

**CITY OF RIVIERA BEACH, FLORIDA  
REGULAR CITY COUNCIL MEETING  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, OCTOBER 3, 2001, 7:30 P.M.**

**I. CALL TO ORDER:**

**Roll Call**

Chairperson Rodgers was present and presided. Upon a roll call vote by the City Clerk the following were present: Mayor Michael D. Brown, Chairperson Edward Rodgers, Chair Pro-Tem David G. Schnyer, Councilperson Donald R. Wilson, Councilperson Sylvia Lee Blue, and Councilperson Elizabeth "Liz" Wade. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, CMC/CRM, and City Attorney Pamala 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**

Councilperson Blue stated that she had comments to make under Recommendation/Discussion from the Mayor and City Council.

Councilperson Wilson stated that he had comments to make under Recommendation/Discussion from Mayor and City Council.

City Manager Wilkins stated the following additions under Awards and Presentations – Girls In Motion and American Heart Walk.

Motion was made by Chair Pro-Tem Schnyer and seconded by Councilperson Wilson to move Public Comments immediately following Awards and Presentations.

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

Additions, Deletions, and Revisions sheet, attached.

**Adoption of Agenda**

Motion was made by Councilperson Wade and seconded by Chair Pro tem Schnyer to approve the agenda as amended. **MOTION**

**III. AWARDS AND PRESENTATIONS:**

**ITEM NO. 1**

**PROCLAMATION HONORING THE KIWANIS CLUB OF RIVIERA BEACH FOR FIFTY (50) YEARS OF SERVICES TO THE COMMUNITY.**

**Mayor Brown** presented a proclamation honoring the Kiwanis Club to Ms. Anna Harper president-elect.

**Ms. Harper** expressed a Word Of Thanks.

**PRESENTATION-GIRLS IN MOTION LITTLE MISS PEARL 2001**

**Councilperson Wilson** recognized Girls in Motion Little Miss Pearl 2001 and announced Lanekia R. Bennett as the recipient, and awarded her with a \$500 Savings Bond.

**AMERICAN HEART WALK PRESENTATION**

**Don Jacobovitz, Public Works director**, commented regarding the contributions of The American Heart Association, and announced the planned fundraiser activities scheduled by the City.

At this time **City Manager Wilkins** requested to add discussion of the Palm Beach Shores Agreement on page 6 under City Manager's Discussion.

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem Schnyer** to accept City Manager Wilkins' request. **MOTION**

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

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

1) **Gene H. Klusmeies** 4930 Coconut Blvd., Royal Palm Beach, addressed the Council regarding damage to his boat by City employees. He then stated, the administrative staff and he had not reached an amicable resolution. Therefore, he requested Council's action.

Discussion ensued amongst council.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Blue** directing City Manager Wilkins to respond to the complaint by 5pm the following day.

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

2) **Gerald M. Ward**, 31 W 20th St., addressed the Council regarding proposed Florida Turnpike Interchange. He then encouraged Council to obtain staff involvement in the project.

**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. 2**

**MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON SEPTEMBER 19, 2001.**

**2) RESOLUTIONS:**

**ITEM NO. 3**

**RESOLUTION NO. 182-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT NO. 6 IN THE AMOUNT OF \$2,149.68 TO E. C. DRIVER & ASSOCIATES, INC. FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE CITY'S SHARE TO RELOCATE THE SANITARY GRAVITY SEWER AND WATER MAINS FOR THE NORTHLAKE RELIEVER IN CONJUNCTION WITH PALM BEACH COUNTY PROJECT; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 401-1437-5330-3103.**

**ITEM NO. 4**

**RESOLUTION NO. 183-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH, FLORIDA, IN THE AMOUNT OF \$210,582 TO RELOCATE SANITARY GRAVITY SEWER AND WATER MAINS ON THE EAST SIDE OF 1-95 ALONG MONETARY LANE; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 402-1437-5330-4606.**

**ITEM NO. 5**

**RESOLUTION NO. 184-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FEE PROPOSAL FROM E. C. DRIVER & ASSOCIATES, INC. IN THE AMOUNT OF \$32,690 TO PROVIDE PROFESSIONAL ENGINEERING POST DESIGN AND ON-SITE OBSERVATION SERVICES FOR THE REPLACEMENT OF SANITARY GRAVITY WATER AND SEWER MAINS FOR THE NORTHLAKE RELIEVER PROJECT; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 403-0000-5330-6508.**

**ITEM NO. 6**

**RESOLUTION NO. 185-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDS IN THE AMOUNT OF \$200,000 FROM THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) FOR THE TATE RECREATION COMPLEX IMPROVEMENTS; THE GRANT REQUIRES 200,000 IN MATCHING FUNDS, WHICH WILL COME FROM THE PALM BEACH COUNTY GENERAL OBLIGATION BOND FOR RECREATION AND CULTURAL FACILITIES; AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE CITY OF RIVIERA BEACH; AND AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME.**

**ITEM NO. 7**

**DISCUSSION REGARDING CITY COUNCIL CONFIRMING THE APPOINTMENT OF DR. EDWARD E. SIERRA TO THE EAST CENTRAL REGIONAL WASTEWATER FACILITIES BOARD (ECR BOARD).**

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

**City Clerk Ward** read into the records communication received from the residents of 1100 block of W 1st Street. She stated the correspondence was thanking City Councilpersons: Blue, Wade, and Schnyer for the ongoing improvements through out the city in the area of W. 1st Street. She further stated the correspondence was submitted by Mrs. Inez Mickens, and the surrounding residents in the area of the 1100

Block of W 1st street.

