

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
FEBRUARY 19, 2003 AT 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

Chairperson David G. Schnyer was present and presided. Upon a roll call by Deputy City Clerk Robinson, the following were present: Mayor Michael D. Brown, Chair Pro Tem Sylvia Lee Blue, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, and Councilperson Edward Rodgers. Also present were City Manager William E. Wilkins, Deputy City Clerk Claudene Robinson, and City Attorney Pamala Hanna Ryan.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

1) Additions, Deletions, Substitutions

City Manager Wilkins stated the following revisions to the agenda: deleted Item No. 11 – Resolution regarding release of a Code Enforcement lien; provided back up information for Item No. 16 – Resolution regarding the use of \$10,000 from the Law Enforcement Trust Fund; added Item No. 17 – Resolution regarding agreement with Palm Beach County; added Item No. 18 – Resolution regarding the releasing and discharging any interest in real property described as Lot 30, Grandview Heights; and added Item No. 19 – Resolution regarding reimbursement for Villa Francisca.

Chair Pro Tem Blue stated that she would be making comments under Discussion from Mayor and City Council.

2) Adoption of Agenda

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve the agenda as amended.

MOTION

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

MOTION APPROVED

III. AWARDS AND PRESENTATIONS:

ITEM NO. 1

PRESENTATION OF "OFFICER OF THE QUARTER AWARD" TO POLICE OFFICER CLAUDE COSBY BY THE SINGER ISLAND CIVIC ASSOCIATION.

A presentation was made by Police Chief Clarence Williams to Officer Claude Cosby.

A presentation was made by Tony Gigliotti, president of SICA, to Officer Claude Cosby.

ITEM NO. 2

PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF JANUARY, 2003.

Doretha Perry, Human Resources Director, presented the following new employees for the month of January – Latasha Haywood (Water & Sewer Department) and Ziaul Karim (IS Department).

IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES LIMITATION):

Lonnie Lovett, 601 Dr MLK Blvd., requested assistance from the Police Department.

Roscoe James, 142 W 34th Street, thanked the Police Department for addressing the speeding problem within his neighborhood.

Jacob Williams, 172 W 34th Street, thanked the Police Department for addressing the speeding problem within his neighborhood.

His Majesty, The One Rob, PO Box 10472, read a letter into the record.

Ashley Kirby, 619 MLK Blvd., made comments regarding the parking problem in front of his business.

Tony Gigliotti, SICA President, read comments into the record on behalf of the Singer Island Civic Association.

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 COUNCIL MEMBER OR A PERSON 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 PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE TO THE COUNCIL CHAIR OR THE LEGISLATIVE AIDE. CARDS MUST BE SUBMITTED BEFORE ITEM IS DISCUSSED.

1) MINUTES:

ITEM NO. 3

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON FEBRUARY 5, 2003.

2) RESOLUTIONS:

ITEM NO. 4

RESOLUTION NO. 33-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING FINAL PAYMENT TO SULLIVAN ELECTRIC & PUMP, INC., FOR THE INSTALLATION OF TWO (2) VARIABLE FREQUENCY DRIVES (VFDs) AND THE ASSOCIATED SCADA PROGRAMMING AT THE CITY'S WATER TREATMENT PLANT IN THE AMOUNT OF \$9,341.50; AND AUTHORIZING PAYMENT FROM ACCOUNT NO. 407-1437-5330-4616; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 5

RESOLUTION NO. 34-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING FINAL PAYMENT TO BAE SYSTEMS FOR THE UTILITY BILLING INTEGRATION PROJECT AND RELATED FUNCTIONS IN THE RAGIS IN THE AMOUNT OF \$1,064.33; AND AUTHORIZING PAYMENT FROM ACCOUNT NO. 401-1417-5360-6404; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 6

RESOLUTION NO. 35-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT TO R.C.T. ENGINEERING, INC. FOR GENERAL PROFESSIONAL ENGINEERING SERVICES FOR A WATER SUPPLY AND TREATMENT ALTERNATIVES EVALUATION IN THE AMOUNT OF \$245.63; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1437-5330-4616; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 7

RESOLUTION NO. 36-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE WOODBINE COMMONS COMMERCIAL CENTER PARTIAL REPLAT LOCATED ON THE WEST SIDE OF MILITARY TRAIL AND NORTH OF WOODBINE TRAIL IN A CG ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARING:

1) ORDINANCES ON SECOND READING:

ITEM NO. 8

ORDINANCE NO. 2936 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 19, ENTITLED "TRAFFIC AND MOTOR VEHICLES", ARTICLE III, SECTION 19-72(A), FAILURE TO COMPLY WITH NOTICE OR CITATION ATTACHED TO VEHICLE, OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES, BY INCREASING PARKING FINES FROM TEN DOLLARS (\$10) TO TWENTY-FIVE DOLLARS (\$25); PROVIDING FOR PENALTY, SEVERABILITY AND CONFLICTS; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record and announced that it was published in the February 12, 2003 edition of the Palm Beach Post.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve and adopt Ordinance No. 2936.

