

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, SEPTEMBER 18, 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: Mayor Michael D. Brown, 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, City Clerk Carrie E. Ward, MMC, 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.

Chair Pro Tem Blue stated that she wanted to make comments under Recommendations And Discussion From Mayor & Council.

Councilperson Wilson stated that he wanted to make comments under Recommendations And Discussion From Mayor & Council.

Councilperson Rodgers stated that he wanted to make comments under Recommendations And Discussion From Mayor & Council.

Adoption of Agenda

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem Blue** to approve the agenda with the additions and deletions. **MOTION**

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

III. AWARDS AND PRESENTATIONS:

ITEM NO. 1

PRESENTATION AND WELCOME TO NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR MONTH OF AUGUST 2002.

Doretha Perry, Human Resource Director presented the following new employees for the month of August: Janet Levin (Recreation & Parks Dept.), Tina Hall (Police Department), Lee Ann Schneider (Police Department), Karl Chaikin (Police Department), David Bodenheimer (Police Department), and Reginald Bush (Police Department).

ITEM NO. 2

PRESENTATION OF CITY PARTICIPATION IN THE FLORIDA COASTAL CLEAN UP ON SATURDAY, SEPTEMBER 21, 2002.

Don Jacobovitz, Public Works Director, announced that the Florida Coastal Clean Up would be held at the Ocean Mall on Saturday, at 8:00 a.m.

ITEM NO. 3

PRESENTATION OF DESIGNATION OF MASTER MUNICIPAL CLERK TO MS. CARRIE E. WARD, CITY CLERK FOR THE CITY OF RIVIERA BEACH.

City Manager Wilkins read correspondence received from the International Institute for Municipal Clerks on the accomplishments of City Clerk Ward. He presented Ms Ward with her MMC plaque, MMC pin, and a bouquet of flowers.

City Clerk Ward expressed words of gratitude for her continued tenure in serving the citizens of Riviera Beach.

ITEM NO. 3A

PRESENTATION TO POLICE CHIEF CLARENCE WILLIAMS, III, AND FIRE CHIEF TROY PERRY BY KATHY GROOVER FROM THE 25TH STREET ADOPT-A-BLOCK GROUP FOR THEIR INVOLVEMENT IN THE SPONSORSHIP OF THE NATIONAL NIGHT OUT.

Kathy Groover, 25th Street Adopt-a-Block Group, presented Police Chief Williams and Fire Chief Perry with a collage of pictures from the activities of National Night Out.

ITEM NO. 3B

PRESENTATION OF CERTIFICATE TO PATRICIA LOWE BY COUNCILPERSON ELIZABETH "LIZ" WADE FOR MS. LOWE'S SUPPORT IN THE NATIONAL NIGHT OUT.

Councilperson Wade read the certificate that would be presented to Ms Patricia Lowe for her support of the National Night Out activities.

IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Gerald Ward, 31 W 20th Street, made comments regarding the comprehensive plan settlements and the need for community input.

Martha Babson, made comments regarding the CRA budget.

LaRhonda Nobles, expressed her apology to the Mayor and City Council for her involvement in the incident that happened outside of city hall whereas several others were in a scramble match.

Cortez Eagle, 1465 W 30th Street, Edward Overstreet, 370 W 28th Street, made comments regarding the lack of proper equipment in area parks.

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. 4

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON SEPTEMBER 4, 2002.

2) RESOLUTIONS:

ITEM NO. 5

RESOLUTION NO. 160-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE THE PURCHASE OF ONE (1) CASE 60XT SKID STEER FROM BRIGGS EQUIPMENT, UNDER THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES CONTRACT #760-001-99-1 AT A TOTAL COST OF \$24,172.00 AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 305-1127-5410-6405.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

A motion was made by **Chair Pro Tem Blue** 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 HEARINGS:

VII. ORDINANCES ON SECOND READING:

ITEM NO. 6

ORDINANCE NO. 2925 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003 FIXING THE MILLAGE RATE OF 9.5 THEREON FOR SAID YEAR; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to adopt Ordinance No. 2925. **MOTION**

Gerald Ward, 31 W 20th Street, spoke in support of the recommended budget.

Karen Hoskins, Budget/Management Specialist, stated for the record that the millage rate of 9.5 mills was 5.94% increase over the rollback rate. She stated that the rollback rate was 8.9669.

