

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
SPECIAL CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 1, 2005 AT 6:00 P.M.**

**1. CITY CLERK CALLS TO ORDER:**

Roll Call

Chairperson Wade was present and presided. Upon roll call by City Clerk Ward, the following were present: Mayor Michael D. Brown, Councilperson Edward Rodgers and Councilperson Judy L. Davis. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna Ryan.

Councillpersons Iles and Lee arrived shortly after the roll call.

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 the following revisions to the agenda: revised Resolution for Item No. 8B – Resolution regarding job classification; back-up provided for Item No. 13H – board appointments to the General Employees Pension Board; deleted Item No. 13A – Resolution regarding salary increase for administrative, supervisory, and confidential employees; and deleted Item No. 13F – discussion on the City Manager's contract.

**3. ADOPTION OF THE AGENDA**

A motion was made by Councilperson Davis and seconded by Councilperson Rodgers to adopt the agenda as amended.

MOTION

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

MOTION APPROVED

**4. UNFINISHED BUSINESS**

NONE

**5. AWARDS AND PRESENTATIONS**

NONE

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

Dennis Widlansky, 1206 Coral Way, made comments regarding the sector plan accepted at the November 30<sup>th</sup> special meeting.

Margaret Shepherd, 2003 W 17<sup>th</sup> Ct #104, made comments regarding the aesthetics in front of Ivey Green.

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.**

7. MINUTES

MINUTES OF THE SPECIAL **CITY** COUNCIL MEETING HELD ON NOVEMBER 9,2005; MINUTES OF THE REGULAR **CITY** COUNCIL MEETING HELD ON NOVEMBER 16,2005.

8. RESOLUTIONS:

- A. RESOLUTION NO. 204-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY** OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF TWENN (20) VEHICLES FOR THE CITY'S POLICE DEPARTMENT FROM DUVAL FORD OF JACKSONVILLE, FLORIDA THROUGH FLORIDA SHERIFF'S BID **#04-12-0823RO**; AUTHORIZING THE PURCHASE OF VEHICLE EQUIPMENT FROM OTHER VENDORS; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY \$383,710 TO DUVAL FORD FROM THE CAPITAL ACQUISITION FUND MOTOR VEHICLE ACCOUNT NO. 310-817-521-0-6451 TO DUVAL FORD AND AUTHORIZING PAYMENTS OF \$27,215.10 FOR OTHER STANDARD EQUIPMENT FROM THE CAPITAL ACQUISITION FUND MOTOR VEHICLE ACCOUNT NO. **310-0817-521-0-6451**; AND PROVIDING AN EFFECTIVE DATE.

- B. RESOLUTION NO. 205-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY** OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE JOB CLASSIFICATION **LIST** BY ~~CREATING A NEW PAY GRADE ON THE ADMINISTRATIVE SCHEDULE~~, REGRADING CERTAIN ADMINISTRATIVE POSITIONS, DELETING ~~CERTAIN~~ VARIOUS POSITIONS WITHIN THE PURCHASING DEPARTMENT AND CREATING CERTAIN POSITIONS ACCORDING TO THE 2005-2006 FISCAL YEAR BUDGET; AND PROVIDING AN EFFECTIVE DATE.
- C. RESOLUTION NO. 206-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE C I N OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE VOGEL LAGA PLAT LOCATED ON WEST **25<sup>TH</sup>** STREET WEST OF AVENUE "**Q**" IN THE MONROE HEIGHTS SUBDIVISION; AUTHORIZING THE MAYOR, CITY ENGINEER, AND CITY CLERK TO **SIGN** THE **SAID** PLAT; AND PROVIDING AN EFFECTIVE DATE.
- D. RESOLUTION NO. 207-05 A RESOLUTION OF THE C I N COUNCIL OF THE **CITY** OF RIVIERA BEACH, PALM BEACH COUNN, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE GENERAL FUND, FUND BALANCE ACCOUNT NO. 001-00-399999 IN THE AMOUNT OF \$70,001 AND TRANSFER TO THE CAPITAL FUND **CITY** CLERK ACCOUNT NO. 305-0409-5812-0-6455 FOR THE PURPOSE OF PURCHASING MEDIA EQUIPMENT FROM THE LOWEST PRICED VENDORS MEETING REQUIRED **SPECIFICATIONS** TO FACILITATE RIVIERA BEACH CHANNEL 18; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$20,000 FROM GENERAL FUND CONTINGENCY ACCOUNT NO. 001-0203-519-0-5999 TO THE C I N CLERK'S CONTRACT SERVICES ACCOUNT IN THE AMOUNT OF \$15,000 AND \$5,000 TO THE C I N CLERK'S REPAIR AND MAINTENANCE ACCOUNT FOR MAINTENANCE AND OPERATION OF CHANNEL 18; AND PROVIDING AN EFFECTIVE DATE.
- E. RESOLUTION NO. 208-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY** OF RIVIERA BEACH, PALM BEACH COUNN, FLORIDA, RETROACTIVELY AMENDING THE 2004-05 BUDGET FOR VARIOUS TECHNICAL CORRECTIONS THAT NEED TO BE MADE (SEE EXHIBIT "A"); AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Davis and seconded by Councilperson Rodgers to approve the Consent Agenda as amended.

