

**CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JANUARY 2, 2002 AT 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

Chairperson Rodgers was present and presided. The following were present: Mayor Michael D. Brown, Chair Pro-Tem David G. Schnyer, Councilperson Donald R. Wilson, Councilperson Sylvia Lee Blue, and Councilperson Elizabeth "Liz" Wade. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, CMC/AE and City Attorney Pamala H. Ryan.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

Additions, Deletions, Substitutions

City Manager Wilkins read the Additions, Deletions, Substitutions, & Revisions into the record. He also added confirmation of the Police Chief's appointment; a brief report on the Department of Juvenile Justice Grant reimbursement issue; authorization to submit a Letter of Support for the transportation projects to the Legislative Delegation and Senator Pruitt; schedule a workshop date to discuss fiscal matters; and the scheduled activities for the Martin Luther King, Jr. Celebration.

City Attorney Ryan added an update on the proposed referendum issues under the City Attorney's Report.

Councilperson Wilson stated that he would make brief comments under Mayor & Council's Discussion.

Adoption of Agenda

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wade** to approve 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 TO THE WINNERS OF 1ST PRIZE, 2ND PRIZE, 3RD PRIZE, AND HONORABLE MENTION FOR THE HOLIDAY DECORATIONS CONTEST.

Marvin Reiner gave a brief history of the Holiday Decoration Competition. He proceeded to present plaques to the following winners 1st Place Winner – Corniche Condominium; 2nd Place Winner – Water Glades Condominium; 3rd Place Winner – Ocean Tree Condominium; and Honorable Mention – Cote d'Azur.

ITEM NO. 2

RECOGNITION TO THE CITY OF RIVIERA BEACH FOR PARTICIPATING IN THE

AMERICAN HEART ASSOCIATION'S AMERICAN HEART WALK HELD ON OCTOBER 20, 2001.

Don Jacobovitz, Public Works Director, gave an overview of the city's participation in the American Heart Walk activities. He stated that the American Heart Association recognized the city with a plaque as a bronze level team. The following employees were recognized for raising \$100 or more Pamala Ryan, Jan Tavcar, Karen Hoskins, Doretha Perry, Lauretta Price, Deborah Keels, and Don Jacobovitz. Deborah Hall (Library) was the 3rd Place winner in the t-shirt design contest.

A motion was made **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wade** to move Statements from the Public prior to the Consent Agenda. **MOTION**

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

IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Mike Mahoney, 2120 Broadway, commented on police oriented issues.

Sally Penn commented on problems in the area of Monroe Heights and the Monroe Heights Park.

Warrie Leonard, 1901 W 23rd Street, announced that a Town Meeting would be held on January 12th at City Hall 12 pm – 3 p.m. Topics of Discussion will include a new high school and academics for black students. She also commented on the status of the Recreation Advisory Board.

A discussion ensued amongst the City Council and staff regarding the status of the Recreation Advisory Board.

Pastor Sutherland & Ann Snipes, United Overcomers Church of God in Christ, stated that Mayor Brown would make comments on their behalf.

Mayor Brown gave an overview of the circumstance surrounding land owned by the church located in the redevelopment area and stated the possibilities of swapping it with another piece of property. He then stated due to time constraints, the City Council and City Manager should address the issue.

Councilperson Wade stated that a total comprehensive package should be obtained before a piece milling process began.

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 CITY COUNCIL MEETING HELD ON DECEMBER 19, 2001.

2) RESOLUTIONS:

ITEM NO. 4

RESOLUTION NO. 1-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE POLICE DEPARTMENT'S RECOMMENDATION AND APPROVING THE ATTACHED MAINTENANCE SERVICE AGREEMENTS FOR THIS FISCAL YEAR 2001/2002, FROM MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., AT A TOTAL COST OF \$92,383.08; AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN SAID AGREEMENT ON BEHALF OF THE CITY AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR THESE AGREEMENTS FROM ACCOUNT NUMBERS 001-0817-521-0-4601 AND 124-0818-521-0-4601. (ITEM DELETED)

ITEM NO. 5

RESOLUTION NO. 2-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSAL FROM R.C.T. ENGINEERING, INC. IN THE AMOUNT OF \$13,224 TO PROVIDE PROFESSIONAL ENGINEERING SERVICE FOR THE WATER TREATMENT PLANT TO PERFORM AND EVALUATE A STUDY OF ALTERNATIVES FOR IMPLEMENTING SAFETY MEASURES AND TO PROVIDE A CONCEPTUAL COST ESTIMATE FOR EACH ALTERNATIVE; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 401-1437-5330-3103.

