

CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, NOVEMBER 17, 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: Mayor Michael D. Brown, Chair Pro Tern 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.

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 presentation from Marianne Croteau under Awards and Presentations; deleted 8a - Resolution regarding agreement with R. G. Group, deleted 8g - Resolution regarding tactical body armor; provided corrected resolution for 8h - Resolution regarding insurance coverage; provided revised backup for 8i - Resolution regarding Visionair, Inc., and 8j - Resolution regarding American Data Group and Legal Discussion would be moved to after the regular agenda.

Chairperson Schnyer questioned the City Attorney regarding comment cards received for two items on the Consent Agenda.

City Attorney Ryan stated that comments could be made under Public Comments and could be pulled by a City Council person.

Chairperson Schnyer stated that item 8e - Resolution regarding sale of City owned property and 8f - Resolution regarding James Nicholas were pulled at the request of Councilperson Wade.

3. ADOPTION OF THE AGENDA

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

**A. PRESENTATION OF THANKSGIVING BASKETS TO HONORABLE MAYOR AND CITY COUNCIL BY GIRLS SCOUT TROOP # 760 OF RIVIERA BEACH, FL.**

**Carmen Napier, Recreation Center Coordinator**, gave a review on the activities of Girl Scouts Troop #760 and presented a few of the members that were present.

A presentation was made by one of the members from the Girl Scouts troop.

**Ms. Willie Watson**, presented the City with four baskets to be distributed and presented a basket to Gertha and Floyd Gersh.

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

**Doretha Perry, Human Resources Director**, presented the following new employees for the month of October: Emery Hampton (Water/Sewer), Alfred Couric (Fire), Lyndon Gray (Water/Sewer), and Elizabeth Roberts (Marina).

**C. PRESENTATION BY MARIANNE CROTEAU**

**Ms. Croteau** expressed words of thanks on behalf of the family deceased Firefighter Matthew Cole. She also read a letter from Matthew's mom into the record.

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

**Margaret Shepherd, 2003 17<sup>th</sup> Ct**, made comments regarding the lighting and police presence in her neighborhood, the Marsh Harbour reception and the State of the City dinner.

**Norma Duncombe, 3560 Lake Shore Drive**, thanked the Mayor and City Council for the assistance prOvided during the hurricane relief efforts and made comments regarding the appearance of the city streets.

Randy Graham, 1516 W 30<sup>th</sup> Street, made comments regarding unsolved murders.

Jeff Marshall, Catalfumo representative, reminded the Mayor and City Council of the unveiling of the 2700 N Ocean Drive project to be held on Sunday.

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 REGULAR CITY COUNCIL MEETING HELD ON NOVEMBER 3, 2004.

8. RESOLUTIONS:

A. RESOLUTION NO. 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 R. G. GROUP, INC. d/b/a TIKI WATERFRONT SEA GRILL TO OPERATE A RESTAURANT FROM THE CITY OF RIVIERA BEACH MUNICIPAL MARINA; AND PROVIDING AN EFFECTIVE DATE. **ITEM DELETED**

B. RESOLUTION NO. 214-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RECLASSIFYING THE UNCLASSIFIED POSITION OF PROGRAM COORDINATOR TO DRUG COURT COORDINATOR CREATING THE UNCLASSIFIED POSITION OF ASSISTANT DRUG COURT COORDINATOR FOR THE CIVIL DRUG COURT DIVISION OF THE EXECUTIVE DEPARTMENT AND DELETING THE UNCLASSIFIED POSITION OF PROGRAM COORDINATOR; AND PROVIDING AN EFFECTIVE DATE.

C. RESOLUTION NO. 215-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RECLASSIFYING THE POSITION OF LIBRARIAN TO ONE FULL-TIME LIBRARY ASSISTANT AND ONE PART-TIME LIBRARY ASSISTANT IN THE

LIBRARY DEPARTMENT 2004-2005 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

- D. RESOLUTION NO. 216-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE MODIFICATION NUMBER ONE TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND DEPARTMENT OF COMMUNITY AFFAIRS EXTENDING THE COMPLETION DATE FOR AVENUE Up" DRAINAGE PROJECT; AND PROVIDING AN EFFECTIVE DATE.
- E. RESOLUTION NO. 217-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WEST 13<sup>TH</sup> STREET AND AVENUE 10p" WITH SPECIFIC CONDITIONS; AND PROVIDING AN EFFECTIVE DATE. **ITEM PULLED BY COUNCILPERSON WADE**

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. 217-04.

