

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, MARCH 6, 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 D. Brown, Chair Pro Tem David G. Schnyer, Councilperson Donald R. Wilson, and Councilperson Sylvia Lee Blue. Also present were City Manager William Wilkins, City Clerk Carrie E. Ward, CMC/AE, and City Attorney Pamala H. Ryan.

Councilperson Elizabeth Wade was absent.

**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**

**Councilperson Wilson** added a presentation regarding a Green Market within the city.

**Chair Pro Tem Schnyer** requested that Item No. 11 – resolution pertaining to the Community Redevelopment Agency be moved prior to the Awards & Presentations and that the Public Comments be moved after Awards and Presentations.

**Councilperson Blue** stated that she had comments to make under the Discussion from the Mayor & Council.

**City Manager Wilkins** read the Additions, Deletions, Substitutions, & Revisions into the record. He stated that Item No. 13 & Item No. 14 be discussed prior to Item No. 7. He also added a request for a Closed Executive Session. Mr. Wilkins requested that after the completion of Item No. 11 that the City Council meeting be recessed in order for the CRA to resume its previously published meeting to consider the bond resolutions.

**Adoption of Agenda**

A motion was made by **Councilperson 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**

**ITEM NO. 11**

**RESOLUTION NO. \_\_36-02\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (THE "AGENCY") TO ISSUE TAX INCREMENT REDEVELOPMENT REVENUE BONDS (THE "BONDS") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000) UPON TERMS HEREINAFTER DESCRIBED; AUTHORIZING THE AGENCY TO ISSUE, PRIOR TO THE ISSUANCE**

OF THE BONDS, BOND ANTICIPATION NOTES (THE "NOTES") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION TEN THOUSAND DOLLARS (\$5,010,000), UPON TERMS HEREIN DESCRIBED; PROVIDING FOR THE CITY'S COVENANT TO BUDGET AND APPROPRIATE THE CITY'S LEGALLY AVAILABLE NON-AD VALOREM REVENUES TO PAY DEBT SERVICE ON THE NOTES UPON THE TERMS AND CONDITIONS HEREIN DESCRIBED; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ALL OTHER THINGS NECESSARY TO ASSIST THE AGENCY IN THE ISSUANCE OF THE NOTES; AND PROVIDING FOR 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. 36-02. **MOTION**

**Gerald Ward, 31 W 20th Street**, commented.

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

At this point, a motion was made by **Chair Pro Tem Schnyer** and seconded by **Councilperson Blue** to recess the City Council Meeting.

### **III. AWARDS AND PRESENTATIONS:**

#### **ITEM NO. 1**

**PRESENTATION OF RETIREMENT MEMENTO TO BE PRESENTED TO GLENN A. BERROWS, FIREFIGHTER/PARAMEDIC FOR OVER TWENTY (20) YEARS OF DEDICATED SERVICE TO THE CITIZENS OF RIVIERA BEACH. ITEM DELETED**

#### **PRESENTATION ON THE GREENHOUSE PROJECT**

**LYNNE HUBBARD, New Community Development Group**, gave a presentation on the Green Market Project and requested support from the city for the initiation of the Riviera Beach Green Market to be held on April 13th.

#### **ITEM NO. 2**

**PRESENTATION OF PROCLAMATION TO CELEBRATE PUBLIC WORKS WEEK DURING MAY 19-25, 2002.**

**Don Jacobavitz, Public Works Director**, stated that the American Association of Public Works would be meeting in two weeks and he wanted the city to be represented with other municipalities.

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

**Walter Ainsworth, 5119 Elpine Way**, commented on the traffic signal at Leo Lane and Military Trail.

**Sally Penn, 2340 Avenue M**, commented.

### **IV. 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 20, 2002.**

2) **RESOLUTIONS:**

**ITEM NO. 4**

**THIS ITEM HAS BEEN DELETED**

**ITEM NO. 5**

**RESOLUTION NO. \_\_37-02\_\_ 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 \$27,530 FOR PREPARING A POTABLE WATER SUPPLY AND TREATMENT ALTERNATIVES EVALUATION STUDY; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1437-5330-4616.**

**ITEM NO. 6**

**RESOLUTION NO. \_\_38-02\_\_ 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 \$19,991.50 TO CONNECT THE 20" Ø PIPE FROM THE WATER PLANT SITE TO WEST 27TH STREET AT OLD DIXIE HIGHWAY; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1437-5330-4616.**

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

**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**

V. **PUBLIC HEARING:**

**ORDINANCES ON SECOND READING:**

**NONE**

VI. **ORDINANCES ON FIRST READING:**

**NONE**

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

**ITEM NO. 13**

**RESOLUTION NO. 39-02** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AGREEING TO ADD LANGUAGE TO THE RECREATION AND OPEN SPACE ELEMENT OF THE 2001 COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Blue** and seconded by **Chair Pro Tem Schnyer** to approve Resolution No. 39-02. **MOTION**

**Alfred Malefatto, Esq.**, explained the ramifications of Resolution No. 39-02.

**Wayne Richards, Esq.**, stated that his client, Seven Kings, did not have any objections to the language in the resolution.

A discussion ensued among the City Council and staff.

