CITY OF RIVIERA BEACH CITY COUNCIL

AGENDA ITEM SUMMARY

MEETING DATE: 11/17/2010 AGENDA ITEM SUMMARY NO. M11-112-1

[ ] CONSENT [ ] AWARDS/PRESENTATIONS/PETITIONS [XX] RESOLUTION
[ ] PUBLIC HEARING [ ] ORDINANCE ON FIRST READING [ ] DISCUSSION
[ ] ORDINANCE ON SECOND READING

SUBJECT: MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 3, 2010

RECOMMENDATION/MOTION: APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 3, 2010

INTER-DEPARTMENTAL REVIEW & DATE

CITY ATTORNEY	MARINA
• CITY CLERK	POLICE
COMMUNITY DEVELOPMENT	PUBLIC WORKS
FINANCE	PURCHASING
FIRE	RECREATION & PARKS
HUMAN RESOURCES	WATER & SEWER
LIBRARY	OTHER

APPROVED BY CITY MANAGER: _____ DATE: 11-9-10

ORIGINATING DEPARTMENT: OFFICE OF THE CITY CLERK	COSTS: CURRENT FY:_____	CITY COUNCIL ACTIONS: [ ] APPROVED [ ] APPROVED W/CONDITIONS [ ] DENIED [ ] TABLED TO [ ] REFERRED TO STAFF
USER DEPARTMENT: CITYWIDE	FUNDING SOURCE: [ ] CAPITAL IMPROVEMENT [ ] OPERATING [ ] OTHER	
ADVERTISEDDATE: PAPER: [ ] NOT REQUIRED AFFECTED PARTIES [ ] NOTIFIED [ ] NOT REQ'D	BUDGET ACCOUNT NUMBER:	ATTACHMENTS: 1. NOVEMBER 3, 2010 REGULAR CITY COUNCIL MEETING MINUTES

BACKGROUND/SUMMARY:

Item No. 1

EXHIBIT A-1

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012
Capital Expenditures	NA	NA		
Operating Costs		NA		
External Revenues	NA	NA		
Program Income (City)	NA	NA		
In-Kind Match (City)	NA	NA		
NET FISCAL IMPACT				
NO. ADDITIONAL FTE POSITIONS (Cumulative)				

Is Item Included In Current Budget? Partial_ __ Yes _____ No. ____

Budget Account No.: Fund ____ Dept/Division ____ Org____ Object_____
Reporting Category_____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. Finance Department and/or Purchasing/Intergovernmental Relations/Grants Comments:

_____
Finance Department

_____
Purchasing and Grants

B. Other Department Review:

_____
Department Director

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, NOVEMBER 3, 2010 AT 6:30 P.M.

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NON-CONSENT ITEMS ONLY), PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE LEGISLATIVE ASSISTANT PRIOR TO THE BEGINNING OF THE MEETING. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

CITY CLERK CALLS TO ORDER

Roll Call

Chair pro tem Davis was present and presided. Upon a roll call by City Clerk Ward, the following were present: Chair Pro Tem Judy L. Davis; Councilperson Cedrick A. Thomas; Councilperson Billie E. Brooks; and Councilperson Shelby L. Lowe. Also present were: City Manager Ruth Jones; City Clerk Carrie E. Ward, MMC; and City Attorney Pamala H. Ryan.

Chairperson Pardo was tardy.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by City Attorney Ryan.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: deleted Item Nos. 12 – presentation to Cynthia Morrow and 15 – presentation by LagoonKeepers.

Disclosure By Council
(If any Council Member has anything to disclose regarding any item on the Agenda, please do so at this time)

NONE

Adoption of Agenda

A motion was made by **Councilperson Brooks** and seconded by **Councilperson Thomas** to approve the agenda as amended.

MOTION

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

MOTION APPROVED

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 COUNCILPERSON 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.

MINUTES:

1. **MINUTES FROM THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 20, 2010.**

RESOLUTIONS:

2. **RESOLUTION NO. 137-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADMINISTRATIVE SALARY SCHEDULE OF THE JOB CLASSIFICATION LIST BY CREATING THE UNCLASSIFIED POSITION OF ASSISTANT TO THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE. ITEM PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Brooks** to approve Resolution No. 137-10.

MOTION

Sylvia Lee Blue stated that in the background summary the level of responsibilities did not warrant two assistant city managers; however department

heads were being required to do more with less and there were mandatory furloughs in place. She stated that the request did not save money especially when the salary was between $80,000 -- $125,000.

