

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JULY 17, 2002 AT 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

Chairperson David G. Schnyer was present and presided. Upon a roll call by City Clerk Carrie E. Ward the following were present: 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, and City Attorney Pamala H. Ryan.

Mayor Brown was tardy.

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 stated that he wanted to make comments under Recommendations and Discussion from the Mayor & City Council.

City Manager Wilkins deleted Item No. 1. He stated that there was a revision to the contract for the sale of the police dog Chip (Item No. 7) and proceeded to read the Additions, Deletions, Substitutions, & Revisions into the record. He also stated that additional backup was provided for Item No. 18 – request for a Closed Executive Session; and that a memorandum was provided regarding the Riviera Beach Post Office Branch landscaping, the Avenue U construction project, the status of interim department heads, the Neighborhood Rehabilitation Assistance Program, the Cocoa Cola contract, and a copy of the zip code package provided to the congressional legislation in Washington.

Adoption of Agenda

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** 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 OF A SAVINGS BOND AND CERTIFICATE OF APPRECIATION FOR EMPLOYEE OF THE MONTH TO ELVIN WHITTAKER FOR THE MONTH OF MAY, 2002. ITEM DELETED

ITEM NO. 2

PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF JUNE, 2002.

Doretha Perry, Human Resources Director presented the following new employees –

Derrick Jackson, Police Department; Joseph Passaro, Police Department; Mark Watts, Fire Department; and John Curd, Fire Department.

ITEM NO. 2 (1)

PRESENTATION BY MAUREEN BUDJINSKI, AMERICAN CANCER SOCIETY THANKING THE CITY OF RIVIERA BEACH FOR PARTICIPATION IN THE RELAY FOR LIFE.

Maureen Budjinski, American Cancer Society, thanked the City for hosting and participating in the Relay for Life. She proceeded to comment on some of the accomplishments of the American Cancer Society.

IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Margaret Williams, 71 W 13th Street, made comments on communication in the Police Department.

Mike Mahoney, 2120 Broadway, requested that the City permit him to use the vacant lot across the street from his business and made comments on the activities at the St. George facility.

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 JUNE 19, 2002

2) RESOLUTIONS:

ITEM NO. 4

RESOLUTION NO. 119-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT IN THE AMOUNT OF \$1,174.35 TO R.C.T. ENGINEERING, INC. (R.C.T.) TO PROVIDE PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE REPLACEMENT OF HIGH SERVICE PUMPS VARIABLE FREQUENCY DRIVE (VFD'S); AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1417-5360-3106.

ITEM NO.5

RESOLUTION NO. 120-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT IN THE AMOUNT OF \$2,381.00 TO R.C.T. ENGINEERING, INC. (R.C.T.) TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATED TO SECURITY MEASURES FOR THE WATER TREATMENT PLANT; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 401-1437-5330-3103.

ITEM NO. 6

RESOLUTION NO. 121-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$5,000 FROM THE LAW ENFORCEMENT TRUST FUND AS RECOMMENDED BY THE POLICE CHIEF; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF \$5,000.00 AND TRANSFERRING SAID FUNDS TO THE GENEREAL FUND POLICE DEPARTMENT TRAVEL ACCOUNT NUMBER 001-0817-521-0-4001, TO SPONSOR A TEAM OF YOUTH FROM THE RECREATION DEPARTMENT TO THE 17TH NATIONAL CONFERENCE ON PREVENTING CRIME IN THE BLACK COMMUNITY; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 7

RESOLUTION NO. 122-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A BILL OF SALE ON BEHALF OF THE CITY TO LIEUTENANT RICHARD SESSA FOR THE POLICE K-9 GERMAN SHEPHERD DOG NAMED "CHIP."

ITEM NO. 8

RESOLUTION NO. 123-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING THE BID AWARD TO ENVIRONMENTAL PIPELINE REHABILITATION, INC., THE LOWEST RESPONSIVE BIDDER, FOR THE 20-INCH DIAMETER POTABLE WATER TRANSMISSION LINE CONNECTION IN THE AMOUNT OF \$321,880.00.

