

**CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, FEBRUARY 20, 2002 AT 7:30 P.M.**

**I. CALL TO ORDER:**

**Roll Call**

Chairperson Rodgers was present and presided. Upon a roll call by City Clerk Ward, the following were present: Mayor Michael 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 to the flag.

**II. AGENDA APPROVAL:**

**Additions, Deletions, Substitutions**

**City Manager Wilkins** read the Additions, Deletions, Substitutions, & Revisions into the record. He also made the following addition under the City Manager's Discussion – resolution requesting an increase for the CRA loan and per the request of Councilperson Schnyer two resolutions of support on proposed legislative issues.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to move Public Comments after Awards and Presentations. **MOTION**

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

**Councilperson Blue** requested that City Manager Wilkins provide an update on the Harbor Patrol.

**Adoption of Agenda**

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

**SWEARING IN OF CLARENCE D. WILLIAMS, III, POLICE CHIEF OF THE CITY OF RIVIERA BEACH.**

**City Clerk Ward** swore in Clarence D. Williams, III as the Chief of Police and presented him with a voter's registration application.

**Police Chief Williams** expressed his gratitude for being given the opportunity to serve as Chief of Police within the city.

**ITEM NO. 1**

**PRESENTATION OF CERTIFICATES OF RECOGNITION FOR THE P.A.L. YOUTH BASKETBALL LEAGUE AND VOLUNTEERS.**

**City Manager Wilkins** presented Certificates of Appreciation to the following volunteers: Dan Calloway, Gwendolyn Oats, Ofc. Robert Coppins, Asst. Chief David Harris, Ofc. Tony Williams, Ofc. Maurice Morris, Ofc. Gary Wilson, J.J. Kenny, Jahmar Marriott, Det. Thomas Mulvaney, Firefighter Vincent Osborne, Fire Chief Troy Perry, Firefighter Frank Stallworth, Capt. Ed Walker, and Michael Wells.

**ITEM NO. 2**

**PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF JANUARY 2002.**

**Doretha Perry, Human Resources Director** welcomed the following new employees Shani Langrin, Kellie Killebrew, Theodore DiGangi, Matthew Cole, and Bryan Kirshbaun.

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

**Michael Mahoney**, 2120 Broadway, commented on code enforcement issues.

**King D. Jackson**, 1611 W 12th Court, commented on the cleaning up of swells.

**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 6, 2002.**

**2) RESOLUTIONS:**

**ITEM NO.4**

**RESOLUTION NO. 23-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE NORTH COUNTY PLANNED UNIT DEVELOPMENT PLAT 1; AUTHORIZING THE MAYOR, CITY CLERK AND THE CITY ENGINEER TO SIGN THE PLAT; AND PROVIDING AN EFFECTIVE DATE.**

**ITEM NO. 5**

**RESOLUTION NO. 24-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF RADIO-READ METERS FROM SUNSTATE METER AND SUPPLY, INC. TO REDUCE READ TIME AND ASSURE GREATER ACCURACY DURING THE METER READING PROCESS THROUGHOUT THE CITY OF RIVIERA BEACH AT A TOTAL COST OF \$79,187.65; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 401-1437-**

5330-5206.

**3) PETITIONS AND COMMUNICATIONS FOR FILING:**

**City Clerk Ward** read correspondence received from Sylvia Pyle commending Chair Pro-Tem Schnyer and staff for their expedient response for a request made to repair four corner lights and professionalism displayed by Mr. Charles Berry.

**END OF CONSENT AGENDA**

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve the Consent Agenda. **MOTION**

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

**VI. PUBLIC HEARING:**

**ORDINANCES ON SECOND READING:**

**ITEM NO. 6**

**ORDINANCE NO. 2913 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING SECTION 2-29 ENTITLED "RULES OF PROCEDURE" OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A CODIFICATION CLAUSE; A SEVERABILITY AND A CONFLICTS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned ordinance.

