

MINUTES OF THE 1991 CAUCUS

A CAUCUS OF THE VOTERS OF THE TOWN OF PALM BEACH WAS HELD IN THE TOWN HALL COUNCIL CHAMBERS, PALM BEACH, FLORIDA, AT 8:00 PM ON JANUARY 8, 1991 FOR THE PURPOSE OF NOMINATING CANDIDATES FOR MAYOR AND TOWN COUNCIL SEATS.

Caucus

A Caucus of the voters of the Town of Palm Beach was held in the Town Council Chambers at the above named time pursuant to the call and notice therefore, which call has been published in the Palm Beach Daily News, a newspaper in Palm Beach County, Florida, on the following named dates: December 13, 1990, December 31, 1990 and January 7, 1991. Said Notice was in words and figures as follows, to wit:

NOTICE TO THE QUALIFIED VOTERS OF THE TOWN OF PALM BEACH

You and each of you are hereby notified that a Caucus of the qualified voters of the Town of Palm Beach, Florida, will be held in the Council Chambers of the Town Hall in said Town at eight o'clock PM on January 8, 1991, for the purpose of nominating a Mayor and two Council members to be voted on the first Tuesday after the first Monday in February, (February 5, 1991) following the publication of this notice.

All qualified voters of the Town are entitled to be present and to place in nomination such candidates as they desire. For a nomination to be effective, it must be seconded and all nominations and seconds thereto may be made only by qualified voters of said Town.

Dated this 1st day of December, 1990.

Grace T. Peters, CMC, AAE
Town Clerk

The meeting was called to order by Mayor Yvelyne Marix who stated its object and advised of other required procedures of candidates who would be nominated this date. Mayor Marix advised that the first order of business of the Caucus was to elect Caucus Officers, consisting of a Caucus Secretary and a Caucus Chairman. Thereupon, upon motion of Marie Hope, seconded by Paul Prosperi, Dorothy dePeyster was nominated and elected Secretary of said Caucus. There being no further nominations, the nominations were closed and Dorothy dePeyster assumed the duties of this office.

Col. I. Henry Stern, nominated James Mc C Wearn as Caucus Chairman, seconded by Rick Caruso. There being no further nominations, they were closed and a unanimous vote give for James McC Wearn. Mayor Marix asked that James McC Wearn assume his duties as Chairman and conduct the remainder of the meeting.

Chairman Wearn reported the Town Clerk, Mrs. Peters, would assist the Secreatary in the handling of her duties and further reminded all candidates in order to qualify they needed to stop by Mrs. Peters' office and pick up the necessary information.

The Chairman announced that the meeting was open for the purpose of nominating candidates for the Mayoral seat. This seat is for a two year term.

Yvelyne "Deedy" Marix was nominated for the Mayoral Seat by Walter Rathbun, seconded by Eugene Pollack and Edward C. Rutherford.

There being no further nominations for Candidates for the Mayoral Seat, the Chairman then announced that the nominations be closed and the next in order of business would be the consideration of candidates for member of Council in Group 1 (seat now being held by Bernard A Heeke), this seat is for a two year term.

Bernard A. Heeke was nominated by William B. Cudahy, seconded by Helen Cluett and Larry Ochstein.

There being no further nominations for Candidates for member of Council in Group 1, the Chairman then announced that the nominations be closed and the next in order of business should be the consideration of candidates for member of Council in Group 2 (seat now being held by Hermine L. Wiener), this seat is for a two year term.

Hermine L. Wiener was nominated by George Hyam, seconded by Dorothy Levy and Irving Rubenstein.

Gay Hart Gaines was nominated by a Lachlan Reed, seconded by Sharon Byrd and Jorge Sanchez.

There being no further nominations for Candidates for member of Council in Group 2, the Chairman then annou-
nced that the nominations be closed.

