

CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, MARCH 21, 2007 AT 7:30 P.M.

I. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson lies was present and presided. Upon roll call by Deputy City Clerk Anthony, the following were present: Mayor Michael D. Brown, Council Chair Ann lies, Chair pro tern Vanessa Lee, Councilperson Norma Duncombe, Councilperson Elizabeth "Liz" Wade; and Councilperson James "Jim" Jackson. Also present were City Manager William E. Wilkins, Deputy City Clerk Claudene Anthony, and Acting City Attorney Glenn Torcivia.

Invocation & Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance.

II. AGENDA APPROVAL

1) Additions, Deletions, Substitutions

City Manager Wilkins made the following revisions to the agenda: deleted Item NO.8 - ordinance reference Waste Management; corrected Item No.2 - to read Maintenance Mechanic and Item No. 3 - to read service to the Police Department. He also added the following items to the agenda: a presentation from the Riviera Beach Business Council; a Resolution reference Jason Gilbert; confirmation of appointment to the Riviera Beach Housing Authority Board; and a Resolution reference funding for the Recall-election.

2) Adoption of Agenda

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe to approve the agenda as amended.

MOTION

Upon a roll call vote by Deputy City Clerk Anthony, the motion was approved with Chair pro tern Lee out.

MOTION APPROVED

III. AWARDS AND PRESENTATIONS

ITEM NO.1

PRESENTATION OF RETIREMENT MEMENTO TO ANTONIO MORISMA FOR MORE THAN TWENTY-TWO (22) YEARS OF DEDICATED SERVICE AS A MAINTENANCE WORKER IN THE PARKS & RECREATION DEPARTMENT AND TO THE CITIZENS OF RIVIERA BEACH.

Deborah Keels, Human Resources Administrator, presented retirement mementos to Antonio Morisma for his dedicated services to the city and its citizenry for over 22 years as maintenance worker in the Parks and Recreation department. He will be greatly missed by all.

Antonio Morisma expressed words of appreciation for the opportunity to serve the citizens of Riviera Beach.

ITEM NO.2

PRESENTATION OF RETIREMENT MEMENTO TO ERNEST J. JOHNSON FOR MORE THAN TWENTY-ONE (21) YEARS OF DEDICATED SERVICE AS A MAINTENANCE MECHANIC IN THE PARKS & RECREATION DEPARTMENT AND TO THE CITIZENS OF RIVIERA BEACH.

Deborah Keels, Human Resources Administrator, presented retirement mementos to Ernest Johnson for his dedicated services to the city and its citizenry for over 21 years as maintenance mechanic in the Parks and Recreation department. He will be greatly missed from his peers and the community.

Ernest Johnson expressed words of appreciation for the opportunity to serve the citizens of Riviera Beach.

ITEM NO.3

PRESENTATION OF RETIREMENT MEMENTO TO LT. TOMMY V. PETTWAY FOR MORE THAN TWENTY-TWO (22) YEARS OF DEDICATED SERVICE AS A POLICE OFFICER IN THE POLICE DEPARTMENT AND TO THE CITIZENS OF RIVIERA BEACH.

Doretha Perry, Human Resources Director, presented retirement mementos to Lt. Tommy Pettway for his dedicated and unselfish courageous services to the city and its citizenry.

Clarence Williams, Chief of Police, presented a plaque, a shadow box, and retirement badge to retired Lt. Tommy Pettway for his dedicated services to the city and its citizenry.

Retired Lt. Tommy Pettway expressed words of appreciation for the opportunity to serve the citizens of Riviera Beach.

ITEM NO.4

PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF FEBRUARY, 2007.

Doretha Perry, Human Resources Director, presented the following new employees for the month of February: Stacye Griffin (Purchasing); Kevin Smith (Police); Astrid Piper (Police); Clarence Upsher (Recreation & Parks); and Terry Taylor (Recreation & Parks).

ITEM NO. 4A

PRESENTATION BY THE RIVIERA BEACH BUSINESS COUNCIL TO COUNCILPERSON ANN ILES, COUNCILPERSON VANESSA LEE, AND COUNCILPERSON ELIZABETH "LIZ" WADE.

**ITEM ADDED TO AGENDA**

Chip Armstrong, Riviera Beach Business Council Chairman, presented plaques to Councilpersons Iles, Lee, and Wade for their dedicated services to the city and its citizenry.

