

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 2, 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 Deputy City Clerk Robinson, 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, Deputy City Clerk Claudene Robinson, 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** stated that on page 7 –Item No. 14 – a request establishing and approving a budget for the Dr. Martin Luther King, Jr. Birthday Activities – was

provided in the agenda package but was omitted from the written agenda.

**Chair Pro Tem Blue** stated that she had comments to make under Recommendations and Discussion from Mayor and City Council.

**Councilperson Wade** stated that she had a recommendation for the Planning and Zoning Board from her district.

**Mayor Brown** stated that he had comments to make under Recommendations and Discussion from Mayor and City Council regarding an article that appeared in the November 30<sup>th</sup> edition of the Sun Sentinel.

**Adoption of Agenda**

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

MOTION

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

MOTION APPROVED

**III. AWARDS AND PRESENTATIONS:**

**ITEM NO. 1**

PRESENTATION OF RETIREMENT MEMENTO TO LT. ALZEN FLOYD FOR OVER TWENTY YEARS OF DEDICATED SERVICE TO THE CITIZENS OF RIVIERA BEACH.

Doretha Perry, Human Resources Director, presented Lt. Floyd with a watch and a plaque from the City for over 20 years of service.

Lt. Floyd thanked the City for the opportunity to serve the community.

**ITEM NO. 2**

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 7<sup>th</sup> and 8<sup>th</sup> for the residents of Palm Beach County.

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

Ali Saadeh, 201 Old Dixie Highway, made comments regarding 2553 Old Dixie Highway.

Paul Edwards, 84 E 30<sup>th</sup> Street, requested that the City Council consider extending hours for the Vintage Restaurant and Lounge.

A discussion ensued amongst the City Council and staff.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson Wade directing staff to extend the business hours of the Vintage Restaurant and Lounge for one hour until application for extension of hours is brought before the City Council on December 18<sup>th</sup>.

**MOTION**

A lengthy discussion ensued amongst the City Council and staff.

Upon a roll call by Deputy City Clerk Robinson, the vote was 2-3 with Councilpersons Wilson, Rodgers, and Schnyer dissenting.

**MOTION FAILED**

**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 NOVEMBER 20, 2002.

**2) RESOLUTIONS:**

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

**NONE**

**END OF CONSENT AGENDA**

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve the Consent Agenda.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**VI. PUBLIC HEARING:**

**ORDINANCES ON SECOND READING:**

**NONE**

**VII. ORDINANCES ON FIRST READING:**

**ITEM NO. 4**

**ORDINANCE NO. 2934 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION OF THE CODE OF ORDINANCES BY AMENDING §2-127 ENTITLED "CIVIL BOARD CREATED; COMPOSITION; QUALIFICATIONS AND REMOVAL OF MEMBERS; QUORUM; MEETINGS" (e) MEETINGS TO CHANGE THE MEETING SCHEDULE;**

**PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**Deputy City Clerk Robinson** read the aforementioned Ordinance into the record.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve Ordinance No. 2934 on First Reading.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

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

**ITEM NO. 5**

**RESOLUTION NO. 214-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING TOTAL SETTLEMENT AMOUNT OF \$65,550 AS COMPLETE AND FINAL SETTLEMENT OF CURRENT AND FUTURE LIABILITY FOR PROPERTY DAMAGE IN THE MATTER OF NEVIN BAUMAN, 238 EDGEWOOD DRIVE, WEST PALM BEACH, FLORIDA AND FURTHER AUTHORIZING THE CITY'S INSURANCE ADMINISTRATORS, GALLAGHER BASSETT SERVICES, TO PAY THIS AMOUNT TO THE CLAIMANT FROM THE CITY'S LOSS FUND, ACCOUNT NUMBER 602-0305-5130-4508.**

**Deputy City Clerk Robinson** 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. 214-02.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 6**

**RESOLUTION NO. 215-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH PALM BEACH COUNTY TO ACCEPT AND DEPOSIT FUNDS IN THE AMOUNT OF \$3,500 TO THE RECREATION BASKETBALL FUND**

ACCOUNT NO. 001-1232-572-0-5503 TO HELP OFFSET COSTS INCURRED FOR THE 2001 RIVIERA BEACH EXPRESS YOUTH BASKETBALL TEAM; AND PROVIDING AN EFFECTIVE DATE.

**Deputy City Clerk Robinson** read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 215-02.

**MOTION**

A discussion ensued amongst the City Council and staff.

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 7**

**RESOLUTION NO. 216-02 AN 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 W 29<sup>TH</sup> STREET, LOTS 34-36, BLK 17, ACREHOME PARK #2, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$3,116.34; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.**

**Deputy City Clerk Robinson** 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. 216-02.

**MOTION**

Upon a lengthy discussion between the City Council and staff, a motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to table Resolution No. 216-02.

