CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JANUARY 19,2005 AT 7:30 P.M.

1. CITY CLERK CALLS TO ORDER:

1. Roll Call

Chairperson Schnyer was present and presided. Upon a roll call by City Clerk Ward, the following were present: Mayor Michael D. Brown, Chair Pro Tem Ann Iles, Councilperson Donald R. Wilson, Councilperson Judy L. Davis, and Councilperson Elizabeth "Liz" Wade. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna Ryan.

2. Invocation/Pledge of Allegiance

Everyone stood for a moment of silence and the Pledge of Allegiance.

2. ADDITIONS, DELETIONS AND SUBSTITUTIONS

City Manager Wilkins stated that backup information was provided for Item No. 13C – lease of temporary office space.

Councilperson Davis requested that the City Manager's Evaluation tool be added to the agenda.

City Clerk Ward announced she would read into the record, 2005 Elections correspondence.

3. ADOPTION OF THE AGENDA

A motion was made by Councilperson Wilson and seconded by Councilperson Davis to approve the agenda as amended.

MOTION

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

MOTION APPROVED

4. UNFINISHED BUSINESS

City Manager **Wilkins** stated that the following memorandums had been provided to the City Council – 1) memo regarding contributions resulting from the development process; 2) memo regarding compensation for administrative personnel during Hurricane Frances and Hurricane Jeanne; and 3) memo regarding enhancement to the Channel 18 programming.

5. AWARDS AND PRESENTATIONS

A. PRESENT AND WELCOME NEW EMPLOYEES OF THE **CITY** OF **RIVIERA** BEACH FOR THE MONTH OF DECEMBER, **2004.**

Doretha **Perry,** Human Resources Director, presented the following new employees for the month of December: David **O'Brien** (Fire); Andrew **McGee** (Fire); **Miguel Mercado** (Police); and Henry Kantorski (Police).

B. AWARDS PRESENTATION BY **MARVIN REINER** FOR THE ANNUAL HOLIDAY DECORATIONS PROGRAM SPONSORED BY THE CONDOMINIUM OWNERS ASSOCIATION OF SINGER ISLAND AND COSPONSORED BY THE SINGER ISLAND **CIVIC** ASSOCIATION.

Marvin Reiner presented the following winners of the Condominium Holiday Decoration Contest: Honorable Mention Cot'd zur Condominium; 3rd Place Palm Beach Shores; 2nd Place Tiara Condominium and Ocean Tree Condominium; and 1st Place **Martinique** Condominium.

6. COMMENTS FROM THE PUBLIC –Non Aaenda Item Speakers (Two Minute Limitation)

Frank Piciolo, **1211** Morse Blvd., made comments regarding safety and a request to extend the hours for Rusty's Bar and Tavern.

The following individuals spoke in favor of the Riviera Beach Youth Football Program **Frankie** Howard, **1252** W **6th** Street, Jackie Lee Harris, **1343** W **36th** Street,
Valerie **McBean, 148** E **22nd** Street, Edgar Johnson, **15098 64th** Place N, Dee Sherrod, **407** Superior Place, Michael Johnson, **1660** W **31st** Street, Cheryl **McAfee, 420** W **28th** Street, and **Iris** Kimmel, **532 21st** Avenue North.

John Russ, **371** Silver Beach Road, made comments in favor of the youth football program and stated that he had been accused of taking football equipment.

Chair Pro Tem **Iles** stated that the youth football program should not be handled by a private individual.

COUNTY FOR RECEIVING DISCRETIONARY FUNDS IN THE AMOUNT OF $99,500 FOR INSTALLATION OF DECORATIVE STREET LIGHTS ON WEST FIRST STREET BETWEEN AVENUE "L" AND AUSTRALIAN AVENUE; AND PROVIDING AN EFFECTIVE DATE.

C. RESOLUTION NO. 17-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DIRECTING THE CITY CLERK TO NOTICE AND PREPARE FOR THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 8, 2005; AND RUN-OFF ELECTION IF NECESSARY, TUESDAY, MARCH 22, 2005. BOTH ELECTIONS SHALL BE HELD WITHIN THE MUNICIPAL BOUNDARIES BETWEEN THE HOURS OF 7:00 AM UNTIL 7:00 PM TO FILL THE EXPIRED SEATS TO WIT: MAYORAL; GROUP ONE (1); GROUP THREE (3); AND GROUP FIVE (5) RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

City Clerk Ward stated she had been approached by several prospective Candidates who expressed an interest in qualifying by the alternative filing method (petition process). She stated of course, she advised them of the City's standard qualifying method. She stated the City Charter and City Code of Ordinances did not address such provisions; therefore we are not bound by any provisions to allow a process in our form of government that has not been adopted by the legislative body.

