

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JULY 2, 2003 AT 7:30 P.M.**

I. 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: Chair Pro Tem Sylvia Lee Blue, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, and Councilperson Ann Iles. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna Ryan.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

1) Additions, Deletions, Substitutions

City Manager Wilkins made the following revisions to the agenda: added Item No. 1(1) Presentation of Certificate of Appreciation to City Engineer Lal Samadi; Item No. 1(2) presentation from Frank A. Plescia; Item No. 2 – also included the Minutes of the Special Meeting Held On May 12, 2003; renumbered Item No. 5 – Resolution regarding the budget for the Aquatic Center – to Item No. 7; back-up provided and Resolution corrected for Item No. 6 – Resolution regarding the fee schedule for the Aquatic Center; deleted Item No. 7, which was renumbered to Item No. 5 – Resolution regarding Senior Systems Analyst position; deleted Item No. 11 – Resolution regarding release of Code Enforcement lien against 831 13th Ct (Resolution added at Agenda Review held June 30th); added Item No. 12 – authorization to submit request to Commissioner Greene for street beautification funds; added Item No. 13 – request regarding Law Enforcement Trust funds.

2) Adoption of Agenda

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

MOTION

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

MOTION APPROVED

III. AWARDS AND PRESENTATIONS:

ITEM NO. 1

PRESENTATION OF EMPLOYEE OF THE MONTH PLAQUE TO KIM LAWSON, UTILITY BILLING CLERK FOR THE MONTH OF JUNE, 2003.

A presentation was made by Aaron Fields, Human Resources Administrator, to Kim Lawson.

ITEM NO. 1(1)

PRESENTATION TO CITY ENGINEER LAL SAMADI, FROM MAYOR MICHAEL D. BROWN

A Certificate of Appreciation was presented by Mayor Michael D. Brown and Chair Pro Tem Sylvia Lee Blue to City Engineer Lal Samadi.

ITEM NO. 1(2)

PRESENTATION BY FRANK A. PLESCIA, COMMANDER OF THE DISABLED AMERICAN VETERANS CHAPTER 42

A POW/MIA flag was presented to Mayor Brown by Frank Plescia to be flown in the courtyard of the Municipal Complex.

ITEM NO. 1(3)

PRESENTATION OF RESOLUTION IN MEMORY OF THE LATE FORMER ATLANTA MAYOR, MAYNARD HOLBROOK JACKSON.

Mayor Brown read the Resolution into the record. He stated that the Resolution would be forwarded to Ms. Valerie Jackson, widow of the late Maynard Jackson.

He then shared with the public moments of reflections with the Honorable Maynard Holbrook Jackson, indicating he was a man of valor. He further stated that he wanted Riviera Beach to observe the date of his death annually; and requested a consensus from the Council in the affirmative.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** adopting the Resolution into the record reflecting the Honorable Maynard Holbrook Jackson.

MOTION

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

MOTION APPROVED

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to lower the City's flags to half mast, in honor of the late Maynard Holbrook Jackson, on the date of his death each year.

MOTION

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

MOTION APPROVED

IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES LIMITATION)

Gerald Ward, 31 W 20th Street, made comments regarding meeting notification to residents apprising of scheduled meetings wherein actions of the City Council would be involved.

Mike Mahoney, 2120 Broadway, made comments regarding correspondence he provided to Natalie Moore, Code Enforcement Administrator, and further stated that he provided City Clerk Ward a copy for the record..

Tony Gigliotti, 125 Inlet Way, made comments regarding the homicide at the Boys & Girls Club and stated it was a tragedy.

Betty Hodges, 817 Avenue S, made comments regarding the closing of Wachovia Bank on Gardens Road; and requested action from Council..

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** directing the City Manager to contact Wachovia Bank's representatives regarding opening a branch within the City.

MOTION

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

MOTION APPROVED

Malissa Booth, 1247 Pine Sage Circle, made comments regarding correspondence provided on a proposed sound barrier wall of FDOT.

Carolyn Goddard, 110 Canterbury Dr. W, requested the City's support for the residents of Lone Pine in reference to the proposed sound barrier wall by FDOT.

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. 2

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON JUNE 18, 2003 & MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD ON MAY 12, 2003.

RESOLUTIONS:

2) PETITIONS AND COMMUNICATIONS FOR FILING:

City Clerk Ward stated she would like to acknowledge receipt of a letter dated 6/30/2003, from Malissa Booth, Past President of Lone Pine Homeowners Association advising of the anticipated action of FDOT to erect a sound barrier along the stretches of Military Trail. She then acknowledged receipt of correspondence from Michael Mahoney, Dees T Shirt regarding Code Enforcement issues. She concluded by informing the public and Council that a Resolution had been prepared and would be read Thursday, 11:00 am at the Home going Services for **Retired City Employee, Ms. Willie Rivers** and that the services would be held at the West Palm Beach Coleman Funeral Home Chapel.

