



**CITY COMMISSION OF THE CITY OF PAHOKEE
REGULAR COMMISSION MEETING MINUTES
Tuesday, May 24, 2011**

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 E. Main St., Pahokee, Palm Beach County, Florida on Tuesday, April 26, 2011.

The meeting was called to order by Mayor Sasser at 7:04 p.m. Invocation was by Commissioner Babb followed with the Pledge of Allegiance.

Official attendance was recorded as follows:

<u>Roll Call:</u>	Mayor J.P. Sasser	Present
	Vice Mayor Henry Crawford	Present
	Commissioner Keith Babb	Present
	Commissioner Allie Biggs	Present @ 7:06 p.m.
	Commissioner Diane Walker	Present @ 7:11 p.m.
	City Manager Derrek Moore	Present
	City Attorney Gary Brandenburg	Present
	Sgt. at Arms: D/S Dever	Present
	City Clerk Susan Feltner	Present

Additions, Deletions and Approval of Agenda Items:

Additions: Item F-4 Consent Agenda – Resolution 2011-32 – Family Central Inc.

Approval of the Agenda Items.

Motion by Commissioner Biggs. Second by Vice Mayor Crawford.

Motion carried. Four (4) ayes. One (1) absent - Walker

Approval of Minutes:

Item E – 1- Regular Commission Meeting – April 26, 2011

Item E – 2- Special Commission Meeting – May 17, 2011

Approval of April 26, 2011 and May 17, 2011 Meeting Minutes.

Motion by Vice Mayor Crawford. Second by Commissioner Babb.

Motion carried. Four (4) ayes. One (1) absent - Walker

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Consent Agenda:

Item F- 1 - RESOLUTION 2011-29 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN PALM BEACH COUNTY AND THE CITY OF PAHOKEE FOR THE PURPOSE OF PLANNING AND PROFESSIONAL SERVICES TO IMPLEMENT THE CDBG, ESG, AND HOME PROGRAMS DURING THE FEDERAL FISCAL YEARS 2012, 2013 AND 2014.

Item F- 2 - RESOLUTION 2011-30 – A RESOLUTION OF THE CITY OF PAHOKEE DENYING THE REQUEST FROM THE GLADES UTILITY AUTHORITY TO WAIVE CITY'S ANNUAL ENTITY TRANSFER, WAIVING THE CITY'S ASSESSMENTS ON CUSTOMERS WHO HAVE TEMPORARILY STOPPED WATER AND SEWER SERVICE, AND OPPOSING ANY SPECIAL ASSESSMENTS TO MAKEUP FOR BUDGET SHORTFALLS.

Item F – 3 - RESOLUTION 2011-31 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE LEASE AGREEMENT BETWEEN THE CITY OF PAHOKEE AND DAN NAVILLO FOR THE USE OF THE STORAGE BUILDING, TO PROVIDE A LOCATION FOR THE PALS BOXING GYM

Item F – 4 - RESOLUTION 2011-32 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT WITH FAMILY CENTRAL, INC., FOR THE CONTINUE TO CARE AFTERSCHOOL PROGRAM.

Mayor Sasser inquires, regarding the boxing gym, if the city will be taking on any responsibility such as maintaining the property?

City Manager Moore advises if we occupy the building, we will be responsible only for the building repairs and utilities.

Vice Mayor Crawford advised that he has requested from the city manager for a cost analysis of the repairs/improvements to the structure.

City Manager Moore advised that he would provide the costs at the next meeting.

Approval of Consent Agenda.

Motion by Commissioner Babb. Second by Vice Mayor Crawford.

Motion carried. Five (5) ayes.

