

TOWN OF PALM BEACH

Office of The Town Clerk

MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING TO CALL THE ELECTION HELD ON JANUARY 18, 2005

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by President Wyett at 9:30 a.m. The following Elected Officials were found to be in attendance:

Mayor Lesly S. Smith
President Allen S. Wyett
President Pro-Tem Samuel C. McLendon
Councilman William J. Brooks
Councilman Norman P. Goldblum
Councilman Jack McDonald

Also attending the meeting were: Town Manager Peter B. Elwell; Acting Fire-Rescue Chief Andrew Cox; and Town Clerk Mary A. Pollitt.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Pollitt gave the invocation, and President Wyett led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Councilman Brooks made a motion to approve the agenda as presented. The motion was seconded by Councilman McDonald and carried 5-0 on roll call.

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IV. RESOLUTION NO. 7 - 2005 DECLARING RESULTS OF TOWN CAUCUS ON JANUARY 4, 2005

Town Manager Peter Elwell read Resolution No. 7-2005 by title:

RESOLUTION NO. 7-2005

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE TOWN CAUCUS; 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 EIGHTH DAY OF FEBRUARY 2005; ADOPTING THE OFFICIAL BALLOT TO BE USED IN SAID ELECTION; AUTHORIZING THE TOWN CLERK TO ARRANGE FOR VOTING EQUIPMENT TO BE USED IN SAID ELECTION; AND DIRECTING THE MAYOR OF SAID TOWN TO ISSUE A PROCLAMATION OF SAID ELECTION, NAMING THEREIN THE CANDIDATES NOMINATED AND NAMED IN THE RESOLUTION; DESIGNATING THE TOWN CLERK OF THE TOWN OF PALM BEACH AND THE SUPERVISOR OF ELECTIONS OF PALM BEACH COUNTY TO SERVE AS THE CANVASSING BOARD.

The remainder of Resolution No. 7-2005:

WHEREAS, at a regular and duly called caucus of the TOWN OF PALM BEACH, FLORIDA, held on January 4, 2005, the following persons were duly nominated at said caucus by the voters of the Town of Palm Beach for the offices of Mayor and Town Council persons of said Town of Palm Beach, Florida, with the term of office for the Mayor to be for a two year period, with

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the term ending on the first Tuesday after the first Monday in February 2007; Groups One and Two to be for two year periods, with the terms ending on the first Tuesday after the first Monday in February 2007; the office of Group Three for a one-year period, with the term ending on the first Tuesday after the first Monday in February 2006.

MAYOR: JACK McDONALD

SAM McLENDON

GROUP ONE: DENIS P. COLEMAN

GROUP TWO: ALLEN S. WYETT

GROUP THREE: RICHARD M. KLEID

their nominations being shown by the certified copy of the Minutes of said Caucus, which said certified copy is made a part of this Resolution; and

WHEREAS, the Town Clerk has performed the necessary examination and certification required by Town Ordinance;

WHEREAS, no opposition candidates were nominated for the seats of Group One, Group Two, and Group Three at the Town Caucus held on January 4, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

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SECTION ONE : It is hereby declared that the following candidates have been nominated and qualified for election to the seats for Mayor and Town Council persons, in Groups One and Two, each for a two year period, and Group Three for a one-year period, and qualify for election to the Town Council:

Mayor: Jack McDonald

Sam McLendon

Group One: Denis P. Coleman

Group Two: Allen S. Wyett

Group Three: Richard M. Kleid

SECTION TWO: It is hereby declared that the following candidates, having no opposition for election, are hereby declared to be elected to the Town Council seats listed below:

GROUP ONE: DENIS P. COLEMAN

GROUP TWO: ALLEN S. WYETT

GROUP THREE: RICHARD M. KLEID

SECTION THREE: The Town Clerk is hereby directed to have official ballots prepared for said election, and have printed thereon the names of the persons nominated for Mayor of the Town of Palm Beach for a term of two years. The official ballot to be used in said election is

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substantially as follows, to wit:

OFFICIAL BALLOT

GENERAL ELECTION OF THE TOWN OF PALM BEACH IN PALM BEACH COUNTY, FLORIDA, TO BE HELD ON THE 8th DAY OF FEBRUARY, 2005,

THE FOLLOWING PERSONS HAVE BEEN DULY NOMINATED FOR MAYOR OF THE TOWN OF PALM BEACH FOR A TWO YEAR PERIOD:

MAYOR:	JACK McDONALD
(Vote for One)	SAM McLENDON

SECTION FOUR: The terms of office of the elected officials referenced shall begin and shall run from the first regular meeting of the Town Council following February 8, 2005.