ITEM NO. 9

RESOLUTION NOS. 3413, 4133, AND 4642 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, IN MEMORY OF OUR OWN, RETIRED INSPECTOR ROBERT D. HODGES – EMPLOYEE NO. 3413; BOBBY L. MACK, SR. – EMPLOYEE NO. 4133, AND DONALD A. EBERHARDT, JR. – EMPLOYEE NO. 4642 AND PROVIDING AN EFFECTIVE DATE FOR DISSOLUTION OF SAID NUMBER.

ITEM NO. 10

RESOLUTION NO. 124-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF MICROSOFT SOFTWARE LICENSES FROM SOFTWARE HOUSE INTERNATIONAL (SHI) IN THE AMOUNT OF \$33,658; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH SHI FOR SUCH PURPOSE, AND ALSO AUTHORIZING STAFF TO PURCHASE ADDITIONAL MICROSOFT SOFTWARE LICENSES ON AN AS NEEDED BASIS FROM SHI UNDER THE SAME TERMS AND CONDITIONS AS SET FORTH IN THE CONTRACT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT 001-0243-5130-4601; AND PROVIDING AN EFFECTIVE DATE.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

A motion was made by **Councilperson Wade** 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:

ITEM NO. 11

A SPECIAL EXCEPTION AND SITE PLAN REVIEW APPLICATION FROM THE CHURCH OF THE LIVING GOD, THE PILLAR AND GROUND OF THE TRUTH, INC. TO CONSTRUCT A 1,800 SQUARE FOOT ADDITION TO AN EXISTING CHURCH, LOCATED AT 1549 W 20TH STREET, IN AN RS-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve the special exception and site plan review application from the Church of the Living God, The Pillar and Ground of the Truth, Inc. **MOTION**

Introduced to the City Council by Mary McKinney, Community Development Director.

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

ORDINANCES ON SECOND READING:

ITEM NO. 12

ORDINANCE NO. 2919 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, IMPLEMENTING THE COMPREHENSIVE PAY AND CLASSIFICATION SCHEDULE AS PREPARED BY DMG FOR GENERAL EMPLOYEES REPRESENTED BY THE NATIONAL CONFERENCE OF FIREMEN AND OILERS, LOCAL #1227 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 approve Ordinance No. 2919. **MOTION**

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

City Clerk Ward stated that the ordinance was advertised in the June 23rd edition of the Palm Beach Post.

ITEM NO. 13

ORDINANCE NO. 2920 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE II, SECTION 27 OF THE CITY CHARTER ENTITLED "CITY MANAGER APPOINTMENT" BY DELETING THE REQUIREMENT THAT THE CITY MANAGER MAY HAVE ONLY A ONE YEAR CONTRACT; 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 approve Ordinance No. 2920. **MOTION**

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

City Clerk Ward stated that the ordinance was advertised in the June 23rd edition of the Palm Beach Post.

VII. ORDINANCES ON FIRST READING:

NONE

VIII. CITY MANAGER'S DISCUSSION:

ITEM NO.14

RESOLUTION NO. 125-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH ADVANCED TECHNICAL AND EDUCATIONAL CONSULTANTS, INC., 1200 SOUTH FEDERAL HIGHWAY, BOYNTON BEACH, FLORIDA 33435, TO PROVIDE FOR THE EDUCATION AND TRAINING OF STUDENTS IN THE PARAMEDIC AND EMT PROGRAMS; AND PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson Wade to approve Resolution No. 125-02. **MOTION**

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

ITEM NO. 15

RESOLUTION NO. 126-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO MOVE FORWARD IN REFUNDING THE WATERFRONT IMPROVEMENT REFUNDING BOND SERIES 1992.

City Clerk Ward 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. 126-02 with the stipulation to change the bond underwriter to Jackson Securities and that the bond counsel be Bryant, Miller, and Olive.

MOTION

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

At this time **Chairperson Schnyer** announced that Mayor Brown had arrived.

