

**CITY OF RIVIERA BEACH, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, 18 OCTOBER 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 7:47 p.m. The following were present: Mayor Michael D. Brown, Chairperson Edward Rodgers, Chair Pro-Tem Elizabeth Wade, Councilperson Sylvia Blue, Councilperson Donald R. Wilson, and Councilperson David Schnyer. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, CMC/AEE, and City Attorney Pamala H. Ryan.

INVOCATION/PLEDGE OF ALLEGIANCE

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

II. PETITIONS AND COMMUNICATIONS FOR FILING:

None.

III. AGENDA APPROVAL:

Additions, Deletions, Substitutions

City Clerk Ward read into the record modifications to the agenda as outlined on the addition, deletion and substitution sheet.

City Manager Wilkins further stated modifications to the agenda.

Mayor Brown stated that City Government Week commenced October 23-28, and would be extended through November to coincide with the General Election, November 7. He indicated that presentations for the essay contest would be held at the regular November 01, City Council meeting.

Adoption of Agenda

Motion was made by Councilperson Blue and seconded by Councilperson Schnyer to approve the agenda as amended.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

IV. AWARDS AND PRESENTATIONS:

None.

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:

MINUTES FROM REGULAR CITY COUNCIL MEETING HELD ON OCTOBER 04, 2000.

RESOLUTIONS:

RESOLUTION NO. 179-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PAYMENT OF \$11,000.00 TO COMMUNITY SAVINGS FOR THE LEASE RENEWAL OF BAYS 8 & 9 AT 835 WEST 13TH COURT, RIVIERA BEACH, WHICH IS UTILIZED FOR STORAGE OF VEHICLES AND PROPERTY SEIZED BY THE RIVIERA BEACH POLICE DEPARTMENT; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 001-0822-5210-4402; AND AUTHORIZING THE MAYOR, CITY CLERK, AND POLICE CHIEF TO SIGN THE ATTACHED LEASE RENEWAL FOR THE PERIOD OCTOBER 01, 2000 TO SEPTEMBER 30, 2001.

RESOLUTION NO. 180-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND THE CHIEF OF POLICE TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE FLORIDA DEPARTMENT OF JUSTICE TO FUND THE JUVENILE ASSESSMENT CENTER; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY \$5,400.00 FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT NUMBER 150-0000-521003106 TO THE PALM BEACH COUNTY SHERIFF'S BUDGET OFFICE AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 181-00 - A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PAYMENT IN THE MATTER OF TIMOTHY GRADER AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$30,000.00 AS COMPLETE AND FINAL SETTLEMENT OF FURTHER LIABILITY FOR FUTURE MEDICAL BENEFITS IN THE MATTER, GALLAGHER BASSETT SERVICES, TO PAY THIS AMOUNT TO THE CLAIMANT/CLAIMANT'S ATTORNEY FROM THE CITY'S LOSS FUND ACCOUNT NUMBER 602-0305-5130-1405.

RESOLUTION NO. 182-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO McQUIRE WOODS, LLP, MARQUIS TWO TOWER, 285 PEACHTREE CENTER AVENUE, N.E., SUITE 2200, ATLANTA, GA 30303-1261 IN THE AMOUNT OF \$7,290.26 FOR PROFESSIONAL LEGAL SERVICES PERFORMED IN THE MATTER OF PFEFFERKORN, ET AL v. CITY OF RIVIERA BEACH; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NUMBER 001-0512-5190-3101.

Motion was made by Councilperson Wilson and seconded by Councilperson Schnyer to approve the consent agenda as amended.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

END OF CONSENT AGENDA

VI. PUBLIC HEARING:

None.

ORDINANCES ON SECOND READING:

ORDINANCE NO. 2879 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 13, ARTICLE IV, SECTION 13-76 ENTITLED "RENTAL RATES AND MISCELLANEOUS CHARGES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance and stated publication as October 08, 2000, Palm Beach Post.

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

Upon a roll call, the vote was unanimous. APPROVED

VII. ORDINANCES ON FIRST READING:

ORDINANCE NO. 2880 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION PLAN BY CREATING THE CLASSIFIED POSITION OF PLANNER AND DELETING THE CLASSIFIED POSITION OF ASSOCIATE PLANNER AND DELETING THE CLASSIFIED POSITION OF ASSOCIATE PLANNER FROM THE PAY AND CLASSIFICATION PLAN UNDER CLASS TITLE PLANNING AND PROVIDING 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 Blue to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

VIII. CITY MANAGER'S DISCUSSION:

1. RESOLUTION 183-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF MEDICAL COVERAGE WITH HUMANA MEDICAL PLAN, 3400 LAKESIDE DRIVE, MIRAMAR, FL AND DENTAL COVERAGE WITH JEFFERSON PILOT INSURANCE COMPANY, 3475 SHERIDAN STREET, SUITE 314, HOLLYWOOD, FL TO PROVIDE MEDICAL AND DENTAL INSURANCE FOR CITY EMPLOYEES FOR THE POLICY YEAR 2000-2001 AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE ACCOUNT NUMBER 001-218-211 IN THE ESTIMATED AMOUNT OF \$153,599.04 FOR DENTAL INSURANCE AND ACCOUNT NUMBER 001-218-214 IN THE ESTIMATED AMOUNT OF \$2,139,791.64 FOR HEALTH INSURANCE.

