



# CITY COUNCIL MEETING

## City of Greenacres, Florida

Monday, December 19, 2022 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### MINUTES

#### Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

#### CALL TO ORDER AND ROLL CALL

Mayor Flores called the meeting to Order at 6PM and City Clerk Moorer called the Roll. Councilmember Noble was absent.

#### PLEDGE OF ALLEGIANCE

#### AGENDA APPROVAL

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

#### COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

#### SPECIAL BUSINESS

- 1. Presentation:** 2022 City Photo Contest Winners. - Michele Thompson, Director of Community and Recreation Services and Blanca L. Mackrey, Agent, State Farm.

Ms. Thompson and Ms. Mackrey presented the winners as follows: Third Place Ms. Ashely Baroncelli, water lily. Second Place Ms. Amy DeMartino, ducks. First Place Mr. Douglas Ruby, dragonfly.

They both thanked the judges and contestants.

#### CONSENT AGENDA

- 2. Official Meeting Minutes:** City Council Meeting Minutes, December 5, 2022. - Quintella Moorer, City Clerk.
- 3. Resolution 2022-64:** Approving and authorizing the execution of Amendment 001 for Fiscal Year 2022-2023 Community Development Block Grant (CDBG) Agreement for

Phase 1 Lift Station Original Section Sewer Project; and providing for an effective date. - Carlos Cedeno, Director of Public Works.

- 4. Resolution 2022-66:** Approving an agreement between the City of Greenacres and Denise Malone, AICP, to provide professional planning and development operations, oversight services; authorizing the appropriate City Officials to execute the Agreement and provide for an effective date. - Andrea McCue, City Manager.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve the Consent Agenda.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

## REGULAR AGENDA

- 5. PUBLIC HEARING: Ordinance 2022-35: First Reading:** Amending Chapter 16, Article 3, District Regulations, Division 11, Commercial Intensive, Section 16-499(30) to allow for outside car detailing at stand-alone car washes within the Commercial Intensive (CI) zoning district; providing for repeal of conflicting ordinances, severability, inclusion in code, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young explained the presentations for Ordinance 2022-35 and 2022-36 would be presented together and required separate title readings and votes. She read the Quasi-Judicial procedures into the record. Ms. Moorer swore in four persons.

Mr. Geoff Jervis, CEO stated Mint Eco was a relationship focus company focusing on customers, community and employees, a full detailing car wash, beautiful facility, free car washes to first responders. They adopt parks to give back to the community. He continued to mention the water was recycled and most paper products used were recycled and ecofriendly.

Mr. Josh Nichols, Agent stated the request was to allow an exterior detail washing area and a zoning text change to Commercial Intensive. He stated there was no impact to the nearby residential area. He also mentioned two residents wrote in to suppose the project. Others were contracted as well but all residents did not reply.

Ms. Gardner-Young mentioned the two requests were zoning and text amendments. She said the text amendment was to allow a detail stand-a-alone car wash. Ms. Gardner-Young said there was a market demand for the type of business. The text amendment does meet the Comprehensive Plan. Staff recommended approval.

Deputy Mayor Tharp questioned how many residents were contacted. Mr. Nichols replied all residents close to the site were notified but only two replied and there were no rejections.

Councilmember Diaz asked about hours of operation, meeting notifications and location of the detailing area. Mr. Nichols said the hours were 7am - 9pm and they pointed out the location on the screen.

Motion made by Councilmember Bousquet, Seconded by Councilmember Dugo to approve Ordinance 2022-35 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and

Councilmember Bousquet.

- 6. QUASI-JUDICIAL PUBLIC HEARING- Ordinance 2022-36: First Reading:** Approving a zoning change and official zoning map amendment for three parcels of land totaling approximately 3.62 acres, located on the south side of Lake Worth Road approximately 200 feet west of Empire Way at 4840 Lake Worth Road, from a City of Greenacres designation of Commercial General (CG) to a City of Greenacres designation of Commercial Intensive (CI), as requested by the Petitioner, Schmidt and Nichols, Agent for the Owner, Mint Eco Car Wash Acquisition CO., LLC; providing for changes to the official zoning map, repeal of conflicting ordinances, severability; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Mayor Flores reported per Ex-parte communication he had a presentation overview with the Owner and Staff regarding Ordinance 2022-36. No other communications were reported.

