

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, NOVEMBER 20, 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, 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.

Chair Pro Tem Sylvia Lee Blue 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

City Manager Wilkins stated that a presentation from the Parks and Recreation Youth Council would be added under Awards and Presentations on page 3 and that Item No. 2 – Presentation to Robert J. Little was deleted. He also stated that he was adding Item No. 11- Approving the Seminole Gardens at Woodbine Parcel "F" Replat.

City Manager Wilkins stated that he was requesting cancellation of the Goal Setting Meeting; and that the first meeting in December was rescheduled for Monday, December 2nd at 7:30 p.m.

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 OCTOBER, 2002.

Doretha Perry, Human Resources Director, introduced the following new employees: Sheila James (Legal Department); James Shaw III (Police Department); Kamyra Sears (Finance Department); and James Pickren (Public Works Department).

ITEM NO. 2

PRESENTATION OF CERTIFICATE OF APPRECIATION BY MAYOR MICHAEL D. BROWN TO ROBERT J. LITTLE WHO SERVED DILIGENTLY ON THE POLICE/FIRE CIVIL SERVICE BOARD. ITEM DELETED

ITEM NO. 3

ANNOUNCEMENT OF SOLID WASTE AUTHORITY'S TIRE AMNESTY DAYS ON DECEMBER 7-8, 2002.

Don Jacobovitz, Public Works Director, announced that the Solid Waste Authority would be hosting Tire Amnesty Days December 7th and 8th for the residents of Palm Beach County.

ITEM NO. 3(1)

PRESENTATION BY THE TEEN ADVISORY BOARD TO PRESENT A THANKSGIVING BASKET TO CITY COUNCIL TO DONATE TO A DESERVING FAMILY.

Members of the Teen Advisory Board introduced themselves and presented the Mayor and City Council with a Thanksgiving Basket to donate to a deserving family.

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

Nora Mahoney, 2120 Broadway, made comments regarding the spelling of the city's name in the yellow pages of the telephone directory.

Sandra Tate, 5280 North Ocean Drive, requested that the City Council reconsider the item that was removed from the last City Council Meeting Agenda regarding the transfer of sand.

Philip Dukes, 1211 Avenue T, requested the City's assistance in obtaining a location for Operation Restore.

Rev. Lessye Charlow, 1241 W 33rd Street, requested the City's support on her approach to the drug and crime problem within the City.

Barry Byrd, 4100 RCA Blvd., read a letter into the record from the Boys & Girls Clubs of Palm Beach County requesting the City's assistance in obtaining a new location for the Riviera Beach Boys & Girls Club.

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 NOVEMBER 6, 2002.

2) RESOLUTIONS:

ITEM NO. 5

RESOLUTION NO. 210-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT WITH PALM BEACH COUNTY EXTENDING THE COMPLETION DATE OF THE NORTHWEST COMMUNITY CENTER FROM DECEMBER 31, 2002 UNTIL SEPTEMBER 30, 2003 AND AUTHORIZING THE

MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT; PROVIDING AN EFFECTIVE DATE.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

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:

ORDINANCES ON SECOND READING:

ITEM NO. 6

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" "DIVISION2. RATES AND CHARGES"; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record and announced that it was published in the November 3, 2002 edition of the Palm Beach Post.

A motion was made by **Councilperson Wilson** and seconded by Councilperson Wade, to approve and adopt Ordinance No. 2931. **MOTION**

A presentation was made by **Ed Sierra, Utilities Director**.

A discussion ensued amongst the City Council and staff.

Dennis Widlansky, 1206 Coral Way, made comments against Ordinance No. 2931.

Upon a roll call by City Clerk Ward, the vote was 3-1 with Chairperson Schnyer dissenting. **MOTION APPROVED**

ITEM NO. 7

ORDINANCE NO. 2932 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION FROM RICHARD L. WOLF, TRUST, FOR LAND LOCATED IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, FLORIDA, CONTAINING 2.07 ACRES, LOCATED AT 3900 BYRON DRIVE, CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF RIVIERA BEACH; PROVIDING FOR REDEFINING OF THE MUNICIPAL BOUNDARIES TO INCLUDE SAID LAND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE THEREOF; AND FOR OTHER PURPOSES IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES.

