

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, JUNE 18, 2003 AT 7:30 P.M.**

**I. CITY CLERK CALLS TO ORDER:**

**1) Roll Call**

Chairperson 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 Iles. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna 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: addition – Item No. 3(1) under Awards & Presentations – Nealia Cunningham Day Picnic; Item No. 3(2) under Awards & Presentations – Presentation by Mayor Brown to City Engineer Lal Samadi; additional backup provided for Item No. 5(1) – Ordinance regarding Storm water Management Utility; additional backup provided for Item No. 8 – Resolution regarding release of Code Enforcement lien on property located at 661 W. 37<sup>th</sup> Street; addition – Item No. 14 – Resolution authorizing the Mayor and City Clerk to execute a stipulated settlement agreement; deleted Item No. 11 – discussion regarding City owned property located on the west side of Congress Avenue between Blue Heron Blvd. and Martin Luther King, Jr. Blvd.; and deleted Item No. 13 – Resolution regarding the vending contract with Coca-Cola.

**Councilperson Wade** added the presentation from Lonnie Lovett under Awards and Presentations.

**2) Adoption of Agenda**

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve 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**

**PROCLAMATION DESIGNATING JULY 13 – 19, 2003 AS “NATIONAL AQUATIC WEEK”.**

**Mayor Brown** presented the proclamation designating July 13<sup>th</sup> – 19<sup>th</sup> as National Aquatic Week.

**ITEM NO. 2**

**PRESENTATION – PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF MAY, 2003.**

**Doretha Perry, Human Resources Director**, presented the following new employees: Danny Jones (Police), Ramon Riviera (Recreation & Parks), Willis Williams (Marina), Alan Luby (Police), Stacy Gordon (Police), Kerrie-Ann Burke (Police); and Fania Melton (Police).

**ITEM NO. 3**

**PRESENTATION – PRESENT TROPHY AWARD TO CELEBRITY DIVISION WINNER, COUNCILPERSON SYLVIA LEE BLUE FOR HER PARTICIPATION IN THE ANNUAL PALM BEACH COUNTY KDW CLASSIC 2003 FISHING TOURNAMENT.**

**George Carter, Marina Director**, presented the Celebrity Division 1<sup>st</sup> Place Trophy from the KDW Classic 2003 Fishing Tournament to Chair Pro Tem Sylvia Lee Blue.

**ITEM NO. 3(1)**

**PRESENTATION TO THE VOLUNTEERS FOR THE NEALIA CUNNINGHAM DAY PICNIC. PRESENTATION ADDED TO AGENDA**

**Mayor Brown** presented Certificates of Appreciation to the members of staff that volunteered for the Nealia Cunningham Day Picnic.

**ITEM NO. 3(2)**

**PRESENTATION BY MAYOR BROWN TO CITY ENGINEER LAL SAMADI**

**ITEM DELETED**

**ITEM NO. 3(3)**

**PRESENTATION OF THE FATHER OF THE YEAR. PRESENTATION ADDED TO AGENDA**

**Councilperson Iles** presented Mr. Lonnie Lovett who won the Father of the Year Award.

**PRESENTATION BY RIVIERA BEACH COALITION COMMUNITY**

**ACTION BOARD. PRESENTATION ADDED TO AGENDA**

**Lonnie Lovett** presented the plan of the Riviera Beach Coalition Community Action Board.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** directing the City Manager to inform the City Council of any resources to assist this project.

**MOTION**

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

**MOTION APPROVED**

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

**Ulysses “Pop” Winn, 1031 W 2nd Street**, made comments regarding the Father & Son Day Event and made a presentation to the Mayor and City Council and the City Manager Wilkins.

**Christy Turnquist, 2620 N Australian Ave**, announced she was representing State Rep. James “Hank” Harper’s office.

**Keith Meister, 112 Lakeshore Dr**, made comments regarding parking on the Blue Heron Bridge.

**Kenneth Langford, 1522 Meadows Circle W**, made comments regarding the GED Program at the Riviera Beach Library.

**Dan Richter, 2124 Broadway**, made comments regarding the Code Enforcement Division.

**Tony Gigliotti, 125 Inlet Way**, made comments regarding the meeting staff held with the Singer Island Condominium Association. He also made presentations to the following: Police Chief Clarence Williams – donation for the police substation and Mayor Michael Brown – donation for the 4th of July firework show.

**Herman McCray, Jr., 2315 Avenue S**, made comments regarding the proposed school site.

**Mayor Brown** addressed the concerns raised by Mr. McCray regarding the proposed school site.

**Gerald Ward, 31 W 20th Street**, made comments regarding the Waterfront Advisory Board and announced that a media event would be held on Friday at 11: 00 a.m. at the 58th and Flagler entrance of the plant to kickoff the solution aspects of the Riviera Beach Power Plant.