Chairperson Schnyer stated that he would support this ordinance however he would not be in favor of the proposed raising of water rates that would be forthcoming.

City Clerk Ward stated that the ordinance was advertised in the September 15, 2002 edition of the Palm Beach Post.

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

ITEM NO. 7

ORDINANCE NO. 2926 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MAKING APPROPRIATIONS AND ESTABLISHING A

BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2003; PROVIDING A SEVERABILITY CLAUSE; 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 2926. **MOTION**

City Clerk Ward stated that the ordinance was advertised in the September 15, 2002 edition of the Palm Beach Post.

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

ITEM NO. 8

ORDINANCE NO. 2927 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA UPDATING THE ZONING MAP OF THE CITY OF RIVIERA BEACH BY ASSIGNING A ZONING CLASSIFICATION OF RESORT HOTEL "RH" TO APPROXIMATELY 34 ACRES OF PROPERTY DESIGNATED RESORT HOTEL IN THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record. She stated that the ordinance was advertised in the September 8, 2002 edition of the Palm Beach Post.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to table Ordinance No. 2927 until the October 2nd City Council Meeting and for advertisement to be placed in the newspaper stating same. **MOTION**

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

ITEM NO. 9

ORDINANCE NO. 2928 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 14-72 (DEFINITIONS) OF ARTICLE IV, CHAPTER 14, OF THE CITY'S CODE OF ORDINANCES RELATING TO THE POLICE OFFICERS' PENSION PLAN TO PROVIDE THAT BACKPAY AWARDS SHALL BE CREDITED TO THE COMPUTATION PERIOD TO WHICH A BACKPAY AWARD PERTAINS (EARNED) RATHER THAN THE COMPUTATION PERIOD IN WHICH THE AWARD WAS MADE, PAID OR RECEIVED; PROVIDING FOR A REPEALER; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to adopt Ordinance No. 2928. **MOTION**

City Atty. Ryan stated that the hearing on the Motion for Injunction filed by two police officers was not granted.

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

ITEM NO. 10

ORDINANCE NO. 2929 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 25 ENTITLED FLOOD PREVENTION AND PROTECTION, BY REPEALING ARTICLES I — III IN ITS

ENTIRETY AND REPLACING IT WITH NEW ARTICLES I – VII ENTITLED “STATUTORY AUTHORIZATION, FINDING OF FACT, PURPOSE AND OBJECTIVES”; “DEFINITIONS; “GENERAL PROVISIONS”; “ADMINISTRATION”; “PERMIT PROCEDURES”; “VARIANCE PROCEDURES”, “PROVISIONS FOR FLOOD HAZARD REDUCTION”; TO THE CITY OF RIVIERA BEACH CODE OF ORDINANCES, PROVIDING PENALTY FOR VIOLATIONS, PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem Blue** to adopt Ordinance No. 2929. **MOTION**

Gerald Ward, 31 W 20th Street, made brief comments.

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

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

VIII. ORDINANCES ON FIRST READING:

ITEM NO. 11

ORDINANCE NO. 2930 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE III ENTITLED “FIREFIGHTERS PENSION PLAN” OF THE CODE OF ORDINANCES BY REVISING SECTION 14-53 TO PROVIDE FOR CONFORMANCE TO FLORIDA STATE STATUTE CHAPTER 175, AND BY AMENDING SECTION 14-58 TO CORRECT A SCRIVENERS ERROR; 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 **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve Ordinance No. 2930 on first reading. **MOTION**

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

VII. CITY MANAGER’S DISCUSSION:

ITEM NO. 12

RESOLUTION NO. 161-02 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 AGREEMENT WITH THE STATE OF FLORIDA, OFFICE OF TOURISM, TRADE, AND ECONOMIC DEVELOPMENT FOR AN ECONOMIC DEVELOPMENT TRANSPORTATION FUND GRANT IN THE AMOUNT OF 2 MILLION DOLLARS FOR IMPROVEMENTS TO US HIGHWAY ONE ON BEHALF OF MILLENIUM LUXURY COACH AND YACHTS; AND PROVIDING AN EFFECTIVE DATE.

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. 161-02. **MOTION**

Gerald Ward, 31 W 20th Street, entered a letter for the record which was provided to Clerk Ward regarding the proposed resolution. He proceeded to outline the contents of the letter.

Martha Babson, made comments against the resolution.