Ms. Olga Sierra resident questioned if there were any traffic studies completed. Ms. Gardner-Young replied traffic studies were completed and approved by the County with no rejections.

Motion made by Councilmember Dugo, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-36 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, Councilmember Bousquet

- 7. QUASI-JUDICIAL PUBLIC HEARING: Resolution 2022-35:** Approving the petition for a special exception to allow a stand-alone car wash in a Commercial Intensive (CI) zoning district, located at 6200 Lake Worth Road, as requested by the petitioner, Dwayne Dickerson, agent for the contract purchaser, VYBE investments, LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the resolution by title.

Ms. Moorer swore in five persons.

No Ex-Parte communications were reported.

Resolution 2022-35 and 2022-40 were presented by the application and Staff together.

Mr. Dwayne Dickerson, representative for the agent, stated the request was to allow a stand-alone car wash and they planned to demolish the existing building which was previously a Steak and Shake restaurant. He highlighted the site plan, which was approved by the County with zero conflicts with traffic and included landscaping and a solid six-foot wall.

Mr. Dickerson said the Pink Bird company was local, community oriented, modern and operated by family.

Mr. Dickerson said they did complete community outreach with no rejections.

Ms. Gardner-Young stated that once approved this would be final and were site specific. She said traffic studies were approved and the plans met all requirements. She mentioned all conditions were approved and agreed upon. Staff recommended approval.

Deputy Mayor Tharp asked about the exit of the car wash and noise level for the outdoor vacuums. Ms. Gardner-Young explained it was far away the communities.

Councilmember Diaz asked the hours of operations. Mr. Dickerson replied 7am-9pm.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Resolution 2022-35.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 8. Resolution 2022-40:** Approving a site and development plan to allow for a stand-alone car wash in a Commercial Intensive (CI) zoning district, located at 6200 Lake Worth Road, as requested by the Petitioner, Dwayne Dickerson, agent for the contract purchaser, VYBE Investments LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the resolution by title.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Resolution 2022-40.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 9. PUBLIC HEARING: Ordinance 2022-39: First 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 20.1183 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6400-6490 Lake Worth Road and 4180 S. Jog Road Suites 1-9, from a Palm Beach County designation Commercial High (CH) to a City of Greenacres designation of Commercial (CM) as requested by the Planning, GIS and Engineering Division; 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. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated she would present both Ordinance 2022-39 and 2022-40 together. She said it was a land use and zoning change on the same parcel. Ms. Gardner-Young stated the approval was for the base parcel only. She requested to change from a Palm Beach County Commercial High to a City Commercial designation.

Ms. Gardner-Young showed the site plan.

She stated the zoning change was from a Palm Beach County zoning designation of General Commercial to a City Commercial Intensive which was required for the annexation.

Staff recommended approval.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve Ordinance 2022-39 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**10. Ordinance 2022-40: First Reading:** Approving a zoning change for one parcel of land totaling approximately 20.1183 acres, located at the southeast corner of Lake Worth Road and Jog Road at 6400-6490 Lake Worth Road, and 4180 Jog Road Suites 1-9, from a Palm Beach County zoning designation of General Commercial (CG) to a City of Greenacres zoning designation of Commercial Intensive (CI) as requested by the Planning, GIS and Engineering Division; providing for changes to the official zoning map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date.- Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-40 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**11. PUBLIC HEARING: Ordinance 2022-38: Second Reading:** Amending Chapter 6, Franchises, Article 5, Solid Waste, Division 1, Generally, Section 6-276, of the City of Greenacres Code of Ordinances, to clarify that all rates under the Franchise Agreement may be amended by City resolution; providing for repeal of conflicting ordinances, severability, codification, retrospective application, and an effective date. - Monica Powery, Director of Purchasing.

Ms. Moorer read the ordinance by title.

Ms. Powery stated the ordinance was to clarify the rates process.

Ms. Powery stated no changes had taken place since the First Reading.