Gerald Ward, W 20th Street, stated that the request was to add a position but there was no indication that a position was being removed from the city's classification plan. He inquired as to whether or not the assistant city manager position's description was being deleted. He stated that the salary range varied was quite vast.

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Brooks** to postpone approval of Resolution No. 137-10.

MOTION

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

MOTION APPROVED

3. **RESOLUTION NO. 138-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DIRECTING STAFF TO DEVELOP NEW LAND DEVELOPMENT REGULATIONS PERTAINING TO DAYCARE USES FOR CONSISTENCY WITH HOUSE BILL 1045; AND PROVIDING AN EFFECTIVE DATE.**

4. **RESOLUTION NO. 139-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN UPDATED AGREEMENT WITH SAMADI ENGINEERING, INC.; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS NOT TO EXCEED $90,000 FROM THE CITY'S CAPITAL PROJECTS FUNDS TO SAMADI ENGINEERING, INC. FOR ENGINEERING SERVICES ON VARIOUS ROAD PROJECTS; AND PROVIDING AN EFFECTIVE DATE. ITEM PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Brooks** to approve Resolution No. 139-10.

MOTION

Gerald Ward, W 20th Street, stated that the purchasing department did not sign off on the item and there was no discussion of F.S. 287.055. He stated that there was a conflict in the contract language as well as the summary.

Tina White, W 1st Street, stated the engineering contract calls for the city to recognize the Florida statute for the competitive negotiation act. She stated that a contract of this magnitude could not be awarded without advertisement. She

further stated that the city manager was directed earlier in the year to publish a nationwide search for the position. She concluded and requested that the city council table approval of the item.

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

MOTION APPROVED

5. **RESOLUTION NO. 140-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE CITY OF RIVIERA BEACH'S COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2009 AUDITED BY THE CITY'S INDEPENDENT AUDITING FIRM OF HARVEY, COVINGTON & THOMAS, LLC, AND PROVIDING AN EFFECTIVE DATE. ITEM PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Brooks** to approve Resolution No. 140-10.

MOTION

Gerald Ward, W 20th Street, stated that he reviewed it because it was on the agenda for a previous meeting. He stated that the audit was good and would assist with the public perceptions if the contents were adhered to.

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

MOTION APPROVED

6. **RESOLUTION NO. 141-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING BID NO. 253-10 CITYWIDE ELECTRICAL SERVICES TO ELECTRICAL CONSULTING SERVICES, INC. OF WEST PALM BEACH, FLORIDA, THE LOW RESPONSIVE AND RESPONSIBLE BIDDER; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ELECTRICAL SERVICES CONTRACT AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENTS UP TO $50,000 FROM PUBLIC WORKS FACILITY MAINTENANCE OPERATING ACCOUNT 001-1128-519-0-4602, AND PROVIDING AN EFFECTIVE DATE.**

7. **RESOLUTION NO. 142-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING BID NO. 253-10 MUNICIPAL COMPLEX'S ELECTRICAL ROOM MODIFICATIONS TO UNITED ELECTRICIANS, INC. OF ROYAL PALM BEACH, FLORIDA, THE LOW RESPONSIVE AND RESPONSIBLE BIDDER IN THE AMOUNT OF $14,500.00; AUTHORIZING THE MAYOR AND CITY**

CLERK TO EXECUTE THE PROPOSED MATERIALS AND INSTALLATION CONTRACT AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO ESTABLISH A BUDGET AND MAKE PAYMENT FROM SAME, AND PROVIDING AN EFFECTIVE DATE.

8. **RESOLUTION NO. 143-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PROPRIETARY/SOLE SOURCE PURCHASE OF 58 ADDITIONAL VISIONMOBILE SOFTWARE LICENSES FOR OUR EXISTING VISIONAIR PUBLIC SAFETY SOFTWARE SYSTEM FROM VISIONAIR, INC. IN THE AMOUNT OF $79,523 FROM POLICE IMPACT FEES FUND BALANCE 303-00-271008; AND PROVIDING FOR AN EFFECTIVE DATE.**