MOTION

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

A discussion ensued amongst the Mayor, City Council, and staff.

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

MOTION APPROVED

- F. RESOLUTION NO. 218-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PAYMENT TO JAMES NICHOLAS FOR THE PREPARATION OF IMPACT FEES FOR LIBRARIES, PARKS, FIRE AND POLICE FACILITIES, AND PUBLIC BUILDINGS IN THE AMOUNT OF \$20,000; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$20,000 FROM GENERAL FUND CONTINGENCY ACCOUNT NO. 001-0203-519-0-5999 TO THE GENERAL ADMINISTRATION CONTRACT SERVICES ACCOUNT NO. 001-0203-519-0-3106; PROVIDING FOR AN EFFECTIVE DATE. **ITEM PULLED BY COUNCILPERSON WADE**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wilson and seconded by Chair Pro Tern lies to approve Resolution No. 218-04.

MOTION

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

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

MOTION APPROVED

- G. RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE EXPENDITURE OF \$31,820 TO PAY FOR SPECIAL RESPONSE TEAM (SRT) TACTICAL BODY ARMOR FROM THE OPERATIONS BUREAU CLOTHING SUPPLIES ACCOUNT NO. 001-0822-521-0-5209; AND PROVIDING AN EFFECTIVE DATE. **ITEM DELETED**
- H. RESOLUTION NO. 219-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF RIVIERA BEACH TO PROVIDE HEALTH, DENTAL AND LIFE INSURANCE COVERAGE TO THE EMPLOYEES OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY BEGINNING IN THE *2004/2005* FISCAL YEAR.
- I. RESOLUTION NO. 220-04 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 FIVE-YEAR CONTRACT ADDENDUM WITH VISIONAIR, INC. TO PROVIDE ANNUAL SERVICE AND SUPPORT MAINTENANCE FOR OUR PUBLIC SAFETY COMPUTER-AIDED DISPATCH, RECORDS MANAGEMENT SYSTEM AND MOBILE SYSTEM SOFTWARE APPLICATIONS, AUTHORIZING PAYMENT IN THE AMOUNT OF \$48,093.28 FOR FISCAL YEAR 2005, AND \$50,417 PER YEAR FOR FISCAL YEARS 2006 THROUGH 2009 FROM ACCOUNT NO. 001-0243-513-04601; AND PROVIDING AN EFFECTIVE DATE.
- J. RESOLUTION NO. 221-04 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 FIVE-YEAR CONTRACT ADDENDUM WITH AMERICAN DATA GROUP, INC. (ADG) TO PROVIDE ANNUAL SERVICE AND SUPPORT MAINTENANCE FOR ADG FINANCIAL ADMINISTRATION SOFTWARE APPLICATIONS AND DATABASES; AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,870 FOR FISCAL YEAR 2005, AND INFLATION ADJUSTED PAYMENTS FOR FISCAL YEARS 2006 THROUGH 2009 FROM ACCOUNT NO. 001-0243-513-0-4601; AND PROVIDING AN EFFECTIVE DATE.

- K. RESOLUTION NO. 222-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT 1 TO THE AGREEMENT BETWEEN STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF RIVIERA BEACH FOR FUNDING FOR THE TATE RECREATION CENTER - PHASE I; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Wade and seconded by Chair Pro Tem lies 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

- A. RESOLUTION NO. 223-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION AND SITE PLAN APPLICATION FOR GREAT OPPORTUNITY KNOCKS DAYCARE FACILITY LOCATED AT 1197 WEST 35<sup>TH</sup> STREET WITH SPECIFIC CONDITIONS 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 Davis to approve Resolution No. 223-04.

MOTION

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

MOTION APPROVED

11. ORDINANCES ON SECOND READING

- A. ORDINANCE NO. 2982 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN BY ASSIGNING AN INDUSTRIAL FUTURE LAND USE DESIGNATION TO 5.9 ACRES OF LAND LOCATED AT 7540 BYRON

DRIVE; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record and announced that it was advertised in the November 7, 2004 edition of the Palm Beach Post.

A motion was made by Councilperson Wilson and seconded by Councilperson Davis to adopt Ordinance No. 2982.