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

**City Manager Wilkins** requested that the City Council continue the request for a site plan approval from Seven Kings Holdings, Incorporated until the March 20th City Council Meeting.

**ITEM NO. 14**

**RESOLUTION NO. 40-02** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, WITHDRAWING THE OBJECTION RAISED BY THE CITY OF RIVIERA BEACH CONCERNING THE MINING OPERATION LOCATED SOUTH OF DYER BOULEVARD AND WEST OF HAVERHILL ROAD IN THE CITY OF WEST PALM BEACH; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to approve Resolution No. 40-02. **MOTION**

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

**ITEM NO. 7**

**RESOLUTION NO. 41-02** OF THE CITY COUNCIL OF THE CITY COUNCIL, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE HIRING OF CHAZ EQUIPMENT COMPANY, INC. FOR PERFORMING EMERGENCY REPAIRS ON A DRAINAGE PIPE AT 1280 CORAL WAY IN AN AMOUNT NOT TO EXCEED \$30,000; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO TRANSFER FUNDS FROM THE CONTINGENCY FUND OF THE PAVING AND DRAINAGE ACCOUNT NO. 301-0716-5190-5999 TO THE DEPARTMENT OF PUBLIC WORKS STORM SEWER MAINTENANCE ACCOUNT NO. 301-1127-5410-4607 FOR PAYMENT OF SAID WORK 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. 41-02. **MOTION**

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

**ITEM NO. 8**

**RESOLUTION NO. 42-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE COMPREHENSIVE PAY AND CLASSIFICATION STUDY AS PREPARED BY DMG FOR THE CITY'S ADMINISTRATIVE, CONFIDENTIAL, FIRE, GENERAL, POLICE AND SUPERVISORY PERSONNEL AND PROVIDING AN EFFECTIVE DATE.**

**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. 42-02. **MOTION**

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

**ITEM NO. 9**

**RESOLUTION NO. 43-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADMINISTRATIVE, CONFIDENTIAL AND SUPERVISORY PAY SCALE IN ACCORDANCE WITH THE DMG PAY AND CLASSIFICATION STUDY AND PROVIDING FOR UP TO THE TWO PERCENT (2%) MERIT FOR THESE EMPLOYEES 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. 43-02. **MOTION**

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

**ITEM NO. 10**

**REQUEST TO APPROVE A SITE PLAN APPLICATION FROM SEVEN KINGS HOLDINGS, INCORPORATED, FOR A MIXED USE PLANNED UNIT DEVELOPMENT A/K/A INLET HARBOR MARINA PUD, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF BLUE HERON BOULEVARD AND LAKESHORE DRIVE ON 7.76 ACRES IN A PUD ZONING DISTRICT.**

A motion was made by **Councilperson Blue** and seconded by **Councilperson Wilson** to approve the site plan application. **MOTION**

**City Manager Wilkins** stated that in accordance with the mediated settlement agreement that was presented to the City Council for consideration, he requested that the item be continued until the March 20th City Council Meeting.

**Councilperson Blue** stated for the record that she had an 8 page document that she would like made a part of the minutes from a resident, Patti Horner, 330 Wilma Circle. She stated that she also had a two-page document from Ms. Marilyn Moffitt, 350 Wilma Circle that should also be made a part of the document.

**Mary McKinney, Community Development Director**, gave a presentation on the type of building proposed by the applicant and the upgraded esthetics.

**Thomas Baird, Esq.**, stated that he would like for a copy of the letter he provided to the City Council be made a part of the minutes.

**Raymond Graziotto, Developer**, made clarifications to the description of the proposed development stated in the notice provided.

**Wayne Richards, Esq.**, commented

A lengthy discussion ensued amongst **Councilperson Blue** and **Raymond Graziotto** regarding the proposed lighting.

**Patti Horner** read into the record her letter dated March 5, 2002 regarding Cse No.SP-01-05.

A discussion ensued amongst the City Council, staff, Patti Horner

**Marty Perry**, representative of Seven Kings, commented.

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

**ITEM NO. 15**

**REQUEST FOR CLOSED EXECUTIVE SESSION TO DISCUSS LABOR ISSUE FOR FIREFIGHTERS CONTRACT.**

There was a consensus by the City Council to schedule the Closed Executive Session for March 20th at 6:00 p.m.

**City Manager Wilkins** announced that the city would be hosting the Palm Beach County City Managers Association meeting and the discussion would include the city's redevelopment plan. He also announced that the second session on the Harbor High School would held Thursday at the district office at 2:30 p.m.

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

NONE

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

**Councilperson Blue** reminded staff and residents of the Relay for Life sponsored by the American Cancer Society that will be held May 17th and 18th in the city. She also announced that Chairperson Rodgers was being honored at the Mt. Olive Missionary Baptist Church on March 24th at 11:00 a.m.

**Councilperson Wilson** thanked Chairperson Rodgers for the invitation to attend the Saturday morning Civil Drug Court. He also stated that he would request that the African American Art exhibit in the Library be extended.

**Chairperson Rodgers** announced that Commissioner Isaac Robinson, City of West Palm Beach would like to hold a joint session to discuss mutual interest. The dates requested were March 19th, 20th, or 27th at 2:30 p.m.

**XI. 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**

**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:** 03/20/2002

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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**