**MOTION TO TABLE**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 8**

**RESOLUTION NO. 217-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA,**

**APPROVING A PROPOSAL FOR DISTRIBUTION OF 911 FUNDS TO PROVIDE COMMUNICATION OPERATORS BONUSES; AUTHORIZING THE FINANCE DIRECTOR TO ADJUST THE 2001-2002 911 BUDGET AS REFLECTED IN THE AWARD LETTER PROVIDING AN EFFECTIVE DATE.**

**Deputy City Clerk Robinson** 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. 217-02.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO.9**

**RESOLUTION NO. 218-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE REPLAT OF A PORTION OF PARCEL "A" OF THE WEDGEWOOD CENTER PLAT, LOCATED ON THE NORTH SIDE OF BLUE HERON BOULEVARD AND ONE PARCEL EAST OF THE INTERSECTION OF CONGRESS AVENUE IN AN CG ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

**Deputy City Clerk Robinson** read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 218-02.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 10**

**RESOLUTION NO. 219-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING A UTILITY TRANSFER FORMULA; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**Deputy City Clerk Robinson** read the aforementioned Resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Rodgers** to approve Resolution No. 219-02.

**MOTION**

A presentation was made by Paul White, Asst. City Manager.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments regarding the proposed resolution.

Upon a roll call by Deputy City Clerk Robinson, the vote was 4-1 with Chairperson Schnyer dissenting.

**MOTION APPROVED**

**ITEM NO. 11**

**REQUEST TO APPROVE THE CIVIL SERVICE RULES AND REGULATIONS CONCERNING A CHANGE OF MEETING TIME.**

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to approve the rules and regulations of the Civil Service Board.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 12**

**REQUEST TO APPOINT LAW ENFORCEMENT TRUST FUND SELECTION COMMITTEE.**

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to appoint Rev. Edgar Austin to the Law Enforcement Trust Fund Selection Committee.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to appoint Jessie Corbin to the Law Enforcement Trust Fund Selection Committee.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 13**

**REQUEST TO REAPPOINT TWO GENERAL EMPLOYEES PENSION BOARD MEMBERS.**

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to re-appoint Betty Kendrick and Nathaniel Garvin to the General Employees Pension Board.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**ITEM NO. 14**

**RESOLUTION NO. 220-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING AND APPROVING A BUDGET IN THE AMOUNT OF \$26,925 FOR THE DR. MARTIN LUTHER KING, JR. BATTLE OF THE BANDS 2003 ACTIVITIES AND AUTHORIZING THE TRANSFER OF \$1,925 FROM THE GENERAL FUND SPECIAL ACTIVITIES ACCOUNT # 001-0203-519-0-5507 TO THE DR. MARTIN LUTHER KING, JR. 2003 BIRTHDAY OBSERVANCE BUDGET AND AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH SUNCOAST HIGH SCHOOL TO SPONSOR THE EVENT.**

**Deputy City Clerk Robinson** read the aforementioned resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 220-02.

**MOTION**

A discussion ensued amongst the City Council and staff.

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

City Manager Wilkins stated that the first Regular City Council Meeting in January would be on New Year's Day and requested that the City Council reschedule the meeting.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to reschedule the January 1<sup>st</sup> City Council Meeting for January 6<sup>th</sup>.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

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

**NONE**

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

**Mayor Brown** made comments regarding an article in the November 30<sup>th</sup> edition of the Sun Sentinel. He stated that as a result, the City should demand an apology from the FDLE.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** directing the City Manager and the City Attorney review the comments made and have a recommended plan action for the City Council at the next City Council meeting.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**Chair Pro Tem Blue** stated that a commercial vehicle was still parked in her neighborhood and that she wanted the issue resolved. She made comments regarding the conduct of a communication operator and announced that the Relay for Life would be held May 16<sup>th</sup> and 17<sup>th</sup> and that the Civil Drug Court was soliciting donations for the annual toy drive.

**Councilperson Wade** made comments on the travel route

of UPS trucks on 13<sup>th</sup> Street. She thanked staff for their efforts in getting the Avenue U projected completed and the success of the Ride for AIDS that was held on Sunday.

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem Blue** to appoint Mary McGee to the Planning and Zoning Board.

**MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was unanimous.

**MOTION APPROVED**

**XI. ADJOURNMENT**

There being no further business the meeting was duly adjourned at 9:40 p.m.

**APPROVED:**

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dschnyer.gif (881 bytes)

**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. Wilson

**SECONDED BY:** S. Blue

**E. RODGERS:** aye

**E. WADE:** aye

**D. WILSON:** aye

**S. BLUE:** aye

**D. SCHNYER:** aye

**ELIZABETH "LIZ" WADE  
COUNCILPERSON**



**EDWARD RODGERS  
COUNCILPERSON**

**DATE APPROVED:** 12/02/2002