

CITY OF GREENACRES

OFFICIAL MINUTES TRACKING

Council/Board: Special City Council
Meeting Date: 1-28-16
Transcribed by: mf No. of Pages: 5 Transcription Time: 2.25

REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>Dme</u>	<u>2-16-16</u>	☒ Yes	☐ No
		☐ Yes	☐ No
		☐ Yes	☐ No
		☐ Yes	☐ No
		☐ Yes	☐ No

APPROVAL OF MINUTES

Meeting Date: 2-22-16

Motion By: Pearce Seconded By: _____

Check One: ☐ Approved ☒ Tabled ☐ Denied Vote: 5/0

Changes requested by Council or Board? ☒ Yes ☐ No

If yes, note changes: to 3-7-16 - Change references of Mayor Ferreri to Rep Mayor Pearce.

Date Scanned and Filed: _____ By: _____



OFFICIAL MINUTES

CITY OF GREENACRES
5800 Melaleuca Lane
Greenacres, FL 33463

SPECIAL CITY COUNCIL MEETING
Thursday, January 28, 2016– 7:00 PM

1. Call To Order and Roll Call.

Deputy Mayor Pearce called the Special City Council Meeting of Thursday, January 28, 2016 to order at 7:00 p.m. Denise McGrew, City Clerk/Administrative Services Director, called the roll.

ROLL CALL:

Council Present:

Jonathan G. Pearce, Deputy Mayor
Lisa Rivera, Councilwoman
Peter A. Noble, Councilman
Judith Dugo, Councilwoman
Paula Bousquet, Councilwoman

Staff Present:

Thomas Lanahan, Acting City Manager
Denise McGrew, City Clerk/Admin. Services Director
Michael Grimm, Director/Building
Thomas Hughes, Director/Finance
Michele Thompson, Director/Leisure Services
Carlos Cedeño, Director/Public Works
Melody Larson, Assistant to the City Clerk

Absent:

Samuel J. Ferreri, Mayor

Public Attendees: 4

Press: 0

2. Pledge of Allegiance to the Flag.

Deputy Mayor Pearce led the Pledge of Allegiance.

3. Comments From the Public for Agenda Items Only.

Deputy Mayor Pearce asked if there were comments from the public; hearing none, he continued with the Agenda.

4. Agenda Approval.

- A. Additions, deletions, or substitutions to the Agenda.
- B. Motion to approve and adopt entire agenda as set.

Deputy Mayor Pearce inquired if there were any additions, deletions or substitutions to the Agenda; hearing none, he called for a motion.

MOTION: Councilwoman Bousquet made a motion to approve the Agenda. Councilwoman Dugo seconded the motion.

VOTE ON THE MOTION: **In Favor:** Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

Motion carried: 4 - 0.

5. **Special Business.** None.

6. **Consent Agenda.** None.

7. **Regular Agenda:**

- A. **PUBLIC HEARING:** **Ordinance No. 2016-08:** Second Reading; Amending Chapter 10, Personnel, Article IV, Retirement, Pensions and Other Employee Benefit Programs, Division 3, Retirement Systems Authorized, Sec. 10-148 entitled "Public Safety Officers and Firefighters Retirement Plan and Trust"; Amending the Defined Benefit Plan and Trust Adoption Agreement contained in Exhibit "B-3"; providing for repeal of conflicting ordinances; providing for inclusion in the code; providing for severability; and providing for an effective date; pursuant to Staff Memo – Thomas J. Lanahan, Acting City Manager.

Denise McGrew, City Clerk, read Ordinance No. 2016-08 into the record on second reading.

Acting City Manager Thomas J. Lanahan reported that in conjunction with the transition of the Palm Beach County Sheriff's Office (PBSO) merger, changes to the City's retirement plans were required. The City approved a Memorandum of Understanding (MOU) with the Palm Beach County Benevolent Association (PBA) on January 19, 2016 and based on the MOU, the City must change the Pension Plan Adoption Agreement by Ordinance. This was approved by Council on first reading on January 19, 2016; therefore, staff recommends approval of Ordinance No. 2016-08.

Deputy Mayor Pearce called on Councilmembers for questions.

Councilman Noble pointed out that he did not see where staff had recommended approval of this agenda item. He asked if this was approved by staff.

Mr. Lanahan replied that it had.

