the roll.

ROLL CALL:

Council Present:

Joel Flores, Mayor
Paula Bousquet, Deputy Mayor
John Tharp, Council Member
Peter A. Noble, Council Member
Anderson Thelusme, Council Member

Absent:

Judith Dugo, Council Member (*Excused*)

Public: 43

Press: 1

Staff Present:

Andrea McCue, City Manager
James D. Stokes, City Attorney
Joanna Cunningham, City Clerk/PIO
Michael Grimm, Director/Building
Jim McInnis, Director/Finance
Mark Pure, Fire Chief/Fire Rescue Department
Suzanne Skidmore, Director/Human Resources
Michele Thompson, Director/Leisure Services
Kara L. Irwin-Ferris, Director/Planning & Engineering
Carlos Cedeño, Director/Public Works
Melody Larson, Assistant to the City Clerk

2. Pledge of Allegiance to the Flag.

Mayor Joel Flores led the Pledge of Allegiance.

3. Comments From the Public for Agenda Items Only.

Mayor Flores addressed the audience and explained that comments on agenda items would be limited to three (3) minutes to allow everyone the opportunity to be heard. He noted that in the event of a tie vote on any agenda item, the Mayor can break a tie vote (pursuant to the City Charter). He asked for consideration and kindness when making their comments. He then continued with the Agenda.

Tim Motlow, Executive Director of Helping Hands, described the organization's role in providing assistance to those in need through their food pantry and support services.

Lee Lemos, 3542 Harwich Court, spoke about the traffic problem the proposed Aldi's would create and suggested a traffic signal be installed at Chickasaw Road and South Jog Road. He submitted photos of the traffic at 5:01 pm taken that day.

Gerald Bowes of 6504 Cindi Lane, expressed his concerns over future traffic problems the proposed Aldi's would create. He strongly urged Council to vote against the project and believed that Aldi's should not be granted access to Chickasaw Road.

Lisa Katz of 6561 Cindi Lane, gave a history of South Jog Road and how the neighborhood had changed over time. She believed property values would be negatively impacted. This is a neighborhood, not a commercial area.

Jim Morton, Vice President of the Pine Ridge IV Homeowner Association, presented the Mayor and Council with a Certificate of Excellence recognizing their dedication and time serving the community.

4. Agenda Approval.

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

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

MOTION: Deputy Mayor Bousquet made a motion to approve the Agenda.
Council Member Noble seconded the motion.

VOTE ON **In Favor:** Deputy Mayor Bousquet, Council Member Tharp,
THE MOTION: Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

5. Special Business.

- A. **Presentation:** Certificate of Congratulations to Mr. Edgar Perez of El Sabor Latino for being named the Hispanic Chamber of Commerce "Business of the Year" – Joel Flores, Mayor.

Joanna Cunningham, City Clerk, read the Certificate of Congratulations into the record.

Mayor Flores presented Edgar Perez, owner of "El Sabor Latino" restaurant, with a Certificate of Congratulations for being named "Business of the Year" by the Hispanic Chamber of Commerce.

Mr. Perez and Francisco thanked the City for such a wonderful gesture.

6. Consent Agenda.

- A. Mayor Flores asked Council if they wished to pull any of the six (6) Consent Agenda items; hearing none, he called for a motion.

MOTION: Council Member Tharp made a motion to approve the six (6) Consent Agenda items. Council Member Thelusme seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

7. Regular Agenda:

- A. **PUBLIC HEARING** **Ordinance No. 2017-20:** Second Reading; Annexing three parcels of land totaling approximately 5.4249 acres, located approximately 500 feet south of the intersection of Lake Worth Road and South Military Trail at 4215 South Military Trail, 4101 South Military Trail, and the adjacent Lake Worth Drainage District Drainage Right-of-Way, as requested by the Planning and Engineering Department in accordance with Chapter 171.0413 of the Florida Statutes; providing for redefining the boundary lines of the City of Greenacres to include the subject property in the City's Official Boundary Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo and Staff Report – Kara L. Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-20 into the record on second reading.

Planning and Engineering Director Kara L. Ferris described the involuntary and voluntary annexation of an FPL substation, a Lake Worth Drainage District drainage right-of-way and the PBC Tax Collector site. Director Ferris stated that the proposal meets the statutory requirements for involuntary annexation and there have been no changes from first reading; therefore, staff recommends approval of ANX-17-01 through the adoption of Ordinance No. 2017-20.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public regarding Ordinance No. 2017-20. With no comments being made, he closed the floor to the public and called for a motion.

MOTION: Council Member Thelusme made a motion to approve Ordinance No. 2017-20 on second reading. Council Member Noble seconded the motion.