ITEM NO. 6

RESOLUTION NO. 3-02 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 AMENDMENT 1 TO THE AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF RIVIERA BEACH FOR GRANT FUNDS IN THE AMOUNT OF \$100,000 TO DEVELOP THE FAMILY AQUATICS CENTER.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

City Clerk Ward announced that election promotional items were available for those attending the meeting and that signs regarding the upcoming March 12th Municipal Election were being erected throughout the city. She also announced that a demonstration on the new voting equipment would be held on January 17th at 4 p.m. at the Mt. Olive Missionary Baptist Church; immediately following the equipment will be transported to the condominiums on Singer Island. During the week of February 4th the equipment will be located at City Hall. She then stated that due to election reform, municipalities would not be in control of their municipal election; she encouraged everyone to flood the telephone lines at the Supervisor of Elections

Office and request that the equipment be brought to them as residents so that they may become familiar with the new voting equipment.

END OF CONSENT AGENDA

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** 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:

NONE

ORDINANCES ON SECOND READING:

ITEM NO. 7

ORDINANCE NO. 2911 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RELATING TO FIRE PREVENTION AND PROTECTION; REPEALING SECTIONS 6-7, 6-31, 6-32, 6-33, AND 6-34 OF CHAPTER 6 FIRE PREVENTION AND PROTECTION OF THE CITY'S CODE OF ORDINANCES, ADOPTING THE FLORIDA FIRE PREVENTION CODE; ADOPTING LOCAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record and announced that the ordinance was published in the December 23, 2001 edition of the Palm Beach Post.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to approve Ordinance No. 2911. **MOTION**

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

ITEM NO. 8

ORDINANCE NO. 2912 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; 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 A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Clerk Ward read the aforementioned ordinance and announced that the ordinance was published in the December 23, 2001 edition of the Palm Beach Post.

A motion was made by Councilperson Blue and seconded by Chair Pro-Tem Schnyer to approve Ordinance No. 2912. **MOTION**

Martha Babson, 156 E. 21st Street, commented on contents of the ordinance.

Gerald Ward, 31 W. 20th Street, commented on the following points that he included in his letter that was submitted to the City Clerk: difficulty in obtaining or reviewing a copy of the Finding of Necessity for the redevelopment area, problems with background material provided, and the lack of response to public suggestions. He then suggested that the city should have the documents reviewed by independent Urban Land Institute individuals.

Lisa Degen, 1010 Morse Blvd, voiced her support for the redevelopment plan.

Larry Smith, 1061 Morse Blvd, voiced his support for the redevelopment plan.

Judith Werner, 1223 Avenue C, commented on the lack of support from the public for the redevelopment proposal, decline of property value, and a function held at Newcomb Hall.

Councilperson Wade commented on accusations made by the public and encouraged all those affected to review the plans.

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

VII. ORDINANCES ON FIRST READING:

ITEM NO. 9

ORDINANCE NO. 2913 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE II, CHAPTER 14, SECTION 14-24 BY ADDING SUBSECTION 14-24(f) OF THE CODE OF ORDINANCES, BY PROVIDING FOR A COST OF LIVING ADJUSTMENT FOR PARTICIPANTS; PROVIDING A SEVERABILITY CLAUSE, CONFLICT CLAUSE, CODIFICATION CLAUSE AND PROVIDING AN EFFECTIVE DATE. (ITEM DELETED)

VIII. CITY MANAGER'S DISCUSSION:

ITEM NO. 10

RESOLUTION NO. 4-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT, ON BEHALF OF THE CITY OF RIVIERA BEACH, TWO APPLICATIONS TO PALM BEACH COUNTY FOR RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$242,000 FOR FISCAL YEAR 2002-03.

City Clerk Ward read the aforementioned resolution.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro-Tem Schnyer** to approve Resolution No. 4-02. **MOTION**

Mary McKinney, Community Development Director, gave a brief review of the background information supporting the resolution.

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

ITEM NO. 11

RESOLUTION NO. 5-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM ACCOUNT NO. 602-0539-5130-3101 IN THE AMOUNT OF \$468,933 TO ARTHUR J. GALLAGHER & CO. FOR PLACEMENT OF THE CITY'S PUBLIC OFFICIALS EMPLOYMENT PRACTICES LIABILITY COVERAGES WITH LEXINGTON INSURANCE COMPANY.

City Clerk Ward read the aforementioned resolution.