SECTION FIVE: There will be seven precincts with four polling locations in said election, as follows:

Precinct 1196 (formerly Precinct 77) - St. Edward's Parish Hall, 165 North County Road - Northern Town limits to and including Seminole Avenue. Senate District 25; House District 83; Congressional District 22; County Commission District 1; School District 4.

Precinct 1198 (formerly Precinct 77A) - Bethesda-by-the-Sea Church, 141 South County Road - North and south sides of Oleander Avenue (Root Trail) to and including north side of Royal Palm Way. Senate District 25; House District 83; Congressional District 22; County Commission District 1; School District 4.

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Precinct 1200 (formerly Precinct 90) - Central Fire-Rescue Station, 355 South County Road - South side of Royal Palm Way to and including north side of Worth Avenue. Senate District 25; House District 83; Congressional District 22; County Commission District 1; School District 4.

Precinct 7084 (formerly Precinct 90) - Central Fire-Rescue Station, 355 South County Road - South side of Worth Avenue to and including north side of Southern Boulevard. Senate District 25; House District 83; Congressional District 22; County Commission District 7; School District 4.

Precinct 7086 (formerly Precinct 111) - South Fire-Rescue Station, 2185 South Ocean Blvd. - South side of Southern Boulevard to and including north side of Sloan's Curve. Senate District 25; House District 83; Congressional District 22; County Commission District 7; School District 4.

Precinct 7088 (formerly Precinct 111) - South Fire-Rescue Station, 2185 South Ocean Blvd. - South side of Sloan's Curve to Lake Avenue. Senate District 25; House District 89; Congressional District 22; County Commission District 7; School District 4.

Precinct 7100 (formerly Precinct 125) - South Fire-Rescue Station, 2185 South Ocean Blvd. - Lake Avenue to South Town limits. Senate District 25; House District 89; Congressional District 22; County Commission District 7; School District 4.

SECTION SIX: The following persons are hereby appointed as Clerks, Precinct Advisors, and Inspectors, respectively, of said election, to wit:

PRECINCT 1196:

Clerk:	Larry Ochstein
Precinct Advisor:	Kim S. Howard
Precinct Deputy:	Robert Howell
Inspectors:	1. Harriet V. Hogan
	2. Mary L. Poissin
	3. Joyce Wooding
	4. Karen Ries
	5. Moira E. Veith

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PRECINCT 1198:

Clerk:	Harold Sperber
Precinct Advisor:	Edgar Mitchell Brailley
Precinct Deputy:	James Lawrence
Inspectors:	1. George Leder
	2. Maureen Sapko
	3. Amy Shaughnessy
	4. Imogene Willis

PRECINCT 1200:

Clerk:	Dorothy Simpkins
Precinct Advisor:	Bruce Davis (shared with Precinct 7084)
Precinct Deputy:	Wilson Roosevelt
Inspectors:	1. Clarinda Yvonne Shabazz
	2. Karyl Karpinos
	3. Patricia Reybold

PRECINCT 7084:

Clerk:	Ann B. McKay
Precinct Advisor:	Bruce Davis (shared with Precinct 1200)
Inspectors:	1. Garry Garner
	2. Mary Person
	3. Brian Mudri

PRECINCT 7086:

Clerk:	Sandra Blair (shared with Precinct 7100)
Precinct Advisor:	Phyllis Chmara (shared with Precinct 7100)
Inspectors:	1. Thomas Francisco
	2. Ken Eddowes

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PRECINCT 7088:

Clerk:	Dorothy Sherman
Precinct Advisor:	Madeline Krasinski
Precinct Deputy:	Delores Doole
Inspectors:	1. Helen Thaler
	2. Christine Hefner
	3. Mary Ann Storm
	4. Robert Kirson
	5. Richard Plantholt

PRECINCT 7100:

Clerk:	Sandra Blair (shared with Precinct 7086)
Precinct Advisor:	Phyllis Chmara (shared with Precinct 7086)
Precinct Deputy:	Scott Alphonse
Inspectors:	1. Joy Ann Hout
	2. Helene Kaye
	3. Helen D-Avolio

(Stand-by poll workers will also be available to fill in if necessary)

Said clerks, precinct advisors, precinct deputies and inspectors are hereby directed to hold said election in accordance with law, and in such a manner as to prevent fraud, deceit, and abuse thereat, and to make their return of the result of said election to the Town Council in a manner prescribed by law.