MOTION

Gerald Ward, 31 W 20th Street, made comments against the proposed ordinance.

A discussion ensued amongst the City Council and staff.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to table Ordinance No. 2936 for two weeks.

MOTION TO TABLE

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

MOTION APPROVED

VII. REGULAR:

ORDINANCES ON FIRST READING:

ITEM NO. 9

ORDINANCE NO. 2938 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-692 ENTITLED "LAND DEVELOPMENT APPLICATION FEE SCHEDULE" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Ordinance No. 2938 on first reading.

MOTION

A presentation was given by Mary McKinney, Community Development Director.

Gerald Ward, 31 W 20th Street, made comments against the proposed ordinance.

A discussion ensued amongst the City Council and staff.

There was a consensus by the City Council directing staff to provide a comparative analysis on the proposed fee schedule.

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

MOTION APPROVED

RESOLUTIONS:

ITEM NO. 10

RESOLUTION NO. 37-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 975 W. 36TH STREET, LOTS 13-14, BLK 000, RAINBOW GARDENS, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$1,250; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Resolution No. 37-03.

MOTION

A presentation was made by Natalie Moore, Code Enforcement Administrator.

A lengthy discussion ensued amongst the City Council and staff.

Upon a roll call by Deputy City Clerk Robinson, the vote was 2-3 with Councilperson Wade, Councilperson Wilson, and Councilperson Schnyer dissenting.

MOTION FAILED

ITEM NO. 11

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 ISSUE A RELEASE OF CODE ENFORCEMENT LIEN AND LOT CLEARING/CLEANING LIEN ON PROPERTY LOCATED AT W. 29TH STREET, LOTS 34-36, BLK 17 ACREHOME PARK #2, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$6,352.50; AND PROVIDING AN EFFECTIVE DATE. **ITEM DELETED**

ITEM NO. 12

RESOLUTION NO. 38-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF'S RECOMMENDATION TO APPROVE THE AWARD OF BID #06402 TO PROVIDE CLEANING SUPPLIES AND JANITORIAL SERVICES FOR THE ADMINISTRATION BUILDING; LIBRARY; POLICE; CIVIL COURT; CODE ENFORCEMENT; UTILITIES AND PUBLIC WORKS/PURCHASING COMPLEX TO BRIGHT MAINTENANCE SERVICE AT A TOTAL COST OF \$57,376 PER YEAR AS PER THEIR PROPOSAL; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO.S 001-1128-5190-3401 AND 401-1417-5360-3401; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to Resolution No. 38-03.

MOTION

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

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

MOTION APPROVED

ITEM NO. 13

RESOLUTION NO. 39-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE ANNEXATION BOUNDARIES OF THE CITY OF RIVIERA BEACH; PROVIDING FOR AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to approve Resolution No. 39-03.

MOTION

A presentation was given by Mary McKinney, Community Development

Director.

Gerald Ward, 31 W 20th Street, made comments against the proposed resolution.

A discussion ensued amongst the City Council and staff.

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

MOTION APPROVED

ITEM NO. 14

RESOLUTION NO. 40-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, GIFTING PROPERTY AT 233 WEST 13TH STREET; APPROVING A SPECIAL PERMIT ALLOWING HOWARD GORMAN THE AUTHORIZATION TO RELOCATE A RESIDENTIAL DUPLEX STRUCTURE TO THE SOUTH EAST CORNER OF 6TH STREET AND AVENUE "P"; AND PROVIDING FOR AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wade** and seconded by **Councilperson Rodgers** to approve Resolution No. 40-03.

MOTION

A presentation was made by Mary McKinney, Community Development Director.

Robert Gorman, 708 Lighthouse Dr., made comments in support of the proposed resolution.

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

Upon a roll call by Deputy City Clerk Robinson, the vote was 4-1 with Councilperson Wade dissenting.

MOTION APPROVED

ITEM NO. 15

RESOLUTION NO. 41-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE UTILITY CONTRACT AND MEMORANDUM AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE STATE OF FLORIDA DEPARTMENT OF INSURANCE, DIVISION OF TREASURY FOR THE REPLACEMENT OF WATER MAINS AND SEWER FORCE MAINS LOCATED FROM MILITARY TRAIL (SR #809) FROM 45TH STREET TO SOUTH OF MARTIN LUTHER KING, JR. BOULEVARD (SR #710) AS OUTLINED IN RESOLUTION #204-02 IN THE AMOUNT

OF \$512,335.04; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID CONTRACTS; AND AUTHORIZING PAYMENT FROM ACCOUNT NO. 403-0000-5350-6508; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 41-03.

