

CITY OF RIVIERA BEACH'  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, JANUARY 21, 2004 AT 7:30 P.M.

I. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson David G. Schnyer was present and presided. Upon a roll call by City Clerk Ward, the following were present: Chair Pro Tem Sylvia Lee Blue, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, and Councilperson Ann lies. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and Assistant City Attorney Kellie Kellibrew.

Invocation/Pledge of Allegiance

Everyone stood for a moment of silence and the Pledge of Allegiance.

II. AGENDA APPROVAL:

1} Additions, Deletions, Substitutions

City Manager Wilkins made the following revisions to the agenda: added Item No. 1A - Acknowledgement of Police and US Customs officers; added Item No. 1B - Presentation for Holiday Decoration; added Item No. 15 - Resolution regarding agreement with the Riviera Beach Firefighter Association; added Item No. 16 - Planning and Zoning Board appointment; and deleted Item NO.3 - Resolution regarding radio read meters.

2} Adoption of Agenda

A motion was made by Councilperson Wilson and seconded by Chair Pro Tem Blue to adopt the agenda as amended.

MOTION

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

MOTION APPROVED

III. AWARDS AND PRESENTATIONS:

ITEM NO.1

PRESENT AND WELCOME NEW EMPLOYEES TO THE CITY OF RIVIERA BEACH FOR THE MONTH OF DECEMBER, 2003.

Doretha Perry, Human Resources Director, presented the following new employees for the month of December: William Martinez (Police) and Pamela Daley (Purchasing).

**ITEM NO. 1A**

**ACKNOWLEDGEMENT OF RIVIERA BEACH POLICE OFFICERS, UNITED STATES CUSTOMS AND TROPICAL SHIPPING FOR EXCEPTIONAL ACCOMPLISHMENT. ITEM ADDED TO AGENDA**

Asst. Chief of Police David Harris made a presentation for an exceptional job done in the seizure of illegal and dangerous narcotics: Officer Maurice Morris (Riviera Beach), K-9 Officer Max (Riviera Beach), Officer Cedrick Edwards (Riviera Beach, and Officer Josh Woodbury (US Customs). A presentation in their honor was also made by Port of Palm Beach Director Richard Wainio.

**ITEM NO. 1B**

**PRESENTATION OF HOLIDAY DECORATION AWARDS BY MR. MARVIN REINER, PRESIDENT OF THE CONDOMINIUM OFFICERS ASSOCIATION OF SINGER ISLAND (COASI) AND THE SINGER ISLAND CIVIC ASSOCIATION (SICA). ITEM ADDED TO AGENDA**

A presentation was made by Marvin Reiner, president of COASI to the winners of the holiday decorating contest.

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

Tony Gigliotti, president of SICA, announced that six new garbage cans were located on the Blue Heron Bridge and at the annual meeting that will be held on February 25<sup>th</sup>, one hour has been dedicated to discuss some of the rumors that have been circulated in the community.

Margaret Shepherd, 2003 W 17<sup>th</sup> Ct # 104, made comments regarding the Riviera Beach Housing Authority.

**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 A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF**

**THE COUNCIL CHAMBERS AND GIVE IT TO THE COUNCIL CHAIR OR THE LEGISLATIVE AIDE. CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED.**

MINUTES:

ITEM NO.2

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JANUARY 7, 2004.

RESOLUTIONS:

ITEM NO.3

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF RADIO-READ METERS FROM SUNSTATE METER AND SUPPLY, INC. ("SUNSTATE"), THROUGH THE SARASOTA-MANATEE COUNTY **CO-OP** BID #2648, AT A TOTAL COST OF \$500,000; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT WITH SUNSTATE; AUTHORIZING PAYMENT FROM ACCOUNT NO. 401-1430-5330-5206; AND PROVIDING AN EFFECTIVE DATE. **ITEM DELETED**

ITEM NO.4

RESOLUTION NO. 9-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE REPLAT OF 5050 NORTH OCEAN DRIVE FOR A SIX UNIT TOWNHOUSE DEVELOPMENT LOCATED NORTH OF HARBOR POINT DRIVE, ON THE EAST SIDE OF OCEAN DRIVE; PROVIDING FOR AN EFFECTIVE DATE.

1) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

A motion was made by Chair Pro Tern Blue and seconded by Councilperson Wade to approve the Consent Agenda as amended.

MOTION

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

MOTION APPROVED

Chairperson Schnyer announced that Councilperson Wilson had to leave due to a family emergency.

VI. PUBLIC HEARING:

ITEM NO.5

RESOLUTION NO. 10-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION FOR WETLAND MODIFICATION AND THE SITE PLAN APPLICATION FOR A 15 UNIT CONDOMINIUM LOCATED AT 5310 NORTH OCEAN DRIVE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Clerk Ward read the aforementioned Resolution into the record and announced that it was advertised in the December 10, 2003 and January 5, 2004 edition of the Palm Beach Post.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson Wade to approve Resolution No. 10-04.