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Proclamations:

1. Recognizing Ms. Victoria Smith

Mayor Sasser reads into record:

Whereas, Ms. Victoria Smith, is a lifelong resident of the City of Pahokee, Florida; and

Whereas, Ms. Smith was hired by the Palm Beach County School District in 1979, where she worked under Mrs. Allie H. Biggs from 1979 to 2001 and currently serves under Ms. Annie Watts; and

Whereas, on March 22, 2011, Ms. Smith received the Palm Beach County 2010-2011 School -- Related Employee of the Year Award; and

Whereas, in 2002, Ms. Smith heard over the radio that a car had driven into a canal and that no one at the scene had a cell phone, she quickly got on her cell phone and stayed with the operator until help arrived; and

Whereas, Ms. Smith prevented a major tragedy by evacuating students off of a bus that had caught fire;

Now therefore, on behalf of the City Commission and the citizens of the City of Pahokee, Florida, we hereby recognize Ms. Victoria Smith for her diligence and great care of our students in the Western Palm Beach County Communities.

PASSED AND ADOPTED this 10th day of May, 2011

Proclamation is presented by the Commission to Ms. Victoria Smith.

Presentations:

Item – H-1 - The Felony Club – Carl Bryant

Mr. Carl Bryant addresses the Commission and advises:

- The Felony Club is a Christian support group
- Providing job training, life skills and business skills
- Support everyday life situations
- Family oriented support group
- Provide restoration of rights
- Request that the City embrace the organization and allow them to bring it to the city.

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Report of the Mayor:

Mayor Sasser advises:

- City Manager and I met with a business owner, has company that uses sewage sludge to make a product. Would like to locate his business herein Pahokee
- Interested in the 26 acres by the wastewater plant. Will guarantee twenty (20) full time jobs.
- Old High School building is, open saw some children coming out of there this evening
- Budget crunch – City of Pahokee’s turn, it’s going to be difficult for us, as we already operate on a very lean budget.
- Regarding the Sound Ordinance, at the last meeting we met with Bauer Foundation. Bauer presented a proposal to modify the Ordinance.
- Today received a letter from Bauer stating that they want to go back to twenty-four (24) hours a day, five (5) days a week. That was not the agreement that we had.

Commissioner Babb:

- Before the agreement was reached, was willing to step out on a limb and support twenty-four (24) hours per day
- It is in the best interest of the City for them to complete their work as soon as possible
- Dependent upon the number of citizens complaining, we may have to re-address the issue
- Suggests that as we are discussing it, we should move it forward and vote on it now while we are discussing it.

Vice Mayor Crawford advised that he has heard of no complaints from the residents.

Commissioner Walker wants the citizens to know that the Commission is concerned about how this affects our community.

Someone in audience speaking, inaudible.

City Manager Moore clarifies the language for the Ordinance; “emergency construction activity between the hours of 7:00 a.m. and 11:00 p.m. when necessary”. Suggests striking “between the hours of 7:00 a.m. and 11:00 p.m.

ORDINANCE 2011-02 – FIRST READING - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, PROVIDING FOR CHANGES TO SEC. 17-48(a)(2)b OF THE CODE OF ORDINANCES OF THE CITY OF PAHOKEE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mayor Sasser advises that there will be a Special meeting held on Tuesday, May 31, 2011 at 5:30 p.m. for the second reading of the Ordinance.

**Approval of First Reading of Ordinance 2011-02,
deleting “between the hours of 7:00 a.m. to 11:00 p.m.
Motion by Commissioner Babb. Second by Vice Mayor Crawford.
Motion carried. Five (5) ayes.**

Report of the City Manager:

City Manager Moore calls upon Ms. Barbara Bell-Spence and Ms. Sandra Daniels from the American Cancer Relay for Life:

Ms. Barbara Bell-Spence addresses the Commission and advises:

- Relay for Life would like to express their sincerest gratitude to the City of Pahokee for their support and assistance.
- Advises that the City's registration fees for next year have been received.

City Manager Moore calls on Public Services Director Mr. Johnson:

Public Services Director Mr. Johnson addresses the Commission and advises:

- Have received the sign machine, currently only have white & black paper
- Have replaced speed limit signs
- Regarding Mrs. Gilmore on Fern St. and the buses, have posted the speed on Fern St. at 10 m.p.h.
- Regarding Larrimore Rd., have moved the 15 m.p.h. sign back several feet

Commissioner Babb suggests that we include a "speed reduced ahead" sign

Commissioner Walker suggests that Mr. Johnson meet with Mr. Alejo at the High School to confirm the school zone times.