ITEM NO. 16

RESOLUTION NO. 127-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROPRIATING FUND BALANCE IN THE AMOUNT OF \$275,000 AND TRANSFERRING SAID FUNDS TO THE HUMAN RESOURCES LABOR RELATIONS CONTRACT SERVICES ACCOUNT NUMBER 001-0512-519-0-3101.

City Clerk Ward 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. 127-02. **MOTION**

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

ITEM NO. 17

RESOLUTION NO. 128-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ESTABLISHING A MAXIMUM MILLAGE RATE OF NINE POINT FIVE (9.5) MILLS FOR FISCAL YEAR 2002/2003.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Resolution No. 128-02. **MOTION**

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

ITEM NO. 18

DISCUSSION: CITY COUNCIL TO ESTABLISH A DATE FOR A CLOSED EXECUTIVE SESSION REGARDING NEGOTIABLE ITEMS FOR NEGOTIATION BETWEEN THE CITY AND THE INTERNATIONAL UNION OF POLICE ASSOCIATION (IUPA) AND THE RIVIERA BEACH ASSOCIATION OF FIREFIGHTERS (RBAF).

City Manager Wilkins stated that the date for the Closed Executive Session was set for July 22nd at 4:00 p.m.

ITEM NO. 19

DISCUSSION: UPDATE TO CITY COUNCIL REGARDING THE VIOLENCE IN THE WORKPLACE POLICY AND PROACTIVE MEASURES PERTAINING TO DOMESTIC AND WORKPLACE VIOLENCE.

City Manager Wilkins stated that the policy and procedure was issued for the City Council's review and that staff was soliciting comments/concerns. He also stated that the document was a draft and when the final document was completed, it would be forwarded to the Mayor and City Council.

City Manager Wilkins stated that in addition to authorizing the staff to move forward on refunding the waterfront improvement bond, the City Council needed to determine whether the sale of refunding the waterfront improvement bond should be a private placement or a public offering. He stated that the recommendation was for the sale to be a public offering.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Rodgers** that the refinancing of the waterfront bonds be a public offering. **MOTION**

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

IX. CITY ATTORNEY'S REPORT:

NONE

X. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Mayor Brown discussed the terms of the Coca Cola contract and the services provided to the City. He also discussed the possibility of the City Manager moving forward in obtaining the services of another company.

A discussion ensued.

A motion was made by **Councilperson Rodgers** and seconded by **Councilperson Wilson** directing staff not to renew the contract with Coca Cola, submit a letter to the national office regarding the City's concerns with the local branch, and proceed with the bid process.

MOTION

John Williams, Recreation/Park Director, stated for the record that Coca Cola had submitted a proposal of \$100,000 (\$20,000 per year) over a period of five years.

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

City Manager Wilkins stated that due to a conflict of scheduling the Budget Workshop dates needed to be rescheduled.

There was a consensus by the City Council that the Budget Workshops would be held on August 2nd at 4:00 p.m., August 3rd at 9:00 a.m., and August 5th at 6:30 p.m.

Councilperson Wilson requested an update on the Sugarhill Cemetery and voiced his concerns regarding businesses located within City limits not acknowledging their location.

The City Council directed staff to set a date in September for a workshop to discuss the impact of businesses not acknowledging their location within the City.

DIRECTIVE

Chairperson Schnyer directed the City Manager to schedule a meeting with the City of West Palm Beach for the month of September. **DIRECTIVE**

XI. ADJOURNMENT:

There being no further business the meeting was duly adjourned at 9:00 p.m.

APPROVED:

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MICHAEL D. BROWN, MAYOR

DAVID G. SCHNYER, CHAIRPERSON

ATTEST:

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sblue.gif (791 bytes)



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

SYLVIA LEE BLUE, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

ewade.gif (1297 bytes)



MOTIONED BY: D. Schnyer

SECONDED BY: E. Wade

**ELIZABETH "LIZ" WADE
COUNCILPERSON**

E. RODGERS: aye

E. WADE: aye

D. WILSON: aye

S. BLUE: aye

D. SCHNYER: aye



**EDWARD RODGERS
COUNCILPERSON**

DATE APPROVED: **08/07/2002**