

CITY OF RIVIERA BEACH"  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, FEBRUARY 4, 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 Tern 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 City Attorney Pamala H. Ryan.

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 an announcement regarding the repair of a sewer line; an announcement regarding the City's First Time Home Buyer Fair; and a briefing on the World Trade Center Outlook Conference.

2) Adoption of Agenda

A motion was made by Councilperson Wilson and seconded by Councilperson Wade to adopt the agenda as amended.

MOTION

Upon a roll call vote by City Clerk Ward, the vote was 4 with Councilperson lies out.

MOTION APPROVED

III. AWARDS AND PRESENTATIONS:

ITEM NO.1

PRESENTATION OF THE EXCEPTIONAL POLICE DUTY AWARD TO SERGEANT JOHN MAMMINO, LIEUTENANT ANTHONY SCOTT, AND OFFICER NATHAN GORDON.

A presentation was made by Chief of Police Clarence Williams to Lt. Anthony Scott, Sgt. John Mammino, and Ofc. Nathan Gordon for their exceptional work in capturing three individuals with outstanding felony warrants and suspects in several violent bank robberies.

ITEM NO.2

PRESENTATION OF COMMENDATION AWARDS TO POLICE EMPLOYEES KERRI-ANN BURKE AND REGINA GRIFFIN FOR LIFESAVING PROFESSIONALISM.

A presentation was made by Asst. Chief of Police Danny Jones to Kerri-Ann Burke and Regina Griffin for their professionalism while providing life support directions to the parent that reported her child was not breathing.

ITEM NO. 2A

ANNOUNCEMENT REGARDING THE REPAIR OF A SANITARY SEWER LINE

City Manager Wilkins read into the record the City's news release regarding the emergency measures to repair a sanitary sewer line located on Blue Heron Boulevard.

PRESENTATION REGARDING THE CITY'S FIRST TIME HOMEBUYER FAIR

A presentation was given by Asst. City Manager Paul White regarding the City's first - First Time Homebuyer Fair scheduled for February 7, 2004 from 10 a.m. until 2 p.m.

BRIEFING ON THE WORLD TRADE CENTER PALM BEACH OUTLOOK CONFERENCE.

An update and a DVD presentation was made by City Manager Wilkins.

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

Beth Ellen Dileglio, 2525 Lake Dr #210, made comments regarding the redevelopment plan for portions of Singer Island.

Jacob Williams, 172 W 34<sup>th</sup> Street, made comments regarding various activities within his neighborhood.

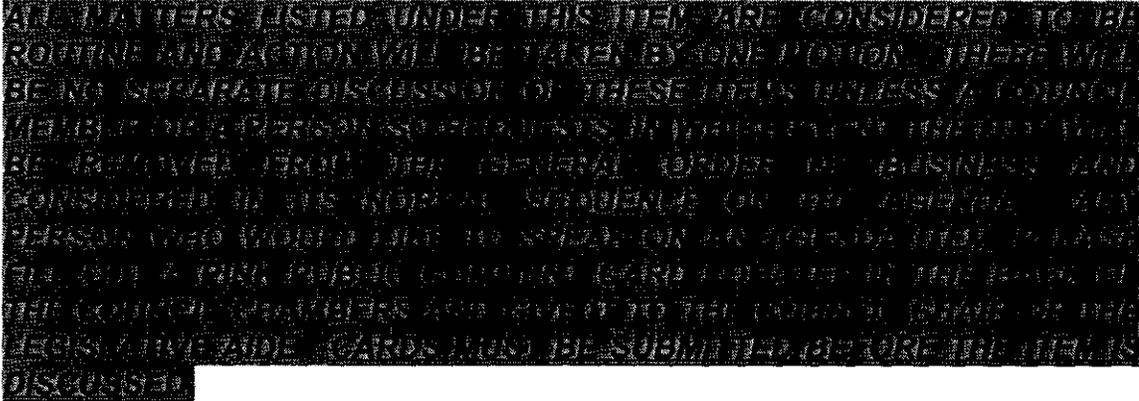
The City Council directed the City Manager to meet with Mr. Williams regarding his concerns.

DIRECTIVE

Herman McCray, Jr., Avenue S, made comments regarding the Utility Authority.

David Cross, 1030 Sugar Sands, made comments regarding the garbage cans located on the Blue Heron Bridge.

V. CONSENT AGENDA:



MINUTES:

ITEM NO.3

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JANUARY 21, 2004.

RESOLUTIONS:

ITEM NO.4

*THIS ITEM HAS BEEN LEFT BLANK INTENTIONALLY*

- 1) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

A motion was made by Councilperson Wilson and seconded by Chair Pro Tem Blue to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARING:

1) ORDINANCES ON SECOND READING:

ITEM NO.5

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 and stated that it was published in the January 25, 2004 edition of the Palm Beach Post.

A motion was made by Councilperson Wilson and seconded by Councilperson Wade to adopt Ordinance No. 2956.

MOTION

Upon a roll call vote by City Clerk Ward, the vote was 4 with Councilperson Schnyerout.

MOTION APPROVED

ITEM NO.6

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 and stated that it was published in the January 25, 2004 edition of the Palm Beach Post.

A motion was made by Councilperson Wilson and seconded by Councilperson lies to adopt Ordinance No. 2957.

MOTION

Upon a roll call vote by City Clerk Ward, the vote was 4 with Councilperson Schnyer out.