IV. COMMENTS FROM THE PUBLIC -Non Agenda Item Speakers (Two Minute Limitation)

Greg Moree, 21<sup>st</sup> Street, made comments reference additional police presence within his neighborhood.

Fane Lozman, Riviera Beach Marina, made comments reference the interim Marina Director.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments reference the Port of Palm Beach calling a meeting for Friday at 11 a.m. regarding traffic restriction. He also made comments reference the Waterfront Advisory Board submitting a request that an application be submitted to the Florida Inland Navigation District for grant funds.

David Cross, 1030 Sugar Sands Blvd., made comments reference the need for additional garbage cans along the Blue Heron Bridge. He also thanked Mrs. Iles and Ms. Wade for their dedicated work for the city during their tenure.

Nora Mahoney, 2120 Broadway, made comments reference tickets for Spring Bling.

Bishop Thomas Masters, 748 W 9<sup>th</sup> Street, urged citizens to vote in the Run-off Election to be held March 27<sup>th</sup>. He also thanked the incumbents for the dedication in moving the city forward.

Buddy Andros, 2431 Beach Court, made inquiries regarding employee parking for businesses located on the island during the taping of Spring Sling.

Randy Graham, 1516 W 30<sup>th</sup> Street, made comments reference the upcoming Run-off election.

City Manager Wilkins gave an overview of the traffic and parking plans during the taping of Spring Sling.

V. CONSENT AGENDA:

**ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS; IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA. ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM, PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE COUNCIL CHAIR OR THE LEGISLATIVE ASSISTANT, PRIOR TO THE BEGINNING OF THE MEETING.**

1) MINUTES:

NONE

RESOLUTIONS:

ITEM NO.5

RESOLUTION NO. 35-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH DR. SCOTT McFARLAND/TEAMHEALTH SOUTHEAST FOR THE PROVISION OF MEDICAL DIRECTOR SERVICES FOR THE CITY'S PARAMEDICS, EMTS, AND LIFEGUARDS; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT IN THE AMOUNT OF \$2,000 PER MONTH; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.6

RESOLUTION NO. 36-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF WILLIAM WILSON, ET AL., VS. THE CITY OF RIVIERA BEACH, ET AL., IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 04-80042-CIV-HURLEY/HOPKINS (CONSOLIDATED WITH CASE NOS. 06-80583 AND 06-80573); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A SETTLEMENT AGREEMENT; AUTHORIZING GALLAGHER

BASSETT SERVICES, INC. TO MAKE PAYMENT; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.7

RESOLUTION NO. 37-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF BEAUFORD DANIELS VS. THE CITY OF RIVIERA BEACH, ET AL., IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 04-80042-CIV-HURLEY/HOPKINS (CONSOLIDATED WITH CASE NOS. 06-80583 AND 06-80573); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A SETTLEMENT AGREEMENT; AUTHORIZING GALLAGHER BASSETT SERVICES, INC. TO MAKE PAYMENT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 38-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING TOTAL SETTLEMENT OF THE MATTER OF JASON L. GILBERT V. CITY OF RIVIERA BEACH AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$76,000 AS COMPLETE AND FINAL SETTLEMENT OF THE WORKERS' COMPENSATION CLAIM, INCLUSIVE OF ATTORNEY'S FEES AND COSTS; AUTHORIZING THE CITY'S INSURANCE ADMINISTRATOR, GALLAGHER BASSETT SERVICES, TO MAKE PAYMENT FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NUMBER *602-0539-513-0-1405*.

**ITEM ADDED TO AGENDA**

2) PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

END OF CONSENT AGENDA

A motion was made by Councilperson Duncombe and seconded by Councilperson Wade to approve the Consent Agenda.

MOTION

Upon a roll call vote by Deputy City Clerk Anthony, the vote was unanimous.

