

CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, OCTOBER 20, 2004 AT 7:30 P.M.

1. CITY CLERK CALLS TO ORDER:

1. Roll Call

Chairperson David G. Schnyer was present and presided. Upon a roll call by City Clerk Ward, the following were present: Chair Pro Tem Ann lies, 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.

Mayor Brown was absent.

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 made the following revisions to the agenda: added a presentation of new employees for the month of August under Awards and Presentations and provided corrected copy of resolution regarding agreement with Advanced Data Processing.

3. ADQPTIQN QF THE AGENDA

A motion was made by Councilperson Wilson and seconded by Councilperson Wade 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

NONE

5. AWARDS AND PRESENTATIONS

1. PRESENTATION OF NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF AUGUST, 2004.

Doretha Perry, Human Resources Director, presented the following new employee for the month of August - Roger Grayson (Public Works).

Chair Pro Tem lies presented Mr. Grayson with an excellence pen and indicated her desire for him to provide excellent service to the residents.

6. COMMENTS FRQM THE PUBYC -Non **Agenda** Item Speakers (Two Minute Limitation)

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments regarding the replacement of State Road 710 and the traffic signals.

Martha Babson, E 21<sup>st</sup> Street, made comments regarding a boat repair business near her house and a gambling casino cruise that opened at Viking Yachts.

Rodney Roberts, 1581 W 14<sup>th</sup> Street, made comments regarding his concern of how the City is ran.

Al Lorie, 127 E 21<sup>st</sup> Street, expressed his thanks for having the post office bear the name of the City.

Frankie LaVergne, 2647 W 28<sup>th</sup> Street, made comments regarding the disbursement of scholarships.

Warrie Leonard, 1901 W 23<sup>rd</sup> Street, made comments regarding the police department, the agenda on the internet, and had a letter of thanks read into the record by Frankie LaVergne on behalf of the National Village and Timber Pine Homeowners Association regarding the staff's committed efforts in serving the residents during and after the hurricanes.

CQNSENT 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. AGENDA ITEM CARDS MUST BE SUBMITTED BEFORE THE ITEM IS CONSIDERED**

7. MINUTES

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON SEPTEMBER 15, 2004.

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON OCTOBER 6, 2004.

8. RESOLUTIONS

1. RESOLUTION NO. **196-04** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING THE REVISED UNIFIED PALM BEACH COUNTY LOCAL MITIGATION STRATEGY PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.
2. RESOLUTION NO. **197-04** 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 THREE YEAR AGREEMENT WITH ADVANCED DATA PROCESSING, INCORPORATED PROVIDING FOR EMERGENCY MEDICAL TRANSPORT BILLING SERVICES; AUTHORIZING THE FINANCE DIRECTOR TO INCREASE BUDGET 001-0921-526-0-3105 IN THE AMOUNT OF \$46,518 AND 001-0203-519-0-5999 IN THE AMOUNT OF \$51,672; AUTHORIZING STAFF TO TERMINATE THE AGREEMENT WITH THE CITY OF WEST PALM BEACH; AND PROVIDING AN EFFECTIVE DATE.
3. RESOLUTION NO. **198-04** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO REDUCE THE UTILITY ACCOUNTS RECEIVABLE BALANCE AND THE ALLOWANCE FOR BAD DEBTS BY THE AMOUNT OF \$56,291.65; AND PROVIDING AN EFFECTIVE DATE.
4. RESOLUTION NO. **199-04** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CHANGING THE NAME OF THE UTILITY BILLING DIVISION TO BILLING AND COLLECTION DIVISION WITHIN THE FINANCE DEPARTMENT AND THAT POSITIONS ON THE JOB CLASSIFICATION LIST BE CHANGED ACCORDINGLY AND PROVIDING AN EFFECTIVE DATE.

5. RESOLUTION NO. 200-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THAT THE 2004-05 BUDGET OF THE COMMUNITY DEVELOPMENT DEPARTMENT BUILDING DIVISION BE AMENDED BY ADDING ONE (1) CLASSIFIED POSITION OF BUILDING PERMIT TECHNICIAN; AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$40,864 FROM GENERAL FUND CONTINGENCY TO THE APPROPRIATE SALARY AND BENEFITS ACCOUNTS; AND PROVIDING AN EFFECTIVE DATE.
6. RESOLUTION NO. 201-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF MERLYN WOLFE V. CITY OF RIVIERA BEACH, CASE NUMBER 502003CA010553XXANG; AND PROVIDING AN EFFECTIVE DATE.
7. RESOLUTION NO. 202-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE BUDGE FOR THE 5TH ANNUAL STATE OF THE CITY DINNER; REQUESTING THE TRANSFER OF \$10,000 (SEED MONEY) FROM GENERAL FUND CONTINGENCY TO THE STATE OF THE CITY FUND; AND AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUGET IN THE AMOUNT OF \$20,000 FOR THE 5TH ANNUAL STATE OF THE CITY DINNER AND TO DISBURSE FUNDS FROM ACCOUNT NUMBERS 135-0111-572-0-3106, 135-0111-572-0-4403, AND 135-0111-572-0-5201; AND ESTABLISING AN EFFECTIVE DATE.
8. RESOLUTION NO. 203-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FOR THE MARSH HARBOUR DEVELOPMENT SUBMITTED BY THE CORNERSTONE GROUP, LOCATED ON THE WEST SIDE OF CONGRESS AVENUE SOUTH OF BLUE HERON BOULEVARD WITH SPECIFIC CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

END OF CONSENT AGENDA

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

MOTIQN

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

MQTIQN APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

10. PUBLIC HEARINGS

1. RESOLUTION NO. 204-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE - LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM IN THE AMOUNT OF \$44,478.00; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CASH MATCH (\$4,942.00) FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT NUMBER 150-0B17-581-0-0149 TO THE LOCAL LAW ENFORCEMENT GRANT FUND; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record and announced that it was advertised in the August 13 and October 10, 2004 edition of the Palm Beach Post and on Riviera Beach Channel 18.

