

**CITY OF RIVIERA BEACH, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, 21 JUNE 2000, 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

The regular meeting of the City of Riviera Beach city council was called to order at 7:33 p.m. The following were present: Mayor Michael D. Brown, Chairperson Edward Rodgers, Chair Pro-Tem Elizabeth Wade, Councilperson Donald R. Wilson, Councilperson Sylvia Blue, and Councilperson David Schnyer. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, MMC, and City Attorney Pamala H. Ryan.

II. INVOCATION/PLEDGE OF ALLEGIANCE:

Everyone stood for a moment of silent prayer and the pledge of allegiance to the flag.

III. PETITIONS AND COMMUNICATIONS FOR FILING:

None.

IV. AGENDA APPROVAL:

Additions, Deletions, Substitutions

City Clerk Ward read into the record additions/deletions/substitutions to the agenda.

Adoption of Agenda

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

Upon a roll call, the vote was unanimous. APPROVED

V. AWARDS AND PRESENTATIONS:

PRESENTATION OF PLAQUE TO BE AWARDED TO OFFICER BRUCE WILSON FROM CIVIL DRUG COURT.

Mayor Brown presented a plaque to Officer Wilson for outstanding services.

Former Officer Bruce Wilson made comments.

PRESENTATION BY RESIDENTS REGARDING THE SUGAR HILL ISSUE

A letter from Ms. Marie Monroe Ames was read into the record by City Clerk Ward expressing sentiments relating to Sugarhill Cemetery.

Juanita Grimsley Logan (Riviera Beach) stated sentiments regarding Sugarhill Cemetery. She indicated a desire by member of the community to memorialize the referenced cemetery.

PRESENTATION BY DR. DOROTHY GRAHAM REGARDING CONGRESS LAKES

Dr. Dorothy Graham was not present.

VI. 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:

MINUTES FROM REGULAR CITY COUNCIL MEETING HELD ON JUNE 7, 2000 AND THE MINUTES FROM THE SPECIAL MEETING HELD ON MAY 2, 2000.

RESOLUTIONS:

RESOLUTION NO. 99-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO THE RIVIERA BEACH CRIME PREVENTION PROGRAM, INC., OF RIVIERA BEACH, FLORIDA THE SUM OF \$2,000.00 AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 150-0000-5210-3106.

RESOLUTION NO. 100-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO THE RIVIERA BEACH BRANCH OF THE POLICE ATHLETIC LEAGUE OF RIVIERA BEACH, FLORIDA THE SUM OF \$10,000.00 AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 150-0000-5210-3106; ACCOUNT TO BE DISBURSED FROM ACCOUNT NUMBER 001-1232-572-0-5522 RECREATION DEPARTMENT "PAL" ACTIVITIES.

RESOLUTION NO. 101-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO THE CITY OF WEST PALM BEACH IN THE AMOUNT OF \$56,425.00 AS DEFINED IN THE INTERLOCAL AGREEMENT BETWEEN BOTH MUNICIPALITIES FOR THE 800 MHZ TRUNKING RADIO SYSTEM FOR 1999-2000 FISCAL YEAR. PAYMENT IS TO BE PAID FROM ACCOUNT NUMBER 001-0817-5210-4102 POLICE DEPARTMENT, SUPPORT SERVICES BUREAU COMMUNICATIONS SERVICE RADIO AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 102-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITYCLERK TO EXECUTE AND SUBMIT A GRANT APPLICATION TO KEEP PALM BEACH BEAUTIFUL, INC. REQUESTING FUNDS IN THE AMOUNT OF \$105,847.80 FROM THE PALM BEACH COUNTY THOROUGHFARE BEAUTIFICATION GRANT PROGRAM TO INSTALL LANDSCAPING AND IRRIGATION ALONG BLUE HERON BOULEVARD FROM GARDEN ROAD TO AVENUE "S".

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Schnyer to accept the Consent Agenda as presented.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

END OF CONSENT AGENDA

VII. PUBLIC HEARINGS:

RESOLUTION NO. 103-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE U. S. DEPARTMENT OF JUSTICE - LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM IN THE AMOUNT OF \$202,708.00; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CASH MATCH (\$22,523.00) FROM THE GENERAL FUND - GRANTS CASH MATCH ACCOUNT NUMBER (001-0203-5190-8301) TO THE LOCAL LAW ENFORCEMENT GRANT FUND (113); AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced resolution and stated publication as June 07, 2000, Palm Beach Post.