MOTION APPROVED

3) PUBLIC HEARINGS:

NONE

4) ORDINANCES ON FIRST READING:

ITEM NO.8

ORDINANCE NO. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING

CHAPTER 17.5, ENTITLED "SOLID WASTE MANAGEMENT" OF THE CITY'S CODE OF ORDINANCES BY CREATING A NEW SECTION TO BE ENTITLED "ROLL-QFF ENFORCEMENT"; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. ~~ITEM DELETED~~

VII. REGULAR:

NONE

1) BOARD APPOINTMENT:

RATIFICATION OF THE MAYOR'S APPOINTMENT TO THE RIVIERA BEACH HOUSING AUTHORITY

City Manager Wilkins stated that the mayor was appointing Robert Butler to the Riviera Beach Housing Authority Board and requested the City Council's ratification.

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe to ratify the appointment of Robert Butler to the Housing Authority Board.

MOTION

Margaret Shepherd, 2003 W 17<sup>th</sup> Ct #104, made comments reference the appointment of Robert Butler.

Upon a roll call vote by Deputy City Clerk Anthony, the vote was unanimous.

MOTION APPROVED

5) DISCUSSION BY THE CITY MANAGER:

RESOLUTION NO. ~~39-07~~ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$20,000 FROM CONTINGENCY ACCOUNT NO. 001-0203-519-0-5999 TO THE CITY CLERK ELECTIONS ACCOUNT NO. 001-0410-519-0-3404 IN ORDER TO COVER THE COSTS FOR THE GENERAL AND RUN-QFF ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Anthony read the aforementioned Resolution into the record.

A motion was made by Councilperson Wade and seconded by Chair pro tem Lee to approve Resolution No. 39-07.

MOTION

Upon a roll call vote by Deputy City Clerk Anthony, the vote was unanimous.

MOTION APPROVED

City Manager Wilkins announced that a community informational meeting regarding the proposed new high school would be held at John F. Kennedy on March 26<sup>th</sup> at 6:30 p.m. He also announced that the South Florida Water Management District announced that water restrictions would begin March 22<sup>nd</sup>.

VIII. LEGAL DISCUSSION/REQUEST:

NONE

IX. DISCUSSION AND RECOMMENDATIONS:

Mayor Brown announced that he had filed an official protest with the Office of the City Clerk and that it would be amended with an additional protest being filed with the Division of Elections in Tallahassee. He also stated that he included in his request that the City Clerk postpone the run-off election until dissolution of the official concern.

Councilperson Wade requested that the acting city attorney research and advise the City Council if any steps needed to be taken in response to the mayor's protest of the results of the election.

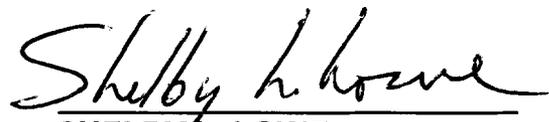
Acting City Attorney Torcivia stated that he would research but it was unlikely that the City Clerk had the authority to stay an election.

X. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:07 p.m.

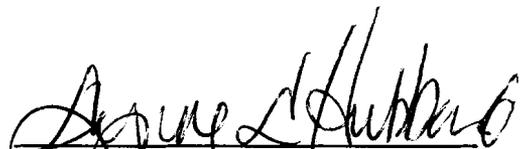
APPROVED:

  
\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

  
\_\_\_\_\_  
SHELBY L. LOWE  
CHAIRPERSON

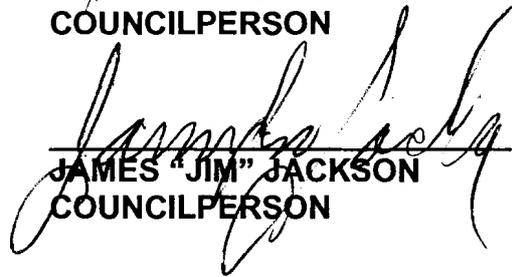
ATTEST:

  
\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
LYNNE L. HUBBARD  
CHAIR PRO TEM

  
NORMA DUNCOMBE  
C. UNCILPERSON

  
CEDRICK THOMAS  
COUNCILPERSON

  
JAMES "JIM" JACKSON  
COUNCILPERSON

MOTIONED BY: C. THOMAS  
SECONDED BY: L. HUBBARD

|             |            |
|-------------|------------|
| S. LOWE     | <u>AYE</u> |
| L. HUBBARD  | <u>AYE</u> |
| J. JACKSON  | <u>AYE</u> |
| N. DUNCOMBE | <u>AYE</u> |
| C. THOMAS   | <u>AYE</u> |

DATE APPROVED: 04/18/2007