**END OF CONSENT AGENDA**

A motion was made by **Councilperson Blue** and seconded by **Chair Pro Temp Schnyer** to approve the Consent Agenda as presented. **MOTION**

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

**VI. PUBLIC HEARING:**

**ORDINANCES ON SECOND READING:**

**NONE**

**VII. ORDINANCES ON FIRST READING:**

**NONE**

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

**ITEM NO. 8**

**RESOLUTION NO. 186-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE PROJECT AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT FOR IMPROVEMENTS TO BICENTENNIAL PARK FROM SEPTEMBER 30, 2001 TO SEPTEMBER 30, 2002; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT.**

**City Clerk Ward** read the resolution into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson Blue to approve Resolution No. 186-01.b **MOTION**

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

**ITEM NO. 9**

**RESOLUTION NO. 187-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ACCEPTING STAFF RECOMMENDATION AND APPROVING THE EMERGENCY ROOF, TRUSS, AND ROOF SUBSTRUCTURE REPLACEMENT FOR THE UTILITIES ADMINISTRATION BUILDING BY WINGATE CORPORATION AT A TOTAL COST OF \$447,073.00; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 402-1437-5330-4602. ADDITIONALLY, THAT COUNCIL AUTHORIZES THE INTERIM FINANCE DIRECTOR TO APPROPRIATE FUNDS IN THE AMOUNT OF \$447,073.00 IN THE RENEWAL AND REPLACEMENT FUND – ACCOUNT NO. 402-00-399999; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CONTRACT BETWEEN THE CITY AND WINGATE CORPORATION.**

**City Clerk Ward** read the resolution into the record.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Blue** to approve Resolution No. 187-01. **MOTION**

**City Manager** Wilkins recapitulated the circumstance surrounding the item. He advised due to the serious nature of the condition of the roof and the prevailing hurricane season that he would declare it as an emergency. He further stated that he requested

from the vendor a detail proposal in order to expedite the process; and it had been reviewed by the appropriate staff, revisions were made; approval to proceed was recommended.

Discussion ensued amongst Council and staff.

**Mayor Brown** stated he did not feel that the request qualified as an emergency and that even in emergency situations, the city should contact other vendors to obtain comparative rates. He further stated that the selected vendor was a general contractor and not a roofing contractor. He stated more reasonable quotes should have been negotiated.

**Chair Pro-Tem Schnyer** coincided with the comments stated by Mayor Brown. He then stated, in the absence of additional bids, he had nothing to compare. He expressed confidence in staff and stated his concerns were geared toward the process in which it was handled; and it constituted no emergency.

Upon a roll call by City Clerk Ward the vote was 4-1 with Chair Pro-Tem Schnyer dissenting. **MOTION APPROVED**

**ITEM NO. 10**

**RESOLUTION NO. \_188-01\_\_\_\_\_ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND THE INTERIM FINANCE DIRECTOR TO PAY COST FOR SECURITY SERVICES INCURRED FOR THE GRAND PRIX OFFSHORE BOAT RACES HELD AUGUST 25-30, 1999 IN THE AMOUNT OF \$10,220. AUTHORIZING THE TRANSFER FROM THE GENERAL FUND CONTINGENCY TO THE POLICE DEPARTMENT CONTRACT SERVICES ACCOUNT NO. 001 0817 5210 3101.**

**City Clerk Ward** read the resolution into the record.

A motion was made by **Councilperson Wade**, and seconded by **Chair Pro-Tem Schnyer** to approve Resolution No. 188-01. **MOTION**

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

**ITEM NO. 11**

**RESOLUTION NO. \_189-01\_\_\_\_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 RENEWAL AGREEMENT WITH ARTHUR J. GALLAGHER & COMPANY – MIAMI AND GALLAGHER BASSETT SERVICES TO PROVIDE A COMPREHENSIVE PROTECTED SELF-INSURANCE PROGRAM INCLUDING CLAIMS ADMINISTRATION AND LOSS CONTROL SERVICES AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE INSURANCE LIABILITY FUND (602) IN THE AMOUNT OF \$100,000 TO GALLAGHER BASSETT SERVICES FOR CLAIMS ADMINISTRATION AND \$1, 887,266 TO ARTHUR J. GALLAGHER & COMPANY – MIAMI FOR RISK PACKAGE FIXED COSTS.**

**City Clerk Ward** read the resolution into the record.

A motion was by **Councilperson Wilson** and seconded by **Councilperson Blue**. **MOTION**

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

**DISCUSSION ON THE EXCESS UTILITY PROPERTY SALE TO THE TOWN OF**

## **PALM BEACH SHORES**

**City Manager Wilkins** stated that in July staff was directed to meet with the Town of Palm Beach Shores to effect a transaction. Consequently, a number of issues were revealed that revolved around the contents of the agreement. He stated that the resolution from the Agenda Review meeting held on Monday had been changed and that the Town of Palm Beach Shores had submitted some language in an effort to alleviate some of the concerns.

