

TOWN OF PALM BEACH

Office of The Town Clerk

**MINUTES OF THE SPECIAL TOWN COUNCIL MEETING REGARDING CLOSED-DOOR
ATTORNEY/CLIENT SESSIONS, HELD IMMEDIATELY FOLLOWING THE 9:30 A.M.
REGULAR TOWN COUNCIL MEETING OF FEBRUARY 10, 2004**

I. CALL TO ORDER AND ROLL CALL

Town Council President Allen S. Wyett called the Special Town Council Meeting to order at 5:45 p.m. On roll call, the following were found to be present: Mayor Lesly S. Smith, Town Council President Allen S. Wyett, Town Council President Pro-Tem Samuel C. McLendon, Town Councilman William J. Brooks, and Town Councilman Norman P. Goldblum. Also present were: Town Attorney John C. Randolph, Town Manager Peter B. Elwell, a representative from Ley and Marsaa, Court Reporters, and Town Clerk Mary A. Pollitt.

II. APPROVAL OF AGENDA

The Agenda was approved as presented.

- III. 1) DARLENE MATTERAZZO MILLER VS. PALM BEACH POLICE
DEPARTMENT, CHIEF FRANK CROFT, RET., AND WILLIAM
HARRIS, CASE NO CA 01-12807 AE.**
- 2) CHARLES RYAN HICKMAN AND CAROL CAVANAGH HICKMAN
VS. ROBERT WYNER, BARCLAY'S INTERNATIONAL REALTY, INC.,
BJORN AASEROD, AND TOWN OF PALM BEACH, CASE NO. CA 03-
0767 AD.**

F.S. 286.011(8) Allows the Mayor, Town Council, and the Town Manager to Meet in a Closed-Door Attorney/Client Session for the Purpose of Discussing Strategy Related to Litigation.

Town Council President Allen Wyett announced:

(a) Closed-Door Attorney/Client Sessions regarding:

- 1) DARLENE MATTERAZZO MILLER VS. PALM BEACH POLICE DEPARTMENT, CHIEF FRANK CROFT, RET., AND WILLIAM HARRIS, CASE NO CA 01-12807 AE.
- 2) CHARLES RYAN HICKMAN AND CAROL CAVANAGH HICKMAN VS. ROBERT WYNER, BARCLAY'S INTERNATIONAL REALTY, INC., BJORN AASEROD, AND TOWN OF PALM BEACH, CASE NO. CA 03-0767 AD.

(b) The estimated time of the sessions of thirty minutes.

(c) The names of the persons attending:

Mayor Lesly S. Smith

Town Council Members:

William J. Brooks

Norman P. Goldblum

Samuel C. McLendon

Allen S. Wyett

Town Attorney John C. Randolph

Town Manager Peter B. Elwell

Ley and Marsaa, Court Reporters

- (d) Persons attending the meeting (listed above) relocated from Town Hall Council Chambers to the immediately adjacent Conference Room.

IV. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE TOWN COUNCIL CHAMBERS

- (a) President Wyett reconvened the Special Town Council Meeting in the Town

Council Chambers at 5:55 p.m. On roll call the following were found to be in attendance: Mayor Lesly S. Smith, Town Council President Allen S. Wyett, Town Council President Pro-Tem Samuel C. McLendon, Town Councilman William J. Brooks, Town Councilman Norman P. Goldblum.. Also present were: Town Attorney John C. Randolph, Town Manager Peter B. Elwell, a representative from Ley and Marsaa, Court Reporters, and Town Clerk Mary A. Pollitt

(b) President Wyett announced the termination of the Closed-Door Attorney/Client Sessions regarding:

- 1) DARLENE MATTERAZZO MILLER VS. PALM BEACH POLICE DEPARTMENT, CHIEF FRANK CROFT, RET., AND WILLIAM HARRIS, CASE NO CA 01-12807 AE.
- 2) CHARLES RYAN HICKMAN AND CAROL CAVANAGH HICKMAN VS. ROBERT WYNER, BARCLAY'S INTERNATIONAL REALTY, INC., BJORN AASEROD, AND TOWN OF PALM BEACH, CASE NO. CA 03-0767 AD.

Town Attorney Randolph advised that a motion could be made, pursuant to the discussion that took place at the Closed-Door Attorney Client Session,

Councilman Brooks moved authorization to settle the case of Darlene Matterazzo Miller vs. Palm Beach Police Department, Chief Frank Croft, Ret., and William Harris, Case No. CA 01-12807 AE, in the amount of \$50,000. The motion was seconded by Councilman Goldblum. On roll call the motion carried 4/0, as Councilman McDonald was not in attendance.

Councilman Goldblum moved that the offer be rejected in the matter of Charles Ryan Hickman and Carol Cavanagh Hickman vs. Robert Wyner, Barclay's International Realty, Inc., Bjorn Aaserod and Town of Palm Beach, Case No. CA 03-0767. The motion was seconded by President Pro-Tem McLendon. On roll call the motion carried 4/0, as Councilman McDonald was not in attendance.

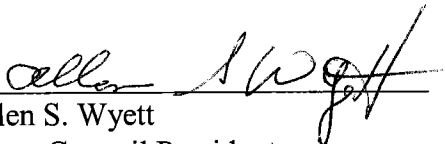
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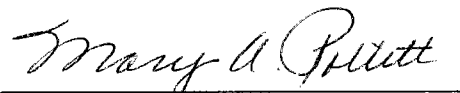
V. ANY OTHER MATTERS

There were none.

VI. ADJOURNMENT

There being no further business, the Special Town Council Meeting, held immediately following the 9:30 a.m. Regular Town Council Meeting, was adjourned at 6:00 p.m.


Allen S. Wyett
Town Council President


Mary A. Pollitt
Town Clerk

