



**CITY COMMISSION OF THE CITY OF PAHOKEE  
REGULAR COMMISSION MEETING MINUTES  
Tuesday, April 14, 2015**

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 14<sup>th</sup>, 2015.

The meeting was called to order by Mayor Walkes at 6:57 p.m.

Official attendance was recorded as follows:

<b><u>Roll Call:</u></b>	Mayor Colin Walkes	Present
	Commissioner Allie Biggs	Present
	Commissioner Felisia Hill	Present
	Commissioner Nathaniel Holmes	Present
	Vice Mayor Diane Walker	Present
	City Manager Chandler Williamson	Present
	City Attorney Gary Brandenburg	Present
	Sergeant At Arms Lieutenant Picciolo	Present
	City Clerk Anika Sinclair	Present

**Approval of Additions, Deletions, and Approval of Agenda Items:**

**Approval of Agenda**

**Motion by Commissioner Biggs. Second by Commissioner Hill.**

**Motion carried unanimously**

**Approval of Minutes:**

1. Commission Workshop – February 24, 2015
2. Regular Scheduled Commission Meeting – February 24, 2015
3. Commission Workshop – March 24, 2015
4. Regular Scheduled Commission Meeting – March 24, 2015

**Approval of Minutes**

**Motion by Commissioner Biggs. Second by Commissioner Holmes.**

**Motion carried unanimously.**

**Proclamation:**

Children's Week – April 11 – 17, 2015

**Approval of Proclamation: Children's Week**

**Motion by Vice Mayor Walker. Second by Commissioner Hill.**

**Motion carried unanimously.**

World Lupus Day – May 10, 2015

**Approval of Proclamation: World Lupus Day**

**Motion by Commissioner Biggs. Second by Commissioner Hill.**

**Motion carried unanimously.**

**Report of the Mayor:**

Mayor Walkes requested for the Commissioners and the citizens to attend the Palm Beach County Commission Meeting on Tuesday, April 21, 2015, at 9:30 a.m. He recognized the dignitaries that were present at the Commission Meeting and he advised the Q-Fest event was a success.

**Report of the City Manager:**

Mr. Johnson, Director of Public Services, announced that the Great American Cleanup will be on Saturday, April 18, 2015, from 9:00 a.m. to 12:00 p.m. He advised all of the participants will meet at the Pahokee Chamber of Commerce and lunch will be served at the Old City Hall.

Mayor Walkes encouraged the community to support the Great American Cleanup.

City Manager Williamson announced that the Chamber Banquet will be on Saturday, May 2, 2015 and he advised there has been discussion, in regards to the Marina being utilized for the event.

City Attorney Brandenburg stated there seem to be a territorial warfare, between the current tenant and the Chamber over who gets rights to the Tiki Bar area and the pool area, as well as the time that they will get rights over the aforesaid areas. He advised the City would like to ask the restaurant owners to move their music to the pool area and the City of Pahokee will provide them with a notification that the City of Pahokee has the pool area covered for liability.

City Manager Williamson mentioned the importance of City Branding and he presented samples of what the new City of Pahokee website will look like, in the future.

Mayor Walkes requested that a Request for Services section and a Complaints section be added to the City of Pahokee's website.

City Manager Williamson stated he would like to take a closer look at the City of Pahokee's financial situation. He advised in moving forward, as a new administrator, it is necessary for him to know where the City of Pahokee is headed, fiscally, where the City of Pahokee is currently, fiscally, and some of the issues that the City of Pahokee has had in the past, in order to ensure that mechanisms are in place to move forward as a City. City Manager Williamson stated the Office of Inspector General (OIG) can be utilized to assist the City with a forensic audit.

Mayor Walkes advised the City of Pahokee receives the annual audits, but a forensic audit will provide a clear picture of where the City of Pahokee stands, financially.

**Report of the City Attorney:**

**Installment Payment Agreement** – City Attorney Brandenburg advised the Installment Payment Agreement is a document that is to be used by businesses that are trying to move into the City of Pahokee, to pay the fees that will be due to the City of Pahokee, over a period of time. He advised one option is for the documents to come to the Commission for approval and the other option is for the City of Pahokee and the City Manager to approve the agreement, provided that they do not involve amounts over \$10,000.

