

**CITY OF RIVIERA BEACH, FLORIDA  
REGULAR CITY COUNCIL MEETING  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, 05 JANUARY 2000, 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

The following were present: Mayor Michael Brown Chairperson Edward Rodgers, Chair Pro-Tem Elizabeth Wade, Councilperson Donald Wilson, Councilperson Margaret Callahan, and Councilperson Marilyn Moffitt. Also present were City Manager William Wilkins, City Clerk Carrie E. Ward, CMC/AEE, and Interim City Attorney Matthew Russell.

City Clerk Ward announced a quorum.

Invocation

Everyone stood for a moment of prayer led by Deacon Lemoria Lester.

Pledge of Allegiance

All remained standing for the pledge of allegiance to the flag.

II. PETITIONS AND COMMUNICATIONS FOR FILING:

None.

III. AGENDA APPROVAL:

Additions, Deletions, Substitutions

Page	Item
2	IV <b>Addition</b> - Presentation - David Shnyer addressing safety issues on State Road AIA/East Blue Heron Boulevard.
3	ORD. <b>Addition</b> - PUBLIC HEARING-Ordinance On Second Reading - Ordinance No. 2844 An ordinance of the City of Riviera Beach, Palm Beach County, Florida, amending the pay and salary schedule by creating the unclassified positions of Records Management Specialist, Intergovernmental Relations Coordinator and Systems Administrator; classified positions of Combination Inspector, GIS CADD Technician I, and Surveyor. Re-grading the classified position of Emergency Communications Supervisor, and by deleting the unclassified position of Grant Writer and the classified position of Building Inspector I under various class titles and providing a severability clause and an effective date.
4	City Manager VIII <b>Addition</b> - Resolution No. 4-00 A revised resolution of the city council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the city clerk to release code enforcement lien on property located at 3375 Avenue 'J', in the amount of \$231,000; and additional supporting document (letter/Atty. Sam Thomas).
4	8-2 <b>Addition</b> - Status regarding the Henrietta Marie Project.

(Councilperson Moffitt).

- 4                    8-3    **Addition** - Discussion of hiring process for employment of city attorney.
- 4                    8-4    **Addition** - Status of parking citation fees. (Councilperson Moffitt).
- 4                    8-5    **Addition** - Discussion regarding council's participation in planning the MLK activities.
- 4                    8-6    **Addition** - Correspondence list.
- 4    Mayor Brown XI    **Addition** - Discussion to schedule a Goals Workshop.
- 4    Chairperson        **Addition** - Resolution regarding travel authorization for the  
Rodgers                    city attorney.
- 4    Councilperson        **Addition** - Discussion regarding cleanliness in the city.  
Wilson
- 4    Chair      Pro-        **Addition** - Discussion regarding PR firm addressing negative  
Tem Wade                articles published in the Palm Beach Post.

Adoption of Agenda

Motion was made by Councilperson Moffitt and seconded by Chair Pro-Tem Wade to approve the agenda as amended MOTION

The vote was unanimous. APPROVED

IV. AWARDS AND PRESENTATIONS:

DAVID SHNYER - SAFETY ISSUES ON STATE ROAD AIA/EAST BLUE HERON BOULEVARD

David Shnyer (2620 Park Avenue) reflected upon a DOT promise to install a pedestrian crosswalk at Park Avenue and E. Blue Heron Boulevard; that, by the end of 1999, road improvements would be made to E. Blue Heron Boulevard. He indicated that the police department agreed to increase radar enforcement along that corridor. He asked that council demand of DOT to fulfill their promise, i.e., make the road a safe corridor; improve the road conditions on Singer Island; and, investigate the entire corridor of Blue Heron Boulevard to determine why a super highway runs through a residential area.

Councilperson Wilson suggested that DOT is petitioned to lower the speed limit.

Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to accept Mr. Shnyer's requests and consider the request to ask DOT to lower the speed limit. MOTION

City Manager Wilkins encouraged previous (1998) efforts/recommendations by the State Department of Transportation to implement traffic calming devices. He indicated that the time is now to approach the legislative delegation to ask that the project become funded; that, Chief Poreba recommended barriers be erected between the fishermen and the traffic along the Blue Heron bridge for protection, along with changes in the pavement texture; and, reduction of speed. Discussion ensued.

Mayor Brown commented regarding road safety measures for the area.

Chair Pro-Tem Wade encouraged Singer Island residents and concerned citizens to join the city to petition DOT at the next MPO meeting to install/enforce safety laws and other safety mechanisms, as it relates to drunk drivers on the highway.

George Lubek (1250 N. Ocean Drive) commented in support of efforts to petition DOT for a safer roadway.

Amended motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to accept Mr. Shnyer's request and to consider the request to ask DOT to lower the speed limit, as stated by Chair Pro-Tem Wade's; and include suggestions as indicated by City Manager Wilkins.

#### AMENDED MOTION

Upon a roll-call vote, the vote was unanimous. APPROVED

PRESENTATION TO THE WINNERS OF 1ST PRIZE, 2ND PRIZE AND HONORABLE MENTION FOR THE HOLIDAY DECORATIONS CONTEST BY THE CONDOMINIUM OFFICERS ASSOCIATION OF SINGER ISLAND AND THE SINGER ISLAND CIVIC ASSOCIATION.

Presentations were made by Mr. Marvin Reiner, a representative from the Condominium Association of Singer Island.

#### 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.

#### MINUTES:

REGULAR CITY COUNCIL MEETING HELD ON DECEMBER 15, 1999 AND SPECIAL MEETING MINUTES OF AUGUST 16, 1999.

#### RESOLUTIONS:

RESOLUTION NO. 1-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO MACK & MCLEAN, 100 PEACHTREE STREET, N.W., ATLANTA, GA 30303-1909 IN THE TOTAL SUM OF \$12,289.35 FOR PROFESSIONAL LEGAL SERVICES PERFORMED AND AUTHORIZING THE MAYOR AND ASSISTANT CITY MANAGER FOR FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO. 001-0512-5190-3101.

RESOLUTION NO. 2-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AUTHORIZATION TO PERFORM ENGINEERING SERVICES TO BARKER, OSHA AND ANDERSON, INC. IN AN AMOUNT NOT EXCEEDING \$15,400.00 FOR REFURBISHMENT WORK TO THE AVENUE "U" MASTER LIFT STATION; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 402-0000-5350-4604.

RESOLUTION NO. 3-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY CLERK TO PROCEED WITH THE PREPARATION AND PROCESS FOR THE CITY OF RIVIERA BEACH'S GENERAL ELECTION TO BE HELD MARCH 14, 2000.

Motion was made by Councilperson Moffitt and seconded by Chair Pro-Tem Wade to approve the consent agenda. MOTION

The vote was unanimous. APPROVED

END OF CONSENT AGENDA

VI. PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

ORDINANCE NO. 2844 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND SALARY SCHEDULE BY CREATING THE UNCLASSIFIED POSITIONS OF RECORDS MANAGEMENT SPECIALIST, INTERGOVERNMENTAL RELATIONS COORDINATOR AND SYSTEMS ADMINISTRATOR, CLASSIFIED POSITION OF COMBINATION INSPECTOR, GIS CADD TECHNICIAN I, AND SURVEYOR AND BY RE-GRADING THE CLASSIFIED POSITION OF EMERGENCY COMMUNICAITONS SUPERVISOR, AND BY DELETING THE UNCLASSIFIED POSITION OF GRANT WRITER AND THE CLASSIFIED POSITION OF BUILDING INSPECTOR I UNDER VARIOUS CLASS TITLES AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Moffitt to approve. MOTION

Upon a roll-call vote, the vote was unanimous. APPROVED

VII. ORDINANCES ON FIRST READING:

None.