9. **RESOLUTION NO. 144-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FIVE-YEAR CONTRACT ADDENDUM WITH VISIONAIR, INC. FROM 10/01/10 TO 09/30/15 TO PROVIDE ANNUAL SERVICE AND SUPPORT MAINTENANCE FOR OUR PUBLIC SAFETY COMPUTER AIDED DISPATCH, RECORDS MANAGEMENT SYSTEM AND MOBILE SYSTEM SOFTWARE APPLICATIONS, AUTHORIZING PAYMENT IN THE AMOUNT OF $52,646 FOR FISCAL YEAR 2011, AND $64,551 FOR FISCAL YEARS 2012 THRU 2015 FROM ACCOUNT NUMBER 001-0243-513-0-4601; AND PROVIDING FOR AN EFFECTIVE DATE.**

10. **RESOLUTION NO. 145-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN UPDATED AGREEMENT WITH THE PALM BEACH CONSULTING GROUP, L.L.C. TO PROVIDE PROJECT MANAGEMENT SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF INTERNATIONAL HARBOR AT RIVIERA BEACH PROJECT, COMMENCING OCTOBER 1, 2010; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 001-0203-519-0-3406 IN AN AMOUNT NOT TO EXCEED $60,000.00; AND PROVIDING AN EFFECTIVE DATE. ITEM PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Brooks** and seconded by **Councilperson Lowe** to approve Resolution No. 145-10.

MOTION

Following further discussion, an amended motion was made by **Councilperson Lowe** and seconded by **Chair pro tem Davis** to pay Palm Beach Consulting Group, LLC for services provided during the month of October.

AMENDED MOTION

Tina White, W 1st Street, stated that the city council finally realized the city had been conducting business backwards and rules were being violated. She stated that evaluations were past due for the city attorney as well as the city manager and such actions as this needed to be documented.

Fane Lozman, E 13th Street, stated that the project identified in the resolution was done as a result of the outcome of the passing of the referendum. He stated that with the change then possibly the scope of services should be changed or hire a permanent project manager. He stated that anything that was currently in place needed to be terminated because of the cataclysmic changed of direction in which the city was headed in the past and the course that needed to be taken at this time.

City Attorney Ryan stated that the referendum would not be effective until the land use changes were approved by the Department of Community Affairs.

As a result of the comments made by City Attorney Ryan as to the time in which the results of the referendum would be effective, City Clerk Ward stated for clarification the amendment that was approved on November 2, 2010 became effective at that time.

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

MOTION APPROVED

11. **RESOLUTION NO. 146-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN UPDATED AGREEMENT WITH JH SPRAGUE CONSULTING, L.L.C. TO PROVIDE CONSULTATION SERVICES ON THE MARINA PROJECT TO ASSIST WITH THE DEVELOPMENT AND IMPLEMENTATION OF THE MARINA RENOVATION AND DEVELOP AND MONITOR GRANT APPLICATION PROCESSES, COMMENCING OCTOBER 1, 2010; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENTS NOT TO EXCEED $36,000; AND PROVIDING AN EFFECTIVE DATE. ITEM PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Thomas** to approve Resolution No. 146-10.

MOTION

Nora Mahoney, Broadway, stated that a grant writer needed to be hired. She then stated that comments were made by Councilperson Pardo as to she did not know what was going to happen in the area as a result of the passing of the referendum; Mrs. Mahoney stated that a charrette was held and that the public

gladly participated in and the desires were outlined and that was what should be put in place.

Lynn Hubbard, W 23rd Street, stated that the previous comments made stating nothing would be located at the marina were not correct. She stated that the procurement policies were not being followed.

Fane Lozman, E 13th Street, stated that the city manager should provide a report detailing the credibility of the grants and whether or not they were usable for the new plan. He stated that the city council needed to revisit the plan approved September 2, 2008.

Tina White, W 4th Street, stated that she always had a fundamental problem with Mr. Sprague and those who conducting business with the CRA were his clients and thereby creating a conflict of interest. She asked about staff's performance.

Gerald Ward, W 20th Street, stated that there were written comments at the bottom of the comment card and requested it be entered into the record. He stated that once again a request for payment was being submitted after services were rendered.

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

MOTION APPROVED

END OF CONSENT AGENDA

A motion was made by **Councilperson Brooks** and seconded by **Councilperson Lowe** to approve the Consent Agenda as amended.

MOTION

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

MOTION APPROVED

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

AWARDS AND PRESENTATIONS:

12. PRESENTATION - RECOGNITION OF CYNTHIA MORROW FOR HER YEARS OF SERVICE AS A MEMBER OF THE LIBRARY ADVISORY BOARD.

ITEM DELETED

13. **PROCLAMATION DECLARING NOVEMBER 2010 AS "ALZHEIMER'S AWARENESS MONTH" ON BEHALF OF ALZHEIMER'S COMMUNITY CARE IN RIVIERA BEACH.**

Mayor Masters presented the proclamation declaring the month of November as "Alzheimer's Awareness Month" to Community Care.

