

**MINUTES
CITY OF LAKE WORTH
REGULAR MEETING OF THE CITY COMMISSION
OCTOBER 4, 2016 – 6:00 PM**

The meeting was called to order by Mayor Triolo on the above date at 6:00 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth, Florida.

1. ROLL CALL:

Present were Mayor Pam Triolo; Vice Mayor Scott Maxwell; and Commissioners Christopher McVoy, Andy Amoroso, and Ryan Maier. Also present were City Manager Michael Bornstein, City Attorney Glen Torcivia, and City Clerk Pamela Lopez.

2. INVOCATION OR MOMENT OF SILENCE:

The invocation was offered by Pastor Elie Louissant, Salem Haitian Evangelical Lutheran Church, on behalf of Vice Mayor Scott Maxwell.

3. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Ryan Maier.

4. AGENDA - Additions/Deletions/Reordering:

Action: Motion made by Commissioner Amoroso and seconded by Commissioner McVoy to waive the rules to:

- Delete Presentations, Item B – Mango Groves Neighborhood Association update;
- Add to Presentations, Item C – Update on Hurricane Mathew; and
- Approve the agenda as amended.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.

5. PRESENTATIONS:

A. Proclamation declaring October 3-7, 2016 as Customer Service Week

Mayor Triolo read a proclamation declaring October 3-7, 2016, as Customer Service Week.

B. (Deleted) Mango Groves Neighborhood Association update

C. (Added) Update on Hurricane Mathew

City Manager Bornstein explained that there had been a lot of meetings and behind the scene activities going on in preparation for Hurricane Mathew. He said staff was coordinating its efforts with the County and encouraged everyone to begin preparation. He announced that the pier closed today and the Community Sustainability Department would close on Wednesday morning to give staff time to inform contractors to clear their construction sites of debris and stop working. He announced that all public meetings scheduled this week were cancelled or rescheduled. He explained that staff did not pick up garbage during hurricanes and if garbage or vegetation was put on the curb, staff would pick it up and heavily fine the property owner. He said that staff was monitoring what the County was doing, and the City would follow its lead. He also announced that Monday, October 10, 2016, was a legal holiday and government offices would be closed; the solar panel grand opening event on October 11, 2016, was still planned; and thanked his staff for being here for the City's residents.

Mayor Triolo announced that the City had an emergency call center with staff available to answer phones. She said she attended a staff meeting today and there was discussion about filing the Federal Emergency Management Agency's forms for federal reimbursement.

6. COMMISSION LIAISON REPORTS AND COMMENTS:

Mayor Triolo and Commissioner Amoroso: waived their time for comments in order to keep the meeting length short due to the pending hurricane and the publics' need to be home to take care of their families and properties.

Commissioner Maier: announced his attendance at a September 26, 2016, meeting regarding sober homes. He said there was legislation that might help the situation in the long run. The meeting was well attended. He also announced National Hunger and Homelessness Awareness Week was on November 12-20, 2016. He said he hoped Mayor Triolo would read a proclamation at a public meeting. He commented that there had been discussion about creating a dog park at Bryant Park and said that he read about the Town of Jupiter opening a dog beach.

Commissioner McVoy: announced his attendance at Chief Assistant State Attorney Al Johnson's sober home meeting on September 26, 2016. He commented that there was a lot of interest from the community. He said there was a Task Force and "tip line" that people could call if they suspected a sober home was in their neighborhood. He asked the City Manager to have staff do something about work being done at 1031 North J Street. He said he had received a lot of calls about an effort to put mid-street lights out. He also commented about there being no procedure for installation and location of street lights.

Vice Mayor Maxwell: commented that there was a need for a clear understanding and protocol about the street light installation. He said, it

was his understanding, that street lights that were knocked down by past storms were being replaced. He said he was upset with any Commissioner who dealt directly with residents. There was no process for "opting out" of getting a street light. A plan was in place and individual residents did not have the right to decide whether or not they wanted a street light or decide on what color.

Comments/requests summaries:

1. City Manager Bornstein replied that staff's direction was to install street lights and met individually with each of the elected officials about the direction.
2. Mayor Triolo requested the City Manager schedule discussion about street lights as a future agenda item.

7. PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:

The following individuals spoke on issues written on their comment cards:

Karen Ryan said she spoke to the Code Compliance Supervisor about construction work being done on doors during the weekend and trash around property at 1031 North J Street. She commented that the structure was sealed and secured because of its condition.

Cathy Turk commented that she moved to Lake Worth about one year ago and loved living in the City. She said she heard from several of her neighbors that they signed a petition for a contingency wall to separate the neighbors from a proposed Wawa Convenient Store. She said stadium lights would shine on her property. She asked the Commission how to stop construction of the wall, and said she would be attending the Planning and Zoning Board meeting.

Maryanne Polizzi said she received an email from the Electric Director late Saturday night in response to her email. She commented that she also contacted Captain Baer about a situation where someone was videoing his deputies.

The following individuals spoke on various issues; however, they did not write anything on their comment cards. Omari Hardy and Peggy Fisher.

8. APPROVAL OF MINUTES:

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the following minutes, as submitted:

A. City Commission Amended Regular Meeting – June 7, 2016

- B. City Commission Regular Meeting – September 6, 2016**
- C. City Commission Special Meeting – September 13, 2016**
- D. City Commission Regular Meeting – September 20, 2016**

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.

9. CONSENT AGENDA:

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Maier to approve the Consent Agenda.

- A. Agreement with Allied Universal to purchase Sodium Hypochlorite (Bleach)**
- B. Settlement Agreement and General Release relating to Germaine English**
- C. Ratify board members to the Finance Advisory and Historic Resources Preservation Boards**

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.

10. PUBLIC HEARINGS:

- A. Ordinance No. 2016-27 – Second Reading and Public Hearing – adopt the County’s curbstoning ordinance**

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-27 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 7, “BEACHES, PARKS AND RECREATION”, ARTICLE VI, “MUNICIPAL BEACH AREA AND MUNICIPAL BEACH”, SECTION 7-69, “COMMERCIAL ACTIVITIES; PEDDLING”; AMENDING CHAPTER 21, “TRAFFIC”, ARTICLE I, “IN GENERAL”, SECTION 21-21, “APPLICABILITY OF “PALM BEACH COUNTY CURBSTONING ORDINANCE” TO PROVIDE THAT THE PALM BEACH COUNTY CURBSTONING ORDINANCE SHALL APPLY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF LAKE WORTH; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Ordinance No. 2016-27.

Mayor Triolo announced that this was the time for public comment. No one from the public commented.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.

11. UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

12. NEW BUSINESS:

A. Ordinance No. 2016-28 – First Reading – amend the Sister City Board composition and schedule the public hearing date for October 18, 2016

Action: Motion made by Vice Mayor Maxwell to receive and file Ordinance No. 2016-28. Motion died for lack of a second.

City Attorney Torcivia read the following ordinance by title only:

ORDINANCE NO. 2016-28 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2, ARTICLE XV OF THE CODE OF ORDINANCES, AMENDING SECTION 2-122, "MEMBERSHIP." TO DECREASE THE NUMBER OF MEMBERS TO THE CITY OF LAKE WORTH SISTER CITY BOARD AND AMENDING THE TERM OF SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EFFECTIVE DATE.

Action: Motion made by Commissioner Maier and seconded by Commissioner McVoy to approve Ordinance No. 2016-28 on first reading and schedule the public hearing date for October 18, 2016.

Commissioner Maier explained that the Sister City Board had tried to meet for several months; however, with only three members attending, there was a lack of quorum. He explained that, as a seven-member board, a quorum required four members to attend. As a five-member board, a quorum required only three members to attend. He said this ordinance would reduce the number of members from seven to five.

Comments/requests summaries:

1. Vice Mayor Maxwell commented that, if there was trouble with members attending, then it was because of a lack of members' interest. He suggested dissolving this board because it was ineffective.
2. Mayor Triolo commented that Hurricane Mathew was coming, and one of the City's Sister City in Haiti was being "hammered" by the storm.

She suggested that the Sister City Board could spearhead a Haiti fund raiser. She asked the Commission to give this Board a chance. If the members were given meaningful things to do, then they would want to attend the meeting. She said the members would participate if they had worthwhile projects.

3. Commissioner McVoy commented that the City had few seven-member boards. There was a need for a Sister City Board because the City had relations with other cities throughout the world. He said he supported the ordinance.
4. Vice Mayor Maxwell commented that the City received nothing from this Board. The City donated an ambulance and funds to its Haiti sister city outside of the Board.
5. Vice Mayor Maxwell commented that the Finance Advisory Board had trouble getting a quorum to attend, and the Commission did not reduce the number of members. He suggested the Commission consider contracting some of the boards together.