**VOTE ON
THE MOTION:**

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- B. PUBLIC HEARING Ordinance No. 2017 27:** Second Reading; Amending the future land use map of the Future Land Use Element of the City's Comprehensive Plan, to change the Future Land Use Designation of two parcels of land totaling approximately 3.9949 acres, located approximately 500 feet south of the southwest corner of Lake Worth Road and South Military Trail at 4215 South Military Trail, 4101 South Military Trail, from a Palm Beach County Designation of Urban Infill (PBC UI) to a City of Greenacres designation of Commercial (CM) and Public Institutional (PI), as requested by the Planning and Engineering Department; providing for repeal of conflicting ordinances; providing for severability; providing for transmittal to the Division of Community Development; providing for inclusion in the Comprehensive Plan; and providing for an effective date; pursuant to Staff Memo and Staff Report – Kara Ferris, Planning & Engineering Director

City Clerk Joanna Cunningham read Ordinance No. 2017-27 into the record on second reading.

Director Ferris reported that this is a concurrent application to the annexation just approved. A future land use designation of Commercial (CM) is being proposed for the FPL site due to its proximity to the Office Depot commercial plaza and a designation of Public Institutional (PI) is proposed for the PBC Tax Collector site. Director Ferris noted that no future land use designation is being proposed for the drainage right-of-way. She stated that the proposal is consistent with the goals, objectives and policies of the City's Comprehensive Plan, the Treasure Coast Regional Planning Council's Strategic Regional Planning Policy (SRPP) and Florida Statutes. Proper notice has been provided; therefore, staff recommends approval of CPA-17-02 through the adoption of Ordinance No. 2017-27.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public regarding Ordinance No. 2017-27. With no comments being made, he closed the floor to the public and called for a motion.

MOTION: Council Member Noble made a motion to approve Ordinance No. 2017-27 on second reading. Council Member Tharp seconded the motion.

**VOTE ON
THE MOTION:**

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- C. PUBLIC HEARING Ordinance No. 2017-28:** Second Reading; Approving the

application for a zoning change for two parcels of land totaling approximately 3.9949 acres, located approximately 500 feet south of the intersection of Lake Worth Road and South Military Trail at 4215 South Military Trail, 4101 South Military Trail, from a Palm Beach County Zoning Designation of Urban Infill (PBC UI) to a City of Greenacres Zoning Designation of Commercial Intensive (CI) and Government Use (GU), as requested by the Planning and Engineering Department; providing for changes to the Official Zoning Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo and Staff Report – Kara Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-28 into the record on second reading.

Director Ferris described the concurrent zoning change to the annexation and land use amendment just approved. The proposed Commercial Intensive (CI) zoning designation for the FPL site is consistent with the adjacent commercial plaza. The proposed Government Use (GU) zoning designation for the PBC Tax Collector site is compatible with the PI land use designation. Director Ferris noted that the proposal meets the ten (10) zoning change criteria; therefore, staff recommends approval of ZC-17-02 through the adoption of Ordinance No. 2017-28.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public regarding Ordinance No. 2017-28. With no comments being made, he closed the floor to the public and called for a motion.

MOTION: Deputy Mayor Bousquet made a motion to approve Ordinance No. 2017-28 on second reading. Council Member Tharp seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- D. **PUBLIC HEARING Ordinance No. 2017-29:** Second Reading; Amending the Future Land Use Map of the Future Land Use Element of the City's Comprehensive Plan, to change the Future Land Use Designation of one parcel of land totaling approximately 0.16 acres, located on the south side of Lake Worth Road approximately 515 feet west of South Military Trail at 4644 Lake Worth Road, from a Palm Beach County Designation of Urban Infill (PBC UI) to a City of Greenacres designation of Commercial (CM), as requested by the Planning and Engineering Department; providing for repeal of conflicting ordinances; providing for severability; providing for transmittal to the Division of Community Development; providing for inclusion in the Comprehensive Plan; and providing for an effective date; pursuant to Staff Memo and Staff Report - Kara Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-29 into the record on second reading.

Director Ferris described the request to change the future land use designation of a Dunkin Donuts located at 4644 Lake Worth Road. She explained that the site was annexed through an interlocal agreement with the County and now a City land use designation must be designated for the site. The proposed Commercial (CM) future land use designation is compatible and consistent with the surrounding development. The proposal is consistent with the goals, objectives and policies of the City's Comprehensive Plan, the Treasure Coast Regional Planning Council's Strategic Regional Planning Policy (SRPP) and Florida Statutes; therefore, staff recommends approval of CPA-17-01 through the adoption of Ordinance No. 2017-29.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public regarding Ordinance No. 2017-29. With no comments being made, he closed the floor to the public and called for a motion.