Mr. Randy Johnson, volunteer for the Alzheimer's Community Care organization, accepted the proclamation.

14. **PRESENTATION– UPDATE ON NEIGHBORHOOD STABILIZATION PROGRAM (NSP1).**

John Green, Housing Coordinator, reviewed the status of the Neighborhood Stabilization Program.

15. **PRESENTATION– DERELICT VESSEL UPDATE BY LAGOON KEEPER'S, INC.** **ITEM DELETED**

PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

16. **ORDINANCE NO. 3085 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES ENTITLED "UTILITIES" BY AMENDING ARTICLE III ENTITLED "WATER" BY INCLUDING A NEW DIVISION ENTITLED "WATER CONSERVATION", AND AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS" BY AMENDING ARTICLE II ENTITLED "BUILDING AND TECHNICAL CODES"; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Councilperson Brooks** and seconded by **Councilperson Thomas** to approve Ordinance No. 3085 on First Reading.

MOTION

Gerald Ward, W 20th Street, stated that there were no Utility District personnel present. He stated that there was no evaluation included in the backup information.

A presentation was given by Tom Mullin of Rose, Sundstrom, and Bentley, LLP.

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

MOTION APPROVED

COMMENTS FROM THE PUBLIC – 8:00 PM*[1] – Non Agenda or Consent Item Speakers (Three Minute Limitation) *Please be reminded that the City Council has adopted a set of "Rules of Decorum Governing Public Conduct during Official Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.*

Sylvia Blue, W 1st Street, stated that the literature left on her vehicle while at church was from a person who dumped feces in the waterway of the city and thought it was okay. She stated that the residents of the community were used to seeing slum and blight throughout the community because they were the ones putting it there and thusly did not desire development nor redevelopment.

Lisa Branon, Little Torch Street, stated that she do not believe that implications of voting for the amendment were clearly understood by the voters who were in support of the referendum. She stated that the city needed to work quickly in getting another plan in place in order to generate additional revenue.

John Archambo, Solid Waste Authority, stated a curbside recycling bin distribution program was available wherein bins with information leaflets would be delivered to residents throughout the city. He stated that the program was a way to generate additional revenue for the city.

Fane Lozman, E 13th Street, stated that a binder was available at the CRA that included information about the citizen's master plan. He stated that the plan was adopted in 2008 by the city council. He continued with stating that the plan was changed because the selected master developer could not afford the suggested redevelopment plan as presented and the board was advised by the former CRA Executive Director to terminate the agreement and put the RFP back out bid. He concluded with stating that he was not the chairman of the recall committee but was assisting the committee and the website was recallrivierabeach.com.

Gerald Ward, W 20th Street, stated that he felt his comments were too extensive for three minutes so he provided a one page summary of what he wanted to discuss. He continued with explaining the summary outline provided to the elected officials and staff.

Dee Cunningham, Old Dixie Highway, requested that the city council to cease in expending taxpayer dollars on fighting the task force. She stated that it was advised by the legal counsel for the task force to wait until the outcome of the referendum but the city proceeded which resulted in wasted expenditure of funds.

Mike Mahoney, Broadway, stated that the residents and business owners within the city needed to take pride in the appearance of the city. He stated that individuals took the time to provide input on the redevelopment of the marina and it was tossed aside and the elected officials should move forward with that plan which was adopted.

Bonnie Larson, W 27th Street, stated that the salary presented for the position within the City Manager's Office was a lot considering the current budget constraints. She suggested that the title and salary be revised to be conducive with the responsibilities. She concluded with stating employees would not be accountable for their actions unless they were made to be responsible for doing things contrary to the desires of the city council.

Norma Duncombe, LakeShore Drive, stated that the task force did not consist of revelers but of citizens who believed in what was right as it related to redevelopment of the city. She stated that she was taken aback at the attitude projected by certain elected officials as a result of the citizens standing up for what they wanted.

Steve White, Essex Lane, stated that the voters once again had been disrespected when their level of intelligence was questioned by the very ones whom they elected. He stated that redevelopment was desired; however, it needed to be a win win situation.