MOTION

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

MOTION APPROVED

ITEM NO. 16

RESOLUTION NO. 42-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$10,000 FROM THE LAW ENFORCEMENT TRUST FUND TO PROVIDE TEN \$1,000 SCHOLARSHIPS FOR THE 2003 – 2004 SCHOOL YEAR TO STUDENTS WHO ARE RIVIERA BEACH RESIDENTS; AUTHORIZING THE RIVIERA BEACH EDUCATION ADVISORY BOARD TO ADVERTISE THE AVAILABILITY OF, ACCEPT APPLICATIONS FOR, AND ESTABLISH A REVIEW BOARD TO SELECT THE RECIPIENTS; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE \$10,000 OF FUND BALANCE IN THE LAW ENFORCEMENT TRUST FUND AND DISBURSE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND SCHOLARSHIP ACCOUNT NUMBER 150-0817-5210-5521; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 42-03.

MOTION

Upon a roll call by Deputy City Clerk Robinson, the vote was 4 with Councilperson Wade out.

MOTION APPROVED

ITEM NO. 17

RESOLUTION NO. 43-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR FUNDING OF THE 2002 BLUES AND JAZZ FESTIVAL AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson**

Wilson to approve Resolution No. 43-03.

MOTION

Upon a roll call by Deputy City Clerk Robinson, the vote was 4 with Councilperson Wade out.

MOTION APPROVED

ITEM NO. 18

RESOLUTION NO. 44-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RELEASING AND DISCHARGING ANY INTEREST IN THE REAL PROPERTY DESCRIBED AS LOT 30, GRANDVIEW HEIGHTS, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 7, PAGE 58, BY VIRTUE OF THAT CERTAIN CODE ENFORCEMENT AND LOT CLEANING/LOT CLEARING LIEN RECORDED AUGUST 2, 1991, IN OFFICIAL RECORD BOOK 6912, PAGE 1684, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PARTIAL RELEASE AS TO SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Rodgers** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 44-03.

MOTION

City Atty. Ryan stated that the purpose of this Resolution was to release the City's interest in property owned by Charles Jackson, Jr. in West Palm Beach. She stated that Mr. Jackson owned property within the City on which the liens are filed and will continue to accrue.

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

MOTION APPROVED

ITEM NO. 19

RESOLUTION NO. 45-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO REIMBURSE VILLA FRANCISCA FOR EXPENDITURES USED TO PURCHASE AND INSTALL AN ELECTRONIC SECURITY GATE AT SAID PROPERTY; AND TO AUTHORIZE THE FINANCE DIRECTOR TO TRANSFER FUNDS FROM GENERAL CONTINGENCY ACCOUNT NUMBER 001-0203-519-0-5999 TO OTHER GRANTS & AID ACCOUNT NUMBER 001-0203-519-0-8301 AND AUTHORIZE THE FINANCE DIRECTOR TO

MAKE A PAYMENT IN THE OF \$7,260.00 FROM ACCOUNT NUMBER 001-0203-519-0-8301.

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

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 45-03.

MOTION

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

MOTION APPROVED

DISCUSSION AND DELIBERATION:

NONE

BOARD APPOINTMENT:

NONE

VIII. CITY ATTORNEY'S REPORT:

NONE

IX. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:

Chairperson Schnyer reminded the City Council of the Nuisance Abatement Hearing that was scheduled for tomorrow at 2:00 p.m.

Chair Pro Tem Blue made comments regarding information on road crossing assistance for senior citizens that was obtained at a conference held in Salt Lake City. She also stated that the crossing light at Avenue F and Blue Heron Blvd. was not working.

Councilperson Wilson thanked Mr. Gigliotti and the members of SICA for their joint effort in moving the City forward.

X. ADJOURNMENT:

There being no further business, the meeting was duly adjourned at 9:50 p.m.

APPROVED:

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MICHAEL D. BROWN
MAYOR

DAVID G. SCHNYER
CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



sblue.gif (791 bytes)



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

SYLVIA LEE BLUE
CHAIR PRO TEM

dwilson.gif (865 bytes)



DONALD R. WILSON
COUNCILPERSON

MOTIONED BY: D. Wilson

SECONDED BY: E. Rodgers



D. SCHNYER: absent

S. BLUE: aye

D. WILSON: aye

E. WADE: absent

E. RODGERS: aye

ELIZABETH "LIZ" WADE
COUNCILPERSON



EDWARD RODGERS
COUNCILPERSON

DATE

APPROVED: 03/05/2003