She then stated some years ago, the City opt to the uniform Election dates; therefore as an effort not to violate anyone's rights to the process and as a method of precaution the individuals were provided the petition process as outlined and utilized by candidates qualifying for state offices.

She further stated surveys were done throughout the county to find out if other municipalities allowed the process and if so under what authority. She indicated the responses were municipalities that allowed such was authorized by its charter and code of ordinances; and in communicating with the division of elections and the attorney general's office, it was the conclusion an act of this nature could only be enacted upon by the legislative body. She concluded by

advising upon final comment from the division of elections the analysis would be shared.

10. PUBLIC HEARINGS

NONE

11. ORDINANCES ON SECOND READING

A. ORDINANCE NO. 2985 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RECODIFYING SECTION 2-111(a) AND (b) OF THE 1957 CODE OF ORDINANCES AND AMENDING SAID SECTIONS IN THE NEW CODE OF ORDINANCES UNDER CHAPTER 15, ENTITLED, "PERSONNEL BY ADDING A SECTION TO BE NUMBERED SECTION 15-111 (a) AND (b), ENTITLED "MILITARY LEAVE AND JURY DUTY"; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record and announced that it was advertised in the January 9, 2005 edition of the Palm Beach Post.

A motion was made by Councilperson Wade and seconded by Councilperson Wilson to adopt Ordinance No. 2985 on final reading.

MOTION

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

MOTION APPROVED

12. ORDINANCES ON FIRST READING

NONE

13. REGULAR

A. RESOLUTION NO. 18-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FIVE YEAR INTERLOCAL AGREEMENT WITH THE TOWN OF PALM BEACH SHORES TO PROVIDE EMERGENCY MEDICAL SERVICES AND SUPPLEMENTAL FIRE PROTECTION SERVICES; THE CITY OF RIVIERA BEACH AGREES TO PROVIDE EMERGENCY MEDICAL SERVICES FOR THE AMOUNT OF $175,000 AND SUPPLEMENTAL FIRE PROTECTION SERVICES FOR THE AMOUNT OF $75,000 FOR THE FIRST YEAR; AUTHORIZING THE FINANCE DIRECTOR TO AMEND THE 2004-05 GENERAL FUND BUDGET IN THE AMOUNT OF $250,000; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wade and seconded by Councilperson Wilson to approve Resolution No. 18-05.

MOTION

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

MOTION APPROVED

B. RESOLUTION NO. 19-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FOR 58 PERMANENT RESIDENTIAL UNITS LOCATED AT 3730 NORTH OCEAN DRIVE WITH SPECIFIC CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wade and seconded by Councilperson Davis to approve Resolution No. 19-05.

MOTION

Mary McKinney, Community Development Director, gave an overview of the proposed project.

Gerald Ward, 3930 N Ocean Drive, made comments regarding concerns of his and his neighbors about the project and stated that a transcript of the Zoning Board of Adjustments meeting was provided to the City Clerk for filing.

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

MOTION APPROVED

C. DISCUSSION: CITY COUNCIL TO SELECT AND AUTHORIZE CITY MANAGER TO NEGOTIATE LEASE FOR TEMPORARY OFFICE SPACE FOR CODE ENFORCEMENT, POLICE TRAINING, CRIME PREVENTION, COP STAFF AND CIVIL DRUG COURT.

RESOLUTION NO. 20-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE A LEASE FOR TEMPORARY OFFICE SPACE FOR CODE ENFORCEMENT, POLICE TRAINING, CRIME PREVENTION, COP STAFF, AND CIVIL DRUG COURT; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 20-05.

**MOTION**

Chairperson Schnyer called for a 5 minute recess and later reconvened the meeting.

**Gloria Shuttlesworth, Asst. City Manager,** gave an overview of the plans to temporary place some of the departments damaged as a result of the two hurricanes.

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

**MOTION APPROVED**

**D. BOARD REPORTS: CITY COUNCIL TO APPOINT THREE (3) CITIZENS TO SERVE ON THE RECREATION ADVISORY BOARD.**

**City Manager Wilkins** stated that correspondence was previously submitted to the City Council requesting nominees.

**Chair Pro Tem Iles** submitted the names of Ms. Sylvia Gibson and Ms Marion White to serve on the Recreation Advisory Board. She then stated that these individuals should receive related documents and information required for them to operate as board members.

