

**MINUTES  
CITY OF LAKE WORTH BEACH  
REGULAR MEETING OF THE CITY  
TUESDAY, JANUARY 7, 2020 - 6:00 PM**

**ROLL CALL:** Present were Mayor Pam Triolo; Vice Mayor Andy Amoroso; and Commissioners Scott Maxwell, Omari Hardy and Herman Robinson. Also present were City Manager Michael Bornstein, Assistant City Attorney Pamala Ryan and City Clerk Deborah Andrea.

**INVOCATION OR MOMENT OF SILENCE:** on behalf of Vice Mayor Andy Amoroso.

**PLEDGE OF ALLEGIANCE:** led by Commissioner Herman Robinson.

**AGENDA - Additions/Deletions/Reordering:**

There were no changes to the agenda.

**PRESENTATIONS:** (there is no public comment on Presentation items)

- A. Dr. Arce-Gonzalez gave a presentation about South Grade Elementary School including the history of the school, its unique strengths dual language and VPK on campus and a band program. She said that the areas for improvement were that many students did not speak English as their primary language and had a great need for help with their food pantry. She spoke about the many partnerships and grants, the student and teacher demographics and goals. She said that they had great volunteers from churches and colleges and the Rotary Club and that Jack the Bike Man came out each month and gave a bike to the child who won the Character Counts program that month. She stated that they had increased proficiency grades and parent participation.
- B. Captain Todd Baer provided an update on the community policing initiatives, which included overdose data, crime prevention liaisons, Operation "Full Court Press" to have a presence in the area of 9<sup>th</sup> Ave South, grant updates, the camera project update, anti-bullying programs and the Holiday Toy Drive. He reported that the crime prevention liaisons attended the El Bodegon annual Christmas Festival and spoke to approximately 1,000 residents. He stated that Operation Full Court Press culminated in 54 arrests, all of the tag readers and cameras were fully operational and had assisted in hundreds of arrests. He said that the overdose numbers were very similar to last year and although the numbers were coming down, they were still high. He thanked all the sponsors, mostly City businesses for the golf tournament, which had generated the most money in years and was held at the City's golf course.
- C. Cheryl Raskin, President of South Palm Park Neighborhood Association, gave an update of activities in the neighborhood. She said that the neighborhood was the oldest in the City, running from 5<sup>th</sup> Ave. S. to 18<sup>th</sup> Ave. S., and had a great park where many activities were held every year. She stated that there were a few bumps in the road this year including drug problems, smells from the streets and an increase in crime. She said that the City had stepped up to update the roads and sewers, keep the medians nice and the streetlights working. She thanked staff for the holiday lighting event this holiday.
- D. Mayor Triolo presented the Parking Award to Ricardo Espana for ethical behavior.

**COMMISSION LIAISON REPORTS AND COMMENTS:**

**Commissioner Robinson:** wished everyone a Happy New Year and said that he looked

forward to accomplishments that were doable. He thanked the City employees for making the City beautiful over the holidays.

Vice Mayor Amoroso: thanked everyone for coming to the meeting and encouraged everyone to attend the meetings. He reported that he had attended a Palm Beach County League of Cities meeting about homelessness, especially in John Prince Park; he discovered that so many children were homeless and they were working to fix the issue. He asked about Mayor Triolo's initiative about reducing the speed limit on Federal Highway.

Commissioner Hardy: announced that there would be a groundbreaking ceremony for the Mid, the new housing in District 2. He said that 68% of the renters in the City were rent-burdened and he would continue to advocate for affordable housing.

Commissioner Maxwell: extended Happy New Year wishes. He said that he had had a nice holiday and reflected on how well things were going. He stated that 2019 was a great year for Lake Worth Beach and 2020 would be even better.

Mayor Triolo: said Happy New Year and thanked the Arbor Day Committee as the City had received a Tree City Award. She thanked everyone for the ribbon cutting for housing for women veterans and everyone involved in the bike giveaway over the holidays. She stated that the TPA would have regular meetings in West Palm Beach where a lot of street work would be discussed, and Lake Worth Beach would have a seat at the table. She announced that there was a ribbon cutting for the new Dunkin Donuts, there would be a pre-K collaboration meeting and the bus to the beach was back; she thanked Vice Mayor Amoroso for helping with the bus.