VIII. CITY MANAGER'S DISCUSSION:

RESOLUTION NO. 4-00 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FL AUTHORIZING THE CITY CLERK TO RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 3375 AVENUE 'J' IN THE AMOUNT OF \$231,000; AND ADDITION SUPPORTING DOCUMENT (LETTER/ATTORNEY SAM THOMAS).

City Clerk Ward read into the record the referenced resolution.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to approve. MOTION

Upon a roll-call vote, the vote was unanimous. APPROVED

STATUS REGARDING THE HENRIETTA MARIE EXHIBIT

(Councilperson Moffitt)

City Manager Wilkins indicated that discussions with the accountant for the organizer (Palm Beach Seaport Aquarium) would forward by Tuesday (1/11/00), a financial report and a narrative on the attendance at the event and other noteworthy activities related to the exhibit. Discussion ensued.

## DISCUSSION OF HIRING PROCESS FOR EMPLOYMENT OF CITY ATTORNEY (Chairperson Rodgers)

City Manager Wilkins referenced a packet provided to council, relating to the proposed job description and other pertinent information for council's consideration.

Mayor Brown stated concerns regarding the proposed-lengthy process to hire a city attorney. A lengthy discussion ensued.

City Manager Wilkins indicated that a letter was mailed to the previous applicants informing them that their existing application (on file) would be utilized unless they wished to update it; that, the process could be shortened by selecting the top 5-applicants and meet again to create a list of finalist. A rating system (1-5) could be created, calculating the ratings, based upon each council member's decision. He proceeded to elaborate. Discussion ensued.

Motion was made by Councilperson Callahan and seconded by Chair Pro-Tem Wade to accept the manager's method to abbreviate the process.

### MOTION

Upon a roll-call vote, the vote was unanimous. APPROVED

## STATUS OF PARKING CITATION FEES (Councilperson Moffitt)

City Manager Wilkins referenced Ordinance Nos. 2757, 2758, and 2859, which modified the city's ability to assess/collect additional revenue for non-moving violations.

He indicated that the process for all revenue generating activity would be reviewed to ascertain items of concern for council's consideration.

Chairperson Rodgers stated concern regarding of fees/fines to operate the city.

City Manager Wilkins indicated that if citations were not enforced, people would flaunt them.

There was discussion relating to the authority of a municipality to assess/collect fines or not to, according to State Statute, in a county court or via special master.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Moffitt that staff be directed to submit recommendations for raising fines for non- moving violations.

### MOTION

### DIRECTIVE

Gerald Ward (31 W. 20th Street) commented.

Upon a roll-call vote, the vote was unanimous. APPROVED

## DISCUSSION REGARDING COUNCIL'S PARTICIPATION IN PLANNING THE MLK ACTIVITIES

City Manager Wilkins commented regarding the various phases of the parade and invited council's participation wherever possible. He advised that he had provided to them a copy of the specific events, etc.

## CORRESPONDENCE LIST

City Manager Wilkins indicated that future lists of staff correspondence(s) would be provided for the previous period to all council members. He commented regarding

contracts, litigations, and the different types of significant mail received by council. Discussion ensued.

City Manager Wilkins suggested that there should be an administrative code that addresses council's policy directives; that, the citywide policies within procedures should be revisited, as it relates to tracking contracts. Discussion ensued.

He indicated that there would be a process to monitor contracts; and, forthcoming, there would be a recommended standard contract with necessary provisions. He indicated that some contracts had been directed by council at various council meetings; that, staff had not returned with a formal contract for signature. Discussion ensued.

There was discussion regarding rollover contracts. After a lengthy discussion, Chair Pro-Tem Wade suggested that there be a contract manager

Councilperson Callahan stated concerns regarding the existence of the organization called PAL, which was to be part of the national program and not solely for Riviera Beach. She asked that City Manager Wilkins review the minutes/tapes regarding the discussion. Discussion ensued.