Mayor Triolo announced that this was the time for public comment.

Peggy Fisher said she wanted to correct one of the Commissioner's statement that the City did not have many seven-member boards. She said most of the City's advisory boards were seven-members. As a community, she said there was a need for a Sister City Board. She cited the proliferation of free libraries installed around the City, which were done without the Library Board members.

Maryann Polizzi said she was a member of the Sister City Board, and every month she closed her business early to attend the meeting. She commented that she appreciated Commissioner Maier attending every meeting as the Commission's liaison. She said the Board would have had a quorum last month except a new member had not received information about the meeting in time. She said every city had a Sister City Board.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.

B. Resolution No. 47-2016 – identify the local roadways to be improved and identify the Citizens Advisory Committee if a proposed bond referendum is approved

City Attorney Torcivia did not read the following resolution by title only:

RESOLUTION NO. 47-2016 OF THE CITY OF LAKE WORTH CITY COMMISSION, IDENTIFYING THE LOCAL ROADWAYS TO BE IMPROVED IF THE BOND REFERENDUM IS APPROVED ON NOVEMBER 8, 2016;

ESTABLISHING A CITIZENS ADVISORY COMMITTEE IF THE BOND REFERENDUM IS APPROVED ON NOVEMBER 8, 2016; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

City Manager Bornstein explained that an amended resolution, provided to the Commission on the dais, identified the local roadways to be improved and identified a Citizens Advisory Committee if the November 8, 2016, bond referendum was approved.

City Attorney Torcivia explained that the Citizens Advisory Committee comprised of up to 14 members- -seven members from the City's Finance Advisory Board and seven members appointed by the Commission.

Comments/requests summaries:

1. Commissioner McVoy commented that he had a problem with new backup material being provided at the meeting. The Citizens Advisory Committee needed to be served by members with a wide representation from citizens. He commented that eight out of fourteen members would be appointed by the Mayor and Vice Mayor. If the community was asked if this composition gave them confidence, the Commission would find that it did not.
2. Mayor Triolo commented that she did not previously know the individuals she appointed to various boards. Everyone who applied for board appointments had a right to serve. She said she took offense to Commissioner McVoy's comments.
3. Vice Mayor Maxwell commented that if a board vacancy was not filled in a timely fashion, then the appointment could be filled by another elected official.
4. Commissioner McCoy commented that this item was an issue of upwards of \$40 million, which affected everyone who paid taxes in the City. The taxpayers should feel that a wide range of views would serve on the committee. This resolution would not achieve that goal. There were other ways to select people to serve. The Commission was trying to generate confidence because the bond was "real money" paid by "real people" for 30 years.
5. Mayor Triolo commented that every time the City tried to do something good, the Commission was pulled in one direction or another. She cited the Electric Utility Advisory Board as being composed of members with different views who came together to do good.
6. Commissioner Amoroso commented that the Citizens Advisory Committee was an oversight committee. The County used the same type of oversight committee for their penny sales tax issue. The

members' purpose would be to make sure the City spent the bond money on the residents' best behalf.

Commissioner Amoroso left the meeting at 6:55 PM.

Comments/requests summaries:

7. Vice Mayor Maxwell commented that, when the decision about the bond and creating an oversight committee was made, there were citizens who complained to him about the Finance Advisory Board serving on this committee. He said he contacted the City Manager yesterday about increasing the membership.

Commissioner Amoroso returned to the meeting at 6:56 PM.

Comments/requests summaries:

8. Mayor Triolo commented that the Finance Advisory Board should be involve in the budget process and involved in the bond oversight. She said she liked adding seven additional people.

Action: Motion made by Vice Mayor Maxwell and seconded by Commissioner Amoroso to approve Resolution No. 47-2016.

Comments/requests summaries:

9. Commissioner McVoy commented that he was in favor of fixing roads and applauded the City for using exhibits because of the 75-word ballot language limitation. He said this resolution did not include a price and his comments may be divisive, but said he spoke on behalf of his constituents.
10. Mayor Triolo commented that the resolution was about a list of roadways to be improved and establish a citizen advisory committee if a bond was approved by the voters.