MOTION

A presentation was made by Mary McKinney, Community Development Director.

Rick Marshak, 5380 N Ocean Dr., made comments regarding the proposed project.

Dr. Paul Grady, 5380 N Ocean Dr., made comments regarding the proposed project.

Gerald Ward, 3930 N Ocean Dr., made comments regarding the proposed project.

A discussion ensued amongst the Mayor and City Council.

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

MOTION APPROVED

1) ORDINANCES ON SECOND READING:

NONE

VII. REGULAR:

ITEM NO.6

ORDINANCE NO. 2956 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING MAP FOR SIX (6.0) ACRES OF LAND LOCATED SOUTH OF BLUE HERON BOULEVARD, WEST OF AVENUE "U" BY CHANGING THE ZONING CLASSIFICATION FROM "SINGLE FAMILY

RESIDENTIAL (RS-6)" TO "COMMUNITY FACILITY (CF)"; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Wade and seconded by Councilperson lies to approve Ordinance No. 2956.

MOTION

A presentation was made by Mary McKinney, Community Development Director.

A discussion ensued amongst the City Council and staff.

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

MOTION APPROVED

ITEM NO.7

ORDINANCE NO. 2957 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN BY ASSIGNING A COMMUNITY FACILITIES FUTURE LAND USE DESIGNATION TO SIX (6.0) ACRES OF LAND LOCATED SOUTH OF BLUE HERON BOULEVARD, WEST OF AVENUE "U"; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Chair Pro Tern Blue and seconded by Councilperson Wade to approve Ordinance No. 2957.

MOTION

A presentation was made by Mary McKinney, Community Development Director.

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

MOTION APPROVED

ITEM NO.8

*THIS ITEM HAS BEEN LEFT BLANK INTENTIONALLY*

ITEM NO.9

RESOLUTION NO. 11-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FOR A 19,600 SQUARE FOOT BUILDING FOR GENTILE HOLLOWAY O'MAHONEY & ASSOCIATES, INC. ON A 1.89 ACRE LIMITED INDUSTRIAL PARCEL LOCATED ON THE SOUTH WEST CORNER OF 13<sup>TH</sup> STREET AND AVENUE "0".

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson lies to approve Resolution No. 11-04.

MOTION

A presentation was made by Mary McKinney, Community Development Director.

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

MOTION APPROVED

ITEM NO. 10

RESOLUTION NO. 12-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DENYING THE SITE PLAN AMENDMENT APPLICATION FOR A 6,889 SQUARE FOOT ADVANCE AUTO PARTS RETAIL STORE LOCATED WITHIN THE BLUE HERON SHOPPES DEVELOPMENT ON BLUE HERON BOULEVARD EAST OF CONGRESS AVENUE; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson lies to approve Resolution No. 12-04.

MOTION

A presentation was made by Mary McKinney, Community Development Director.

A presentation was made by representatives for Advance Auto Parts Retail Store.

A discussion ensued amongst the Mayor, City Council, and the representatives for Advance Auto Parts.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments in support of the proposed project.

A discussion ensued amongst the Mayor and City Council.

Chair Pro Tem Blue stated the following reasons for denying the site plan amendment application: the representation made by the area manager whose comments lead her to believe what would occur at the store by the example given by him and she stated the future plan was for an upscale development to be constructed around the corner from the proposed site and she did not feel that it was compatible in the area.

Upon a roll call by City Clerk Ward, the vote was 3-1 with Councilperson Wade dissenting.

MOTION APPROVED

ITEM NO. 11

RESOLUTION NO. 13-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE STAFF TO SUBMIT A PALM BEACH COUNTY DEVELOPMENT REGIONS GRANT IN THE AMOUNT OF \$50,000 WITH A LOCAL CASH MATCH OF \$25,000 ON BEHALF OF BARON SIGN MANUFACTURING FOR THE CONSTRUCTION OF A NEW FACILITY IN THE CITY OF RIVIERA BEACH.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson lies to approve Resolution No. 13-04.

MOTION

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

MOTION APPROVED

ITEM NO. 12

RESOLUTION NO. 14-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIENS ON PROPERTY LOCATED AT 1310 AVENUE "T" FEDERAL GARDEN PL 4, LOT 1, BLK 7, FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$7,500; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson Wade to approve Resolution No. 14-04.

MOTION

Eileen Comiskey, Catholic Charities, Inc., made comments regarding the history of the property.

A discussion ensued amongst the City Council and Ms. Comiskey.

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

MOTION APPROVED

ITEM NO. 13

RESOLUTION NO. 15-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIENS ON PROPERTY LOCATED AT 1600 W. 13<sup>th</sup> STREET, FEDERAL GARDENS PL 4, LOT 6, BLK 7, FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$1,350; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson lies and seconded by Councilperson Wade to table Resolution No. 15-04.