A motion was made by **Councilperson Blue** and seconded by **Chair Pro-Tem Schnyer** to approve Ordinance No. 2913. **MOTION**

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

**VII. ORDINANCES ON FIRST READING:**

**NONE**

**VIII. CITY MANAGER'S DISCUSSION:**

**ITEM NO. 7**

**RESOLUTION NO. 25-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THAT THE 2001-2002 BUDGET OF THE UTILITIES DEPARTMENT WATER TREATMENT DISTRIBUTION DIVISION BE AMENDED BY ADDING ONE (1) CLASSIFIED POSITION OF WATER/SEWER SYSTEMS MECHANIC 1 UNDER CLASS TITLE UTILITIES SERVICES WATER/SEWER AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve Resolution No. 25-02. **MOTION**

**Councilperson Wade** inquired whether the position was new or was an employee being promoted.

**Ed Sierra, Utilities Director**, stated that it was a new position created in order for the Utilities Department to be in compliance with the regulations set forth by the Environmental Control Regulation.

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

**ITEM NO. 8**

**RESOLUTION NO. \_26-02\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING RESOLUTION NUMBER 47-01 ENTITLED "A SUPPLEMENT TO SECTION 2-29 OF THE CODE OF ORDINANCES"; AND ADOPTING A RESOLUTION SETTING FORTH CITY COUNCIL RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS AS PREVIOUSLY ESTABLISHED BY AND ENCOMPASSING RESOLUTION NUMBER 47-01 AND SECTION 2-29 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Blue** to approve Resolution No. 26-02. **MOTION**

**Councilperson Wilson** inquired as to whether language was included regarding lengthy debates.

**Chairperson Rodgers** stated that anything not addressed in the resolution falls under Robert Rules of Order.

**Chairperson Rodgers** inquired on the discrepancies between section H-5 and K-3 regarding how the vote shall be called by the City Clerk.

**Atty. Ryan** stated that H-5 was for instances when there is a dispute about whether the chairperson had a right to call the question on an appeal and K-3 dealt with the roll call for resolutions and ordinances.

**Chairperson Rodgers** stated that there should be some continuity and polled the city council as to how they would like the roll call to be conducted.

There was a consensus that the roll call be at the discretion of the City Clerk.

**Chair Pro-Tem Schnyer** amended the motion to replace the current language for sections H-5 and K-3 regarding the order of roll call. **AMENDED MOTION**

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

**ITEM NO. 9**

**RESOLUTION NO. \_\_27-02\_\_ 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 1616 W 34TH STREET ACREHOME PARK #1, BLK 17, LTS 13-14, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$3,500.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Blue** to approve Resolution No. 27-02. **MOTION**

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

**ITEM NO. 10**

**RESOLUTION NO. 28-02 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 2531 OLD DIXIE HIGHWAY, MONROE HEIGHTS IN., BLK 2, LTS 1-4, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$8,190.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Blue** to approve Resolution No. 28-02. **MOTION**

**Robertha Frierson**, 2531 Old Dixie Highway, commented.

**Chair Pro-Tem Schnyer** inquired about whether the settlement amount included the lot clearing lien and the water/sewer bill.

**Natalie Moore, Code Enforcement Administrator**, stated that the settlement amount was for the code enforcement lien only but the property owner and agent involved in the transaction is aware of the additional lien and the outstanding bill.

A discussion ensued amongst the City Council and staff.

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

**ITEM NO. 11**

**RESOLUTION NO. 29-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY ACCEPTING FUNDS IN THE AMOUNT OF \$44,805 FROM THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS (BCC), THE EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT FORMULA GRANT; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CASH MATCH TOTTALLING \$14,935 FROM THE POLICE FORFEITURE FUND ACCOUNT (150-0817-581-0-0146) TO THE BYRNE GRANT (146-00-381150).**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Councilperson Blue** and seconded by **Councilperson Wilson** to approve Resolution No. 29-02. **MOTION**

Upon a roll call by City Clerk Ward, the vote was 4-0 with Chair Pro-Tem Schnyer out. **MOTION APPROVED**

**ITEM NO. 12**

**RESOLUTION NO. 30-02 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 2002-2003 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 INTERIM FINANCE DIRECTOR TO DISBURSE FUNDS FROM FUND 150-0817-5210-5521 – LAW ENFORCEMENT TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 30-02. **MOTION**

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

**ITEM NO. 13**

**RESOLUTION NO. 31-02 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 LIENS ON PROPERTY LOCATED ON WEST 10TH STREET, INLET CITY, BLK 4, LTS 15-16, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$4,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 31-02. **MOTION**

**Chair Pro-Tem Schnyer** asked for clarification on why the reduction percentage was less than the previously approved lien reduction.