**Mike Mahoney, 2120 Broadway**, made comments regarding the problem behind his business site.

**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.***

**1) MINUTES:**

**ITEM NO. 4**

**MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JUNE 4, 2003.**

**RESOLUTIONS:**

**2) PETITIONS AND COMMUNICATIONS FOR FILING:**

**END OF CONSENT AGENDA**

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve the Consent Agenda.

**MOTION**

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

**MOTION APPROVED**

**VI. PUBLIC HEARING:**

**ITEM NO. 5**

RESOLUTION NO. 137-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SPECIAL EXCEPTION AND SITE PLAN APPLICATION FROM RMB CUSTOM CONCRETE INC. TO BUILD A 9,424 SQUARE FOOT CONCRETE MIXING AND BATCHING FACILITY AND OFFICE ON 2.8 ACRES OF LAND LOCATED ON THE EAST SIDE OF AVENUE "S" SOUTH OF DR. MARTIN LUTHER KING JR. BLVD. IN AN 'IG' ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson Iles to approve Resolution 137-03.

**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**

**1) ORDINANCES ON SECOND READING:**

**ITEM NO. 5(1)**

**ORDINANCE NO. 2942 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING A SECTION IN THE CODE OF ORDINANCES UNDER CHAPTER 20, UTILITIES, ENTITLED, "STORMWATER MANAGEMENT UTILITY"; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. ORDINANCE ADDED TO AGENDA**

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to adopt Ordinance No. 2942.

**MOTION**

A presentation was made by City Manager Wilkins.

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

An amended motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to adopt Ordinance No. 2942 and that an annual report be provided to the City Council.

**AMENDED MOTION**

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

**MOTION APPROVED**

**Chairperson Schnyer** called for a recess at 9:10 p.m.

**Chairperson Schnyer** called the meeting back to order at 9:20 p.m.

**VI. REGULAR:**

The agenda was reordered to discuss Item No. 14 prior to Item No. 6.

**ITEM NO. 14**

**RESOLUTION NO. 143-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE STIPULATED SETTLEMENT AGREEMENT BETWEEN SHERRY TEMPLE, LELAND WESLEY NICHOLS, AND WILLIAM CONTOLE, CLAIMANTS, VERSUS THE CITY OF RIVIERA**

**BEACH, AND SINGER ISLAND OCEAN FRONT HOTELS, LLC; AND PROVIDING AN EFFECTIVE DATE. RESOLUTION ADDED TO AGENDA**

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

**City Attorney Ryan** outlined the contents in the Resolution.

**Atty. Larry Smith**, representing Singer Island Ocean Front Hotels, LLC., made comments in favor of the proposed agreement and the requested additional statement to be included in the Resolution that would be stated by the city attorney.

**Gerald Ward, 1150 Coral Way**, made comments regarding the proposed Resolution.

A discussion ensued amongst the City Council and staff.

**City Attorney Ryan** stated that in an effort to make the Resolution consistent with the agreement, she was requesting that the following language be added to the end of the seventh paragraph – (*of the floor area breakdown from 798,825 to 599,118*).

A lengthy discussion ensued amongst the Mayor, City Council, and staff.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve Resolution No. 143-03 as amended.

**MOTION**

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

**MOTION APPROVED**

**ORDINANCE ON FIRST READING:**

**ITEM NO. 6**

**ORDINANCE NO. 2945 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10, LICENSES AND BUSINESS REGULATIONS, ARTICLE V, SECTION 10-131 ENTITLED “DEFINITIONS”; SECTION 10-150 ENTITLED “CLASSIFICATIONS AND RATE STRUCTURE”; AND ADDING SECTION 10-154 ENTITLED “TERMINATION OF LICENSES UPON BANKRUPTCY” OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

*Minutes reflect Ordinance No. 2945. Number 2944 has been previously used.*

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

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Ordinance No. 2945 on First Reading.

**MOTION**

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

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

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

**MOTION APPROVED**

**ITEM NO. 7**

RESOLUTION NO. 138-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING AUTHORIZATION TO SET UP BUDGET IN THE FIRE RESCUE DONATION FUND 802 TO ACCEPT A DONATION IN THE AMOUNT OF \$4,378.55 FROM THE AMERICAN HEART ASSOCIATION; AND AUTHORIZING THE PURCHASE OF 2 AUTOMATED EXTERNAL DEFIBRILLATORS IN THE AMOUNT OF \$4,378.55 AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to approve Resolution No. 138-03.

**MOTION**

Upon a roll call by City Clerk Ward, the vote was 3 with Councilpersons Schnyer and Wade out.