MOTION: Council Member Thelusme made a motion to approve Ordinance No. 2017-29 on second reading. Council Member Tharp seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- E. **PUBLIC HEARING Ordinance No. 2017-30:** Second Reading; Approving the application for a Zoning Change for one parcel of land totaling approximately 0.16 acres, located on the south side of Lake Worth Road approximately 515 feet west of South Military Trail at 4644 Lake Worth Road, from a Palm Beach County Zoning Designation of Urban Infill (PBC UI) to a City of Greenacres Zoning Designation of Commercial Intensive (CI), as requested by the Planning and Engineering Department; providing for changes to the Official Zoning Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo - Kara Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-30 into the record on second reading.

Director Ferris described the City-initiated request to assign a City zoning designation of Commercial Intensive (CI) to the Dunkin Donuts at 4644 Lake Worth Road. The site was annexed into the City through an interlocal agreement in September 2017. The proposed CI zoning designation is consistent with surrounding properties and meets the ten (10) zoning change criteria; therefore, staff recommends approval of ZC-17-01 through the adoption of Ordinance No. 2017-30.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public regarding Ordinance No. 2017-30. With no comments being made, he closed the floor to the public and called for a motion.

MOTION: Council Member Tharp made a motion to approve Ordinance No. 2017-30 on second reading. Council Member Noble seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- F. **PUBLIC HEARING Ordinance No. 2017-32:** Second Reading; Annexing three (3) parcels of land totaling approximately 2.14 acres, located at the northwest corner of Chickasaw Road and South Jog Road, as requested by the petitioner, Dunay, Miskel and Backman, LLP, agent for the owners, Morris W. Sperber Trust, Roslyn L. Emerson and Craig B. Morris; providing for redefining the boundary lines of the City of Greenacres to include the subject property in the City's Official Boundary Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo and Staff Report -Kara Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-32 into the record on second reading.

Senior Planner Osniel Leon described the proposed annexation of three (3) parcels located at the northwest corner of Chickasaw Road and South Jog Road. The parcels are contiguous to the City's boundary to the north, south and east and are within an existing enclave. He reported that the proposal would reduce an existing enclave; therefore, staff recommends approval of ANX-13-03 through the adoption of Ordinance No. 2017-32.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public.

Attorney Dwayne Dickerson of Dunay, Miskel and Backman, LLP, gave a brief history of Aldi's and emphasized its reputation for being a valued leader among grocery stores in the U.S. One of the four parcels of the subject site has an existing single-family home. Three of the four parcels are in unincorporated Palm Beach County. By annexing these parcels, it will help lessen confusion for emergency services.

Michelle Imbimbo of 3499 Chickasaw Circle stated the main problem with this project is privacy and traffic.

Hearing no further comments from the public, Mayor Flores closed the floor to the public and called for a motion.

MOTION: Council Member Noble made a motion to approve Ordinance No. 2017-32 on second reading Deputy Mayor Bousquet seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- G. PUBLIC HEARING Ordinance No. 2017-33:** Second Reading; Amending the Future Land Use Map of the Future Land Use Element of the City's Comprehensive Plan, to change the Future Land Use Designation of four parcels of land totaling approximately 3.201 acres, located at the northwest corner of Chickasaw Road and South Jog Road, from a Palm Beach County Designation of Low Residential 3 units per acre (RL-3) in part and from City Mixed Use (MU) to a City of Greenacres Designation of Commercial (CM) located on the west side of South Jog Road and north of Chickasaw Road as requested by the petitioner, Dunay, Miskel and Backman, LLP, agent for the owners, Morris W. Sperber Trust, Roslyn L. Emerson, Craig B. Morris and Shahveer Dhatigara; providing for repeal of conflicting ordinances; providing for severability; providing for transmittal to the Division of Community Development; providing for inclusion in the Comprehensive Plan; and providing for an effective date; pursuant to Staff Memo and Staff Report - Kara Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-33 into the record on second reading.

Senior Planner Leon described the request for a small-scale future land use amendment to change from a County Low-Residential 3 designation to a City future land use designation of Commercial (CM). The site falls into a secondary sphere of activity and the proposed CM land use designation is less intensive. The proposal is consistent with the goals, objectives and policies of the City's Comprehensive Plan, the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP) and Florida Statutes; therefore, staff recommends approval of CPA-13-04 through the adoption of Ordinance No. 2017-33.

Mayor Flores opened the floor for comment.

Attorney Dickerson illustrated the commercial land use pattern along South Jog Road and noted that the Planning Commission recommended approval of this proposal.