#### **PUBLIC PARTICIPATION OF NON-AGENDAED ITEMS AND CONSENT AGENDA:**

The following people spoke about various issues but did not write anything on their comment cards: Ted Brownstein, Michelle Sylvester, Tammy Panza.

#### **APPROVAL OF MINUTES:**

**Action:** Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve the following minutes:

- A. Special Meeting - November 7, 2019
- B. Regular Meeting - December 3, 2019
- C. Special Meeting - December 12, 2019

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

**CONSENT AGENDA:** (public comment allowed during Public Participation of Non-Agendaed items)

**Action:** Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve the Consent Agenda.

- A. Change Order #2 to B&B Underground Construction for District 1, Year 3 Neighborhood Road Program
- B. Resolution No. 01-2020 - authorizing the Lake Worth Beach Community Redevelopment Agency to issue a non-revolving credit facility in the amount of up to \$1,500,000

- C. Ratification of appointments to various city advisory boards
- D. Utility Easements and Bill of Sale - Adopt-A-Family of the Palm Beaches, Inc.
- E. Utility Easement and Bill of Sale - Stateside Partners, LLC
- F. Utility Easement and Bill of Sale by- Neighborhood Renaissance, Inc.
- G. Work Order No. 4 with Globaltech, Inc. for Design-Build services for Radio System Upgrade Phase I
- H. Resolution No. 02-2020 - Local Agency Program Agreement 442094-1-58-01 with Florida Department of Transportation

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

**PUBLIC HEARINGS:**

- A. Quasi Judicial Ordinance No. 2019-15 - Second Reading - Changing the Zoning of Properties Located at 109 North Golfview Road, 121 North Golfview Road and 125 North Golfview Road

Assistant City Attorney Ryan read the ordinance by title only.

ORDINANCE NO. 2019-15 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, CHANGING THE ZONING OF PROPERTIES LOCATED AT 109 NORTH GOLFOVIEW ROAD, 121 NORTH GOLFOVIEW ROAD, AND 125 NORTH GOLFOVIEW ROAD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT A AND SHOWN IN EXHIBIT B FROM A CITY OF LAKE WORTH BEACH ZONING OF LOW DENSITY MULTI-FAMILY RESIDENTIAL (MF-20) TO CITY OF LAKE WORTH BEACH ZONING OF DOWNTOWN (DT); AUTHORIZING STAFF TO AMEND THE ZONING MAP; PROVIDING THAT CONFLICTING ORDINANCES ARE REPEALED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Triolo read the title of the case into the record, reading that this was the second reading of an ordinance to rezone properties located at 109, 121, and 125 North Golfview Road from Low Density Multi-Family Residential (MF-20) to a Downtown (DT) zoning designation. The request was made by property owners John Rinaldi, Thomas Greene and Robert Knight. She stated that this was the second quasi-judicial hearing on the request and asked if the Commissioners had had any *ex parte* communications, personal investigations, or campaign contributions to disclose.

Commissioner Robinson said he had no communication since the last hearing.

Vice Mayor Amoroso said he had no communication since the last hearing.

Commissioner Hardy reported that he had a conversation immediately following the last meeting with Mr. Rinaldi and Patrick McKenna.

Commissioner Maxwell said he had no communication since the last hearing.

Mayor Triolo said she had no communication since the last hearing.

Mayor Triolo stated that the first reading of the ordinance was held on December 12, 2019, at which time the commission took evidence, heard testimony and public comment. She reported that the commission voted 4-1 to pass the ordinance, which was all part of the record. She said that the commission would take additional evidence, testimony and public comment at this time, and would vote on whether to adopt the ordinance.

Mayor Triolo told all those giving testimony to stand, raise their right hands, face City Clerk Deborah Andrea, and be sworn-in. City Clerk Andrea swore in all those giving testimony and announced that those testifying should state their names and addresses for the record and who they represented, if applicable.

Mayor Triolo asked if staff had any new or updated information.

Mark Stivers, Community Sustainability Deputy Director said that he had no new information.

Mayor Triolo asked if the applicant had any new or updated information. There was no new information.

Mayor Triolo asked if the affected parties or members of the public wished to make comments.