**Approval of the use of the Installment Payment Agreement to be signed/approved by City Manager below \$10,000 Motion by Vice Mayor Walker. Second by Commissioner Biggs. Motion carried unanimously.**

**Certificate of Election Result Letter from Thomas Montgomery Law Office** – Mr. Thomas Montgomery, Attorney, advised he represents Mr. Henry Crawford, who was a candidate for the March 10, 2015 election. He stated Mr. Crawford was the only qualified candidate in his race, at the time of the election, and the records clearly reflect that the candidate that ran against Mr. Crawford did not qualify. Mr. Montgomery advised based on the qualification criteria in the State of Florida, as well as the City of Pahokee, the candidates must pay qualifying fee, and it must be paid with a check drawn on a campaign account. He advised the candidate that ran against Mr. Crawford did pay with check, but the checks bounced. There is a procedure in the Code of Ordinances that allows the individual with a bounced check to clean it up, within 48 hours. Mr. Montgomery advised the procedure was not done until after the election and cash was paid, instead of a check. The City Code does not allow the acceptance of cash for the payment

of \$98. Mr. Montgomery advised they are requesting for the Commission to revisit the certification of the election and deem that the individual who received the most votes as not qualified to run due to the fee not being paid and in doing so, declare Mr. Crawford as the winner of the election because he would have been the only qualified candidate.

City Attorney Brandenburg stated the Commission does not have any authority or jurisdiction over the issue. Once the election is held and the results are certified by the Supervisor of Election, the only recourse that Mr. Crawford has to file a lawsuit in a circuit court.

Mayor Walkes encouraged Mr. Montgomery and Mr. Crawford to take the advice from City Attorney Brandenburg and do their due diligence.

City Attorney Brandenburg advised subsequent to the Guy Harvey Outpost presentation at Pahokee High School, the main representative of Guy Harvey went on vacation for a week. He advised he anticipates hearing from him, upon his return. City Attorney Brandenburg stated the representative may enter into discussion with the City Manager Williamson, and they will be pleased to report back as early as possible.

### **Old Business:**

#### **RESOLUTION 2015 – 12 – A RESOLUTION OF THE CITY OF PAHOKEE, FLORIDA, SETTING A PUBLIC HEARING PURSUANT TO ARTICLE II, SECTION 22-33b TO CONSIDER THE ABANDONMENT OF A PLATTED ROAD.**

City Attorney Brandenburg advised a request was received from the property owner, to abandon or vacate a home platted right-of-way that runs through the middle of a mobile home park. There is a mobile home that sits in the middle of the right-of-way; therefore, the right-of-way is not being used. Mr. Brandenburg advised Resolution 2015 – 12 sets a public hearing date for May 12, 2015, for the Commission to consider vacating the right-of-way. If the right-of-way is vacated, then it reverts to the home property owner.

**Approval of Resolution 2015 – 12 Public Hearing May 12, 2015**  
**Motion by Commissioner Biggs. Second by Vice Mayor Walker.**  
**Motion carried unanimously.**

### **New Business:**

#### **RESOLUTION 2015 – 11 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE COMPLIANCE PLAN WITH EARLY LEARNING COALITION OF PALM BEACH COUNTY.**

**Approval of Resolution 2015 – 11**  
**Motion by Vice Mayor Walker. Second by Commissioner Biggs.**  
**Motion carried unanimously.**

**Rezoning of Barfield Highway** – City Manager Williamson advised the cost of rezoning Barfield Highway is \$30,000.

**Reorganization of Department of Community Development** – City Manager Williamson stated the reorganization allows the separation of the Community Development Department from Building, Planning, and Zoning, making Building, Planning, and Zoning its own department, as well as making Community Development its singular department, to streamline the day-to-day operations. He advised his plan is to clean up what the City of Pahokee has in its Code of Ordinances, so that it allows for the removal of some of the hats that staff members are wearing.

City Attorney Brandenburg advised City Manager Williamson will propose the departmental structure and he, City Attorney Brandenburg, will prepare an ordinance, sending it out to appear on the agenda for the first reading.