Benjamin Wade of 3550 South 57th Avenue asked if the zoning designation for the adjacent townhomes was Mixed Use (MU). He also inquired if there was sufficient parking for the church.

Gerald Bowes invited Council to walk the subject site to observe the current traffic conditions. He questioned daily garbage removal and deliveries. He believed the

property owners most impacted should have been brought in to discuss the project. He was not opposed to the annexation; however, he requested a new plan showing no access to Chickasaw Road.

Steve Katz of 6561 Cindi Lane, a 29-year resident and former City employee, noted that in spite of the online complaints about Aldi's, he could not believe that Council was considering approval. He reminded Council that they represent the people, not Aldi's, and emphasized that the residents don't want a grocery store there.

Lisa Katz of 6561 Cindi Lane, pointed out that three (3) homes abut the proposed Aldi's and many neighbors enjoy sitting in their backyards and have invested money in their homes. She doesn't like what she sees and residents are not interested in more traffic.

Barbara Boline, a resident of Villages of Woodlake voiced her concerns with the additional traffic on South Jog Road. Residents from Villages of Woodlake would have to exit their development, cross two lanes of traffic to get to Aldi's. With residents exiting Chickasaw Road coupled with residents from her development, a traffic signal is definitely needed; there's no other way around it.

Carol Eubanks of 3560 Harwich Court, did not object to the annexation; however, she opposed the zoning change. She asked if the City looked at other nearby grocery stores within a 2-mile radius.

Donna Hurd of 3566 Harwich Court, noted that semi-tractor trailers coming off of South Jog Road turning onto Chickasaw Road to access Aldi's doesn't make sense; it doesn't make sense to build a grocery store at that location.

Mayor Flores closed the floor and called for a motion.

MOTION: Council Member Noble made a motion to approve Ordinance No. 2017-33 on second reading. Council Member Thelusme seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- H. **PUBLIC HEARING Ordinance No. 2017-34:** Second Reading; Approving the application for a zoning change for four (4) parcels of land totaling approximately 3.201 acres, located at the northwest corner of Chickasaw Road and South Jog Road, from a Palm Beach County Zoning Designation of Agricultural (AR) in part and City Mixed Use Development Office Zoning (MXD-O) to a City of Greenacres Zoning Designation of Commercial Neighborhood (CN), as requested by the petitioner, Dunay, Miskel and Backman, LLP, agent for the owners, Morris W. Sperber Trust, Roslyn L. Emerson, Craig B. Morris and Shahveer Dhatigara; providing for repeal of conflicting ordinances; providing for severability; and

providing for an effective date; pursuant to Staff Memo and Staff Report - Kara Ferris, Planning & Engineering Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-34 into the record on second reading.

Senior Planner Leon described the request to rezone four (4) parcels of land totaling 3.2 acres from a County Agricultural (AR) and City Mixed Use Development-Office (MXD-O) zoning designations to Commercial Neighborhood (CN). The proposed zoning designation is compatible with the adjacent commercial properties. The proposal meets the ten (10) zoning change criteria and the proposed use of the site is permitted by right. The Planning Commission recommended approval; therefore, staff recommends approval of ZC-13-04 through the adoption of Ordinance No. 2017-34.

Mayor Flores called on Council Members for comments.

Council Member Noble emphasized that the reason for voting in favor of this project was for the future of Chickasaw Road. He noted that without the Aldi' or any other business, the road would remain the same. The City is working with the County to resolve the road issue. The improvements will increase their property values and he assured residents that deliveries would not be made from Chickasaw Road.

Mayor Flores opened the floor to the public. He called for those in favor of Ordinance No. 2017-34 to come forward.

Attorney Dickerson compared the subject site with the existing properties along South Jog Road and emphasized that the Aldi's project is in line with existing development. He echoed Mr. Leon's earlier report that the CN zoning is consistent with existing properties to the west of South Jog Road and the proposal meets the ten (10) zoning change criteria. Comments made earlier by residents relate to the site plan.

Council Member Noble asked Attorney Dickerson to elaborate on truck deliveries.

Attorney noted three proposed access points with a right-in/right-out off of South Jog Road, a full access onto Chickasaw Road and a cross-access to the north. He presented the delivery truck circulation drawing and confirmed that the delivery trucks would not enter or exit on Chickasaw Road.

Mayor Flores called for those opposed to Ordinance No. 2017-34 to come forward.

Carol Eubanks of 3560 Harwich Court, asked where will trucks traveling north on South Jog Road from Lake Worth Road turn left; what left turn will the trucks use to enter the subject site?

Director Ferris clarified that trucks will be traveling south on South Jog Road. Using any other route would become an enforcement matter.

Mayor Flores closed the floor and called for a motion.