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

Upon a roll call, the vote was unanimous. APPROVED

ORDINANCES ON SECOND READING:

ORDINANCE NO. 2860 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 14-75(g)(1) BY ADDING SUBSECTION (e), CHAPTER 14, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE POLICE OFFICERS' PENSION PLAN TO ALLOW THE INVESTMENT OF FUND ASSETS IN REAL PROPERTY; PROVIDING FOR A REPEALER; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance and stated publication as June 11, 2000, Palm Beach Post.

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

Upon a roll call, the vote was unanimous. APPROVED

ORDINANCE NO. 2861 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, REPEALING SECTION 10-31-48, ARTICLE II OF THE CITY'S CODE OF ORDINANCES CABLE TV FRANCHISE ARTICLE II ENTITLED "CABLE TELEVISION FRANCHISES" AND CREATING A NEW ARTICLE II ENTITLED "CABLE TELEVISION ORDINANCE"; PROVIDING FOR SHORT TITLE; DEFINITION OF TERMS; PROVIDING FOR THE REQUIREMENT OF A FRANCHISE AND FOR CONTENT OF FRANCHISE APPLICATIONS, INCLUDING EVALUATION AND REVIEW AND NOTICE AND PUBLIC HEARINGS; PROVIDING GENERAL REQUIREMENTS, INSURANCE, SURETY, SECURITY FUND AND BOND REQUIREMENTS, INDEMNIFICATION REQUIREMENTS AND TRANSFER, MODIFICATION AND ASSIGNABILITY RESTRICTIONS; REQUIRING COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES AND THE REPEAL OF DCONFLICTING ORDINANCES; PROVIDING REGULATIONS FOR THE OPERATION AND MAINTENANCE OF A CABLE SYSTEM, INCLUDING MINIMUM FACILITIES AND SERVICES, TECHNICAL STANDARDS AND ACCESS CHANNELS AND FACILITIES; REQUIRING SERVICE TO SCHOOLS AND PUBLIC BUILDINGS; PROVIDING FOR EMERGENCY USE OF FACILITIES; PROVIDING SAFETY REQUIREMENTS; PROVIDING CONDITIONS FOR STREET OCCUPANCY; PROVIDING FOR EQUAL EMPLOYMENT PRACTICES; PROVIDING FOR CITY RIGHTS IN FRANCHISE AND RESERVATION OF RIGHTS; PROVIDING FORFEITURE AND LIQUIDATED DAMAGES PROVISIONS; PROVIDING FOR THE RENEWAL OF FRANCHISES; REQUIRING THE DESIGNATION OF CHANNEL CAPACITY FOR PUBLIC EDUCATIONAL AND GOVERNMENTAL USE; PROVIDING FOR RATES AND CHARGES TO SUBSCRIBERS; REQUIRING

CUSTOMER SERVICE STANDARDS AND PROVIDING FOR SUBSCRIBER PRIVACY, MANDATORY CONTINUITY OF SERVICE AND PERFORMANCE EVALUATION; REQUIRING FRANCHISE FEE, REPORTS AND RECORDS AND ADMINISTRATION; PROVIDING FOR THE REMOVAL OF FACILITIES; PROVIDING A SEVERABILITY CLAUSE, A FORCE MAJEURE CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (Amended backup provided)

City Clerk Ward read into the record the referenced ordinance and stated publication as June 11, 2000, Palm Beach Post.

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

Attorney Phillip Canter (Comcast Cablevision) commented and stated (for the record) objection to specific segments within the referenced ordinance.

Gerald Ward (31 W. 20th Street/1150 Coral Way) stated concerns.

Attorney Ila Feld (Liebowitz & Associates/CRB Counsel) provided a brief overview of objectives and key elements of the referenced ordinance. She proceeded to address concerns raised by Attorney Canter and Mr. Ward.

Attorney Feld stated recommendation that the city adopt the referenced ordinance prior to July 01, 2000. Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

VIII. ORDINANCES ON FIRST READING:

ORDINANCE NO. 2863 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, ARTICLE I, SECTION 31-1, DEFINITIONS AND ARTICLE V, SECTION 31-322(B) OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES DESIGNATING THE LOCATION OF BARS, SALOONS, TAVERNS, COCKTAIL LOUNGES, OR NIGHTCLUBS WITHIN THE CITY LIMITS AND ADDING A NEW SECTION 31-551 UNDER ARTICLE VI, SUPPLEMENTAL DISTRICT REGULATIONS AND, PROVIDING FOR CODIFICATION; PROVIDING FOR ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

IX. CITY MANAGER'S DISCUSSION:

1. RESOLUTION NO. 104-00 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING A BUDGET FOR THE HOUSING TRUST FUND IN THE AMOUNT OF \$70,000.00 AND AUTHORIZING EXPENDITURES FROM THE HOUSING TRUST FUND AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced resolution.