Deputy Mayor Pearce called on Councilmembers for comments; hearing none, he opened the meeting to the public. He asked if anyone was in favor of, or opposed to, Ordinance No. 2016-08 to come forward. Seeing no one come forward, he closed the meeting to the public and called for a motion.

MOTION: Councilwoman Dugo made a motion to approve Ordinance No. 2016-08 on second reading. Councilwoman Rivera seconded the motion.

VOTE ON THE MOTION: **In Favor:** Councilwoman Rivera and Councilwoman Dugo.
Opposed: Councilman Noble and Councilwoman Bousquet.

Motion failed: 2 - 2.

Deputy Mayor Pearce (as Chair) voted in favor, breaking the tie vote.

Motion passed: 3 – 2.

- B. **PUBLIC HEARING:** **Ordinance No. 2016-09:** Second Reading; Amending Chapter 10, Personnel, Article IV, Retirement, Pensions and other Employee Benefit Programs, Division 3, Retirement Systems Authorized, Sec. 10-149 entitled "General Employees Retirement Plan And Trust"; amending the Defined Contribution Plan and Trust Adoption Agreement contained in Exhibit "B-1a"; providing for repeal of conflicting ordinances; providing for inclusion in the code; providing for severability; and providing for an effective date; pursuant to Staff Memo – Thomas J. Lanahan, Acting City Manager.

Denise McGrew, City Clerk, read Ordinance No. 2016-09 into the record on second reading.

Mr. Lanahan reported that this Ordinance is the companion item to what Council just approved, and also relates to the PBSO transition. Based on the MOU, the City must change its Defined Contribution 401a Plan to affect the vesting requirement for not only non-sworn PBA personnel but non-PBA employees outlined in the MOU. He noted that both groups will become 100% vested in the 401a Plan as of January 31, 2016. He stated staff recommends approval of the new Adoption Agreement through the adoption of Ordinance No. 2016-09.

Deputy Mayor Pearce called on Councilmembers for questions.

Councilman Noble noted that at the last City Council meeting he voted against this Ordinance on first reading. He now realizes that would jeopardize the personnel not part of the law enforcement group and he would therefore vote in favor of this Ordinance.

Deputy Mayor Pearce called on Councilmembers for comments; hearing none, he opened the meeting to the public. He asked if anyone was in favor of, or opposed to Ordinance No. 2016-09 to come forward. Seeing no one come forward, he closed the meeting to the public and called for a motion.

Councilwoman Bousquet asked for clarification that this Ordinance was for the non-sworn PBA employees.

Mr. Lanahan explained it addresses the non-sworn PBA employees and employees going with PBSO who are non-sworn and non-PBA employees.

MOTION: Councilwoman Dugo made a motion to approve Ordinance No. 2016-09 on second reading. Councilwoman Bousquet seconded the motion.

VOTE ON THE MOTION: **In Favor:** Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

Motion carried: 4 - 0.

8. Comments from the Public.

PBSO Burglar Alarm Permits

Sharon Star, a resident of 3512 Millbrook Way, was confused over the burglar alarm fees and PBSO not responding if the permit fee is not paid.

Councilwoman Dugo asked if Ms. Star was part of a homeowner association (HOA). She stated that together with PBSO Capt. Sean Murray, she has attended many HOA meetings to talk about this matter.

Ms. Star explained that she attended an HOA meeting at The Cloisters and was still confused.

Councilwoman Dugo explained if you have an active alarm system via an alarm company, a permit is required. PBSO will include her address on a list for them to respond. "This does not mean that if you don't pay the permit fee and you have an emergency, that PBSO will not respond; they will."

Ms. Star asked, "So the alarm company calls her neighbor and says your alarm has gone off, and they say they need help PBSO will respond?"

Councilwoman Dugo explained PBSO will respond if someone needs help; they cannot respond to your address unless you register and pay for the alarm permit.

Ms. Star asked even if she does not have an alarm and she calls 9-1-1...

Councilwoman Dugo said, "You will still get a response as if you were calling 9-1-1 for any situation".

Deputy Mayor Pearce stated, "The City's policy on alarms is that we give you 3 responses before we start charging you. The Sheriff's policy is if you have an active alarm you must pay PBSO's annual \$25 registration fee. That takes care of everything for you."