MOTION: Council Member Noble made a motion to approve Ordinance No. 2017-34 on second reading. Council Member Thelusme seconded the motion.

VOTE ON THE MOTION: **In Favor:** Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- I. **Site Plan Amendment – SP-17-02:** – Approving Site Plan for NW Corner of Chickasaw Road and South Jog Road (Aldi's); pursuant to Staff Memo and Staff Report – Kara Ferris, Planning & Engineering Director.

Senior Planner Leon described the proposed site plan request to construct a 22,978 s.f. grocery store on approximately 3.2 acres located at the northwest corner of South Jog Road and Chickasaw Road. The proposed site plan consists of 135 parking and five (5) handicapped spaces. Carts will be contained in a covered area with a 4-ft. high wall. A -6-ft. concrete wall will serve as a buffer between residential development. The traffic circulation plan shows that the sanitation and delivery trucks will enter/exit from South Jog Road. He stated staff recommends approval of SP-17-02 subject to staff's twenty-four (24) conditions of approval.

Mayor Flores called on Council Members for comments.

Council Member Tharp disclosed attending a meeting with an Aldi's representative Director Ferris and City Manager McCue on January 11th to review the Aldi's site plan.

Council Member Thelusme disclosed attending a similar meeting with the same attendees.

Mayor Flores called on the applicant.

Attorney Dickerson reported on improvements being offered by the applicant such as a dedicated right turn lane from South Jog Road, the installation of a 200-foot guardrail to run the entire length of the subject site on Chickasaw Road, the resurfacing of a portion of Chickasaw Road east to South Jog Road running the length of the subject site, and steps to mitigate noise by providing a 50-ft. retention area, landscaping and a 6-ft. masonry wall. He emphasized that the traffic study was reviewed and approved by the City and County traffic engineers.

After meeting with residents, additional changes were made to install a 7-ft. wide sidewalk the length of the site on Chickasaw Road, add benches for pedestrians, limit egress to left turns only with signage to prevent traffic from heading west on Chickasaw Road and install a crosswalk along Chickasaw Road.

Council Member Noble asked Attorney Dickerson to address the issue of a traffic light.

Attorney Dickerson reported that the trip counts of the traffic study were determined by the County to be well below the trips required for a signal.

Mayor Flores called for a motion.

MOTION: Council Member Noble made a motion to approve SP-17-02 subject to the twenty-four (24) conditions of approval. Council Member Thelusme seconded the motion.

VOTE ON THE MOTION: In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

- J. **PUBLIC HEARING Ordinance No. 2017-39:** Second Reading; Amending Chapter 4, entitled Buildings and Building Regulations, of the City of Greenacres Code, to include the Florida Building Code 6th Edition, together with all amendments thereto, as recommended by the Building Code Advisory Board of Palm Beach County, Florida and as conformed to the City's Operational Standards; providing for repeal of conflicting ordinances; providing for severability; providing for an effective date; pursuant to Staff Memo – Michael Grimm, Building Director.

City Clerk Joanna Cunningham read Ordinance No. 2017-39 into the record on second reading.

Building Director Michael Grimm explained Ordinance No. 2017-39 relates to the Florida Building Code which is adopted by the State every 3 years. This Ordinance amends Chapter One of the FBC, 6th Edition, following receipt of the Model Code by the Building Officials Association of Florida. He reported there were no changes from first reading.

Mayor Flores called for comments from Council; hearing none, he opened the floor to the public regarding Ordinance No. 2017-39. Hearing none, he closed the floor to the public and called for a motion.

MOTION: Council Member Thelusme made a motion to approve Ordinance 2017-39 on second reading. Deputy Mayor Bousquet seconded the motion.

VOTE ON THE MOTION: In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, and Council Member Thelusme.

Motion carried: 4 - 0.

8. Comments from the Public.

Gerald Bowes did not want Aldi's built and did not want them to have access to Chickasaw Road. "No access to Chickasaw"!

Sharon Star of 3512 Mill Brook Way complained about illegible road markings on Lake Worth Road, Forest Hill, and South Military Trail. And asked if the City could work with the County to resolve this issue.

Mayor Flores suggested that Ms. Star attend Transportation Planning Agency (TPA) meetings and noted that the City was an advocate for road improvements .

Steve Katz asked who owns Chickasaw Road?