There being no further business to come before this meeting, upon motion being seconded and carried, the Caucus meeting was adjourned and the Chairman and Secretary authorized to present a Certificate of this Caucus to the Town Council at the meeting scheduled to call the Election to be held on January 22, 1991

Chairman

(MINUTES OF JAN. 22, 1991
On page 3112)

Secretary

LOCAL PLANNING AGENCY MINUTES OF MEETING HELD AT 5:01PM ON FEBRUARY 12, 1991

Local Planning
Agency Minutes

1. CALL TO ORDER AND ROLL CALL. At 5:01PM, Bernard A. Heeke called the Meeting of the Town Council sitting ad the Local Planning Agency to order on February 12, 1991 in the Town Hall Council Chambers. On roll call, the following were found to be in attendance: Mayor Marix, Mr. Heeke, Mr. Weinberg, Mrs. Wiener, Mrs. Douthit and Mr. Ilyinsky. Also attending were Town Manager Doney, Town Attorney Randolph, Town Clerk Peters, Mr. Moore, Mr. Frank and Mr. Zimmerman.

Roll Call

II. PUBLIC HEARING REGARDING RECOMMENDATION ON THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS.

A. PROOF OF PUBLICATION. Mrs. Peters reported proof of publication has been received.

B. CONSIDERATION OF OBJECTIONS, RECOMMENDATIONS, AND COMMENTS ON THE PROPOSED AMENDMENTS. FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS:

Public
Hearing -
Comprehensive
Plan Amend.

Mr. Randolph indicated the Council is sitting as the Local Planning Agency to give consideration to the amendments to the Comprehensive Plan. He noted these amendments have been negotiated with the State and approved by

them in the form submitted and they are amendments they have been through as a council and the function of the LPA is to review the amendments and make a recommendation to the Town Council. He indicated the amendments are those which are attached as Exhibit A to the proposed Ordinance 2-91 which will be considered by Council and he read it by title:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING COMPREHENSIVE PLAN AMENDMENTS FOR THE TOWN OF PALM BEACH IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATIONS ACT AS AMENDED, BEING SECTIONS 163.3161 FLORIDA STATUTES, ATTACHING AS EXHIBIT A, A COPY OF THE COMPREHENSIVE PLAN AMENDMENTS PROVIDING A CONFLICT CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

C. COMMENTS AND QUESTIONS FROM PUBLIC. Mr. Heeke called for public comments and there were none.

D. RECOMMENDATION TO THE TOWN COUNCIL REGARDING THE PROPOSED AMENDMENT. Mrs. Wiener moved that the Local Planning Agency recommend to the Town Council the adoption of Ordinance No. 2-91 which encompasses all the amendments to the Town of Palm Beach Comprehensive Plan. Seconded by Mrs. Douthit. Motion carried.

III. ADJOURN PUBLIC HEARING. Meeting adjourned at 5:10 PM.

Grace T. Peters
Town Clerk

TOWN COUNCIL MINUTES OF MEETING
HELD JANUARY 22, 1991

I. CALL TO ORDER AND ROLL CALL: A meeting of the Town Council of the Town of Palm Beach was called to order by President Heeke at 2:45PM on January 22, 1991 in the Town Council Chambers. On roll call, the following were found to be in attendance: Mayor Marix, President Heeke, President Pro Tem Ilyinsky, Councilwoman Douthit, Councilman Weinberg and Councilwoman Wiener. Also attending were Town Manager Doney, Town Attorney Randolph and Town Clerk Peters.

II. INVOCATION AND PLEDGE OF ALLEGIANCE: Invocation was given by President Heeke. Pledge of Allegiance was led by President Pro Tem Ilyinsky.

III. APPROVAL OF AGENDA: Mrs. Peters requested the Council to hear a Charitable Solicitation request for permit for Susan G. Komen Breast Cancer Foundation, No. 317-91. Mrs. Peters explained this is for a luncheon to be held next week with Mrs. Quayle as the guest speaker and the applicant stated the Breakers did not make the organization aware of the fact that a permit would be needed. Mr. Heeke and Mrs. Douthit indicated they were inclined to not approve this request. Mayor Marix suggested perhaps the Ordinance could be amended if the place where the event is to be held does not inform people they needed a permit, a fine could be levied. Mr. Heeke asked if all of the paper work was in order to which Mrs. Peters responded affirmatively except for the late application and the fact that the waiver of advertising rule would have to be approved.

Mrs. Wiener asked what would happen if the Council was not holding this special meeting? Mayor Marix thought they would be out of luck.

Mr. Ilyinsky moved for approval suggesting there be a letter written to the General Manager at the Breakers. Mrs. Wiener believed there should be approval of the agenda with the inclusion of the Charitable Solicitation Application for Susan Komen Breast Cancer Foundation and seconded the motion. On roll call, the motion carried with Mrs. Douthit voting against the motion.

