

TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON WEDNESDAY, SEPTEMBER 18, 2013

1 **I. CALL TO ORDER AND ROLL CALL**

2
3 The Special Town Council meeting was called to order on Wednesday, September 18,
4 2013, at 5:01 p.m. in the Town Council Chambers. On roll call, all of the elected
5 officials were found to be present, with the exception of Council President Pro Tem
6 Wildrick.

7
8 **II. PLEDGE OF ALLEGIANCE**

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10 Council President Rosow led the Pledge of Allegiance.

11
12 **III. APPROVAL OF AGENDA**

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14 The following change was made to the Agenda:

15
16 **MOVED:** Item No. V., Royal Poinciana Way models, and No. VI., Town Hall Square,
17 were switched.

18
19 **Motion was made by Council Member Diamond, and seconded by Council Member**
20 **Pucillo, to approve the agenda, as amended above. On roll call, the motion carried 4-0,**
21 **with Council President Pro Tem Wildrick absent.**

22
23 **IV. PUBLIC HEARING ON FINAL MILLAGE RATE AND FY14 BUDGET**

24
25 **A. Proof of Publication**

26
27 Town Clerk Owens confirmed that the Town had received the proof of
28 publication notice for this meeting.

29
30 **B. Announcement of Proposed Operating Millage Rate**

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32 Council President Rosow read into the record the required legal verbiage.
33

- 1 C. Reasons for Proposed Operating Millage Rate Increase from the Rolled-Back
2 Millage Rate

3
4 Town Manager Elwell read into the record the required legal verbiage.

5
6 Discussion ensued regarding the use of contingency funds.

- 7
8 D. Comments and Questions from Public

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10 There were no comments or questions from the public.

- 11
12 E. RESOLUTION NO. 148-2013 A Resolution of the Town Council of the Town of
13 Palm Beach, Palm Beach County, Florida, Adopting the Final Millage Rate and
14 Levying Ad Valorem Taxes for the Fiscal Year Beginning October 1, 2013, and
15 Ending September 30, 2014; Setting Forth Certain Information Regarding the
16 Rolled-Back Millage Rate; Directing the Town Manager or the Finance Director
17 to Adjust the Adopted Millage Rate in the Event of Changes in the Assessment
18 Roll and Taxable Value; Providing an Effective Date.

19
20 **Motion was made by Council Member Pucillo, and seconded by Council Member Kleid, to**
21 **approve Resolution No. 148-2013. On roll call, the motion carried 3-1, with Council**
22 **Member Diamond dissenting and Council President Pro Tem Wildrick absent.**

- 23
24 F. RESOLUTION NO. 149-2013 A Resolution of the Town Council of the Town of
25 Palm Beach, Palm Beach County, Florida, Adopting a Final Budget and
26 Appropriating Funds for the Fiscal Year Beginning October 1, 2013, and Ending
27 September 30, 2014; Providing for an Effective Date.

28
29 **Motion was made by Council Member Kleid, and seconded by Council Member Pucillo, to**
30 **approve Resolution No. 149-2013. On roll call, the motion carried 3-1, with Council**
31 **Member Diamond dissenting and Council President Pro Tem Wildrick absent.**

32
33 V. UPDATE REGARDING ROYAL POINCIANA WAY ARCHITECTURAL
34 MODELS

35 [Peter B. Elwell, Town Manager]

36
37 Town Manager Elwell reported that the Town was able to contract with the University of
38 Miami (UM) to prepare the models. The cost would be approximately \$35,000, and they
39 would take a while to build and not be ready before the Town Council votes on the
40 Comprehensive Plan amendments in October and November. He added that the Town
41 Council also needs to decide how many models they want prepared.

42
43 Discussion ensued regarding costs, the number of models needed, timing, and using
44 computer visuals instead of the models. The majority of the Council members felt that,
45 even though the models would not be ready prior to their votes, the model would serve as
46 a good visual to educate people with.

William Cooley, 236 Fairview Lane, expressed concern over what the Town would do with the models if the amendment ordinances do not pass.

Motion was made by Council Member Pucillo, and seconded by Council Member Kleid, to direct Staff to finalize negotiations with UM to prepare the models, and to stick to the October/November timeline for consideration of the Royal Poinciana Way Comprehensive Plan amendment hearings. On roll call, the motion carried 3-1, with Council Member Diamond dissenting and Council President Pro Tem Wildrick absent.

VI. TOWN HALL SQUARE IMPROVEMENT PROJECT – RECOMMENDATION TO INCLUDE IN ACIP PHASE 2

[David A. Rosow, Town Council President]

Discussion ensued regarding the Town taking over the project, fundraising, naming rights, bond financing, keeping the Legacy Commission, the Architectural Commission, the Landmarks Preservation Commission, the Garden Club, and the Civic Association involved in the process, the need for a Request for Proposals/Qualifications if the project exceeds \$2 million, and the need to get a clearer understanding of the extent of the project.

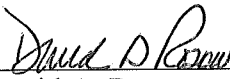
Motion was made by Council Member Kleid, and seconded by Council Member Diamond, to approve the Town managing, in partnership with the Legacy Commission and the appropriate entities, the Town Hall Square Improvement Project. On roll call, the motion carried 4-0, with Council President Pro Tem Wildrick absent.

VII. ANY OTHER MATTERS – None

VIII. ADJOURNMENT

There being no further business, the September 18, 2013, special Town Council meeting was adjourned at 5:50 p.m.

APPROVED:


David A. Rosow
Town Council President

ATTEST:


Susan A. Owens, MMC
Town Clerk

10/8/13
Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Coniglio, Gail Lynn</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Palm Beach Town Council
MAILING ADDRESS <i>1139 Al Ocean Blvd</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Palm Beach <i>PB</i>	COUNTY Palm Beach <i>P</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>9/18/13</i>		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
		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.

Your responsibilities under the law when faced with voting on 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

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must 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:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

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

- You must 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. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

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

- You must disclose orally the nature of your conflict in the measure before participating.
- You must 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 must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Gail L. Coniglio, hereby disclose that on Sept 18, 20 13:

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

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

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

family owned property

9/18/13
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, 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 \$10,000.