Director Ferris reported that historically the 30-ft. right-of-way (Chickasaw Road) has been owned by the County since the 1920's. In 1975, the County and the Lake Worth Drainage District (LWDD) approved a permit to build a road which allowed for the development of Chickasaw Manor, Chickasaw Manor II, Harwich Court, Ramblewood, Ramblewood II, and the second phase of Cindi Lane. The intent was for the developer to turn over the road to the County; however that never happened. The County never accepted the road and therefore refuses to maintain it. Currently, the road does not meet minimum road standards. During the developments constructed between 1975-1983 a 30-ft. piece of right-of-way was taken from each of the developments for a road. She explained that for years the City has asked the County to improve the road. The County chose to use the Municipal Service Taxing Unit (MSTU) process and sent letters to the residents offering an assessment based on acreage to improve the road at a cost of \$575,000. The County currently has no plans to build a road.

Mr. Katz cited the negative impacts such as traffic, crime, and noise, and asked for the positives. There are 79 families and none have spoken favorably about this project.

Michele Imbimbo asked if Aldi's owned the property and how she and her neighbors prevent access to Chickasaw Road.

Attorney Dickerson explained it is currently under contract.

Director Ferris explained that because it is a County right-of-way, in order for the applicant to get the cuts approved, County approval was needed.

Mrs. Katz recalled a beautiful large canopy of trees that were along the canal were removed by LWDD where the guardrail is proposed.

Director Ferris explained when Harwich Courts was approved, LWDD took control of rights-of-way and easements. One reason why Aldi's offered to install a guardrail was based on the resident comments. She was unaware of landscaping to hide the 6-ft. wall.

Mayor Flores thanked residents for their feedback and assured them their comments did not fall on deaf ears. Elected officials, staff and County officials met with the project representative. Many residents were opposed to this project; however, there were some who were in favor.

9. Discussion Items: None.

10. Staff Comments:

A. City Manager's Report.

- Fiesta del Pueblo – 3,600 attendees.
- February Council Meetings – Due to President's Day on February 19th, she proposed one meeting for Feb. 12th. **Council consensus agreed.**
- Passport Acceptance Program – The City was approved by the Department of State, staff is working on logistics, it has been announced in the City Link and training is ongoing. Looking for a Spring launch date. She thanked the City Clerk.
- Medical Marijuana Moratorium - An extension of the medical marijuana moratorium, potential Code changes and creating an employee policy will be discussed at the Feb. 12th Council meeting.
- Legislative Session – Mayor Flores and City Manager McCue attended. City Manager McCue urged everyone to check the FLC website to track the bills being proposed.
- Transportation Planning Agency Grant – The Planning & Engineering Department is applying for TPA grant funding to build a trail along the canal behind Cholee Lake Elementary.
- Twitter & Facebook - Receiving ideas from residents. The timing is good to hold quarterly meetings with directors and residents to express ideas. All residents will be welcomed.
- City Link - The winter issue will be mailed tomorrow with new information. Two full pages are dedicated to the proposed ballot questions. The City is not taking a position, just informing residents. Brochures have also been created and are being sent to homeowner associations.
- Purchasing Department– We're working on nine (9) bids/RFPs. The Economic Development will be in February, textile recycling bins scheduled for Jan. 28th.
- Upcoming Events
 - Spring baseball signup ends Jan. 31st.
 - Fire Rescue will hold Hands Only CPR Day at Station 94 on Feb. 10th from 9am-12 pm.
 - Leisure Services is awaiting agreement to hold Rock 'n Roll Sunday at SJF Community Park on May 20th.

B. **City Attorney's Report.** None.

11. **Mayor and City Council Reports.**

District I –

Council Member Tharp thanked Fire Rescue for gearing him up on Friday evening. It was a great training experience. He asked Council to revisit the traffic situation on Swain Boulevard. He asked for traffic calming devices to be considered and suggested using a speed trailer, speed bumps and additional signage.

Mayor Flores called for a consensus:

Deputy Mayor Bousquet: Agreed with further research for the entire City, not just District I.

Council Member Thelusme: Agreed with further research.

Council Member Noble: Agreed with further research.

Mayor Flores agreed that it needed addressing after witnessing too many accidents in the City. He suggested inviting PBSO, Fire Rescue, Planning & Engineering and others to address the issue.

Long-time resident Benjamin Wade reported that the recent accident on Swain Boulevard was due to the vehicle being chased by PBSO.

District II

Council Member Noble revisited the lack of streetlighting on 10th Avenue North and Melaleuca Lane and asked for an update.

City Manager McCue reported that funds had been budgeted for lighting on one side of the street. FPL is installing LED lighting. The County is installing LED lighting without waiting for FPL. She offered to follow-up on the matter.

Regarding the economic development plan, Council Member Noble asked if presentations to Council could be included as part of the bid requirements.

City Manager McCue explained that following the City's Selection Committee meetings where 4-5 vendors are chosen, presentations from those chosen will be made to the Mayor and Council at a future meeting.