CHARITABLE SOLICITATION APPLICATION FOR SUSAN KOMEN BREAST CANCER FOUNDATION. (PALM BEACH GARDENS MEDICAL CENTER) No. 317-91. Motion was made by Mr. Ilyinsky to approve the permit for the Susan Komen Breast Cancer Foundation with the advertising rule waived. Seconded by Mrs. Wiener. On roll call, the motion carried 3-2 with Mrs. Douthit and Mr. Heeke voting against the motion.

Mayor Marix agreed with Mr. Ilyinsky that a strong letter be sent to the Breakers signed by the President of the Council or the Town Manager and the Ordinance, Rules and Standards Committee take a look at amending the Charitable Solicitation Ordinance with the possibility of having some type of fine when the applicants are not notified by the place where they are holding their events that a permit is required.

Mr. Weinberg pointed out that many fund raising events do take place in private homes and wondered how they would be alerted to the fact that a permit is necessary. Mr. Heeke felt there was more of a concern on the part of the institutions that traditionally hold these events and accept the bookings for the rooms several months in advance and they don't provide information to the applicants.

IV. RESOLUTION NO. 4-91. President Heeke called on the Town Attorney to read the resolution to call the election:

RESOLUTION NO. 4-91. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, DIRECTING THE TOWN CLERK OF SAID TOWN TO PLACE THE NAMES OF CERTAIN CANDIDATES ON THE OFFICIAL BALLOT FOR THE GENERAL ELECTION TO BE HELD IN SAID TOWN ON THE FIFTH DAY OF FEBRUARY ADOPTING THE OFFICIAL BALLOT TO BE USED IN SAID ELECTION, AUTHORIZING THE TOWN CLERK TO ARRANGE FOR VOTOMATIC MACHINES AND ABSENTEE BALLOTS TO BE USED IN SAID ELECTION AND DIRECTING THE MAYOR OF SAID TOWN TO ISSUE HER PROCLAMATION OF SAID ELECTION NAMING THEREIN THE CANDIDATES NOMINATED AND NAMED IN THIS RESOLUTION AND DESIGNATING THE TOWN CLERK OF THE TOWN OF PALM BEACH AND THE SUPERVISOR OF ELECTIONS OF PALM BEACH COUNTY AND HER STAFF TO SERVE AS THE CANVASSING BOARD.

Motion was made to adopt resolution No. 4-91 by Mrs. Douthit. Seconded by Mr. Ilyinsky. On roll call, the motion carried unanimously.

V. MAYOR'S PROCLAMATION TO CALL THE ELECTION:

MAYOR'S PROCLAMATION TO THE QUALIFIED ELECTORS OF THE TOWN OF PALM BEACH, FLORIDA.

WHEREAS, pursuant to the Charter of the Town of Palm Beach, there will be held in the Town of Palm Beach Florida, on the fifth day of February, 1991, a General Election for the Purpose of electing a Mayor and two Council persons of the Town of Palm Beach, Florida; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida, on January 22, 1991, at a regular, adjourned session assembled, duly adopted a Resolution calling said election on said date, providing for the use of voting machines therein and directing the Mayor of the Town to issue her proclamation thereof:

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>WIENER, HERMINE L.</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>COUNCIL</i>	
MAILING ADDRESS <i>215 NIGHTINGALE TRAIL</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>PALM BEACH</i>	COUNTY <i>PALM BEACH</i>	CITY COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>2/12/91</i>		NAME OF POLITICAL SUBDIVISION: <i>TOWN OF PALM BEACH</i>	
		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You should complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You should disclose orally the nature of your conflict in the measure before participating.
- You should complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, HELMINE L. WIENER, hereby disclose that on FEBRUARY 12, 1991:

(a) A measure came or will come before my agency which (check one)

☒ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

(b) The measure before my agency and the nature of my interest in the measure is as follows:

A CHANGE OF LIQUOR LICENSE
FROM A PREVIOUS OWNER TO
ANNE ZWEIG KING WITH
WHOM MY HUSBAND, MORTON
WIENER, IS IN PARTNERSHIP.
I AM NOT CERTAIN WHETHER
UNDER THE STATUTES THIS
WOULD BE CONSIDERED A CONFLICT
BUT I PREFER TO ERSE IN THIS
DIRECTION. 2/12/91 Helmene L. Wiener

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.