Councilwoman Bousquet pointed out that if on the other hand a resident has an active alarm system and does not pay the alarm registration fee of \$25, PBSO will not respond

to the alarm call. However, if you call 9-1-1, PBSO will respond as they would for any emergency.

Unfounded Investigation by PBSO

Bert Molow of 381 Hammocks Trail, reported that Councilwomen Dugo and Rivera had recently attended a Nautica Isles Homeowner Association meeting and asked both women if they had distributed political literature at that meeting.

Councilwoman Rivera said they distributed literature and information together with PBSO Capt. Sean Murray.

Mr. Molow asked if the Captain was in uniform.

Councilwoman Rivera said, "Yes".

Mr. Molow said, "So you are distributing political literature with a uniformed Captain"?

Councilwoman Dugo explained that Capt. Murray was distributing information regarding alarm permits and Councilwoman Rivera was distributing information with her name on it.

Councilwoman Dugo asked Mr. Molow the intent of his questioning and asked if he was implying something as they had attended many association meetings.

Mr. Molow handed out a photo to Council and asked if they recognized anyone.

Councilman Noble asked if Capt. Murray had invited Mr. Molow to join them at that HOA meeting or did the Captain invite himself. He asked why he wasn't invited.

Councilwoman Rivera clarified that she, with the help of Capt. Murray, were informing the residents of the two (2) HOA's in her District about the PBSO merger and the changes to come as of February 1, 2016.

Councilman Noble asked who had contacted Nautica Isles HOA.

Councilwoman Dugo noted that she represents all districts in Greenacres and certain homeowner associations had contacted their property managers that serve communities in Greenacres and had invited her and Capt. Murray to speak.

Councilman Noble noted that Councilwoman Rivera had contacted HOA's in her District, whereas Councilwoman Dugo stated that she represents all districts.

Councilwoman Dugo stated, "I have a copy of the e-mail from Associated Property Management Company where they advised their property managers who serve Greenacres that I was available to attend any HOA meeting with Capt. Murray. If you have an issue with that I'm sorry....."

Councilman Noble said, "I do, I do, I wasn't invited".

Councilwoman Dugo said, "Get out there yourself and ask to be invited".

Mr. Molow asked if Council recognized anyone in the photograph. "The cameras at Walmart do not lie", he said. He asked if any Councilmember denied or acknowledged that they took the photo.

Councilman Noble pointed out that Mr. Molow was in the photograph.

Councilwoman Dugo asked if this line of questioning was appropriate for a City Council meeting; she believed it wasn't City business but politicking.

Mr. Molow read a document from PBSO Capt. Murray addressed to Chief Michael Gauger, Capt. Michael Kerschner, Sgts. Sherring and Quinona wherein he acknowledged receiving an email from Councilwoman Dugo requesting that the photo be investigated and stated that it was obviously taken by her.

Councilwoman Dugo insisted that this issue was not related to City-business.

Councilman Noble disagreed.

Mr. Molow explained that he was accused of distributing political literature in Walmart while in C.O.P. uniform. After receiving the final report from PBSO, he noted that PBSO deemed the accusation unfounded.

9. **Discussion Items:** None.

10. **Staff Comments:**

A. **City Manager's Report:** None.

B. **City Attorney's Report.** None.

11. **Mayor and City Council Reports.**

Lillian Rose

Councilwoman Bousquet sadly reported that Mrs. Rose, wife of former Councilman Norman Rose passed away. She announced that funeral services will be held on Monday, February 1, 2016 at 11:00 am at the Beth Israel Memorial Chapel located on Woolbright Road and South Jog Road.

Retirement Announcement

Councilwoman Dugo reported that Officer Rick Warren was retiring on January 31, 2016 after 27 years of dedicated service to the City.

12. **Adjournment.**

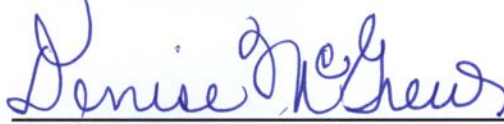
Deputy Mayor Pearce inquired if there were any additional comments; hearing none, he adjourned the meeting at 7:28 p.m.

CITY COUNCIL



Jonathan Pearce
Deputy Mayor

Respectfully submitted,



Denise McGrew,
City Clerk/Administrative Services Director

Date Approved: 3-7-16



/mel