MOTION TO TABLE

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

MOTION APPROVED

ITEM NO. 14

REQUEST FOR CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO SEND A LETTER OF AGREEMENT ALLOWING PALM BEACH COUNTY PARKS AND RECREATION TO MODIFY ITS STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION AIRSPACE AGREEMENT.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson lies.

MOTION

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

MOTION APPROVED

ITEM NO. 15

RESOLUTION NO. 16-04 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 ADDENDUM TO THE CURRENT BARGAINING AGREEMENT COMMENCING OCTOBER 1, 2001 TO SEPTEMBER 30, 2004 BETWEEN THE RIVIERA

BEACH ASSOCIATION OF FIREFIGHTERS OF THE CITY OF RIVIERA BEACH AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM THE FIRE DEPARTMENT'S SALARY ACCOUNT NUMBER 001-0920-522-0-1201 TO COVER THE TOTAL COST OF \$153,008, THE COLA AND MEDICAL INCENTIVE PAY; AND PROVIDING AN EFFECTIVE DATE. **ITEM ADDED TO AGENDA**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair Pro Tem Blue and seconded by Councilperson Wade to approve Resolution No. 16-04.

MOTION

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

MOTION APPROVED

BOARD APPOINTMENT:

ITEM NO. 16  
REQUEST CITY COUNCIL TO RE-APPOINT ONE MEMBER TO THE PLANNING AND ZONING BOARD. **ITEM ADDED TO AGENDA**

A motion was made by Councilperson lies and seconded by Chair Pro Tem Blue to reappoint Robert Dingledein to the Planning and Zoning Board.

MOTION

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

MOTION APPROVED

VIII. CITY ATTORNEY'S REPORT:

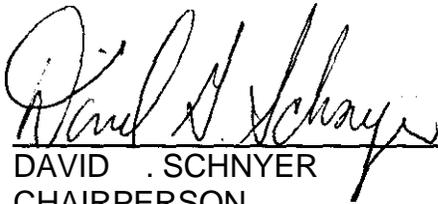
IX. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:

X. ADJOURNMENT

There being no further business the meeting was duly adjourned at 10:40 p.m.

APPROVED:

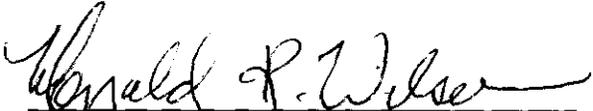
  
\_\_\_\_\_  
MICHAEL D. BROWN  
MAYOR

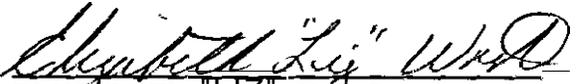
  
\_\_\_\_\_  
DAVID . SCHNYER  
CHAIRPERSON

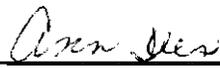
ATTES:

  
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IE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
SYLVI LEE BLUE  
CHAIR PRO TEM

  
\_\_\_\_\_  
DONALD R. WILSON  
COUNCILPERSON

  
\_\_\_\_\_  
ELIZABETH "LIZ" WADE  
COUNCILPERSON

  
\_\_\_\_\_  
ANN ILES  
COUNCILPERSON

MOTIONED BY: D. Wj J sod  
SECONDED BY: S. Blue

D. SCHNYER            aye  
S.BLUE                aye  
D. WILSON            aye  
E. WADE              aye  
A.ILES                 aye

DATE APPROVED: 02104/04

REVISED

ADDITIONS, DELETIONS, SUBSTITUTIONS, & REVISIONS

<u>Page</u>	<u>Roman Numeral</u>		<u>ADDITIONS</u>
			Awards and Presentations
3	III	Item No. 1A	Acknowledgement Of Riviera Beach Police Officers, United States Customs And Tropical Shipping For Exceptional Accomplishment.
		Item No. 1B	Presentation Of Holiday Decoration Awards By Mr. Marvin Reiner, President Of The Condominium Officers Association Of Singer Island (COASI) And The Singer Island Civic Association (SICA).
			Regular (Resolutions)
7	VII	Item No. 15	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 Addendum To The Current Bargaining Agreement Commencing October 1, 2001 To September 30, 2004 Between The Riviera Beach Association Of Firefighters Of The City of Riviera Beach And Authorizing The Finance Director To Make Payment From The Fire Department's Salary Account Number 001-0920-522-0-1201 To Cover The Total Cost Of \$153,008, The COLA And Medical Incentive Pay; And Providing An Effective Date.
			Regular (Board Appointment)
		Item No. 16	Request City Council To <b>Re-appoint</b> One Member To The Planning And Zoning Board.
			<u>DELETIONS</u>
4	V	Item No.3	This Item Has Been Deleted.

1/16/04 Original mmd  
1/21/04 Revised mem