SECTION SEVEN: The Town Clerk is hereby directed to arrange for the use of electronic voting machines at said election and for the Supervisor of Elections of Palm Beach County to

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provide absentee ballots in accordance with the provisions of Chapter 101, Florida Statutes.

SECTION EIGHT: The Mayor of the Town of Palm Beach is hereby required to issue her Proclamation of said Election and the date thereof to wit: February 8, 2004, between the hours of 7:00 a.m. and 7:00 p.m. The names of the candidates proposed for office in said election shall be included in such Proclamation, which shall be printed in the Palm Beach Daily News on January 28, 2005. The Town Clerk shall post a copy of the said Proclamation on the Bulletin Board in the Town Hall.

SECTION NINE: The Town of Palm Beach Town Clerk, Mary A. Pollitt, and the Palm Beach County Supervisor of Elections, Arthur W. Anderson, are hereby designated as the Town of Palm Beach Canvassing Board to carry out the duties, as prescribed in the Florida Statutes, for absentee ballot, the testing of the tabulating equipment, and to supervise the canvassing of the returns of the election, as prescribed by law.

PASSED AND ADOPTED IN A REGULAR, ADJOURNED SESSION ASSEMBLED THIS
18th DAY OF JANUARY 2005.

Lesly S. Smith, Mayor

Allen S. Wyett
Town Council President

Samuel C. McLendon

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Town Council President Pro-Tem

William J. Brooks
Town Councilman

Norman P. Goldblum
Town Councilman

Attest:

Mary A. Pollitt
Town Clerk

Jack McDonald
Town Councilman

Councilman Brooks made a motion to approve Resolution No. 7-2005. The motion was seconded by Councilman McDonald and carried 5-0 on roll call .

V. MAYOR'S PROCLAMATION TO THE QUALIFIED ELECTORS OF THE TOWN OF PALM BEACH REGARDING THE TOWN ELECTION TO BE HELD ON FEBRUARY 8, 2005

Mayor Smith read the following proclamation:

**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, Florida, and the General Laws pertaining thereto, there will be held in the Town of Palm Beach, Florida, on the 8th day of February, 2005, a General Election for the purpose of electing the Mayor for the Town of Palm Beach, Florida.

WHEREAS, the Town Council of the Town of Palm Beach, Florida, on January 18, 2005, at a regular adjourned session assembled, duly adopted a Resolution calling said election on said date, providing for the use of electronic voting machines therein, and directing the Mayor of the Town to issue her proclamation thereof:

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NOW THEREFORE, I, Lesly S. Smith, Mayor of the Town of Palm Beach, Florida, hereby give notice and make proclamation that there will be held in the Town of Palm Beach, Florida, on the 8th day of February, 2005, between the hours of 7:00 a.m. and 7:00 p.m., a General Election for the purpose of electing the Mayor to serve for a two year period until the first Tuesday after the first Monday in February 2007.

The official ballot to be used in said election is substantially as follows, to wit:

OFFICIAL BALLOT

GENERAL ELECTION OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, HELD ON THE 8th DAY OF FEBRUARY 2005.

The following persons have been duly nominated for the office of Mayor of the Town of Palm Beach, Florida, to hold office for a two year period until the first Tuesday after the first Monday in February 2007.

