

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 16, 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, Master Municipal Clerk, and City Attorney Pamala Hanna. 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.

City Manager Wilkins stated that he had prepared a package to provide an update to the Mayor and Council on issues requested at the Agenda Review: The proposal for Beverage Vendor Service; Riviera Beach 13th Street School Site. Select Contracting Contracts. Notice on Funding Received from The Federal Government; Notice of The Fair Housing Program; Information on the upcoming Green Market.; He then stated that he had the results on the survey pertaining to the Council salaries.

Mayor Brown stated that he wanted to make comments under Recommendations from Mayor and Council pertaining to the State of the City Dinner.

Adoption of Agenda

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

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

Doretha Perry Human Resource Director, presented to Mayor, and Council the new employees that were employed during the month of August, and September 2002.

Mark Swanson, Police
Nathan Gordon, Police
Danielle Turner, Police
Travis Walker, Police
Elsworth Jones, Police
Steven Thomas, Police
Barrington Smith, Police
Pierre Smith, Finance
Wayde Higgs, Public Works

Police Chief Clarence Williams, introduced the new Cadet Mentoring Program to Mayor, and Council, and explained its benefits.

ITEM NO. 2

PRESENTATION OF THE SINGER ISLAND CIVIC ASSOCIATION'S OFFICER OF THE QUARTER AWARD TO OFFICER MICHAEL D'ANDRIA FOR AN OUTSTANDING JOB PERFORMANCE.

Tony Gigliotti, explained the purpose of the Singer Island Civic Association's Officer of the quarter award. He then presented this quarter award to Officer Michael D'andria along with a \$500.00 United States Savings Bonds.

Chairperson Schnyer, acknowledged the award and made brief comments regarding the efforts of the association.

Councilperson Wilson made brief comments regarding the presentation.

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

Mike Mahoney 2120 Broadway addressed the Council in referenced to the surrounding neglected City owned property adjacent to his property.

David Clark P.O. Box 10677, provided literature regarding a local Outreach Community Program and requested funding. He then stated the event was to scheduled for Saturday, October 26,2002.

Gerald Ward 31 West 20th Street, expressed his concerns regarding, the proposed action to make State Road 710 a Sun Pass only entrance and exit. He then indicated that the comprehensive plan settlement that was made required the city to take certain actions; and the actions were not done. He then encouraged the public to attend the upcoming School Board Meeting pertaining to the New Local High School.

Diane Rolle 1633 West 23rd Street addressed the Council with her request to get assistance with her water bill.

She was directed to the City Manager.

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 OCTOBER 2, 2002.

2) RESOLUTIONS:

ITEM NO. 4

RESOLUTION NO. 181-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT IN THE AMOUNT OF \$1,679.30 TO BRITISH AEROSPACE SYSTEMS (BAE SYSTEMS), TO PROVIDE PROFESSIONAL PHOTOGRAMMETRIC ENGINEERING SERVICES FOR A NEW ANALYTICAL AERIAL TRIANGULATION SYSTEM TO BE PAID THIS AMOUNT FROM ACCOUNT NO. 401-1417-5360-6404; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 5

RESOLUTION NO. 182-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT IN THE AMOUNT OF \$2,426.50 TO BRITISH AEROSPACE SYSTEMS (BAE SYSTEMS), TO PROVIDE PROFESSIONAL PHOTOGRAMMETRIC ENGINEERING SERVICES TO UPDATE THE UNDERGROUND CONNECTIONS AND HOUSE NUMBERS IN THREE AREAS OF THE CITY VIA RESOLUTION NO. 117-01; TO BE PAID AMOUNT FROM ACCOUNT NO. 401-1417-5360-6404; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 6

RESOLUTION NO. 183-02 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., THROUGH THE SARASOTA-MANATEE COUNTY CO-OP BID #2648, TO REDUCE READ TIME AND ASSURE GREATER ACCURACY DURING THE METER READING PROCESS THROUGHOUT THE CITY OF RIVIERA BEACH AT A TOTAL COST OF \$250,000; TO BE PAID FROM ACCOUNT NO. 401-1430-5330-5206; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 7

RESOLUTION NO. 184-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FIRST AMENDMENT TO AGREEMENT DATED JUNE 4, 2002, BY AND BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY TO PROVIDE THAT THE AGREEMENT SHALL CONTINUE UNTIL SEPTEMBER 30, 2003 FOR THE PURPOSE OF DEVELOPING A STRATEGIC PLAN FOR THE CITY'S POLICE DEPARTMENT TO CREATE A COMMUNITY-BASED PARTNERSHIP TO IMPROVE THE CONTROL DETECTION, AND INVESTIGATION OF CRIME AS PROVIDED FOR IN LLEBG GUIDELINE PURPOSE AREA 6; AND PROVIDING AN EFFECTIVE DATE.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