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARING:

1) ORDINANCES ON SECOND READING:

ITEM NO. 3

ORDINANCE NO. 2940 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING THE ANNEXATION OF SEVEN ENCLAVES PURSUANT TO FLORIDA STATUTES 171.046, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; 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 Wilson** to adopt Ordinance No. 2940.

MOTION

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

MOTION APPROVED

ITEM NO. 4

ORDINANCE NO. 2945 AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10, LICENSES AND BUSINESS REGULATIONS, ARTICLE V, SECTION 10-131 ENTITLED "DEFINITIONS"; SECTION 10-150

ENTITLED “CLASSIFICATIONS AND RATE STRUCTURE”; AND ADDING SECTION 10-154 ENTITLED “TERMINATION OF LICENSES UPON BANKRUPTCY” OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Iles** to adopt Ordinance No. 2945.

MOTION

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

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

MOTION APPROVED

The City Council directed the City Manager to provide information on the cost for the County to provide service of Occupational Licensing and the names of municipalities that currently utilize the county services.

DIRECTIVE

VII. REGULAR:

ITEM NO. 5

RESOLUTION NO. 146-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE 2002-2003 AQUATIC CENTER’S FISCAL BUDGET FROM \$394,690 TO \$460,232, FOR THE COST OF ADDITIONAL PERSONNEL SERVICES IN THE AMOUNT OF \$65,542 TO ADEQUATELY AND SAFELY OPERATE THE NEW FACILITY; \$15,000 FOR CONCESSION OPERATION STARTUP SUPPLIES AND FOOD; AND PROVIDING AN EFFECTIVE DATE. **ITEM RENUMBERED ITEM NO. 7**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to approve Resolution No. 146-03.

MOTION

A discussion ensued amongst the City Council and staff.

An amended motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to approve Resolution No. 146-03 and the additional personnel.

AMENDED MOTION

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

MOTION APPROVED

ITEM NO. 6

RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FEE SCHEDULE FOR CONCESSION; AND ADMISSION FEES FOR ENTRANCE TO BARRACUDA BAY AQUATIC CENTER FOR AGES 17 AND UNDER AT \$5 PER PERSON AND FOR AGES 18 AND OVER AT \$7 PER PERSON; AND PROVIDING AN EFFECTIVE DATE. **REPLACED WITH THE FOLLOWING RESOLUTION**

RESOLUTION NO. 145-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FEE SCHEDULE FOR CONCESSION AND ADMISSION FEES FOR ENTRANCE TO THE BARRACUDA BAY AQUATIC CENTER FOR ALL AGES AT \$3 WITH THE FIRST WEEK OF OPERATION FREE TO SCHOOL AGE CHILDREN; AND PROVIDING AN EFFECTIVE DATE. **REPLACEMENT RESOLUTION**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to approve Resolution No. 145-03.

MOTION

Gerald Ward, 31 W 20th Street, made comments regarding the proposed Resolution.

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

Upon a roll call by City Clerk Ward, the vote was 3-2 with Councilpersons Blue and Iles dissenting.

MOTION APPROVED

ITEM NO. 7

RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION PLAN BY CREATING THE UNCLASSIFIED POSITION OF SENIOR SYSTEMS ANALYST UNDER THE ADMINISTRATIVE SALARY SCHEDULE, AUTHORIZING THAT THE 2002-2003 INFORMATION SERVICES DIVISION BUDGET OF THE EXECUTIVE DEPARTMENT BE AMENDED BY DELETING ONE (1) UNCLASSIFIED POSITION OF SYSTEMS ADMINISTRATOR AND BY ADDING ONE (1) UNCLASSIFIED POSITION OF SENIOR SYSTEMS ANALYST AND PROVIDING AN EFFECTIVE DATE.

ITEM RENUMBERED TO ITEM NO. 5

ITEM DELETED

ITEM NO. 8

RESOLUTION NO. 147-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF RECOMMENDATION AND APPROVING THE CONTRACT AGREEMENT TO GRAHAM AUCTION COMPANY, NORTH PALM BEACH, FLORIDA; TO ACT AS AUCTIONEER FOR DISPOSAL OF CERTAIN SURPLUS CITY PROPERTY FOR A FEE OF 10% BUYER'S PREMIUM AS PER THEIR AGREEMENT WHICH IS A PART OF THIS RESOLUTION AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Iles** to approve Resolution No. 147-03.