MOTION APPROVED

VII. REGULAR:

ITEM NO.7

ORDINANCE NO. 2958 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; FINDING THAT THE PLAN CONFORMS TO SECTIONS 163.360, 163.361, 163.362, AND 166.041, FLORIDA STATUTES; DIRECTING THAT THE PLAN BE CARRIED OUT IN ACCORDANCE WITH ITS TERMS; SUBMITTING SAID PLAN TO EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE REDEVELOPMENT AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson lies to approve Ordinance No. 2958.

MOTION

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

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments regarding compliance with the Comprehensive Plan Settlement.

Larry Smith, 1061 Morse Blvd., made comments in favor of the Ordinance.

A discussion ensued amongst the City Council and staff.

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

MOTION APPROVED

ITEM NO.8

RESOLUTION NO. 17-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; DIRECTING THAT THE PLAN BE CARRIED OUT IN ACCORDANCE WITH ITS TERMS; SUBMITTING SAID PLAN TO EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN

THE GEOGRAPHICAL BOUNDARIES OF THE REDEVELOPMENT AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE; 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. 17-04.

MOTION

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

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

MOTION APPROVED

ITEM NO.9

ORDINANCE NO. 2959 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, UPDATING THE ZONING MAP OF THE CITY OF RIVIERA BEACH BY ASSIGNING A ZONING CLASSIFICATION OF "IHC-PUD" TO APPROXIMATELY 1.26 ACRES OF LAND FOR PROPERTIES LOCATED NORTH OF THE INTERSECTION OF BLUE HERON BOULEVARD AND AVENUE "A"; 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 Chair Pro Tem Blue and seconded by Councilperson lies to approve Ordinance No. 2959.

MOTION

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

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

MOTION APPROVED

ITEM NO. 10

ORDINANCE NO. 2960 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING THE EAST 237.59 FEET OF THE RIGHT-OF-WAY OF EAST 28<sup>TH</sup> STREET AND 334.58 FEET OF THE RIGHT-OF-WAY OF LAKESHORE DRIVE (**AVENUE "A"**) BEGINNING AT THE NORTH RIGHT-OF-WAY OF EAST 27<sup>TH</sup> STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**City Clerk Ward** read the aforementioned Ordinance into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson lies** to approve Ordinance No. 2960.

**MOTION**

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

**Martha Babson, 156 E 21<sup>st</sup> Street**, read a letter into the record and asked the City Clerk to record same and after she completed some adjustments to the correspondence, she would submit it to the City Clerk on Thursday to be made as part of the record.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments against the proposed Ordinance.

A discussion ensued amongst the City Council.

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

**MOTION APPROVED**

**ITEM NO. 11**

**ORDINANCE NO. 2961 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, SECTION 2-43 ENTITLED "QUASI-JUDICIAL PROCEEDINGS; INTENT", SECTION 2-44 ENTITLED "DEFINITIONS", SECTION 2-45 ENTITLED "QUASI-JUDICIAL MATTERS", SECTION 2-46 ENTITLED "PROCEDURES FOR QUASI-JUDICIAL PROCEEDINGS" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; 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 Wilson** to table Ordinance No. 2961 for time certain of March 3<sup>rd</sup>.

**MOTION TO TABLE**

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

**MOTION APPROVED**

**ITEM NO. 12**

**ORDINANCE NO. 2962 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-4 ENTITLED "HEARINGS GENERALLY; NOTICE; DEPOSITS" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES;**

**PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; 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 Wilson** to table Ordinance No. 2962 until March 3<sup>rd</sup>

**MOTION TO TABLE**

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

**MOTION APPROVED**

**ITEM NO. 13**

**ORDINANCE NO. 2963 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-362 ENTITLED "USES PERMITTED" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned Ordinance into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by Councilperson **lies** to approve Ordinance No. 2963.

**MOTION**

**Jimmy Hightower, 1130 W 4<sup>th</sup> Street**, asked whether or not the ordinance was as a result of what happened at the Flea Market on Saturday.

The City Council directed the concerns to the Chief of Police and the City Manager, and directed that they inform Mr. Hightower.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments regarding the proposed Ordinance.

A discussion ensued amongst the City Council.

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

**MOTION APPROVED**

**BOARD APPOINTMENT:**

Councilperson **Wilson** requested that Mr. Feaman be transferred from the Planning & Zoning Board to the Recreation Advisory Board and that Mr. Matthews be transferred from the Recreation Advisory Board to the Planning and Zoning Board.

A motion was made by Councilperson **Wilson** and seconded by **Chair Pro Tern Blue** approving the aforementioned request.

**MOTION**

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

**MOTION APPROVED**

**VIII. CITY ATTORNEY'S REPORT:**

**NONE**

**IX. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:**

**Mayor Brown** congratulated the City Council on their efforts to revitalize the City.

Councilperson **lies** announced that February 7<sup>th</sup> has been designated as Black HIV/AIDS and Awareness Day and various activities were planned throughout the county.

**X. ADJOURNMENT:**

There being no further business the meeting was duly adjourned at 9:20 p.m.

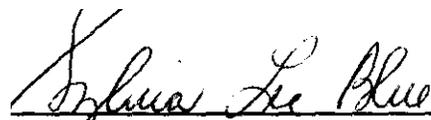
**APPROVED:**

  
**MICHAEL D. BROWN**  
MAYOR

**ATTEST:**

  
**CA THE E. WARD**  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
**DAVID G. SCHNYER**  
CHAIRPERSON

  
**SYLVI LEE BLUE**  
CHAIR PRO TEM

  
**DONALD R. WILSON**  
COUNCILPERSON

  
ELIZABETH "LIZ" WADE  
COUNCILPERSON

absent  
ANN ILES  
COUNCILPERSON

MOTIONED BY: S. Blue  
SECONDED BY: E. Wade

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

DATE APPROVED: 02f18f04