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 HEARING:

ORDINANCES ON SECOND READING:

VII. ORDINANCES ON FIRST READING:

ITEM NO. 8

ORDINANCE NO. 2931 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 20, ARTICLE III ENTITLED "WATER" "DIVISION 2. RATES AND CHARGES" AND AMENDING ARTICLE IV ENTITLED "WASTEWATER DISPOSAL SYSTEM" "DIVISION 2. RATES AND CHARGES"; 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 **Councilperson Wilson** to adopt Ordinance No. 2931. **MOTION**

Edward Sierra Director of Utilities, gave an overview of the Ordinance and expressed the importance for adopting.

Gerald Ward 31 West 20th Street addressed the Council with his opposition to Ordinance No. 2931. He then stated, that Council should evaluate the contents of the proposed Ordinance prior to considering adoption.

Dennis Widlansky 1206 Coral Way addressed the Council with his opposition to Ordinance No. 2931.

Cynthia Becton Former Councilperson, 500 West 24th Street, addressed the Council with her opposition to Ordinance No. 2931.

A discussion ensued amongst Staff, Mayor, and Council.

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

VIII. CITY MANAGER'S DISCUSSION:

ITEM NO. 9

RESOLUTION NO. 185-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APROVING A SITE PLAN APPLICATION FROM GAETA DEVELOPMENT FOR AN AUTOBODY CENTER ON 2.5 ACRES OF PROPERTY LOCATED ON LOT 3 PORT COMMERCE CENTER III IN AN IL ZONING DISTRICT; PROVIDING FOR 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. 185-02. **MOTION**

Mary McKinney Director Of Community Development, gave an overview of the Resolution, she then recommended that council approve the Resolution with certain conditions as noted in the contents of the Resolution.

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

ITEM NO. 10

RESOLUTION NO. 186-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM GULF STREAM LUMBER FOR A BUILDING MATERIAL FACILITY ON 13.2 ACRES OF PROPERTY LOCATED ON THE NORTH EAST CORNER OF 13TH STREET AND OF AVENUE "R" PROVIDING FOR; 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. 186-02. **MOTION**

Mary McKinney Director Of Community Development, gave an overview of the Resolution, she then recommended that Council approve the Resolution with certain conditions as noted in the contents of the Resolution.

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

ITEM NO. 11

RESOLUTION NO. 187-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM HENNESSY DENTAL LABORATORY FOR A 12,216 SQUARE FOOT OFFICE/MANUFACTURING FACILITY ON 1.02 ACRES OF LAND LOCATED ON LOT 7 OF PLAT NO. 2, INTERSTATE INDUSTRIAL PARK; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve Resolution No. 187-02. **MOTION**

Mary McKinney Director Of Community Development, gave an overview of the Resolution, she then recommended that council approve the Resolution with certain conditions.

A discussion ensued amongst Council.

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

ITEM NO. 12

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE NEGOTIATED SALE OF THE \$_____ CITY OF RIVIERA BEACH, FLORIDA SALES TAX REVENUE REFUNDING BONDS, SERIES 2002; AWARDED THE SALE THEREOF TO JACKSON SECURITIES, INC., SUBJECT TO THE TERMS AND CONDITIONS OF A BOND PURCHASE CONTRACT; AUTHORIZING THE DISTRIBUTION OF PRELIMINARY AND OFFICIAL STATEMENTS IN CONNECTION WITH THE DELIVERY OF THE SERIES 2002 BONDS; AUTHORIZING THE PURCHASE OF BOND INSURANCE; AUTHORIZING THE PURCHASE OF A SURETY BOND FOR THE RESERVE FUND AND THE EXECUTION AND DELIVERY OF A GUARANTY AGREEMENT; APPOINTING AN ESCROW AGENT; AUTHORIZING THE EXECUTION OF AN ESCROW DEPOSIT AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE; AMENDING RESOLUTION NO. 180-02; PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; PROVIDING A REPEALER; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 13

RESOLUTION NO. 188-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING THE SALARIES OF ADMINISTRATIVE, SUPERVISORY AND CONFIDENTIAL EMPLOYEES BY THREE PERCENT (3%) FOR FISCAL YEAR 2002-2003; 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 **Chair Pro Tem Blue** to approve Resolution No. 188-02. **MOTION**

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

ITEM NO. 14

RESOLUTION NO. 189-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING GENERAL CONDITION SUPERFUND REMEDIAL COOPERATION AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE.