MOTION

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

MOTION APPROVED

ITEM NO. 9

RESOLUTION NO. 148-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING FINAL PAYMENT TO ENVIRONMENTAL PIPELINE REHABILITATION, INC. FOR THE CONSTRUCTION AND INSTALLATION OF A 20" DIAMETER POTABLE TRANSMISSION LINE FROM THE WATER

TREATMENT PLANT TO WEST 27TH STREET AND DIXIE HIGHWAY IN THE AMOUNT OF \$30,896.27; AND AUTHORIZING PAYMENT FROM ACCOUNT NO. 407-1437-5330-4616; 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 Blue** to approve Resolution No. 148-03.

MOTION

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

MOTION APPROVED

ITEM NO. 10

**REQUEST CITY COUNCIL TO SCHEDULE BUDGET WORKSHOPS
JULY 28, 2003 THROUGH JULY 30, 2003.**

There was a consensus of the City Council to schedule Budget Workshops July 28th through July 30th at 5:00 p.m.

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 RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 831 13TH COURT FUTURA INDUSTRIAL SUB LOT 4, BLK 000, RIVIERA BEACH FOR VIOLATIONS THAT ARE NOT IN COMPLIANCE FOR THE AMOUNT OF \$5,000; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION ADDED TO AGENDA

ITEM DELETED

ITEM NO. 12

**REQUEST AUTHORIZATION FROM CITY COUNCIL TO TRANSMIT A REQUEST FOR APPROXIMATELY \$546,339 TO COUNTY COMMISSIONER ADDIE GREEN FOR STREET BEAUTIFICATION FOR WEST 31ST STREET FROM AVENUE "S" TO AVENUE "N".
REQUEST ADDED TO AGENDA**

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** authorizing staff to submit a Request for Funds to County Commissioner Addie Greene.

MOTION

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

MOTION APPROVED

ITEM NO. 13

REQUEST FOR THE CITY COUNCIL TO APPROVE AN AMENDMENT TO THE LAW ENFORCEMENT AWARD PROGRAM. ITEM ADDED TO AGENDA

City Manager Wilkins stated that the application for the Riviera Beach Youth Recreation Association was inadvertently left out of the approval package that was submitted to the City Council in April '03. He stated that staff was requesting that the City Council authorize staff to amend the approval package to include the Riviera Beach Youth Recreation Association so that Law

Enforcement Trust funds could be disbursed to the organization.

A lengthy discussion ensued amongst the City Council and staff.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve staff's request.

MOTION

Upon a roll call by City Clerk Ward, the vote was 3-2 with Councilperson Iles and Wade dissenting.

MOTION APPROVED

BOARD APPOINTMENT:

NONE

VIII. CITY ATTORNEY'S REPORT:

City Attorney Ryan stated, at the request of Chair Pro Tem Blue, that the City Council received a memo from her regarding an award for over \$18,000 given to the City in the Brochu vs. City of Riviera Beach matter. She stated the amount was for cost only.

IX. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:

Chair Pro Tem Blue stated that an account was being opened for the family of the homicide victim at the Boys & Girls Club at Bank of America and that she would like for the City to do above what the reward that was set.

Chairperson Schnyer made comments regarding the services provided to the City and its employees by Bank of America.

A discussion ensued

Councilperson Wilson made comments regarding the advertisement of the new Northern Palm Beaches Crowne Plaza hotel.

A lengthy discussion ensued.

There was a consensus by the City Council directing the City Manager via the corporate office for the Crowne Plaza Hotel advising them of the complaints received regarding their advertisement and to attach a copy of the letter submitted by the Singer Island Business Association.

City Manager Wilkins reminded the City Council of the meeting that would be held on July 7th at 7:00 p.m. at Suncoast High School hosted by County Commissioner Karen Marcus regarding traffic concurrency. He also stated that a News Release was provided regarding the donation of a boat by the Palm Beach Sheriff's Office to the City for use in the harbor patrol.

Councilperson Iles requested that staff provide information that will be considered by the City Council in a more timely fashion.

X. ADJOURNMENT:

There being no further business, the meeting was duly adjourned.

APPROVED:

mbrown.gif (986 bytes)



MICHAEL D. BROWN
MAYOR

DAVID G. SCHNYER
CHAIRPERSON

ATTEST:

cward.gif (643 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:
SECONDED BY:

S. Blue
E. Wade



D. SCHNYER:
S. BLUE:
D. WILSON:
E. WADE:
A. ILES:

aye
aye
aye
aye
aye

ELIZABETH "LIZ"
WADE
COUNCILPERSON



ANN ILES
COUNCILPERSON

DATE APPROVED:

07/16/2003