**Councilperson Wade** submitted Mr. Edwin Wade and stated same concerns as Council Pro tem Iles.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Davis** to appoint Sylvia Gibson, Marion White, and Edwin Wade to the Recreation Advisory Board.

**MOTION**

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

**MOTION APPROVED**

**E. CITY MANAGER'S EVALUATION TOOL.**
**ITEM ADDED TO AGENDA**

**Councilperson Davis** stated that a copy of the evaluation was provided at the Agenda Review Meeting.

**Councilperson Wade** stated that the evaluation tool should be used for both of the employees that report to the City Council.

**Chairperson Schnyer** stated that he was in agreement with the intent of the evaluation tool; however, he was not in agreement to compel future Councilpersons to partake in the process.

**Chair Pro Tem Iles** stated that she needed clarification *on* the meaning of the evaluation and how a consensus would be made upon submittal of more than one evaluation as it relates to the renewing of a contract, a raise, or a bonus.

A motion was made by **Councilperson Davis** and seconded by **Councilperson Wade** to approve the evaluation tool as presented with the understanding that each councilperson must evaluate the city manager.

**MOTION**

**City Attorney Ryan** stated that a Resolution would be prepared and placed on the next regular meeting consent agenda ratifying the approval.

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilpersons Schnyer and Wilson dissenting.

**MOTION APPROVED**

**City Manager Wilkins** stated that he had no problem with the approved evaluation tool.

**14. LEGAL DISCUSSION/REQUESTS**

**NONE**

**15. REQUEST TO CITY COUNCIL AND RECOMMENDATIONS OR DISCUSSIONS FROM THE M. & CITY COUNCIL**

**Councilperson Wilson** thanked the City Manager and staff for the efforts put forth during the Martin Luther King, Jr. celebration activities held Saturday.

**Councilperson Davis** made inquiries concerning Our Next Steps, Inc. with regards to whether or not they are renting space to a church.

**Councilperson Wade** thanked Commissioner Addie Greene for partially funding the entrance gate to Lone Pine Estates and other projects within the City. She later expressed her displeasure regarding the antics taking place concerning the youth football program.

**Chairperson Schnyer** also thanked Commissioner Greene for her support in various city efforts.

**Councilperson Davis** announced that Port Commissioner Richards circulated a flyer that provided information on the opening of a Voting/Civil Right Restoration

Clinic which would process Civil Rights Restoration applications at no charge. She then inquired about the city receiving reimbursement of funds disbursed to the youth football program.

**Chair Pro Tem Iles** stated that has not advocated the ending of the football program and that she will support decisions made by the City Manager concerning the program.

**City Manager Wilkins** announced that a kick-off celebration for the New Prosperity Center, which will provide approximately $3.2 million for community and housing revitalization, would be held on Saturday, at the Lindsey Davis Community Center at 12:50 p.m. and that the City Council and residents were invited.

## 16. ADJOURNMENT

**There being no further business the meeting was duly adjourned at 9:47 p.m.**

APPROVED:

MICHAEL D. BROWN
MAYOR

DAVID G. SCHNYER
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

ANN ILES
CHAIR PRO TEM

DONALD R. WILSON
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: D. Wilson
SECONDED BY: E. Wade

| | |
|---|---|
| D. SCHNYER | aye |
| A. ILES | aye |
| D. WILSON | aye |
| J. DAVIS | aye |
| E. WADE | aye |

DATE APPROVED: *02102105*

**CITY OF RIVIERA BEACH, FL**
**REGULAR CITY COUNCIL MEETING**
**JANUARY 19,2004**

## ADDITIONS, DELETIONS. SUBSTITUTIONS. & REVISIONS

| Page | Roman Numeral | | ADDITIONS |
|---|---|---|---|
| | | | Regular |
| 4 | 13 | Item No. 13-C | Additional Back-up Provided. Resolution No. ____ A Resolution Of The City Council Of **The** City Of Riviera Beach, Palm Beach County, Florida, Authorizing The Finance Director To Appropriate General Fund, Fund Balance Account No. 001- 00-399999 In The Amount Of $310.486 For Lease And Moving Expenses For Fiscal Year 2004-2005 To Provide Temporary Relocation Of Code Enforcement. Vice Unit, Police Training, Crime Prevention, Citizens On Patrol Office And The Civil Drug Court, And Further Authorizing The City Manager To Negotiate A Three (3) Year Lease Agreement For Temporary Office Space; And Providing An Effective Date. |

1/18/05 mem