Mayor Triolo read the comment card written by Lynn Anderson who wrote against the change.

Mary Watson said that she was worried that the change would require people to move within ten years.

Don Rosenshine stated that he and his wife had invested \$250,000 to live in a quiet neighborhood and the Commissioners approved the change even though there was no plan for the property.

Susan Guyaux said that the rezoning would change her quiet neighborhood.

Richard Stowe said that he felt really bad for his friends Susan Guyaux and Don Rosenshine.

Mayor Triolo asked if City staff had any questions for the applicant. There were no questions.

Mayor Triolo asked if the applicant had any questions for City staff.

John Rinaldi said that he was not opposed to his neighbor opening a hotel at the end of his street; he found out his neighbors' properties were designated Downtown and his property to have the same designation.

Mayor Triolo asked the Commissioners if they had any questions for City staff or the applicant.

Commissioner Robinson asked about the sale of the property.

Mr. Rinaldi replied that the problems with the sale of the property were not the zoning, rather with the bankers. He said that City staff had encouraged him to apply for rezoning.

Commissioner Hardy disclosed that he had accepted a campaign contribution from Don Rosenshine.

Commissioner Robinson said that he would not change his vote and would not like to see a change at this time. He stated that he might reconsider when the downtown became a growing area.

Mayor Triolo asked if staff or the applicant had any further comments or rebuttal evidence to present and they did not.

Mayor Triolo closed the evidentiary portion of the hearing to allow for Commission discussion reminding everyone that the Commission already voted 4-1 on first reading to pass the ordinance.

Mayor Triolo asked for a motion stating facts supporting the decision.

**Action:** Motion made by Commissioner Hardy and seconded by Vice Mayor Amoroso to approve Ordinance No. 2019-15 - changing the zoning of properties located at 109 North Golfview Road, 121 North Golfview Road, and 125 North Golfview Road.

Mayor Triolo asked if there would be a new site plan on the property and was told that a plan would have to come before the P&Z Board.

Mr. Stivers said that the last property on the north side of the street was the only property not currently zoned Downtown.

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell and Hardy. NAYS: Commissioner Robinson.

The meeting recessed at 7:24 PM and reconvened at 7:38 PM.

- B.** Appeal by Thomas V. Conboy, P.E., and Cliff Kohlmeyer of HRPB Project number 19-00100207: approval by the Historic Resources Preservation Board (HRPB) of a Certificate of Appropriateness for the Relocation or Demolition of ten structures located at 17 South M Street, 23 South M Street, 24 South L Street, 26 South L Street, 30 South L Street, and 32 South L Street

Mayor Triolo read the title of the case into the record, reading that this was an appeal by Thomas V. Conboy and Cliff Kohlmeyer of HRPB project # 19-00100207: approval by the Historic Resources Preservation Board of a Certificate of Appropriateness for the relocation or demolition of ten structures located at 17 South M Street, 23 South M Street, 24 South L Street, 26 South L Street, 30 South L Street, and 32 South L Street. She announced that the meeting was a quasi-judicial hearing to hear an appeal pursuant to section 23.2-17 of the City's Code of Ordinances. She said that the hearing would be a little different from the regular quasi-judicial process and asked Pamala Ryan, Assistant City Attorney, to explain how the hearing would proceed.

Assistant City Attorney Ryan gave an explanation of the process, pointing out that overturning the HRPB's decision would take a supermajority vote of the Commission. She explained that each side would have ten minutes to give a presentation and then the Commissioners would have the opportunity to ask questions of the applicant and of staff. She stated that the Commissioners could hear whatever the public had to say but could not consider the comments in the appeal; only the information that had been previously

presented to the HRPB could be considered. She said that the Commission would deliberate and then make a motion to uphold or overturn the denial.

Mayor Triolo asked if the Commissioners had had any *ex parte* communications, personal investigations or campaign contributions to disclose.

Commissioner Robinson stated that he attended the Downtown Jewell neighborhood meeting and the applicant attended and there was a discussion.

Vice Mayor Amoroso said that he spoke with the CRA as its liaison and during the break, someone spoke with him about the issue.

Commissioner Hardy stated that he spoke with the applicant and the CRA in the months before the appeal.