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. 189-02. **MOTION**

A discussion ensued amongst Council.

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

ITEM NO. 15

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ITEM NO. 16

DISCUSSION ON THE ACCEPTANCE OF THE CITY OF RIVIERA BEACH'S LEGISLATIVE AGENDA.

Assistant City Manger White addressed the council with an update of the strategic plan that staff wants to recommend for the upcoming Legislative Session.

A discussion ensued amongst Mayor and Council.

Gerald Ward 31West 20th Street addressed the Council with a general update regarding the MPO meeting. He advised of the proposed change in plans; and encouraged the Mayor and Council to be aware. He then submitted correspondence to City Clerk Ward to be incorporated into the minutes.

Jordan Connors Lobbyist addressed the Council's concerns regarding the proposed plans, and related issues of concerns of the Council. He provided a general update.

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

ITEM NO. 17

DISCUSSION ON THE APPOINTMENT OF A REPRESENTATIVE AND AN ALTERNATE TO THE ISSUES FORUM OF THE INTERGOVERNMENTAL COORDINATION PROGRAM.

A motion was made by **Councilperson Rodgers** and seconded by **Councilperson Wilson** to appoint Councilperson Elizabeth "Liz" Wade as the representative and Mayor Michael D. Brown as alternate for the Intergovernmental Coordination Program.

MOTION

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

RESOLUTION NO.190-02 A RESOLUTION 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 1665 MARTIN LUTHER KING BOULEVARD (W. 8TH STREET), LOTS 000, BLK 1, TAYLOR TOWN ALL, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$41,725; 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 by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Resolution No.190-02. **MOTION**

City Manger Wilkins, and Chief Williams, addressed the Council and provided the actual cost, and then recommended lien reduction at the noted amount in the above Resolution.

A discussion ensued amongst Mayor, Council, and Staff.

A motion was made by **Chair Pro Tem Blue** to reduce the amount of the lien to \$41,725.00. **MOTION FAILED**

A motion was made by **Councilperson Wade** to reduce the amount of the lien to \$15,955, have the owner pay 50% now and the other 50% in 90 days along with the specified stipulated enhancements. **MOTION FAILED**

RESOLUTION NO. 191-02 A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, INITIATING AND DECLARING A ZONING IN PROGRESS FOR ALL PARCELS OF PROPERTY ZONED "RESORT HOTEL"; AND PROVIDING FOR 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. 191-02. **MOTION**

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

RESOLUTION NO.192-02 A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND DECLARING OCTOBER 22ND AS HOMETOWN SECURITY DAY; AND ESTABLISHING 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.192-02. **MOTION**

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

IX. CITY ATTORNEY'S REPORT:

RESOLUTION NO. 193-02 A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY TO PARTICIPATE IN

THE FILING OF AN AMICUS CURAIE BRIEF IN THE CASE OF FLORIDA GOVERNMENTAL UTILITIES AUTHORITY V. ROBERT DAY, PROPERTY APPRAISER FOR OSCEOLA COUNTY AND PATSY HEFNER, TAX COLLECTOR OF OSCEOLA COUNTY; 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.193-02. **MOTION**

City Attorney Ryan gave an overview of the intent of the Resolution and recommended that council support it.

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

X. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:

Chair Pro Tem Blue made comments regarding to commercial vehicles being parked in residential neighborhoods. She then stated that she wanted the applicable Codes to be addressed to prevent the continuation of commercial and other vehicles from parking in the residential neighborhoods in the City.

City Attorney Ryan read into the records Code of Ordinance Section 31-579 C1, C3. She then cited relevant sections pertaining to these violations; and stated she would search the Codes in an effort to accomplish the intent of Pro-Tem Blue's concerns.

A discussion ensued amongst council and staff.

City Clerk Ward announced on the behalf of Mayor Brown

The State of the City Dinner will be held on Nov. 9, 2002.

A motion was made by **Chairperson Schyner** and seconded by **Councilperson Wilson** to adjourn. **MOTION**

XI. ADJOURNMENT:

There being no further business the meeting was duly adjourned at 11:15pm.

APPROVED:

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MICHAEL D. BROWN, MAYOR

DAVID G. SCHNYER, CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



sblue.gif (791 bytes)



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

SYLVIA LEE BLUE, CHAIR PRO-TEM

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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: 11/06/2002

DONALD R. WILSON
COUNCILPERSON

ewade.gif (1297 bytes)



ELIZABETH "LIZ" WADE
COUNCILPERSON



EDWARD RODGERS
COUNCILPERSON