MOTION

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

MOTION APPROVED

- B. ORDINANCE NO. 2983 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING MAP BY CHANGING THE ZONING CLASSIFICATION TO CITY OF RIVIERA BEACH GENERAL INDUSTRIAL (IG) FOR 5.9 ACRES OF LAND LOCATED AT 7540 BYRON DRIVE, JUST EAST OF 1-95; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record announced that it was advertised in the November 7, 2004 edition of the Palm Beach Post.

A motion was made by Councilperson Davis and seconded by Councilperson Wade to adopt Ordinance No. 2983.

MOTION

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

MOTION APPROVED

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. 2984 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; FINDING THAT THE PLAN CONFORMS TO SECTIONS 163.360, 163.361, 163.362, AND 166.041, FLORIDA STATUTES; DIRECTING THAT THE PLAN BE CARRIED OUT IN ACCORDANCE WITH ITS TERMS; SUBMITTING SAID PLAN TO EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**City Clerk Ward** read the aforementioned Ordinance into the record.

A motion was made by **Councilperson Wade** and seconded by Councilperson **Davis** to approve Ordinance No. 2984 on First Reading.

**MOTION**

**Mary McKinney, Community Development Director**, made a presentation.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments regarding the coordination between City staff and CRA staff.

Upon a roll call vote by City Clerk Ward, the motion was approved with Chairperson Schnyer out.

**MOTION APPROVED**

**13. LEGAL DISCUSSION/REQUESTS**

**City Attorney Ryan** announced that the Circuit Court ruled in the City's favor in the matter of City of Riviera Beach vs. Palm Beach Shores.

**14. REGULAR**

- A. RESOLUTION NO. 224-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM SUNCREST SUPPLY, INC., FOR A WHOLESALE FACILITY LOCATED AT 7540 BYRON DRIVE, JUST EAST OF 1-95 WITH 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. 224-04.

**MOTION**

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

**MOTION APPROVED**

- B. DISCUSSION ON ANNUAL SALARY INCREASE FOR WILLIAM E. WILKINS, CITY MANAGER.**

A discussion ensued amongst the City Council.

A motion was made by **Councilperson Davis** and seconded by Councilperson **Wilson** requesting that each councilmember meet with the City Manager

regarding his salary increase and bonus with a recommendation to be brought back at the next City Council meeting.

**MOTION**

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

**MOTION APPROVED**

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

Comments were made by the Mayor and City Council.

A motion was made by **Chair Pro Tem Iles** and seconded by **Councilperson Wade** directing staff to have the microphone working properly by the next City Council Meeting.

**MOTION**

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

**MOTION APPROVED**

15. **ADJOURNMENT**

There being no further business the meeting was duly adjourned at 9:28 p.m.

APPROVED:



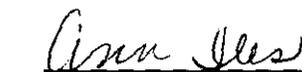
MICHAEL D. BROWN



AVID G. SCHNYER  
CHAIRPERSON

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CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

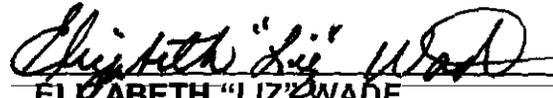


ANN ILES  
CHAIR PRO TEM



DONALD R. WILSON  
COUNCILPERSON

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

  
\_\_\_\_\_  
ELIZABETH "LIZ" WADE  
COUNCILPERSON

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

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

DATE APPROVED: 12/15/04

CITY OF RIVIERA BEACH, FL  
REGULAR CITY COUNCIL MEETING  
NOVEMBER 17, 2004

ADDITIONS, DELETIONS, SUBSTITUTIONS, & REVISIONS

<u>Page</u>	<u>Outline Number</u>		<u>ADDITIONS</u>
			Consent Agenda
2	A	Item No. 8A	Additional Back-Up Provided.
4	H	Item No. 8H	<u>Corrected Resolution:</u> A Resolution Of The City Council Of The City Of Riviera Beach, Palm Beach County, Florida, Authorizing The City Of Riviera Beach To Provide Insurance Coverage To Its Employees Under The City Of Riviera Beach Health, Dental And Life Insurance <b>Program</b> , Effectlve November 1, 2004; And Providing An Effective Date.
		Item No. 8I	Revised <b>Back-Up</b> .
		Item No. 8J	Revised Back-Up.
			<u>DELETIONS</u>
4	G	Item No. 8G	This Item Has Been Deleted.

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