Commissioner Maxwell had no communications to report.

Mayor Triolo said that she met that afternoon with applicant Thomas M. Conboy.

Mayor Triolo told all those giving testimony to stand, raise their right hands, face City Clerk Deborah Andrea, and be sworn-in. City Clerk Andrea swore in all those giving testimony and announced that those testifying should state their names and addresses for the record and who they represented, if applicable.

Mayor Triolo told Community Sustainability staff to give their ten-minute presentation.

William Waters, Community Sustainability Director, showed a map of contributing and non-contributing properties and said that there were contributing and non-contributing properties in the area that had been torn down. He spoke about the various properties and showed the current condition of each. He explained that the CRA had to advertise a request for people to relocate the structures before having them demolished and a demolition permit would not be issued until there was a new site plan.

Mayor Triolo stated that there were two affected parties who had appealed the decision of the HRPB; each be allowed to make a ten-minute presentation. She said that all other persons would be heard during public comment.

Cliff Kohlmeyer said that his property was across the street from the non-contributing building that was not part of the project. He stated that the HRPB's approval was in violation of applicable law and inconsistent with the City's redevelopment plan. He reported that the properties were boarded up without air conditioning, subject to deterioration. He stated that the CRA sought to demolish the buildings before submitting a site plan and the removal of the properties would disrupt the quality and character in his neighborhood. He spoke about various City guidelines and options, which had not been considered by the HRPB, and said that the demolition and removal would jeopardize the district's national historic status. He requested that the Commission grant their appeal and require the CRA to resubmit plans before any demolition would be done.

Tom Conboy said that the HRPB had made an arbitrary and capricious decision. He stated that they did not follow the guidelines and presented a lengthy list of why he felt the decision of the HRPB was wrong. He said that a site plan was needed before moving forward. He stated that they were appealing the decision and urged the Commission to approve the appeal.

Commissioner Maxwell left the meeting at 8:27 PM and returned at 8:29 PM.

David Tolces, attorney at Weiss, Serota, et. al., representing the CRA, disputed Mr. Conboy's account stating that all of the points had been supported and the proof was in the record. He said that the justification statement showed that the HRPB was justified in granting the Certificate of Appropriateness as the HRPB determined that the CRA had met its burden as well as having support from City staff. He said that there was no legal requirement for the CRA to have a specific plan and that the HRPB's approval was consistent with the Community Redevelopment Plan goals. He stated that the City had been a partner in acquiring properties and working together with the CRA to increase the tax base in the area. He iterated that, with respect to the properties, there was no legal basis to overturn the decision, which was neither arbitrary nor capricious.

Mayor Triolo stated that this was the time for public comment.

Janet Serrano spoke in opposition to the appeal.

Barbara Reeve said that the cottages should not be demolished but something harmonious should be built if they were.

David Simms spoke in support of the appeal.

Mayor Triolo read Lynn Anderson's comment that she was for the appeal.

Mary Watson spoke in favor of the appeal.

Cathy Berger spoke in support for the appeal.

Sugar Bear asked the Commissioners to approve the appeal.

Jill Karlin spoke in support of the appeal.

Bob Banting recommended denial of the appeal.

Diane Carpentieri spoke in favor of the appeal.

Andrew Gottlieb spoke in favor of the appeal.

Lindy Seto spoke against the appeal.

Betty Resch spoke in support of the appeal.

Suzanne Cabrera, of the Housing Leadership Council, said that there was an opportunity to improve the area and had been helping to relocate the properties. She stated that the CRA had a plan for housing and nothing would be demolished until there was a site plan.

David Kislin urged residents to support the CRA as they had been positive for the City.

Alex Schultz said that senior housing, not any more retail space, was needed.

Paul Snitkin spoke in support of the appeal.

Tom Copeland asked the Commission to deny the appeal.

Tammy Panza said that she was neither for nor against the appeal.

Adrian Montiso spoke in favor of the appeal.

Mayor read the comments written by Sibel Kocabasi in favor of the appeal.

Richard Stowe spoke in favor of the appeal.

Ann Fairfax spoke in favor of the appeal.

Richard Samons spoke in favor of the appeal.

Joe Egly stated that residents had the same complaints when the previous commission approved townhouses along Federal Highway and it was a good time to start with the area in question.