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

Upon a roll call, the vote was unanimous. APPROVED

In an effort to resolve concerns regarding reports of and concerns for activity (related to Sugarhill Cemetery) on W. 30th and 31st Streets, City Manager Wilkins commented regarding efforts by the city (via professional technologists) to identify remains, etc., within specified areas of the cemetery. He commented regarding a proposal (to memorialize the cemetery) for presentation to council at the meeting of July 05, 2000.

X. CITY ATTORNEY'S REPORT:

None.

XI. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Mike Ondina (421 Australian Avenue) commented and extended invitation to all for the rededication of Glenwood Cemetery to be held 9:00 a.m., June 24, 2000. Discussion ensued. He proceeded to offer assistance relating to concerns of the Sugarhill Cemetery. Discussion ensued.

Mike Mahoney commented regarding code concerns (vagrants/trash & debris) at the rear of Sea Shell City.

Chairperson Rodgers asked that City Manager Wilkins notify Mr. Mahoney of the status for existing code violations of record. DIRECTIVE

Chair Pro-Tem Wade requested copy of same. DIRECTIVE

Martha Babson stated concern regarding perpetual-city contracts.

XII. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

DISCUSSION:

Councilperson Wilson

Acknowledgements were given to CRBPD on behalf of police efforts in District I.

Councilperson Wilson extended congratulations regarding the enthusiastic Awards Program for employees held in the amphitheater of city hall. He commented regarding efforts to Clean up Palm Beach County and interest to institute a campaign to Paint up Riviera Beach.

He extended all to attend a Mini Artigra featuring European and African art; and, cultural music for listening enjoyment.

Chair Pro-Tem Wade

Comments were made regarding efforts to raise funds to assist local students with their athletic endeavors. Chair Pro-Tem Wade indicated that she had raised \$1,250 since the onset of the campaign and proceeded to solicit support from the community.

Councilperson Blue

New Dixie Highway (beautification of Old Dixie Highway).

Solicitations for community support of ideas were made, relating to beautification of Old Dixie Highway.

Councilperson Schnyer

Entrance signs to be placed throughout the city.

Councilperson Schnyer encouraged that boundary signs be placed at each entry point of Riviera Beach.

Mayor Brown

Mayor Brown commented regarding proposals to rename Skypass as L.E. Buie Bridge. He asked that council instruct staff to review related processes.

He asked that designation signs be placed within the city to identify the various neighborhoods. He encouraged aesthetic revitalization for the entire area surrounding the new elementary school (Mary McLeod Bethune).

Follow up on goal sheet from Goals/Objectives Workshop.

Mayor Brown provided council with a summary of the discussions held during the Goals/Objectives Workshop for their review and proceeded to comment.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to initiate processes to rename Skypass as L.E. Buie Bridge. MOTION

Upon a roll call, the vote was unanimous. APPROVED

Motion was made by Councilperson Schnyer and seconded by Councilperson Wilson that staff be directed to provide staff support to the following three (3) efforts: beautification of Old Dixie Highway; appropriate entry signs within the community be put in place; and, beautification of Avenue 'U'. MOTION

Upon a roll call, the vote was unanimous. APPROVED

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to authorize staff to notify board members of code enforcement regarding intentions to activate the special master process; that, the ordinance be returned for council's consideration. MOTION

Discussion ensued.

Councilperson Schnyer stated (for the record) that he did not have enough information to make a sound decision. He proceeded to elaborate. Discussion ensued.

Chair Pro-Tem Wade withdrew her motion. MOTION WITHDRAWN

XIII. ADJOURNMENT:

There being no other business, the meeting duly adjourned at 8:50 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**

ELIZABETH WADE, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

MOTIONED BY: D. Schnyer

sblue.gif (791 bytes)



SECONDED BY: S. Blue

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

SYLVIA LEE BLUE
COUNCILPERSON

dschnyer.gif (881 bytes)



DAVID G. SCHNYER
COUNCILPERSON

DATE APPROVED: 07/05/2000