**Purchasing and/or Leasing Vehicles for City Manager and Administration** – City Manager Williamson stated the earlier discussion pertains to purchasing or leasing a City Vehicle for the City Manager and also exploring the opportunities to rid the City of Pahokee of some of the City Staff that is aging. In moving forward, the City of Pahokee

is aiming to rehabilitate its infrastructure and the equipment is needed to address those needs. He advised as it pertains to leasing or purchasing a vehicle for the City Manager, the City of Pahokee will explore additional opportunities to partner with Palm Beach Sheriff's Office (PBSO), for additional vehicles. City Manager Williamson advised he will look at Palm Beach County's auction list and he stated that the City of Pahokee will begin to address the equipment needs.

City Attorney Brandenburg advised the amendment to the City Manager's contract will entail the deletion of the \$400 per month car allowance from his contract and instead the money will be used to either purchase or lease a vehicle for the City, which will be the City's vehicle.

**Approval to Amend City Manager's Contract for next meeting**  
**Motion by Vice Mayor Walker. Second by Commissioner Biggs.**  
**Motion carried unanimously.**

**Citizen Comments:**

**JoAnn Culberson, citizen**, advised it has been 10 months that her neighbor has decided to cut his grass and he has many violations. She inquired about the City of Pahokee's plan, as it relates to the property.

City Attorney Brandenburg stated the property at 1565 East Main Street has a lien on it for \$18,000 and the City of Pahokee has authorized him to proceed with foreclosing on the lien. He advised he ran a title search on the property and discovered that the owner of the property has 19 Final Judgments against him, which totaled in excess of \$150,000 and entails a lien that is superior to the City of Pahokee's lien. City Attorney Brandenburg advised there is no practical way to foreclose on the lien and get either the money that is owed or the property, due to the superior judgments. He advised the City of Pahokee is not able to proceed with the foreclosure and the best thing the City of Pahokee can do is to contact the owner of the property and request permission to place him on the list of properties to be demolished.

Mayor Walkes requested for Ms. Culberson to follow up with City Manager Williamson, in reference to further questions that she may have.

**Commissioners Comments:**

**Commissioner Biggs** thanked all for being present and she welcomed City Manager Williamson. She encouraged all to come back to the Commission Meetings, to support the Commission, and to help the Commission to remain on track for what is right for the City of Pahokee.

**Commissioner Holmes** advised there are things with the City of Pahokee that he sees, but does not like. Commissioner Holmes made a motion to replace the City Clerk.

City Attorney Brandenburg stated under the City Charter, there is a procedure that the City of Pahokee will have to use, in order to terminate the City Clerk because the City Clerk is a Charter Officer. The procedure requires for the adoption of a resolution, setting forth the items that are deemed to be violation of the responsibilities. After the resolution is considered and adopted, the City Clerk has a period of time to respond to the violations. City Attorney Brandenburg provided a citation of Section 3.03 in the Charter, for the Commission's review.

Commissioner Holmes stated specific reasons that he deem as means of termination for the City Clerk are vacation time and the Commissioner's returned check.

Mayor Walkes encouraged Commissioner Holmes to speak with City Attorney Brandenburg, so that the City of Pahokee may move forward in order.

**Commissioner Hill** apologized for all of the issues that are going on. She encouraged the citizens to stay focused and to continue to move forward.

**Vice Mayor Walker** thanked the staff for their efforts in securing the K-5 Program and she thanked all who attended the City Manager's Welcome Reception on April 13, 2015. She inquired if City Attorney Brandenburg has located the owner of the Old Hospital's property.

City Attorney Brandenburg advised he is working on the item. He stated the City of Pahokee will not be able to foreclose on the property by virtue of a Code Enforcement Lien because it is not realistic. The City of Pahokee could possibly file a Nuisance Lawsuit against the property and request for the court to declare the property as a nuisance and require the property owner to tear it down.

There being no further business to discuss, Mayor Walkes adjourns the meeting at 8:04 p.m.

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Colin O. Walkes, Mayor

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ATTEST: Anika Sinclair, City Clerk