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

An amended motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve the resolution and direct staff to make the necessary corrections. **AMENDED MOTION**

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

ITEM NO. 13

RESOLUTION NO. 162-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$4,902.00 FROM THE LAW ENFORCEMENT TRUST FUND TO PURCHASE TEN (10) SEMI-AUTOMATIC PISTOLS, HOLSTERS AND ACCESSORIES, AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO LAW ENFORCEMENT SUPPLY COMPANY, INC., FROM ACCOUNT NUMBER 150-0817-521-0-6405.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 162-02. **MOTION**

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

ITEM NO. 14

RESOLUTION NO. 163-02 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 390 W. 30TH STREET, LOTS 16, BLK 39, PARK MANOR PL-5, 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 PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made **Councilperson Wade** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 163-02. **MOTION**

Reginald Napier, 390 W 30th Street, spoke against the proposed resolution.

A discussion ensued amongst the City Council.

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

ITEM NO. 15

RESOLUTION NO. 164-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE REPAIRS AND REPLACEMENT OF FIRE SPRINKLER SYSTEM TO FARMER & IRWIN CORPORATION, RIVIERA BEACH, FLORIDA AT A COST OF \$16,425.00 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY WITH FARMER & IRWIN CORPORATION AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 305-0203-5190-4602 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 Wilson** to approve Resolution No. 164-02. **MOTION**

Gerald Ward, 31 W 20th, commented in support of adoption of the resolution.

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

ITEM NO. 16

RESOLUTION NO. 165-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE PAVING AND DRAINAGE CONSTRUCTION ACCOUNT NUMBER 301-0716-5190-3103 IN THE AMOUNT OF \$40,000 FOR TRAFFIC CALMING IMPLEMENTATION SERVICES AND OTHER TRANSPORTATION RELATED ENGINEERING SERVICES, 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 Wilson** to approve Resolution No. 165-02. **MOTION**

Warrie Leonard, 1901 W 23rd Street, asked whether or not a meeting would be held for the placement of traffic devices before funds are expended.

Gerald Ward, 31 W 20th Street, made brief comments.

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

ITEM NO. 17

RESOLUTION NO. 166-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PROFESSIONAL SERVICES CONTRACT WITH MEDEL INFORMATION SYSTEMS (MIS) OF PALM BEACH GARDENS, FLORIDA TO PROVIDE MICROSOFT OFFICE SUITE TRAINING AND MANUALS IN AN AMOUNT NOT TO EXCEED \$37,000; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH MIS FOR SUCH PURPOSE; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 001-0511-513-0-5403; AND PROVIDING AN EFFECTIVE DATE.

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. 166-02. **MOTION**

Gerald Ward, 31 W 20th Street, made comments in favor of the resolution.

A discussion ensued amongst the City Council and staff.

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

ITEM NO. 18

RESOLUTION NO. 167-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ACCEPTING FUNDS IN THE AMOUNT OF \$225,000 FROM THE DEPARTMENT OF JUSTICE, OFFICE OF

JUSTICE PROGRAMS, UNDER THE EXECUTIVE OFFICE FOR WEED AND SEED FOR THE FOUR COMPONENTS OF WEED AND SEED, WHICH ARE LAW ENFORCEMENT, COMMUNITY POLICING, PREVENTION, INTERVENTION AND TREATMENT AND NEIGHBORHOOD RESTORATION; ALSO AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AGREEMENT AND THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME.

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. 167-02. **MOTION**

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

ITEM NO. 19

RESOLUTION NO. 168-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF A 3M LIBRARY DETECTION SYSTEM FROM 3M LIBRARY SYSTEMS, ST. PAUL, MN, 55133, AT A TOTAL COST OF \$25,441.72. SAID PURCHASE TO BE MADE UNDER THE STATE OF FLORIDA, DIVISION OF MANAGEMENT SERVICES SNAPS PROGRAM CONTRACT NO. 6002301-2 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY WITH 3M LIBRARY SYSTEMS AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 305-1336-5710-6405 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 Wilson** to approve Resolution No. 168-02. **MOTION**

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

ITEM NO. 20

RESOLUTION NO. 169-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RIVIERA BEACH PUBLIC LIBRARY LONG-RANGE PLAN FOR A THREE-YEAR PERIOD, 2002-2005; AND PROVIDING AN EFFECTIVE DATE.