A motion was made by Councilperson Wade and seconded by Councilperson Wilson to approve Resolution No. 204-04.

MOTION

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

MOTION APPROVED

11. ORDINANCES ON SECOND READING

1. ORDINANCE NO. 2981 A ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION FROM SUNCREST SUPPLY, INC. WITH LAND IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, FLORIDA CONTAINING 5.90 ACRES, LYING ON THE EAST SIDE OF BYRON DRIVE EAST OF AND ADJACENT TO I-95, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF RIVIERA BEACH; PROVIDING FOR REDEFINING OF THE MUNICIPAL BOUNDARIES TO INCLUDE SAID LAND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE THEREOF; AND FOR OTHER PURPOSES IN ACCORDANCE WITH SECTION 171.046, FLORIDA STATUTES.

City Clerk Ward read the aforementioned Ordinance into the record and announced that it was advertised in the October 10, 2004 edition of the Palm Beach Post and Riviera Beach Channel 18.

A motion was made by Councilperson Wade and seconded by Councilperson Davis to adopt Ordinance No. 2981.

MOTION

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

MOTION APPROVED

13. ORDINANCES ON FIRST READING

NONE

14. LEGAL DISCUSSION/REQUESTS.

NONE

15. REGULAR

1. RE-APPOINTMENT OR APPOINTMENT OF A MEMBER TO SERVE ON THE GENERAL EMPLOYEES PENSION BOARD. THAT CITY COUNCIL APPROVE MAYOR MICHAEL D. BROWN'S RE-APPOINTMENT OF EXISTING MEMBER MRS. BARBARA J. WYLY TO SERVE ANOTHER TERM THROUGH NOVEMBER, 2007 OR APPOINTMENT OF A MEMBER TO SERVE ON THE GENERAL EMPLOYEES PENSION BOARD.

A motion was made by Councilperson Wilson and seconded by Chair Pro Tem lies to approve the Mayor's recommendation to re-appoint Mrs. Wyly to the General Employee's Pension Board.

MOTION

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

MOTION APPROVED

2. STAFF IS REQUESTING AUTHORIZATION BY THE CITY COUNCIL TO ISSUE BUILDING PERMIT FOR LOT 5, WEST 30<sup>TH</sup> STREET APPROXIMATELY 200 FEET EAST OF SUGARHILL CEMETERY.

A discussion ensued amongst the City Council and staff.

Sylvia Blue, 300 W 25<sup>th</sup> Street, made comments against staff's request.

Rhonda Wright, made comments regarding circumstances concerning this project.

A motion was made by Chair Pro Tern lies and seconded by Councilperson Wilson authorizing staff to issue a bUilding permit for Lot 5, W 30<sup>th</sup> Street.

MOTION

Upon a roll call *vote* by City Clerk Ward, the motion was approved with Councilperson Wade dissenting.

MOTION APPRQVED

City Manager Wilkins discussed in detail additional information he provided to the City Council that was included in their packets.

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

Councilperson Wilson made comments regarding information on Channel 18 and the street lights. He also presented a request from Ron Maynor for the City Council to reconsider their decision on the Code Enforcement lien on his property located on 29<sup>th</sup> Street.

A discussion ensued amongst the City Council and staff.

A motion was made by Chair Pro Tern lies and seconded by Councilperson Wilson to return the previously approved motion to grant extended time for compliance to the City Council for consideration.

MOTION

Upon a roll call *vote* by City Clerk Ward, the motion was approved with Councilperson Wade dissenting.

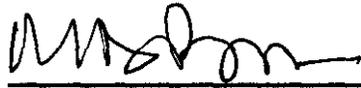
MOTION APPROVED

Councilperson Wade made comments regarding current information being posted to the internet and preparation of construction sites prior to hurricanes.

17. ADJOURNMENT

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

APPROVED:



MICHAEL D. BROWN  
MAYOR

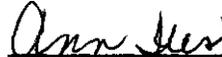


DAVID G. SCHNYER  
CHAIRPERSON

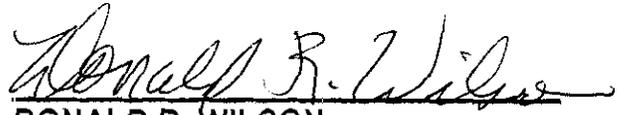
ATTEST:



CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



ANN ILES  
CHAIR PRO TEM



DONALD R. WILSON  
COUNCILPERSON



JUDY L. DAVIS  
COUNCILPERSON



EL BETH "LIZ" DE  
COUNCILPERSON

MOTIONED BY: D. Wilson  
SECONDED BY: J. Davis

D.SCHNYER	<u>aye</u>
A.ILES	<u>aye</u>
D. WILSON	<u>aye</u>
J. DAVIS	<u>aye</u>
E. WADE	<u>out</u>

DATE APPROVED: 1103104