City Clerk Ward read the aforementioned Ordinance into the record and stated that it was published in the November 11, 2002 edition of the Palm Beach Post.

A motion was made by **Councilperson Wade** and seconded by Councilperson Wilson to approve and adopt Ordinance No. 2932. **MOTION**

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

ITEM NO. 8

ORDINANCE NO. 2933 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 3, ARTICLE I, SEC. 3-10, ENTITLED "DRINKING INTOXICATING BEVERAGES ON STREETS AND PUBLIC WAYS OR PLACES" 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 into the record and stated that it was published in the November 11, 2002 edition of the Palm Beach Post.

A motion was made by **Councilperson Wilson** and seconded by Councilperson Wade to approve and adopt Ordinance No. 2933. **MOTION**

A discussion ensued amongst the City Council and staff.

Upon a roll call by City Clerk Ward, the vote was 3-1 with Councilperson Rodgers dissenting. **MOTION APPROVED**

VII. ORDINANCES ON FIRST READING:

NONE

VIII. CITY MANAGER'S DISCUSSION:

ITEM NO. 9

RESOLUTION NO. 211-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PROPOSAL FROM R.C.T. ENGINEERING, INC. TO PERFORM A TITLE SEARCH AND PROPERTY SURVEY OF THE CITY'S FIFTY (50) SANITARY SEWER LIFT STATIONS AND RELATED SURVEYING SERVICES IN AN AMOUNT NOT TO EXCEED \$28,825.00; PAYMENT TO BE MADE FROM PROFESSIONAL SERVICES-ENGINEERING ACCOUNT NO. 407-1437-5330-3103; 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. 211-02. **MOTION**

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

ITEM NO. 10

RESOLUTION NO. 212-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RETROACTIVELY APPROPRIATING FUND BALANCE IN THE GENERAL FUND IN THE AMOUNT OF \$106,727 AND TRANSFER FUNDS TO THE JAZZ FESTIVAL FUND 135 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. 212-02. **MOTION**

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

RESOLUTION NO. 213-02 AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SEMINOLE GARDENS AT WOODBINE PARCEL "F" REPLAT LOCATED ON THE SOUTH WEST CORNER OF MILITARY TRAIL AND SOUTH WOODBINE TRAIL IN A R-PUD ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wade** and seconded by Councilperson Rodgers to approve Resolution No. 213-02. **MOTION**

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

City Manager Wilkins requested that the Goal Setting Meeting to be held with the City Attorney, City Council, and himself be canceled.

There was a consensus of the City Council to cancel the Goal Setting Meeting scheduled for November 21st at 6:30 p.m.

IX. CITY ATTORNEY'S REPORT:

NONE

X. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:

Mayor Brown congratulated the City Manager and the Parks/Recreation staff for their concerted effort in hosting a successful program at Monroe Heights Park. He also complimented the City Manager and staff on their efforts for orchestrating an excellent State of the City Dinner. He then requested that the Legislative staff provide the City Council with a copy of the provisional cable television agreement with Adelphia for their review, and provisions are in place to provide the City a channel to televise city functions.

Mayor Brown made comments regarding boating in the waterway.

Mayor Brown requested that the City Council ratify his appointment of Ms. Gloria Jean Oliver to the Housing Authority Board.

A motion was made by **Councilperson Wade** and seconded by Councilperson Wilson to ratify the Mayor's appointment of Gloria Oliver to the Housing Authority Board.

MOTION

A discussion ensued amongst the Mayor and City Council.

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

Mayor Brown then stated that he would make an additional appointment at a subsequent meeting.

City Manager Wilkins announced that a potluck luncheon for city employees was scheduled for Thursday at noon and encouraged the Mayor and Council's attendance.

XI. ADJOURNMENT:

There being no further business the meeting was duly adjourned at 9:08 p.m.

APPROVED:

mbrown.gif (986 bytes)



MICHAEL D. BROWN, MAYOR

dschnyer.gif (881 bytes)



DAVID G. SCHNYER, CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



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

sblue.gif (791 bytes)



SYLVIA LEE BLUE, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

MOTIONED BY: D. Wilson
SECONDED BY: S. Blue

ewade.gif (1297 bytes)



**ELIZABETH "LIZ" WADE
COUNCILPERSON**

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



**EDWARD RODGERS
COUNCILPERSON**

DATE APPROVED: 12/02/2002