Mayor Sasser stated that the current signs are confusing and should be consistent.

City Manager Moore calls upon Parks & Recreation Director Mr. Crawford:

Parks & Recreation Director Mr. Crawford addresses the Commission:

- Receive late notice of the NFL day camp
- Was scheduled to be held in Belle Glade, but has come back to Pahokee
- Scheduled for June 3rd and 4th
- The National Guard and the NFL have teamed together to provide the program
- Participant applications are being accepted from Pahokee High, Glades Central and Glades Day. Program is based on character building
- Currently there are 162 participants, about 200 kids will participate this year.
- Glades Day got a late start, we were assured that they would participate
- Students from Moore Haven also interested in attending
- Palm Beach County Fire Rescue will be cooking

City Manager Moore calls upon Palm Beach County Fire Rescue Chief Lupu:

Chief Lupu addresses the Commission and advises:

- Worked with Palm Beach County for 26 ½ years, became Battalion Chief in September of 2010
- Here to help, wants to be part of the community
- Knows Chief Arena established a good relationship, have big shoes to fill
- I am prepared to fill those shoes and to do more
- Has a sense of feeling welcome, in all three (3) cities, it's enlightening
- Looks forward to working with the City
- Had received a grant for fifty (50) life jackets for kids, for fishing tournaments and other types of water oriented events

Mayor Sasser recognizes that Chief Lupu has attended every Commission meeting.

Report of the City Manager continued:

City Manager Moore addresses the Commission and advises:

- Regarding the Hill Foundation, have sent a letter regarding the property south of Commissioner's Park.
- Have provided the vehicle auction time line
- Public Services facility was robbed, have provided a list of items stolen
- While en route to Davenport this morning, I found the truck that was stolen, sitting on the side of U.S. 441 North of Okeechobee
- Total estimate of loss of equipment is approximately \$70k - \$100k
- Have talked with staff regarding securing the City buildings
- Surveillance cameras will be going in, contracts have been signed
- Have provided a budget timeline, overall from last year we will have a shortfall of \$250k - \$300k in revenues
- There is a freeze on hiring
- Finance staff have been meeting with department directors
- Reminds all that Memorial Day is next Monday and City offices will be closed
- Reminds all of the Special Meeting at 5:30 p.m. on Tuesday May 31st for the second reading of Ordinance 2011-02
- Today met with the United States Department of Agriculture (USDA) and representatives from Palm Beach County to discuss the 12" water line to be installed on Bacom Point Road.
- Cost estimate is \$5 – 6 million, hope to have funding and construction start in about nine (9) months, USDA was very supportive.
- Also discussed with the USDA, projects around the city, although they advised that they do not currently have funding to assist with roadways
- Emergency Operations planning, have been meeting with staff, will also invite PBSO and Fire Rescue
- Will schedule a workshop in June
- Anquan Boldin Foundation has notified us that they will not be able to partner with us for our summer program
- Summer program starts June 13th
- 150 – 160 kids are enrolled in the summer program
- Take Stock In Children – has thirty-seven (37) children enrolled. There are seventeen (17) children from the Glades that do not have mentors.
- The agency has advised that the program will be pulled from the Glades if we cannot locate mentors.
- This program affords the students the opportunity to go to college

Mayor Sasser inquires about the audits.

City Manager Moore advises that we have gone out for RFP, two submittals, under review now. Nowlen, Holt & Miner advised that they would not get back to us until mid to late May. The FY 2009 materials are ready and FY 2010 materials will be ready in two weeks. All material will be ready for when they come in. Two (2) audits were completed last year.

Report of the City Attorney: Attorney Brandenburg excused from the meeting

Ordinances:

Public Hearings:

Mayor Sasser opens the Public Hearing at 8:38 p.m.

Advises the public that changes have been made; peddler's fees have been lowered, some of the application requirements have been changed, also changed is garage/yard sales. Previously they were only allowed on the second Saturday of each month. Now with the economic times, we have removed the once a month restriction and added permit fees.

Mayor Sasser inquires if there are any comments from the public. No response.

Mayor Sasser closes the public hearing at 8:40 p.m.