Motion made by Councilmember Diaz, Seconded by Councilmember Dugo to approve Ordinance 2022-38 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**12. PUBLIC HEARING: Ordinance 2022-42: Second Reading:** Amending Chapter 2 "Administration," Article I "In General," by adding a new Section 2-2 "Naming of City Programs, Events and Facilities;" providing for severability, conflicts, codification, and an effective date. - Andrea McCue, City Manager.

Ms. Moorer read the ordinance by title.

Ms. McCue stated the ordinance was established to create a policy for naming City programs, events and facilities. The ordinance would require four votes for renaming, removing or naming programs, events or facilities.

Motion made by Councilmember Bousquet, Seconded by Councilmember Dugo to approve Ordinance 2022-42 on Second Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**13. Ordinance 2022-41: First Reading:** Approving the conveyance of 6,804 square feet strip of land located adjacent to and east of the property at 1105 S. Jog Road, Greenacres,

Florida; authorizing City Manager to execute all documents necessary to accomplish the conveyance; providing for severability, conflicts, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young showed a photo of the proposed property area. The Applicant made an offer for \$17, 500, including all closing cost. Staff recommended approval. She also stated the purchase was in the best interest of the City.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Dugo to approve Ordinance 2022-41 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**14. Ordinance 2022-43: First Reading:** Amending the City of Greenacres Budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, inclusive; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.

Ms. Moorer read the ordinance by title.

Ms. Beiriger stated Council Policy 6 authorized budget adjustments. She stated three projects required fund adjustments. The projects included the sidewalk with a cost increase of \$33 thousand, and the septic to sewer increase to about \$105 thousand, and the Dillman project increase. The total adjustment was about \$150 thousand. Staff recommend approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Ordinance 2022-43 on First Reading.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**15. Resolution 2022-62:** Agreement between the City of Greenacres and Painted, Inc. to create public art on the wall on the Northeast corner of Melaleuca Lane and Haverhill Road; authorizing the appropriate City Officials to execute the Agreement; providing for an effective date. - Monica Powery, Director of Purchasing.

Ms. Moorer read the resolution by title.

Ms. Powery explained the selection process and highlighted the chosen company Painted, Inc. and artist Nico. She showed a rendering of the mural. The Council liked the mural but preferred to remove the snake image and replace with a turtle or another animal.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Resolution 2022-62.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**16. Ratification of the Building Board of Adjustments and Appeals Board:** Appointing (1) one of (9) nine members to serve (4) four-year unlimited staggered terms. - Andrea McCue, City Manager.

Ms. McCue recommended Brandon Cabrera for a four-year staggered term.

Motion made by Councilmember Dugo, Seconded by Deputy Mayor Tharp to approve ratification of the BBAA member.

Voting Yea: Deputy Mayor Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

**DISCUSSION ITEM - None.**

**COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

Ms. Olga Sierra resident mentioned her concern with cleaning the sewers from leaves and potholes in the street.

**CITY MANAGER'S REPORT**

Ms. McCue mentioned the only meeting in January will be the ninth. The Council agreed.

She also wished Captain Moore great success with his FBI training and Happy Holidays to all.

17. Community and Recreation Services Report.

18. Development and Neighborhood Services Report.

19. Finance Report.

20. Fire Rescue Report.

21. Information Technology Report.

22. Palm Beach Sheriff's Office - District 16 Report.

23. Public Works Report.

24. Purchasing Report.

25. Youth Programs Report.

**CITY ATTORNEY'S REPORT**

No report.

**MAYOR AND CITY COUNCIL REPORT**

Deputy Mayor Tharp thanked everyone involved with the Toy Drive.

Councilmember Dugo suggested a Discussion regarding the Covid dividers.

Councilmember Diaz thanked everyone involved with the Mock City Council Meeting.

Councilmember Bousquet disagreed with removing the dividers.

Mayor Flores thanked everyone involved with the Mock Council Meeting, he also enjoyed the Government's Day event. He mentioned he was reappointed to serve on the TPA Board.

**ADJOURNMENT**

7:38 PM.

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**Joel Flores**  
Mayor

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**Quintella Moorer, CMC**  
City Clerk

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