A motion was made by **Councilperson Blue** and seconded by **Councilperson Wilson** to approved Resolution No. 5-02. **MOTION**

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

CONFIRMATION OF CHIEF OF POLICE APPOINTMENT

City Manager Wilkins requested that the City Council confirm his appointment of Ms. Gwendolyn Savage as the Chief of Police. He stated that Ms. Savage would be sworn in as the Chief of Police, at a salary of \$95,000 at the next regular scheduled City

Council Meeting.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to ratify the city manager's Chief of Police appointment. **MOTION**

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

Councilperson Wade requested that the salary of the Fire Chief be reviewed and a recommendation to the City Council.

City Manager Wilkins stated that a recommendation on salaries would be provided to the City Council for consideration.

REPORT ON SUMMER PROGRAM FUNDING FROM THE DEPARTMENT OF JUVENILE JUSTICE

City Manager Wilkins stated that through the city's lobbyist, contact had been made with Senator Pruitt. Sen. Pruitt was in the process of contacting the Dept. of Juvenile Justice officials in behalf of the city. He stated that as soon as information is received from Sen. Pruitt , it will be remitted to the City Council.

PROVIDING A LETTER OF SUPPORT REGARDING TRANSPORTATION PROJECT TO THE LEGISLATIVE DELEGATION AND SENATOR PRUITT

City Manager Wilkins requested authorization to submit a Letter of Support to the Legislative Delegation and Sen. Pruitt concerning the Transportation Advisory Committee's failure to award any transportation dollars to not only the city but Palm Beach, Broward, and Dade County.

Councilperson Wade questioned the possibility of requesting the delegation, to assist with the Dept. of Juvenile Justice grant.

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

A motion was made by **Councilperson Blue** and seconded by **Chair Pro-Tem Schnyer** authorizing the City Manager to submit a letter of support to the Legislative Delegation and Sen. Pruitt. **MOTION**

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

WORKSHOP TO DISCUSS FISCAL MATTERS

City Manager Wilkins stated that the tentative dates for scheduling the workshop were January 21st and January 30th. He requested that the City Council advise which date would be preferable.

There was a consensus of the City Council to schedule the workshop for January 30th at 4:00 p.m.

City Manager Wilkins stated that a workshop needed to be scheduled to discuss the communication system in the Police Department. He stated that a workshop would be held for the County Commissioners on January 8th hosted by a coalition of various municipalities.

A discussion ensued amongst the City Council and staff.

There was a consensus of the City Council to schedule a workshop for January 29th

and 30th.

SCHEDULED WORKSHOP

IX. CITY ATTORNEY'S REPORT:

City Attorney Ryan stated that she and Ms. Ward were directed by the City Council to research the feasibility of presenting two referendum items – extending the terms for council members from two years to three years and deleting the provision that the city manager have a one year contract on the ballot for the March 2002 Election. The issues have been researched and an ordinance prepared. She then stated that based on her legal opinion, she suggested to Councilperson Wilson that the issue dealing with the city manager did not need to be a referendum item. The provision could be deleted via adopted ordinance. She then stated that Councilperson Wilson suggested that the discussion be postponed until further research is conducted.

A discussion ensued amongst the City Council and staff.

Chair Rodgers asked City Clerk Ward as to the city's status during the November election.

City Clerk Ward responded that the the city had no involvement. However, if authorization was suggested to place the referendum, then it would be handled as a separate question on the ballot from the other items being considered during the November Election.

City Attorney Ryan requested direction from the City Council on whether they wanted to handle the issue via referendum or ordinance.

There was a consensus of the City Council that the issue would be discuss at a later date.

X. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Councilperson Wilson stated that the Police Department needed to address the issue of speeding within the city, especially on 27th Street and the problems that the residents of Monroe Heights are experiencing. He also extended thanks to the members of the Delta Sigma Theta for the program they sponsored at John F. Kennedy Middle School on December 15th.

Chairperson Rodgers expressed Words of Thanks and encouragement to fellow council members for their achievement in approving the redevelopment plan.

XI. ADJOURNMENT:

There being no further business, the meeting duly adjourned at 9:10 p.m.

APPROVED:

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MICHAEL D. BROWN, MAYOR

EDWARD RODGERS, CHAIRPERSON

ATTEST:

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**CARRIE E. WARD, CMC/AE
CITY CLERK**

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

E. RODGERS: aye
E. WADE: aye
D. WILSON: aye
S. BLUE: aye
D. SCHNYER: aye

DATE APPROVED: 01/16/2002

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DAVID G. SCHNYER, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

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**SYLVIA LEE BLUE
COUNCILPERSON**

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**ELIZABETH "LIZ" WADE
COUNCILPERSON**