**Natalie Moore, Code Enforcement Administrator**, stated that this was a lot clearing lien and the city automatically collects the at cost amount.

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

**ITEM NO. 14**

**RESOLUTION NO. 32-02 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 2102 W 23RD STREET, NATIONAL VILLAGE PLAT #1, BLK 2, LT. 1, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$1,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Councilperson Blue** and seconded by **Councilperson Wilson** to approve Resolution No. 32-02. **MOTION**

Upon a roll call by City Clerk Ward, the vote was 4-1 with Chair Pro-Tem Schnyer dissenting. **MOTION APPROVED**

**ITEM NO. 15**

**RESOLUTION NO. 33-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN**

**AMENDMENT TO THE AGREEMENT WITH THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY BY INCREASING THE LOAN IN THE AMOUNT OF \$168,000, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDED AGREEMENT AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO TRANSFER SAID FUNDS FROM WATER & SEWER FUND BALANCE (401-00-399999), TO THE GENERAL FUND AND INCREASING THE BUDGETS FOR SAME.**

**City Clerk Ward** read the aforementioned resolution.

**Councilperson Wilson** made a motion, and upon passing the gavel, **Chairperson Rodgers** seconded to approve Resolution No. 33-02. **MOTION**

A discussion ensued amongst the City Council and staff.

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

**Thomas DeRita, Resource Group**, stated that with some conditions Harbor High School will become a reality. He stated that the city received funding for the State Road 710 project and the US 1 project. He stated that the TOPS program was canceled and that they were currently working with the Department of Juvenile Justice on the summer grant issue. He also stated that Senator Dawson's Bill – Senate Bill 2044 regarding the naming of the L. E. Buie Bridge and making it a major road and bridge designation and Representative Harper amended the House Bill to reflect same.

**City Manager Wilkins** stated that the approximate total cost for the operation of the harbor patrol is \$142,000. He stated that staff has been working with other municipalities, business owners, and other entities, however, because of the manpower shortage staff is still examining how this can be brought about in the most cost efficient manner.

**IX. CITY ATTORNEY'S REPORT:**

**NONE**

**X. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:**

**Chair Pro-Tem Schnyer** asked for a report on the sponsorship for the Jazz and Blues Festival.

**City Manager Wilkins** stated that he did not have the commitments in hand however he was confident that the funding would be raised.

**Chair Pro-Tem Schnyer** stated that a meeting was held in District 4 to address some policing issues. He thanked staff for their attendance and going above and beyond what was requested of them.

The following resolutions were adopted at the request of **Chair Pro-Tem Schnyer** who received correspondence from Jeff Atwater regarding maintaining funding for beach renourishment and windstorm insurance.

**RESOLUTION NO. 34-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND SUPPORTING THE CONTINUED FUNDING SUPPORT AND EASE OF PERMITTING OF BEACH RENOURISHMENT PROJECTS IN COASTAL MUNICIPALITIES IN THE STATE OF FLORIDA; AND ESTABLISHING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve Resolution No. 34-02. **MOTION**

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

**RESOLUTION NO. 35-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND SUPPORTING THE REORGANIZATION OF THE WINDSTORM INSURANCE PROTECTION BUSINESS AS STATED IN HB 1461; AND ESTABLISHING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve Resolution No. 35-02.

A discussion ensued amongst the City Council and staff.

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

**Councilperson Wade** requested that staff minimize the amount of additional paperwork provided to the City Council.

**XI. ADJOURNMENT:**

There being no further business, the meeting was duly adjourned at 9:15 p.m.

**APPROVED:**

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**MICHAEL D. BROWN, MAYOR**

**EDWARD RODGERS, CHAIRPERSON**

**ATTEST:**

cward.gif (643 bytes)



dschnyer.gif (881 bytes)



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

**DAVID G. SCHNYER, CHAIR PRO-TEM**

dwilson.gif (865 bytes)



**DONALD R. WILSON  
COUNCILPERSON**

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

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

**SYLVIA LEE BLUE  
COUNCILPERSON**

ewade.gif (1297 bytes)

**D. SCHNYER:**        aye

**ELIZABETH "LIZ" WADE  
COUNCILPERSON**

**DATE APPROVED: 03/06/2002**