Tina White, W 4th Street, stated that the involvement of the seniors exercising their right to vote brought her much gladness. She stated that the city solicited and received $24 million in marina improvement bonds from 1980 to 2002 and the utilization of these funds needed to be investigated. She continued with stating that in submitting public records request to respective departments, she was advised by members of staff that her requests were to be forwarded to the City Attorney and City Manager's Office and as of to date, her requests had not been fulfilled. She concluded with stating as a result of this action she hired an attorney who would be filing a lawsuit against the city.

Dr. Phillip Dukes, W 23rd Street, stated that the results of the election showed there was a paradigm shift in the city which was to do the right thing. He stated that some of the issues the present elected officials face were passed on to them; however, it was up to them to change the way business was conducted in the city.

Emma Bates, W 26th Street, thanked everyone who was instrumental in assisting with helping to get the referendum passed. She stated that the residents needed a council that would work with them and not against them. She stated that she would be filing a lawsuit against those who sought to sue her for exercising her right.

Warrie Leonard, W 23rd Street, stated that a meeting would be hosted by the Department of Transportation at Newcomb Hall on November 4th at 5:30 p.m. She stated that she was proud of her city and that before an individual make comments about the city they needed to live within its boundaries.

Bruce Herring, W 33rd Street, stated that a healing process needed to began and that the recall process was conducted in the city before and would be conducted if someone did not appreciate the way the any elected officials conduct business. He stated that it was good to exercise the right to vote and that more people should participate.

Lynne Hubbard, W 23rd Street, stated that no one bothered to correct Councilperson Pardo on her demeaning comments to the residents of their respective districts. She stated that those who signed the petition and those who voted for the referendum understood very well what they were signing and what they were voting for. Ms Hubbard stated that a charrette was held and a plan was comprised and adopted with the desires of the citizens.

Angela Wynn, W 35th Street, stated that all hope was not lost for the marina because there were individuals who were interested in investing in the city.

[1]Public Comments shall begin at 8:00 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; however, if an item is being considered at 8:00 PM, then public comments shall begin immediately after the item has been concluded.

At this point, Chair pro tem Davis stated that her concern was the language of the referendum which required the city to change some land uses. She stated that the elected officials and the residents of the city needed to work together in moving forward with redevelopment.

REGULAR:

NONE

BOARD APPOINTMENT(S):

NONE

DISCUSSION BY THE CITY MANAGER:

NONE

LEGAL DISCUSSION/REQUEST:

NONE

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:

Councilperson Thomas stated that he received complaints about the lights malfunctioning at Fire House Park on 4th Street and would like for it to be corrected immediately. He inquired about the amount of funds received by the city for the liens on 1524 W 8th Street and required an answer by tomorrow. He stated that he was pleased at the number of individuals who voted on the referendum and hoped that there would be the same type of turnout for the General Election in March. He stated residents of the city should not follow the individual(s) who were not residents of the city that have initiated the recall process. He stated that they do not have any vested interest in the city and needed to take their antics to the municipality in which they lived which there was record of it. He announced that the light at Congress Avenue and 13th Street would be activated on Thursday.

Councilperson Brooks stated that complaints were received from the residents of the Datura Park neighborhood in reference to an ice cream truck traveling through the neighborhood and the noise that it made was in violation of one of the city's ordinances. She inquired as to whether or not criminal checks were being conducted on such vendors because of their access to children.

Councilperson Lowe stated that he always viewed the marina project with or without Rybovich; however, he was looking forward to moving ahead with the redevelopment of the marina.

Chair pro tem Davis stated that both Inlet Grove and the library were in need of volunteers. She announced the Youthbuild would be hosting a fundraiser on December 7, 2010 at the Tikki Restaurant and Bar. She announced that audible pedestrian signals were available for mounting at the request of anyone who was vision impaired and desired the signals to be mounted at intersections they use.

Mayor Masters announced that a new barbecue business would be opened November 4th on the corner of 10th Street and Old Dixie Highway. He stated that developers who were opened, respectful, and honest were welcomed into the city

ADJOURNMENT

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

PLEASE NOTE: A COMPLETE RECORDING AND AGENDA PACKAGE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK.

APPROVED:

THOMAS A. MASTERS
MAYOR

DAWN S. PARDO
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

JUDY L. DAVIS
CHAIR PRO TEM

BILLIE E. BROOKS
COUNCILPERSON

CEDRICK A. THOMAS
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____
SECONDED BY: _____

D. PARDO _____
J. DAVIS _____
B. BROOKS _____
C. THOMAS _____
S. LOWE _____

DATE APPROVED: 11/17/2010