**City Attorney Ryan** stated as of Monday evening the attorney from Palm Beach Shores reviewed the Bill of Sale & Agreement and the Sale & Purchase Agreement provided. She then stated that the attorney is not certain if the Town of Palm Beach Shores is the successor to the Bill of Sale & Agreement.

**Atty. Ryan** requested that the City Council allow staff additional time to further review the at hand concerns.

At this point, **Chair Pro-Tem Schnyer** read the very last sentence in Section 3 in its entirety of the proposed resolution that was presented at the meeting and recommended to amend it to state that completion of negotiations would not exceed one year, oppose to the outlined five years.

A lengthy discussion ensued amongst Mayor Brown and the City Council and staff.

**Mayor Thomas R. Mills, Town of Palm Beach Shores** addressed his concerns to Council.

**Chair Pro Tem Schnyer** stated in agreement with Mayor Mills that a letter will be forwarded to the town of Palm Beach Shores, preferably from the Fire Chief, in order to commence with negotiations for EMS Services. There was a consensus by the City Council directing staff to start negotiations with Palm Beach Shores regarding EMS Services.

**Gerald Ward** (31 W. 20th Street) commented in agreement to the position Council was taking.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wade** to approve the proposed resolution B, as presented by Attorney Ryan, and to amend Section 3 to read one year. **MOTION**

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

**City Manager Wilkins** stated that he and Councilperson Blue attended the Board of County Commissioners meeting and that the \$800,000 for the Dan Calloway Complex Improvements and the transfer of the \$640,000 for the completion of the Community Center projects were approved. He stated that staff and the county were finalizing the agreement and it will be presented at a later date.

**City Manager Wilkins** then commented on the visitation from Antonio Arranus, developer representative from Chili whom they had met and that he would be touring the redevelopment area the following day. He stated at a later date the Mayor and Council will be contact for a dialogue with Mr. Arranus; further that a public meeting will be announced in the future.

He announced, as a result of a previous neighborhood meeting with the residents of Monroe Heights, he and staff would be touring the area with some of the residents on the following day of the council meeting.

## **X. CITY ATTORNEY'S REPORT:**

**City Attorney Ryan** requested a closed Executive Session be held on October 4, 2001 at 4pm for the following cases:

Pfefferkorn Vs City of Riviera Beach

Palm Beach Casino Inc Vs City of Riviera Beach

There was a consensus by the City Council to accept staff's recommendation.

**XI. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:**

**Councilperson Blue** commented on the Kiwanis Club luncheon, and the scheduled activity on October 20th ,a bowling league for City employees, the procurement procedures of the city, and complaints received regarding the sidewalk project.

**Councilperson Wilson** commented on the sidewalk project, publicizing the meeting regarding Antonio Arranus, the operation of the public work's sweeping machine, the visibility of police officers on 28th street and other school crossings. He also commented on the action taken regarding Monroe Heights.

**Chairperson Rodgers** commented on the lack of security in the Bicentennial Park area. He requested the status of the complaint received in regards to the police officer and his boom box.

**City Manager Wilkins** stated that the incident is being investigated and a report will be provided to the City Council.

A discussion ensued amongst the City Council & Staff regarding school-crossing guards.

A motion was made by **Chair Pro Tem Schnyer** and seconded by **Councilperson Blue** approving city sponsorship of a bowling league. **MOTION**

**James Patterson** made comments regarding the Bowling league.

**Chair Pro-Tem Schnyer** amended the motion to include as part of the establishment of the bowling league is to be under the auspices of the Parks and Recreation Department.

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

**Councilperson Wilson** stated that the Delta Sigma Theta will be holding a seminar in December and asked that the City Council and staff participate.

**XII. ADJOURNMENT:**

There being no further business before the City of Riviera Beach City Council, the meeting was duly adjourned at 9:15 p.m.

**APPROVED:**

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**MICHAEL D. BROWN, MAYOR**

**EDWARD RODGERS, CHAIRPERSON**

**ATTEST:**

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

**DAVID G. SCHNYER, CHAIR PRO-TEM**

dwilson.gif (865 bytes)



**DONALD R. WILSON  
COUNCILPERSON**

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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

**SYLVIA LEE BLUE  
COUNCILPERSON**

ewade.gif (1297 bytes)



**ELIZABETH "LIZ" WADE  
COUNCILPERSON**

**DATE APPROVED:** 10/17/2001