Item M-1 - ORDINANCES 2011-01 SECOND READING: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, PROVIDING FOR CHANGES TO SEC. 21-1. THROUGH 21-97. AND THE REPEAL OF SECTION 17-10 AND 17-11 OF THE CODE OF ORDINANCES OF THE CITY OF PAHOKEE, INCLUDING SEC. 21-26. DEFINITIONS, SEC. 21-27. ENFORCEMENT, SEC. 21-28. USE OF PUBLIC STREETS BY PEDDLERS, SEC. 21-29. USE OF LOUD NOISE AND SOUND AMPLIFYING DEVICES BY PEDDLER, SEC. 21-41 LICENSE REQUIRED, SEC. 21-42. PENALTY, SEC. 21-43. GARAGE/YARD SALE EXCEPTION, SEC. 21-44. APPLICATION, SEC. 21-45. INVESTIGATION OF CHARACTER OF APPLICANT; SEC. 21-46. ISSUANCE, SEC. 21-47. CONTENT OF IDENTIFICATION CARD; CLERK'S RECORD OF LICENSES, SEC. 21-48. EXHIBITION, SEC. 21-49. EXPIRATION, SEC 21-50. REVOCATION – GROUNDS, SEC 21-51. SAME-NOTICE OF HEARING; SEC. 21-52. APPEAL FOLLOWING DENIAL OR REVOCATION-ENTITLEMENT, SEC. 21-53. UNAUTHORIZED USE OF IDENTIFICATION CARD; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY, CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND OTHER PURPOSES.

City Manager Moore clarifies of the language;

“A permit must be obtained from City Hall annually. The permit fee shall be set by Resolution”
Further clarifies that the annual fee to be set will be twenty-five (\$25) dollars.

Commission Concurs.

Adoption of Ordinance 2011-01 with changes.

Motion by Commissioner Biggs. Second by Commissioner Walker.

Motion carried. Five (5) ayes.

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Old Business:

Item N-1 - Pahokee Plaza

City Manager Moore advises that something was sent to the City Attorney from IGD, have not seen it yet. Understands that both attorneys are working to move the project forward.

Item N-2 – Annexation

Mayor Sasser advised that it is a slow process.

Commissioner Biggs advises that she has obtained information relating to annexations, there have been changes, and it may be more difficult. Will bring the information back to the city manager.

Item N-3 – Prince Theater

Mayor Sasser advised that this case will be going to trial very soon.

Item N-4 – Citizens Villas

City Manager Moore advised that he is trying to get this project completed within the designated time frame.

Item N-5 – East Lake Village

No update

Item N-6 – Boxing Arena

Mayor Sasser advised this item was discussed earlier in the meeting.

Citizens Comments:

Mayor Sasser advises that he only has one comment card, calls on Juanita Maybin. Advises Commission of her question, “how to make a street one way”

Juanita Maybin of 285 Buddy White Ave., Pahokee, Fl. addresses the Commission:

- Advises that when MLK park closes, everyone comes downtown
- During these times, she cannot get out of her driveway
- Concerned on how an emergency vehicle would be able to respond to an emergency
- People are parking in and blocking driveways.
- Buddy White is a one way street from South Lake Ave. to Rardin Ave.
- From Rardin Ave. to Amaryllis Ave. it is a two way street.

Vice Mayor Crawford stated that he is aware of this issue and even has had Code Enforcement come out to address the situation.

Mayor Sasser inquires if the street has been marked no parking?

City Manager Moore advised that Lt. Alonso and Mr. Holley have met and will be providing a recommendation to the manager’s office. Will bring back to the Commission.

City Manager Moore requests that the following Proclamations be approved to be placed on the agenda for presentation and approval at the next meeting;

- Ebony Elite Ladies Society – requested by Mrs. Elsie Singletary
- Haitian Heritage Month
- Civility Month – received from Mayor Sasser

**Approval of Proclamations for approval and presentation at the next meeting.
Motion by Commissioner Walker. Second by Commissioner Biggs.
Motion carried. Five (5) ayes.**

Marcia Hardney, Provost for Palm Beach State College in Belle Glade, addresses the Commission and advises:

- Summer sessions are beginning at Palm Beach State College
- Film festival on Monday nights, June 6th, 13th and the 20th.
- Film festival has been a great success, we encourage the young people to read what they are seeing on the screen.
- Youth on Campus Summer program will be June 13th – 30th, we focus on leadership and youth entrepreneurships.