MOTION

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

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

10. PUBLIC HEARINGS:

NONE

11. ORDINANCES ON SECOND READING

NONE

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. 2998 AN ORDINANCE OF THE C I N COUNCIL OF THE C I N OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP LAND USE DESIGNATION FROM COMMERCIAL TO MEDIUM **DENSITY** MULTI-FAMILY RESIDENTIAL (UP TO 15 UNITS PER ACRE) FOR 1.52 ACRES LOCATED AT 4444 LEO LANE; DIRECTING THE DIRECTOR OF COMMUNIN DEVELOPMENT TO AMEND THE C I N OF RIVIERA BEACH FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Rodgers to approve Ordinance No. 2998 on First Reading.

MOTION

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

MOTION APPROVED

- B. ORDINANCE NO. 2999 AN ORDINANCE OF THE C I N COUNCIL OF THE **CITY** OF RIVIERA BEACH, PALM BEACH COUNN, FLORIDA, UPDATING THE ZONING MAP OF THE C I N OF RIVIERA BEACH BY ASSIGNING A ZONING CLASSIFICATION OF LOW **DENSITY** MULTIPLE-FAMILY DWELLING DISTRICT (RML-12) ON A 1.52 ACRE **PROPERTY** LOCATED AT 4444 LEO LANE; DIRECTING THE DIRECTOR OF COMMUNIN DEVELOPMENT TO UPDATE THE C I N OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Rodgers to approve Ordinance No. 2999 on First Reading.

MOTION

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

MOTION APPROVED

- C. ORDINANCE NO. 3000 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN THE CITY OF RIVIERA BEACH FOR ADDITIONAL ROAD CAPACITY; PROVIDING ALTERNATIVE TRANSPORTATION MODES; PROVIDING **MULTIMODAL** DESIGN STANDARDS, AND RELATED FACILITIES NECESSITATED BY NEW CONSTRUCTION AND REDEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE CITY COUNCIL OF THE **CITY** OF RIVIERA BEACH; PROVIDING FOR THE PAYMENT AND **TIME** OF PAYMENT OF THE ROAD IMPACT FEE; PROVIDING FOR REVIEW AND ADJUSTMENT OF THE ROAD IMPACT FEES AND THE FEE SCHEDULES; PROVIDING FOR THE ESTABLISHMENT OF ROAD IMPACT FEE DISTRICTS; PROVIDING FOR THE PLACEMENT OF REVENUE COLLECTED FROM ROAD IMPACT FEES INTO ROAD IMPACT FEE TRUST FUNDS ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM ROAD IMPACT FEES; PROVIDING THAT ROAD IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING FOR CREDITS AGAINST IMPACT FEES FOR DONATIONS; PROVIDING FOR AUTOMATIC ADJUSTMENT OF IMPACT FEES; PROVIDING FOR APPEALS OF IMPACT FEES; PROVIDING FOR PENALTIES FOR VIOLATION OF **THIS** ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Rodgers to approve Ordinance No. 3000 on First Reading.

MOTION

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

MOTION APPROVED

Gerald Ward, **31 W 20<sup>th</sup>** Street, made comments regarding the proposed Ordinance.