Mayor Triolo told the Commissioners that it was the time to ask questions of staff, the applicant or the affected parties.

Questions/comments:

Commissioner Maxwell asked for clarification of what to consider, whether the laws had been adhered to and if the decision was arbitrary and capricious. He said that he would need to determine the accuracy of the testimony from the various parties and inquired if he should refer to Assistant City Attorney Ryan.

Assistant City Attorney Ryan replied that the determination was if the decision was contrary to law or was arbitrary and capricious. She suggested that he question any of the parties about their presentations if he had questions or consider the information in the backup.

Mayor Triolo asked if the Commission was to talk about the cottages or the CRA's process. She stated that the decision was not about what would be downtown or developing the property.

Assistant City Attorney Ryan answered that the focus should be on the HRPB's decision, the comments of the public could not be taken into consideration. She stated that the HRPB heard the evidence, listened to the CRA, the public and the affected parties, went through the application and approved it. She said that it should be determined whether the HRPB had followed the City's ordinances in making their decision.

Commissioner Hardy asked about the size of the property and how many dwelling units there were.

Mr. Waters replied that it was 1.6 acres including the parking lot, with about 20 dwelling units.

Commissioner Hardy said that he had to consider if the HRPB made its decision arbitrarily or capriciously. He stated that this was a legal matter and he did not believe the HRPB acted arbitrarily or capriciously and that it had followed the laws set forth.

Commissioner Robinson said that the HRPB acted in the best interest of the City within the law and not arbitrarily or capriciously. He said that the CRA should meet with residents.

Mayor Triolo expressed her love for the cottages. She said that there would be need for further discussion and did not believe the HRPB's decision was arbitrary nor capricious



and they were within the law. She stated that there was no rapid development in the City and requested that the property not be tied up in lawsuits.

Mayor Triolo asked the Commissioners to discuss the appeal amongst themselves.

Mayor Triolo asked for a motion, stating that under section 23.2-17 of the code, the Commission shall approve, approve with modifications or disapprove the application. She said that the considerations substantiating the decision should be outlined in the motion.

**Action:** Motion made by Commissioner Robinson and seconded by Vice Mayor Amoroso to deny the appeal based on the fact that the Historic Resources Preservation Board did not act capriciously or arbitrarily and was within the law for Project Number 19-00100207.

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: none.

The meeting recessed at 9:47 PM and reconvened at 10:01 PM.

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Maxwell to extend the meeting for one hour.

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell and Robinson. NAYS: None. ABSENT: Commissioner Hardy.

Commissioner Hardy returned at 10:03 PM.

### **UNFINISHED BUSINESS:**

#### **A. Snook Island follow up per Vice Mayor Amoroso**

Vice Mayor Amoroso said that this item had been tabled last October and needed to come back. He said that he had asked the County about overnight boat parking and they responded that it was not allowed. He opined that the item should come back in a work session and stated that there was no maintenance attached and a funding mechanism should be in place.

Commissioner Robinson said that the City had an underperforming asset. He asked if the City could manage the docks and directed staff to see if the policy could be changed.

Commissioner Maxwell said that he did not support this as the City had too much on its plate currently.

Commissioner Hardy said that the City had a lot on its plate but should be able to do multiple things. He stated that people should be charged to use the docks and the money received would be used for maintenance of the docks, if it were a revenue opportunity, the City should negotiate with FIND.

Vice Mayor Amoroso said that the backup contained emails between staff and FIND regarding the docks. He stated that the item needed to come back as a work session to provide direction.

Commissioner Robinson said that there could be a new policy with management to emphasize the City's waterfront.

Vice Mayor Amoroso said that staff had contacted FIND and expressed agreement that

there should be a way to police the boats that currently docked there. He reiterated that overnight docking was not allowed and a plan would be needed.

Mayor Triolo requested a workshop with a representative from FIND in attendance.

City Manager Bornstein said that there were two issues, the use of the docks with FIND's conditions and the management of the docks. He stated that staff was stretched to do everything necessary currently and could not manage the docks. He said if the City would move forward with a business plan, it would be necessary to know the cost of the operation and to get FIND to agree with the plan, and it might not be possible to find the money to do this.

