MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON MONDAY, APRIL 27, 2009

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 2:00 p.m. on Monday April 27, 2009, in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. APPROVAL OF AGENDA

Motion made by Council Member Diamond, seconded by Council Member Kleid to approve the Agenda as printed. On roll call, the motion carried unanimously.

President Rosow asked if there were any comments from the Mayor. There were none.

President Rosow asked if there were any comments from any Council Members. President Pro Tem Coniglio applauded the Finance and Tax Committee members for their informative and well-run meeting. The citizens' input provided a new perspective on their involvement in town Operations, but it was clear to the audience and the community as well. The budget is a problem and needed to be addressed. Everything is now on the table. She particularly thanked Mr. Parven and Mr. Larkin in doing a slow and methodical approach to the budget analysis. She said the health care and pension reviews need to be taken seriously. The Town should consider the retirees that are on fixed incomes.

Council Member Diamond stated that he has received inquiries regarding the live audio not being available with the next 14 months while Town Hall is being renovated. He asked for an explanation. Town Manager Elwell responded that the audio would be available as quickly as possible after the meetings and most likely within 24 hours. President Rosow indicated that the new Granicus system could be a huge paper saver in the Town Council back-up by not having to provide the minutes when they would be available on-line.

Council Member Wildrick directed the Town Manager to research the costs of going live and report back to the Town Council at the May meeting. He stated that many residents leave the area in the summer and this would allow them to listen to the meetings. He asked Assistant Town Manager Sarah Hannah to also respond since she was handling the relocation of Town meetings. She indicated that the City of West Palm Beach has offered their video and audio broadcast services for a fee. She would have to look into the logistics of having it at all of the other off-site meeting locations. The Council did not want to have live video.

III. REVIEW OF APRIL 14 PLANNING AND ZONING COMMISSION APPOINTMENT AND THE TOWN COUNCIL'S BOARD AND COMMISSION APPOINTMENT PROCESS

Council President Rosow announced that after the votes for the Planning & Zoning Commission appointment were made, there was a 2-1-1-1 vote and that does not comply with the Town Charter. It needed to be a majority vote. Council President Rosow asked the Town Attorney to explain the situation further.

Town Attorney Randolph could not say if anyone in the past had ever been appointed by only receiving two votes. In light of the Charter Language which stated that any action you take should be taken by a majority, and that there should be a roll call. Town Attorney Randolph suggested changing the process and have the Town Council make a motion to ratify the appointments. This would clarify that there was in fact, a motion to appoint individuals, and that there would be a roll call. Neither happened at the last meeting.

Ton Attorney Randolph continued that Mr. Ryan had received two votes, Mr. Rose received one vote, Lewis Crampton received one vote, Martin Klein also received one vote. He suggested that the Town Council make a motion to ratify Mr. Ryan as the alternate member who was promoted to a regular member. If that is not want the Council wanted to do, they could re-vote. If the votes were to remain the same however, he was not sure how to resolve that.

Town Manager Elwell outlined that they are recommending the motion and roll call, not only for this instance, but for each appointment from this point forward. President Rosow asked how the current system was created and Town Manager Elwell provided him with a history of the Board Appointments procedures.

Motion made by Council President Pro Tem Coniglio, seconded by Council Member Kleid, to ratify the appointment of Mr. Jim Ryan to the Planning and Zoning Commission and go forward with the new changes. On roll call, the motion was defeated 2-3.

Council President Rosow	**No**
Council President Pro Tem Coniglio	**Yes**
Council Member Kleid	**Yes**
Council Member Wildrick	**No**
Council Member Diamond	**No**

President Pro Tem Coniglio wanted a new procedure regarding alternates and if they should be given preference when a regular member opening becomes available. There was also discussion on whether to eliminate alternates all together. A review by the Commission in evaluating each other was entertained a few years prior, but the members were not comfortable with doing that and it was not implemented.

Motion made by Council Member Diamond, seconded by Council Member Wildrick to eliminate alternates from every Board and Commission and expand them to regular members. Town Manager Elwell explained that this would require an Ordinance Change and be brought forward at first reading at the May 12, 2009 Town Council Meeting by Town Attorney Randolph.

Anita Seltzer, 44 Cocoanut Row, wanted more public input on this motion and if it were passed, asked when it would go into effect. She was informed that the Ordinances are advertised and also on the town website. The earliest it would be changed would be at the June Town Council meeting for second reading and adoption. She stated that she was the only private citizen in the audience.

Laurel Baker, addressed the Council as a nine year member of the ARCOM Commission. By not having alternates, there would be no learning curve and by eliminating the alternates, everyone would be able to wear a party hat. Efficiency, professionalism, transparency and fair play are what the Council wants; this would not be the approach to take. She offered an alternative and that was to create Master Boards of Review.

Donald Singer, 2295 S. Ocean Blvd., also asked for more input from the public. If the Council passed the vote today, every alternate now becomes a regular member. He beseeched the Council to not vote on this, table it and allow everyone to review the consequences further.

Mayor McDonald and Council Member Wildrick thought that the item should be tabled until more input could be received. Council Member Wildrick also said that a mistake had been made with the voting at the last meeting, and it should be corrected in accordance with the Town Charter.

The Town Council discussed the matter further and decided to re-vote on the Planning and Zoning Commission appointments at the May 12, 2009 Town Council Meeting along with a general discussion of how the Council intends to proceed with the Boards and Commissions, and re-advertise the Recreation Advisory Commission vacancy for the June Town Council Meeting.

IV. UPDATE FROM MAYOR MCDONALD REGARDING POTENTIAL SALE OF POST OFFICE ON NORTH COUNTY ROAD

Mayor McDonald provided an update on the Post Office located at 95 N. County Road was in fact, for sale. The Town and government entities are permitted to have right of first refusal to purchase the property before it becomes available to the general public. He had received an appraisal and it was for $5 million dollars. He had delayed discussing the matter earlier to the Town Council, since it took several months to obtain the appraisal. He informed the Council that it is a landmarked property.

President Pro Tem Coniglio indicated that the Town should not get into the Real estate business despite the fact it is a historic and very beautiful facility. Council President Rosow felt the site would be perfect for a medical facility and wanted to investigate whether to go into a joint venture with businesses in Town. Council Member Wildrick did not think it was possible in the tough economic climate to purchase the building but agreed with Council President Rosow about having other businesses participate as well. The Mayor presented the idea to the Preservation Foundation but they declined to participate. Town Manager Elwell stated that after discussing the budget challenges from this morning, and only if there were private monies available for the purchase, the Town could not feasibly purchase the property for budgetary reasons. The Mayor should be the point of contact since this issue would be in the news, there may be other entities that were interested.

V. STRATEGIC PLAN UPDATE

Council President Rosow stated that they called a Special Town Council Meeting to discuss the recommended changes to the Strategic Plan. The Town Council and Mr. William Cooley went page by page through the document and decided whether or not to accept or reject the comments/changes.

Assistant Town Manager Sarah Hannah was directed to have a new draft prepared for the Town Council which incorporated all of the comments.

Council President Rosow read an e-mail from resident Mr. Bruce Macintosh into the record. He stated that the concerns had been addressed throughout the meeting.

VI. ANY OTHER MATTERS

There were none.

VII. ADJOURNMENT

There being no further business, the April 27, 2009, Special Town Council meeting was adjourned at 4:50 p.m.

APPROVED:

David A. Rosow
Town Council President

ATTEST:

Joanna Cunningham
Town Clerk