- D. ORDINANCE NO. \_\_\_\_\_ AN ORDINANCE OF THE **CITY** COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING

THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES TO PROVIDE STREET DESIGN STANDARDS FOR THE COMMUNITY DEVELOPMENT AREA; PROVIDING FOR SEVERABILITY, CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Councilperson Rodgers and seconded by Councilperson Davis to table the aforementioned Ordinance until December 21, 2005.

MOTION TO TABLE

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

MOTION APPROVED

13. REGULAR

A. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE **CITY COUNCIL** OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING THE SALARIES OF ADMINISTRATIVE, SUPERVISORY AND CONFIDENTIAL EMPLOYEES BY FIVE PERCENT (5%) FOR FISCAL YEAR 2005-2006 AND PROVIDING FOR UP TO A TWO PERCENT MERIT INCREASE FOR THESE EMPLOYEES ON THEIR ANNIVERSARY DATE AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$401,093 FROM VARIOUS RELATED CONTINGENCY ACCOUNT NUMBERS TO ALL RELATED SALARY ACCOUNTS AND AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE MARINA FUND FUND BALANCE IN THE AMOUNT OF \$12,626 FOR SAME; PROVIDING AN EFFECTIVE DATE. ~~ITEM DELETED~~

B. RESOLUTION NO. 210-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT COMMENCING OCTOBER 1, 2004 TO SEPTEMBER 30, 2007 BETWEEN THE PROFESSIONAL **FIREFIGHTERS/PARAMEDICS** OF PALM BEACH COUNTY, IAFF, INC., AN ORGANIZATION REPRESENTING UNIFORM FIREFIGHTERS OF THE CITY OF RIVIERA BEACH; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Resolution No. 210-05.

MOTION

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

MOTION APPROVED

- C. RESOLUTION NO. 211-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION SCHEDULES BY INCREASING THE SALARY OF UNIFORM **FIRE** PERSONNEL REPRESENTED BY THE PROFESSIONAL **FIREFIGHTERS/PARAMEDICS** OF PALM BEACH COUNTY (IAFF) BARGAINING AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Resolution No. 211-05.

MOTION

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

MOTION APPROVED

- D. RESOLUTION NO. 212-05 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 DISASTER RELIEF FUNDING AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH HURRICANE WILMA; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made Councilperson Davis and seconded by Chair pro **tem lles** to approve Resolution No. 212-05.

MOTION

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

MOTION APPROVED

- E. REQUEST A SPECIAL MEETING WITH **CITY** COUNCIL TO DISCUSS DEPARTMENT HEAD SALARIES AND BENEFIT PACKAGE.

Consensus of City Council scheduled a special meeting Wednesday, December 14, 2005 at 6:00 p.m.

- F. CONSIDERATION OF WILLIAM E. **WILKINS'** CONTRACT.

**ITEM-DELETED**

- G. WORKSHOP: REQUEST CITY COUNCIL TO RECEIVE WORK FORCE HOUSING INFORMATION FROM PALM BEACH COUNTY AND SCHEDULE A WORKSHOP ON THE USE OF COMMUNITY LAND TRUST ON DECEMBER 21,2005 AT **5:30** PM.

Consensus of the City Council tentatively scheduled a workshop for December 21<sup>st</sup> at 5:30 p.m.

- H. BOARD APPOINTMENT: REQUEST CITY COUNCIL APPROVE THE MAYOR'S RE-APPOINTMENT OR APPOINTMENT OF TWO MEMBERS TO SERVE ON THE GENERAL EMPLOYEES PENSION BOARD.

Chair pro tem Iles motioned and Councilperson Davis seconded to ratify the Mayor's appointment of Nathaniel Garvin and Betty Kendricks to the General Employees Pension Board.

MOTION

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

MOTION APPROVED

- I. BOARD APPOINTMENT: REQUEST CITY COUNCIL APPOINT MEMBERS TO THE PLANNING AND ZONING BOARD.

A motion was made by Councilperson Rodgers and seconded by Chair pro tem Iles to re-appoint Edward Kunuty and Julius Whigham to the Planning and Zoning Board.

MOTION

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments against the re-appointment of Julius Whigham and questioned whether or not Chip Armstrong applied for the board.

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

MOTION APPROVED

A motion was made by Chair pro tem Iles and seconded by Councilperson Davis to appoint Chip Armstrong to the Planning and Zoning Board as the replacement for Robert Dingledein.