Vice Mayor Maxwell and Commissioner Amoroso requested the meeting be recessed.

Mayor Triolo recessed the meeting at 7:01 PM and reconvened at 7:14 PM.

Comments/requests summaries:

11. Mayor Triolo commented that the issue on the agenda was a list of roadways to be improved and establish a citizens advisory board if a bond was approved

12. Commissioner McVoy requested the record reflect that he was not allowed to finish his comments.
13. Mayor Triolo commented that Commissioner McVoy was making the discussion divisive. His comments were not related to the agenda item.
14. Commissioner McVoy commented that he received phone calls from people who said there were cracks and potholes on North D Street that was not on the list. The resolution did not state what type of improvements would be made. Residents had asked him about sidewalks being included in the improvements. He said he also was asked about traffic calming, which was also not included in the resolution. He said he supported fixing roads.
15. Commissioner Amoroso explained that the resolution listed which streets were included in the bond projects. There was a map and message from the City's consultant about the number and condition of roads. If certain roads were not listed, then they were not in a poor enough condition to be improved. He asked Commissioner McVoy to review the consultant's report.

Mayor Triolo announced that this was the time for public comment.

Peggy Fisher said she lived in District 2 and a lot of information about road conditions was provided. The elected officials were asked to review the information in each district by the consultant. Had Commissioner McVoy reviewed the consultant's information, she said he would have been able to answer his constituents' questions. There had been no solution brought forward by Commissioner McVoy- -only opposition. She said she supported a 14-member oversight committee. She commented that the resolution stated that the purpose was to identify roadways and establish a citizen advisory board.

Richard Garcio said he was recently appointed to the Finance Advisory Board by the Mayor and took umbrage to Commissioner McVoy's comments that he would side with one Commissioner or another. He said Commissioner McVoy's comments were insulting to board members. Everyone had a list of costs and information about a \$26 million project spent over time resulted in a cost of \$40 million. He said that information was only given to one Commissioner who released it on the social media.

Greg Rice said he was a member on various boards for 10 years and cited the boards he served as a member. He said none of the current elected officials were serving when he was appointed. He commented that, to insinuate that board members were puppets and could be manipulated by the elected official who made the appointment, was offensive.

Comments/requests summaries:

16. Commissioner McVoy commented that he received information from a consultant about the total cost for roadway improvements being \$26 million. He said he did research and a \$26 million project did not match a \$40 million bond. He said he did not request the information for himself, but requested it because it was important that the process be transparent. He said the City should spell out what it was doing.
17. Commissioner Amoroso commented that, if something wrong was found, then a Commissioner should take the issue to staff and not to the social media.

Action: Motion made by Commissioner Amoroso and seconded by Vice Mayor Maxwell to call the question

Vote: Voice vote showed: AYES: Mayor Triolo, Vice Mayor Maxwell, and Commissioners Amoroso and Maier. NAYS: Commissioner McVoy.

Vote: Voice vote on the main motion showed: AYES: Mayor Triolo, Vice Mayor Maxwell, and Commissioners Amoroso and Maier. NAYS: Commissioner McVoy.

13. **LAKE WORTH ELECTRIC UTILITY:**

A. **PRESENTATION:**

1) **Update on the electric utility system**

A. **CONSENT AGENDA:**

There were no Lake Worth Electric Utility Consent items on the agenda.

B. **PUBLIC HEARING:**

There were no Lake Worth Electric Utility Public Hearing items on the agenda.

C. **NEW BUSINESS:**

14. **CITY ATTORNEY'S REPORT:**

City Attorney Torcivia did not provide a report.

15. **CITY MANAGER'S REPORT**

A. **October 18, 2016 – draft Commission agenda**

City Manager Bornstein did not provide a report.

16. ADJOURNMENT:

Action: Motion made by Commissioner Amoroso and seconded by Commissioner Maier to adjourn the meeting at 7:34 PM.

Vote: Voice vote showed: AYES: Mayor Triolo; Vice Mayor Maxwell; and Commissioners McVoy, Amoroso, and Maier. NAYS: None.



PAM TRIOLO, MAYOR

ATTEST:



PAMELA J. LOPEZ, CITY CLERK

Minutes Approved: October 18, 2016

A digital audio recording of this meeting will be available in the Office of the City Clerk.