City Manager Wilkins indicated that he would review the record and note any deviation for necessary corrections.

Councilperson Moffitt stated concerns regarding the bench contract and payments. She commented regarding the shelters and benches.

City Manager Wilkins indicated that the contract manager would be most effective with concerns as such. He indicated that the matter would be investigated.

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

Attorney Russell indicated dire need for closed executive session for Tuesday, January 11 with Atty. Lonnie Olds re: Connally vs. City of Riviera Beach. He indicated that the matter relates to an automobile accident, which involves police officers; that, the discussion involves PIP benefits and workers' compensation; that, there is a need to offer funds. Discussion ensued

Mayor Brown suggested that the mediation be re-scheduled when all facts are presented for council to deliberate.

Chairperson Rodgers asked that Attorney Russell contact Attorney Olds regarding the council's dilemma to request that the mediation be re-scheduled.

#### X. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Melissa Booth (113 Canterbury Drive, West) commented regarding educating the community regarding discharging of firearms on the eve of New Year's. She commented regarding the program 'Keep Palm Beach County Beautiful' and offered support for continuing clean-up efforts in Riviera Beach.

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

Mayor Brown commented regarding 'Goals for the City' and asked that council consider an event called State of the City, whereby there is a gathering of employees in the courtyard with City Manager Wilkins and council to address the past and future.

Chair Pro-Tem Wade commented in support of the mayor's recommendations and asked for a workshop prior to the event.

Chairperson Rodgers commented regarding guidelines for monitoring of travel for the city

attorney's office. He asked for the policy for travel. Discussion ensued.

Councilperson Wilson commented regarding initiating Cleanliness in Riviera Beach and suggested that District I becomes the pilot area for the project.

Mayor Brown agreed with Councilperson Wilson and proceeded to elaborate. He indicated that discussions with the city manager could bring the project to fruition. He commented regarding code enforcement and the need for review of those processes. Discussion ensued.

City Manager Wilkins commented and suggested that there be a workshop for code enforcement processes.

Chair Pro-Tem Wade commented regarding the need for the PR firm institute proactiveness regarding the negative media in Riviera Beach. As well, she commented regarding the sale of the Holiday Inn on Singer Island and their designation of address (city) for the business, as it relates to their literature.

City Manager Wilkins indicated that staff was asked to respond to the inaccurate articles of the newspapers; that, that first response would go to the city council. Secondly, the media would be contacted with the facts. He indicated that it is seldom that a newspaper would print a retraction; and, seldom would the video media undo a story. He indicated that staff would attempt to provide facts to the media, whenever the facts are misrepresented.

Mr. Wilkins commended the police department for an outstanding job of preventative measures taken during the New Year's eve turn of events.

Chairperson Rodgers asked that consideration be given to utilize the police officers on administrative leave to assist with in-house services.

City Manager Wilkins explained the procedure for personnel on administrative leave.

## XII. ADJOURNMENT:

There being no further business, the meeting duly adjourned at 10:13 p.m.

### **APPROVED:**

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**MICHAEL D. BROWN, MAYOR**



**EDWARD RODGERS, CHAIRPERSON**

### **ATTEST:**

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

ewade.gif (1297 bytes)



**ELIZABETH WADE, CHAIR PRO-TEM**

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**DONALD R. WILSON  
COUNCILPERSON**

**MOTIONED BY:** E. Wade

**SECONDED BY:** M. Callahan



**E. RODGERS:** aye

**E. WADE:** aye

**D. WILSON:** aye

**M. MOFFIT:** aye

**M. CALLAHAN:** aye

**MARILYN MOFFIT  
COUNCILPERSON**

mcallahan.gif (3012 bytes)



**MARGARET CALLAHAN  
COUNCILPERSON**

**DATE APPROVED:** 01/19/2000