MOTION

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

MOTION APPROVED

A motion was made by Councilperson Davis and seconded by Chair pro tem Iles to appoint Margaret Shepherd (1<sup>st</sup> Alternate) and Karen St. John (2<sup>nd</sup> Alternate).

MOTION

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

**MOTION APPROVED**

14. **LEGAL DISCUSSION/REQUESTS**

**NONE**

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

**Councilperson Lee** made comments regarding the statistics that were provided for sector 1 of the sector plan; she questioned the continued fines accruing on properties damaged during hurricane season by Code Enforcement.

**Councilperson Davis** announced that a Holiday Social would be held on December 30<sup>th</sup>, 12 noon until 5 p.m. for those that are 55 and older, and stated that Hoop It Up In The Park is scheduled for January at Schultz park. She requested that the personnel take home car policy be added to the agenda for the meeting scheduled for December 14<sup>th</sup>. She suggested that a supplement be made to the sector plan to include Singer Island and Lone Pine Estates.

A motion was made by **Councilperson Davis** and seconded by **Chair pro tem Iles** to include Singer Island and Lone Pine Estates into the sector plan.

**MOTION**

After discussion amongst the City Council, Councilperson Davis rescinded her motion.

**MOTION RESCINDED**

**Chair pro tem Iles** requested that discussion on combining the Public Works and the Parks Division be added to the agenda on December 14<sup>th</sup>.

Sandra Powlette clarified discussion during agenda review indicated the CRA meeting would be re-scheduled for Wednesday, 5:00 p.m.; and the special meeting to discuss department salaries at 6:00 p.m.

Chair pro tem Iles requested that the information on fines issued on properties that are being repaired from hurricane damage include whether or not fines were assessed prior to the hurricane.

**Councilperson Rodgers** made comments regarding making attempts to lure the Scripps project into the City.

**Mayor Brown** made comments regarding the statement made by Councilperson Lee referenced the probable cause for the statistics provided for sector one in the sector plan. He also made comments regarding the approach on Blue Heron

Boulevard and Congress Avenue north. He also made comments regarding semi-trucks parking along Blue Heron Boulevard across from Broadmoor apartments and on Gardens Road.

City Manager Wilkins provided a brief synopsis on the City's policy for the parking of semi-trucks within city limits and requesting property owners to post proper signage. He also announced that members of the City Council would be attending the National League of Cities Conference December 5<sup>th</sup> through December 11<sup>th</sup>.

City Manager Wilkins requested a Closed Executive Session to discuss union negotiations.

There was a consensus of the City Council to schedule a Closed Executive Session December 15<sup>th</sup> at 5:30 p.m.

**16. ADJOURNMENT**

There being no further business, the meeting duly adjourned at **7:50 p.m.**

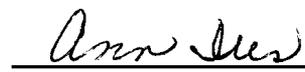
APPROVED:

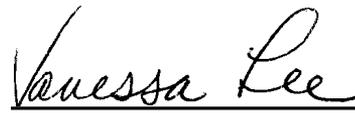
  
\_\_\_\_\_  
**MICHAEL D. BROWN**  
MAYOR

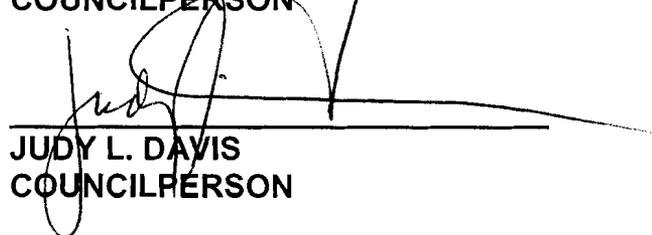
  
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**ELIZABETH "LIZ" WADE**  
CHAIRPERSON

ATTEST:

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

  
\_\_\_\_\_  
**ANN ILES**  
CHAIR PRO TEM

  
\_\_\_\_\_  
**VANESSA LEE**  
COUNCILPERSON

  
\_\_\_\_\_  
**JUDY L. DAVIS**  
COUNCILPERSON

  
EDWARD RODGERS  
COUNCILPERSON

MOTIONED BY: J. Davis

SECONDED BY: V. Lee

E. RODGERS aye

A. ILES aye

V. LEE aye

J. DAVIS aye

E. WADE aye

DATE APPROVED: 12121105