District IV

Council Member Thelusme thanked Fire Chief Mark Pure for the experience of delivering toys at Palms West Hospital during the holidays. He also thanked PBSO Capt. Moore for creating a Citizen Academy for Haitians, the first of its kind.

District V

Deputy Mayor Bousquet suggested looking into the number of vehicle accidents in the City as a whole, since there have been several areas with fatalities. When the timing of the yellow traffic signals were shortened years ago, it appears to have

caused more accidents. She noted she would not be available for the Feb. 12th Council meeting. [The Mayor and Council discussed moving it to Feb. 5th]. The date change would be discussed further at their Department Head meeting. Regarding the Aldi's, she was very concerned about the project; however, after attending the Planning Commission meeting and visited several Aldi's, she was in favor of the project.

Mayor

Fiesta del Pueblo - Mayor Flores reported that he heard nothing but positive comments regarding the Fiesta del Pueblo event that was held on January 6th. Kudos to staff and PBSO that worked the event.

Mayor's Parade - On Jan. 14th he participated in the Mayor's Parade at the South Florida Fair where he met with fellow mayor's. The event received good reviews and positive press coverage.

Original Section - He and City Manager McCue traveled to Tallahassee to monitor two House Bills, HB 2627 for drainage improvements and HB 2907 for the sewer extension in the Original Section. He encouraged everyone to participate in writing letters to subcommittees and procreation committees.

City Attorney - On February 5th he would like to discuss the City Attorney's performance. Mr. Stokes has recently accepted a job with the City of Sebastian. As part of the discussion, he would also like to revisit Council Policy 19.

City Manager McCue clarified that in 2016, Council rescinded Council Policy 19 and the language was changed from the City Manager directing the work of the City Attorney to the City Manager and City Attorney working collaboratively.

Council Agenda Items - Mayor Flores asked Department Directors to submit agenda items and related documentation to the City Clerk in advance for proper agenda preparation/distribution.

Unauthorized Signage - Mayor Flores has been noticing unauthorized signage on weekends and asked if Code Enforcement can enforce. He wanted to add this topic for discussion on the Feb. 5th agenda.


Birthday Celebration - Mayor Flores invited everyone to celebrate his birthday on January 24th at El Sabor Latino with all proceeds going to Helping Hands.

12. Adjournment.

Council Member Tharp moved to adjourn the meeting, seconded by Deputy Mayor Bousquet. The meeting adjourned at 9:47 p.m.

CITY COUNCIL

Respectfully submitted,


Joel Flores
Mayor


Joanna Cunningham, MMC
City Clerk



/mel

Attachments

Date Approved: 3/5/18

CERTIFICATE OF **EXCELLENCE**

AWARDED TO
CITY OF GREENACRES

Joel Flores, Mayor

Paula Bousquet, Deputy Mayor, District V

John Tharp, Councilman District 1

Peter Noble, Councilman District II

Judith Dugo, Councilwoman District III

Anderson Thelusme, Councilman District IV

Andrea McCue, City Manager

The Board of Directors of Pine Ridge IV would like to thank you
for the professional handling of the concerns of the citizens in
the City of Greenacres, Florida.

Larry Winkler, President

James Morton, Vice President

Marge Vincent, Treasurer

Jannine Di Gianvittorio, Secretary

James Krone, Director

Walter Lee, Director

Richard Wright, Director



1-17-18 at 5:01 pm

Greenacres City Commission Hearing/Meeting

January 22, 2018

I am here to continue discovery and to express our concerns for the proposed Annexation, Zoning Changes and Approval to construct an ALDI Grocery store on the annexed property.

The affected residents expressed their concerns and in some cases their objections to the ALDI construction as outlined in the current plans.

We expressed our concerns for the level of increased traffic at the intersections of Chickasaw Road, Jog Road and Woodlake Blvd if an ALDI is constructed as planned. We also object to the ALDI being granted access to Chickasaw Road as an outlet for their delivery trucks and customers. Chickasaw is a non-standard/non-compliant residential access road off Jog Road.

We all are aware of the issues with Chickasaw Road, maintenance issues and who is responsible for the road. We need to separate the overall road issues from the approval for ALDI.

One issue the residents summarily and strongly agree with is that ALDI cannot be provided access to Chickasaw under any circumstances if you all are determined to go ahead with approval of this Plan and Zoning change.