VOTE FOR ONE PERSON:

MAYOR (two year term):

JACK McDONALD

SAM McLENDON

There will be four polling places, to include seven precincts, in said election as follows:

Registered electors in Precinct #1196 (formerly Precinct #77) shall vote at St. Edward's Parish Hall, located at 165 North County Road, in the Town of Palm Beach;

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Registered electors in Precinct #1198 (formerly Precinct 77A) shall vote at Bethesda-by-the Sea Episcopal Church at 141 South County Road, in the Town of Palm Beach;

Registered electors in Precinct #1200 (formerly Precinct 90) shall vote at the Central Fire-Rescue Station, 355 South County Road, in the Town of Palm Beach;

Registered electors in Precinct #7084 (formerly Precinct 90) shall vote at the Central Fire-Rescue Station, 355 South County Road, in the Town of Palm Beach;

Registered electors in Precinct #7086 (formerly Precinct 111) shall vote at the South Fire-Rescue Station, 2185 South Ocean Blvd., in the Town of Palm Beach;

Registered electors in Precinct #7088 (formerly Precinct 111) shall vote at the South Fire-Rescue Station, 2185 South Ocean Blvd., in the Town of Palm Beach;

Registered electors in Precinct #7100 (formerly Precinct 125) shall vote at the South Fire-Rescue Station, 2185 South Ocean Blvd., in the Town of Palm Beach.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Town this 18th day of January, 2005.

Mayor Lesly S. Smith

ATTEST:

Mary A. Pollitt
Town Clerk

PUBLISH: January 28, 2005

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VI. PROPOSED FIREWORKS DISPLAY FOR THE FLAGLER MUSEUM ON FEBRUARY 3, 2005 (ANDREW COX, ACTING FIRE-RESCUE CHIEF)

Acting Fire-Rescue Chief Andrew Cox said the proposed fire works display is planned for February 3, 2005, and will be launched from a barge in the Intracoastal to celebrate the 100th Anniversary of the Flagler Museum. He stated all the fire codes will be adhered to, and the Town's Fire Marshal and Fire Inspector will be present to verify all rules are followed.

Mr. Elwell added this event was rescheduled due to unfavorable weather conditions earlier and was now planned to coincide with the opening of the new pavilion. He said staff recommends approval as the conditions are consistent with the last two Town Council approvals.

Councilman McDonald made a motion to approve the request for fireworks on February 3, 2005, at the Flagler Museum. The motion was seconded by Councilman Brooks. On roll call, the motion carried 5-0.

VII. ANY OTHER MATTERS

Mrs. Jere Zenko, 232 Tangier Avenue, said she had wanted to speak at the January 5th Town Council meeting on Zoning issues but was unable to do so as no public comments were solicited. She continued she wanted to comment on the changes that were to be made regarding to the massing of houses on the land.

Mrs. Zenko suggested the Town may be interested in 'performance zoning' which allows tax benefits if the land is not maxed out. She said she and her husband built a one story house, 9,000 sq. ft. house, on Tangier by choice but could have added an additional 4,000 sq. ft. based on the size of the lot; however the taxes are based as if the additional 4,000 sq. ft. were added.

President Wyett replied the Town does not assess properties but the County Tax Appraiser does.

Mrs. Zenko responded perhaps ways exist, under Florida law, to provide rewards to residents who would not build to the maximum.

Mayor Smith noted a Zoning meeting will be held on January 27th and urged Mrs. Zenko to attend with her suggestions.

Mrs. Zenko commented on the Town telephone survey mentioned in the Shiny Sheet that would be conducted in the near future. She suggested that Town organizations should

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handle distribution of the survey to more than 400 residents.

Councilman Brooks replied the survey was statistically prepared and the validity of the survey depends on the survey being distributed randomly and scientifically determining the 400 number of responses. He added the survey could be used for other reasons and distributed by organizations for those purposes but could not be ancillary to a valid survey as determined by the consultants.

Mr. Elwell agreed that the survey to be truly random and representative of the full community could not be handed out to the first 400 people who were willing to fill it out. He added the Citizens Association and the Civic Association are cooperating to inform the residents that the telephone calls will be coming to various homes by O'Neill Research.

Mayor Smith mentioned that the Preservation Foundation is also assisting in the effort.

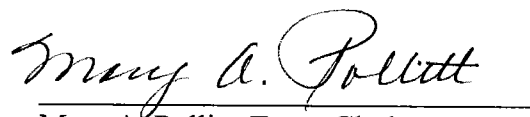
Mrs. Zenko responded she appreciated the idea of 'random'; however, the Town of Palm Beach was anything but 'random'. She said the Town has different zoning, living accommodations, and random is not a good definition of what the Town is, might become, or has been.

VIII. ADJOURNMENT

The meeting was adjourned at 10:00 a.m.



Town Council President



Mary A. Pollitt, Town Clerk