Mayor Sasser stated that the college really reaches out to the communities and they partner with us in any way that they can. We are lucky to have them.

Correspondence/Comments and Concerns of the City Commissioners:

Vice Mayor Crawford:

- Thanks everyone for their attendance and their input
- Advises that the Manager has been trying to streamline the meetings
- Manager meets with each Commissioner individually prior to the meeting to answer any questions, so that we are fully informed and handle the city business efficiently.

Commissioner Babb:

- Mayor alluded to traffic citations
- Suggest we contact the Clerk of the Courts to see if we are receiving a percentage.

City Manager Moore advises that we do receive a percentage from citations written within our municipal boundaries.

Commissioner Babb inquires of hurricane season and our plan of action. Have we received an evacuation plan from the County?

City Manager Moore advises that the County has a comprehensive evacuation plan, they are COOP plans that all municipalities have. Have not reviewed the County's. Have been reviewing our emergency plans.

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Correspondence/Comments and Concerns of the City Commissioners continued:

Commissioner Walker:

- Regarding Boil Water notifications, how does the GUA notify our residents? On the coast it is on the tv, can they not use the reverse 911 call system?

Commissioner Biggs advises that she did hear it on the radio for Canal Point.

City Manager Moore advised it is the GUA's responsibility to notify customers will check with the GUA to see what their policy is.

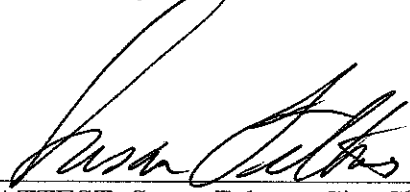
Commissioner Walker continues:

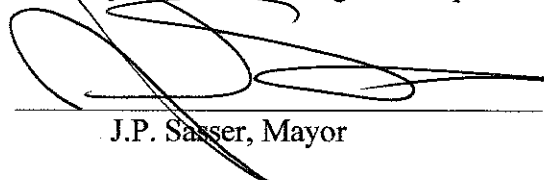
- Pahokee High School had an awesome Graduation last night
- Thanks the City for the opportunity to attend the "Preventing Crime in the Black Communities" Conference, obtained a wealth of information.
- Advises everyone of the Provider's Appreciation Reception on May 31 at 6:00 p.m. at Big Bertha's at the marina
- Welcomes Chief Lupo and Provost Hardney.
- Thanks the citizens for their attendance and their participation
- Thanks city staff for all that they do for our community and citizens.

Commissioner Biggs:

- Requests that Commissioner Walker recommend to the Student Advisory Council (SAC) that the schools extend invitations to the Commission
- Regarding Preventing Crime in the Black Communities, does not just apply to black communities, covered all areas. Very Informative
- Some announcements:
 - Florida Memorial University & Atlantic Coast Baptist Association are providing summer bible camps.
 - The Vickers House has a program to assist people that are having problems with their homes
 - There are numerous scholarships available for the young people
 - Boys & Girls Club of the glades presents a 17 Party with a Purpose, An Adult Affair, Saturday June 4, 2011 at 8:00 p.m. at the Bill Bailey Building - \$15 per single - \$25 per couple, 70's style dancing, food and fun
 - Glades Ministerial Association will host a program on Sunday May 29, 2011 at 7:00 p.m. at Mt. Zion A.M.E. Church
 - Saturday at MLK Park here in Pahokee from 10 a.m. to 2 p.m. a Job Information Quorum, this is only to gather information on jobs available here in Pahokee
 - For more information regarding these announcements please call Commissioner Biggs at 449-5914
- Thanks everyone for their attendance.

There being no further business to discuss, Mayor Sasser adjourns the meeting at 9:15 p.m.


ATTEST: Susan Feltner, City Clerk


J.P. Sasser, Mayor