One of my questions is how ALDI was given access to Chickasaw as part of the original plan, Chickasaw being a non-standard RESIDENTIAL access road to our community. I can only assume it was because the adjacent property was zoned residential at the time the County granted access based on the ALDI plan...however, since the zoning is up for a change to commercial, I want you to consider...no, demand you deny access to Chickasaw if you are determined to approve the zoning change. I reiterate our concerns for the actual zoning change and the ramification we have brought before this council...traffic, noise, environmental concerns, safety for both residents trying to exit/access Chickasaw and the many students from the elementary school who walk home from the school on 10th Avenue (Liberty Park) and the bus stop at Chickasaw and Jog.

After the last hearing/meeting many of us remained behind and discussed our concerns with the ALDI legal rep and amongst ourselves. The ALDI rep stated that he was willing to meet with us, but any discussions to change the current plan, access to Chickasaw, etc. was a non-starter. There are no words or assurances from ALDIS that can change views or mitigate our concerns.

Those who remained also brought up the fact that the Saturday and Sunday traffic would be increased due to the shopping patterns of most people and observations at the other ALDI (where they shopped). I am sure this was not a consideration regarding the impact on our residential neighborhood. We can expect a 7 day a week high traffic pattern between 10th Ave and Chickasaw, thus making the current situation much worse.

I did visit a nearby ALDI and that seems accurate for Saturdays...

I ask if any of you walked or toured the proposed location of the ALDI under the current plan? I know some drove our neighborhood and came to understand/recognize our concerns for both the traffic and the road maintenance issues. This location sure seems like a small area to support a grocery store, customer parking, deliveries, daily garbage/trash removal and all the infrastructure that goes along with a grocery store. I assume that daily garbage removal will occur as it does with other grocery stores. The noise factor has not been addressed for the residents. We currently hear the daily morning dumpster emptying noise and compacting machine noise from the Walmart Grocery store. The ALDI will be much closer. If they do not have daily garbage removal, then this is unsatisfactory for obvious reasons (smell, attracting vermin, etc). The Greenacres Market that is north of the proposed ALDI site has been cited for these issues in the past regarding garbage and vermin issues.

The access and egress(?) along Jog from the proposed ALDI are going to have a profound affect on our access and egress from Chickasaw (even if there is no access by ALDI to Chickasaw). Is Chickasaw the only egress for ALDI customers?

Additionally, the new church under construction at the southern corner of Chickasaw and Jog will only add to Sunday (and possible weekdays depending on church activities) traffic. Was this part of the traffic study?

I am sure the traffic study met all relevant requirements. My professional experience with these types of studies revealed to me that the process is the overarching relevant criteria and the results can be structured to meet project goals since those are defined upfront. I am not saying there is anything nefarious here, just that I understand the process when the outcome is highly desired. I am a retired USCG military engineer who oversaw land-based construction projects impacting local communities in various states. This effort was all accomplished under the County and basically, they (ALDI) probably expect a rubber stamp of those efforts by this council... including access to the only access road to our community. I again state I understand the process here.

I want you look at this whole project holistically and as if you were not dealing with a completed plan and process. I urge you to put us, the residents, before the County and ALDI. Once the ALDI is in place there will be no way to mitigate the increase in accidents, noise, traffic and all those concerns we have brought before you. There must be a better location for an ALDI in Greenacres...and our neighborhood should have been brought into this endeavor before it became an approved plan or as soon as it became a Greenacres issue to finalize. I am not referring to the legal requirements to publish in the paper or send a letter for anyone within 300 feet. The letter requirement essentially left 90+% of out uninformed about the project. I was told repeatedly by the ALDI rep that all legal requirements were met.

We also want to emphasize that any improvements and establishing maintenance for Chickasaw Road not be tied to approving the ALDI project. That seemed to be implied with the widening and safety rail for the 60 feet from Jog onto Chickasaw that is in the current plan. I know that widening and improving the rest of Chickasaw was socialized during discussions after the meeting as a possible mitigation factor for our concerns and opposition to the ALDI project.

The Chickasaw Road problem needs to be addressed separately and several possible mitigating options and processes were brought up by council member(s) to potentially address the problem.

Summary:

No position on Annexation

Absolutely No Access to Chickasaw from the ALDI site no matter what the outcome from these hearings regarding Zoning and plan Approval

Preferred: Do Not Approve the Zoning Change...Residential to Commercial. This offers no positive benefits for the local community.

Again, if this Council is determined to approve the Zoning change, then: Do Not Accept the Plan as submitted by ALDI and Approved by the County. Require a revised plan based on No Access to Chickasaw and strongly recommend you consider the issues and concerns we have brought to your attention.

We CAN NOT compromise regarding any access to Chickasaw by ALDI. This is absolutely unacceptable....NO Chickasaw access.

Thank You for the opportunity to speak before you on these matters!

Gerald Bowe
6504 Cindi Lane
Greenacres, FL 33467
Cell: 561-389-8103