**MOTION APPROVED**

**ITEM NO. 8**

RESOLUTION NO. 139-03 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 LIEN ON PROPERTY LOCATED AT 661 W. 37<sup>th</sup> STREET PARK MANOR PLAT 2 IN PB 26 126 & 127 LOT 2, BLK 32, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$750.00; 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 Wilson and seconded by Councilperson Iles to approve Resolution No. 139-03.

**MOTION**

Jose' Sosa, representing the property owners, stated that his client was in

agreement with the proposed Resolution.

Upon a roll call by City Clerk Ward, the vote was 3 with Councilperson Schnyer and Wade out.

**MOTION APPROVED**

**ITEM NO. 9**

RESOLUTION NO. 140-03 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 LIEN ON PROPERTY LOCATED AT 1556 W. 9<sup>th</sup> STREET HARMONY HEIGHTS LOT 32, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$2,200.00; 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 Iles and seconded by Councilperson Wilson to approve Resolution No. 140-03.

**MOTION**

Upon a roll call by City Clerk Ward, the vote was 3 with Councilpersons Schnyer and Wade out.

**MOTION APPROVED**

**ITEM NO. 10**

RESOLUTION NO. 141-03 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 LIEN ON PROPERTY LOCATED AT 183 SILVER BEACH ROAD PLUMOSA PARK PL OF RIV BCH IN LOTS 10 & 11, BLK 4, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$2,925.00; 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 Wilson and seconded by Councilperson Iles to approve Resolution No. 141-03.

**MOTION**

Upon a roll call by City Clerk Ward, the vote was 3 with Councilpersons Schnyer and Wade out.

**MOTION APPROVED**

**ITEM NO. 11**

**DISCUSSION REGARDING CITY OWNED PROPERTY LOCATED ON THE WEST SIDE OF CONGRESS AVENUE BETWEEN BLUE HERON BOULEVARD AND MARTIN LUTHER KING JR. BOULEVARD. ITEM DELETED**

**ITEM NO. 12**

**RESOLUTION NO. 142-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ESTABLISHING EQUIVALENT RESIDENTIAL UNIT, ERU RATE, SINGLE FAMILY UNIT TIERS, CONDOMINIUM RATE AND PROVIDING AN EFFECTIVE DATE.**

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

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Iles** to approve Resolution No. 142-03.

**MOTION**

Upon a roll call by City Clerk Ward, the vote was 3 with Councilpersons Schnyer and Wade out.

**MOTION APPROVED**

**ITEM NO. 13**

**RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ACCEPTING THE PROPOSAL AND AWARDED THE CONTRACT TO THE FLORIDA COCA-COLA BOTTLING COMPANY TO PROVIDE BEVERAGE VENDING SERVICES TO THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE. ITEM DELETED**

**BOARD APPOINTMENT:**

**NONE**

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

**NONE**

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

**Councilperson Wilson** made comments regarding property located on the corner of 26<sup>th</sup> Street and Old Dixie Highway; and the Life Liquors property. He commented on the FCAT scoring.

**Chair Pro Tem Blue** made comments regarding the property located on the corner of 26<sup>th</sup> Street and Old Dixie Highway. She requested that staff notify the residents in the area of any site plan applications.

**Councilperson Wade** made comments regarding actions of the school board.

**Councilperson Iles** asked whether a date had been set for the meeting with the Port of Palm Beach.

**City Manager Wilkins** stated that staff was trying to set a date wherein all Port Commissioners and all City Councilpersons would be present.

There was a consensus to tentatively schedule the meeting with the Port on July 11<sup>th</sup>, 3:00 p.m. until 6:00 p.m., in the Council Chambers.

**Chairperson Schnyer** made comments regarding noise control.

**Mayor Brown** made comments regarding the monetary contribution and effort put forth by the DeGeorge family of Jupiter to the Parks/Recreation Department football program. He requested that the City Manager present the family to the City Council at a future City Council Meeting.

**City Manager Wilkins** announced that Community Workshops would be held at City Hall at 9:00 a.m. on Saturday for the Federal Gardens neighborhood and that a Closed Executive Session would be held on June 30<sup>th</sup> at 4:00 to discuss negotiations with the Riviera Beach Firefighters Association.

**X. ADJOURNMENT:**

**There being no further business, the meeting was duly adjourned.**

APPROVED:

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MICHAEL D. BROWN  
MAYOR

DAVID G. SCHNYER  
CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

SYLVIA LEE BLUE  
CHAIR PRO TEM

dwilson.gif (865 bytes)



DONALD R. WILSON  
COUNCILPERSON

MOTIONED BY:  
SECONDED BY:

S. Blue  
E. Wade



D. SCHNYER:

aye

ELIZABETH "LIZ"

S. BLUE:  
D. WILSON:  
E. WADE:  
A. ILES:

aye  
aye  
aye  
aye

WADE  
COUNCILPERSON



ANN ILES  
COUNCILPERSON

DATE APPROVED:

07/02/2003