Mayor Triolo asked what the regulations were to moor a boat in the intracoastal waterway. She said that it could be a start to allow dinghies to go out to the boats moored there.

City Manager Bornstein replied that the intracoastal was a public right of way and anyone could moor there with no regulations. He recommended against having dinghies because the City did not have an operational mooring field.

Commissioner Hardy asked where the prohibition against overnight parking was in the agreement; if it was not in the agreement why was it being followed and if it were an ordinance, the Commission could change it.

Juan Ruiz, Assistant City Manager, responded that the prohibition was in a City ordinance that docking could only be from sunrise to sunset because of security issues. He said that the intent was for a transient operation accessible to all County residents. He had asked if the City could charge for overnight boat docking and was told that it was not allowed.

Commissioner Hardy stated that the issue about charging should be pursued. Vice Mayor Amoroso asked if there were boats illegally docked and if the City had a mechanism to fine them.

Assistant City Manager Ruiz answered that the boats were red tagged but there was a very slow process with no ability to tow them, which would require a court appearance and attorney fees. He stated that the existing facility, which did not have electricity, security nor a pump out, could not accommodate the boaters traveling the Intracoastal. Commissioner Hardy said that when luminaries of the community make a request to the City, it should be done. He opined that the City was against this from the beginning and said that FIND should be contacted.

Commissioner Robinson requested a work session, which was agreed to by Mayor Triolo and Vice Mayor Amoroso.

Assistant City Manager Ruiz asked for direction for the context of the work session.

Mayor Triolo said that the item had been discussed for 30 minutes and would go to a work session.

### **NEW BUSINESS:**

- A. Ordinance No. 2020-01 - amending Chapter 2, Article XIX "Chronic Nuisance Property Code", Division 1 "Chronic nuisance services," by repealing ordinance 2017-12, replacing it with a new ordinance to insert provisions unintentionally removed from Ordinance 2017-12 and providing for additional nuisance activities and setting the second reading and

public hearing for January 21, 2020

Assistant City Attorney Ryan read the ordinance by title only.

ORDINANCE NO. 2020-01 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REPEALING ORDINANCE 2017-12 WHICH AMENDED DIVISION 1 "CHRONIC NUISANCE SERVICES" OF CHAPTER 2 "ADMINISTRATION", ARTICLE XIX "CHRONIC NUISANCE PROPERTY CODE", TO PROVIDE FOR ADDITIONAL VIOLATIONS RELATING TO OVERDOSING AND CODE ENFORCEMENT, POSTING NOTICES, ENTERING INTO AGREEMENTS WITH PROPERTY OWNERS, AND ADDITIONAL PENALTIES AND REPLACING IT WITH A NEW ORDINANCE TO INSERT PROVISIONS UNINTENTIONALLY REMOVED FROM ORDINANCE 2017-12 AND PROVIDING FOR ADDITIONAL NUISANCE ACTIVITY; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

**Action:** Motion made by Commissioner Maxwell and seconded by Vice Mayor Amoroso to approve Ordinance 2020-01 on first reading and set the second reading and public hearing for January 21, 2020.

Comments/requests summary:

Commissioner Hardy said that there had been litigation regarding chronic nuisance ordinances regarding people's rights. He stated that unscrupulous owners should be punished for not keeping up their properties, but tenants were not retaliated against for the property owners being cited.

Assistant City Attorney Ryan explained that the ordinance was already on the books. She stated that there had been a business with an overdosing problem, but after receiving a letter from the City, the owner installed security and ended the problem. She said that she would investigate if there were any litigation in Florida about chronic nuisance before the second hearing.

Mayor Triolo announced that this was the time for public comment. No one from the public commented.

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.

**CITY ATTORNEY'S REPORT:**

Assistant City Attorney Ryan did not provide a report.

**CITY MANAGER'S REPORT:**

City Manager Bornstein did not provide a report.

**ADJOURNMENT:**

**Action:** Motion made by Vice Mayor Amoroso and seconded by Commissioner Hardy to adjourn the meeting at 10:36 PM.

**Vote:** Voice vote showed: AYES: Mayor Triolo, Vice Mayor Amoroso and Commissioners Maxwell, Hardy and Robinson. NAYS: None.