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. 169-02. **MOTION**

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

ITEM NO. 21

RESOLUTION NO. 170-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PAYMENT TO THE BANK OF NEW YORK IN THE AMOUNT OF \$6,500 FOR SHORT FALLS IN THE 1978 ESCROW DEPOSIT ACCOUNT FOR WATER AND SEWER REVENUE BONDS.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Wade** and seconded by **Councilperson**

Wilson to approve Resolution No. 170-02. **MOTION**

A discussion ensued amongst the City Council and staff

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

MOTION APPROVED

ITEM NO. 22

RESOLUTION NO. 171-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROPRIATING \$600,000 OF GENERAL FUND, FUND BALANCE TO COVER THE PROJECTED SHORT FALL OF BUDGETED REVENUE, FOR THE 2001-2002 FISCAL YEAR DUE TO INCOMPLETE NEGOTIATIONS FOR THE FP&L FRANCHISE AGREEMENT.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to approve Resolution No. 171-02. **MOTION**

Gerald Ward, 31 W 20th Street, made brief comments.

A discussion ensued amongst the City Council and staff.

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

MOTION APPROVED

ITEM NO. 25

DISCUSSION OF REMOVAL OF CERTAIN PLANNING AND ZONING BOARD MEMBERS.

Martin Rosen read a letter into the record regarding the conduct of certain Planning & Zoning Board members.

Gerald Ward, 31 W 20th Street, made comments regarding the Planning and Zoning Board.

A discussion ensued amongst the City Council and staff.

City Atty. Ryan stated that a memo was previously sent advising the City Council of the procedures for removing individuals from a board.

A motion was made by **Councilperson Rodgers** and seconded by **Councilperson Wade** to notify the two individuals of the complaint received from Mr. Rosen, provide them a copy of the complaint, and advise them that at the October 2nd meeting there will be discussion and a decision will be made on the recommendations made by Mr. Rosen.

MOTION

Mayor Brown stated for the record that he had received complaints regarding the activities of the Planning and Zoning Board and that he had the opportunity to witness some of the actions as presented in Mr. Rosen's complaint.

City Manager Wilkins recommended that a special meeting be held regarding the actions of the Planning & Zoning Board.

An amended motion was made by **Councilperson Rodgers** and seconded by **Councilperson Wade** to notify the two individuals in the complaint that a special meeting would be held to take up the accusations made against them and that the meeting would be set at a time to be determined. **AMENDED MOTION**

Chairperson Schnyer stated that the discussion to fill vacancies should be addressed at the special meeting.

There was a consensus of the City Council to address the vacancies on the Planning and Zoning Board at the special meeting.

Upon a roll call by City Clerk Ward, the vote was 4-0 with Councilperson Blue out.

MOTION APPROVED

ITEM NO. 23

DISCUSSION ON APPOINTMENT OF TWO MEMBERS TO THE PLANNING AND ZONING BOARD.

City Manager Wilkins stated that there was one vacancy on the board and that there was a request to discuss the status of another member on the Planning and Zoning Board.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to reorder the agenda to discuss Item No.25 prior to Item No. 23. **MOTION**

Upon a roll call by City Clerk Ward, the vote was 4-0 with Councilperson Blue out.

MOTION APPROVED

ITEM NO. 24

RESOLUTION NO. 172-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE SUPERFUND STATE CONTRACT BETWEEN THE STATE OF FLORIDA, THE CITY OF RIVIERA BEACH, AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION IV FOR PHASE ONE REMEDIAL ACTION AT THE TRANS CIRCUIT SITE; AND PROVIDING AN EFFECTIVE DATE FOR SAME.

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. 172-02. **MOTION**

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

MOTION APPROVED

City Manager Wilkins stated that a request for a Closed Executive Session is forth coming to discuss labor relations negotiations.

IX. CITY ATTORNEY'S REPORT:

NONE

X. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Councilperson Wilson stated that a request was made by a citizen, that prior to cars being towed off the bridge during the holidays, that an announcement be made.

Chief Williams stated that there are signs posted stating no parking.

Councilperson Wade requested that the City Manager get involved with a request from a property owner regarding some liens that may or may not be against the property.

XI. ADJOURNMENT:

There being no further business the meeting was duly adjourned at 10:19 p.m.

APPROVED:

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MICHAEL D. BROWN, MAYOR

DAVID G. SCHNYER, CHAIRPERSON

ATTEST:

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

SYLVIA LEE BLUE, CHAIR PRO-TEM

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**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: 10/02/2002