City Manager Wilkins gave a brief overview and stated staff's recommendation for adoption of the referenced resolution.

Motion was made by Councilperson Wilson and seconded by Councilperson Schnyer to approve. MOTION

City Clerk Ward stated it was Resolution 183-00 and called for the vote.

Upon a roll call, the vote was unanimous. APPROVED

2. RESOLUTION NO. 184-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE CITY'S PRIORITIES FOR TRANSPORTATION FUNDING FOR FY 2002-2006 TO THE METROPOLITAN PLANNING ORGANIZATION; AND PROVIDING AN EFFECTIVE DATE.

City Manager Wilkins provided an overview highlighting objectives and related concerns.

Motion was made by Councilperson Schnyer and seconded by Councilperson Wilson to approve. MOTION

Jacque Loriol (127 E. 21st Street) stated concerns. Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING INTERIM ACCESS FOR THE PORT OF PALM BEACH CRUISE TERMINAL OFFICE COMPLEX AND PARKING GARAGE. DELETED

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY CONCERNING THE EXTENSION OF UTILITIES TO PEANUT ISLAND. DELETED

5. RESOLUTION NO. 186-00- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO ELECTRICAL SIGN & LIGHTING SERVICES, INC. OF WEST PALM BEACH, FL THE SUM OF \$18,000 FOR THE REMOVAL AND TRANSPORTATION OF DONATED LIGHT POLES TO TATE BALL FIELD AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NUMBER 305-1234-5720-6405

City Manager Wilkins stated the benefit of the referenced item to the City and recommended approval of the related resolution.

Motion was made by Councilperson Schnyer and seconded by Councilperson Wilson to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

DISCUSSION ON PROPOSED OFFER OF SETTLEMENT OF CODE ENFORCEMENT LIEN AT 2425 BEACH ROAD (FATHOMS LOUNGE) TABLED FROM THE SEPTEMBER 20, 2000 COUNCIL MEETING.

City Manager Wilkins provided an overview of concerns surrounding the matter of a lien (\$1.3 M). He proceeded to read into the record a petition, submitted by members of Beach Road and Island Road, opposing the reduction of fines assessed to the referenced property.

Motion was made by Councilperson Blue and seconded by Councilperson Schnyer to receive the petition into the record.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

Attorney Andrew DeGraffenreidt (2425 Beach Road) stated concerns regarding municipal considerations for business/commercial property owners in Riviera Beach.

Don Havener (245 E. 25th Street) commented. Discussion ensued.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Blue to open the floor for discussion. MOTION

Upon a roll call, the vote was 4-1. APPROVED

Councilperson Schnyer dissented.

Following a brief discussion, Chair Pro-Tem Wade indicated that the new-CRA district was created to promote businesses on Singer Island.

She then motioned that the matter be returned to staff for negotiations with the property owner to reduce the fine below \$30,000 yet above \$13,000.

MOTION DIED

There being no other discussion, the matter was adjudged mute by Chairperson Rodgers.

IX. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Martha Babson (E. 21st Street) stated concerns regarding parking accommodations for businesses in a residential community. She proceeded to elaborate and suggested the procedure in the CRA district as improper. She questioned the authority of municipal individuals, relating to the codes.

Following a brief discussion, it was determined that City Manager Wilkins would provide an answer to Ms. Babson by the next meeting.

Richard Van Munster (28 E. 16th Street) stated concerns of the plight of the commercial fishermen. He requested a letter of support be forwarded to the Florida Wildlife Conservation Commission requesting a local meeting.

Peter Thompson (Restaurateur/Riviera Beach Marina) commented.

Al Loriol (127 E. 21st Street) commented regarding the state of the City and condition of the departments within.

Malissa Booth (Keep PBC Beautiful) commented regarding efforts in the community to keep Palm Beach County beautiful. She solicited support from the community to participate in a forthcoming project-Paint Your Heart Out-for the weekend.

X. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

None.

XI. ADJOURNMENT:

There being no other business, the meeting duly adjourned at 8:40 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

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**DONALD R. WILSON
COUNCILPERSON**

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**SYLVIA LEE BLUE
COUNCILPERSON**

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**DAVID G. SCHNYER
COUNCILPERSON**

MOTIONED BY: D. Wilson
SECONDED BY: E. Wade

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

DATE APPROVED: 11/01/2000