

CITY COMMISSION MEETING

MINUTES

SEPTEMBER 13, 2016

6:00 P.M.

CALL TO ORDER

Mayor Schechner called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Deborah Schechner, Mayor
Rick Falkenstein, Vice Mayor
Terri Finnerty, Commissioner
Ward Friszolowski, Commissioner
Melinda Pletcher, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk
Jennifer Bryla, Community Development Director
Elaine Edmunds, Administrative Services Director
Jim Kilpatrick, Fire Chief

1. Presentations

There were no presentations.

2. Changes to the Agenda

City Manager Saunders requested that Item 6(b) be continued to September 20, 2016.

3. Audience Comments

There were no audience comments.

4. Consent

- a. Approval of minutes from the following City Commission meetings: August 9, 2016; August 23, 2016; and August 29, 2016.
- b. Authorization for the City Manager to enter into an agreement with Public Risk Management of Florida for renewal of the City insurance policies covering the period from 10/01/2016 to 09/30/2017 in the amount of \$553,319.00.

City Manager Saunders reviewed the Consent items and recommended approval as presented.

Commissioner Finnerty requested the minutes be amended as follows: "Mastery's" to "Mastry's" Brewery.

Commissioner Pletcher moved to approve Consent Items 4(a) and (b) as amended. The motion was seconded by Commissioner Friszolowski.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

5. Action Items

- a. Approval to Initiate Professional Malpractice Lawsuit against the Law Firm of Bryant, Miller and Olive.

City Attorney Andrew Dickman reviewed the history of the action and reported that he is seeking authorization to proceed with the malpractice lawsuit as requested by the City Commission.

Vice Mayor Falkenstein moved to approve Item 5(a), to authorize special counsel to the City of St. Pete Beach, James Rolfes, to initiate litigation against the law firm of Bryant, Miller and Olive for professional malpractice; including attorneys from the firm that were acting as city attorneys. The motion was seconded by Commissioner Finnerty.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

- b. Initiate Foreclosure Law Suit against property located at 3941 Moody Street.

Mr. Dickman reported that an administrative lien was recorded on the property, and a demand letter and Complaint to Foreclose was served and sent by certified mail in regard to the violations at the stated property. No response has been received from the property owners.

Commissioner Finnerty moved to approve Item 5(b), to authorize the city attorney to initiate litigation against Stephen K. Wheaton and Deborah Wheaton for code violations and liens associated with the property located at 3941 Moody Street, St. Pete Beach, Florida, 33706. The motion was seconded by Commissioner Pletcher.

Mayor Schechner called for audience comments.

Joanne Melodayo, Belle Vista Drive, commented on placing the lien on additional property the parties may own.

Name inaudible, Gulf Boulevard, spoke in support of taking action against the property owners.

Hearing no further audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

6. Ordinances

- a. Ordinance 2016-14, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida providing for a supplemental appropriation to the General Fund for the fiscal year ending September 30, 2016; providing for funding; providing for an effective date.

Mr. Saunders explained that the proposed ordinance accounts for the unanticipated revenues and expenditures that occur throughout the budget year.

Commissioner Friszolowski moved to approve Item 6(a), Ordinance 2016-14, upon final reading, an ordinance of the City of St. Pete Beach, Florida providing for a supplemental appropriation to the General Fund for Fiscal Year ending September 30, 2016; providing for funding; providing for an effective date. The motion was seconded by Commissioner Finnerty.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

- b. Ordinance 2016-15, First Reading and Public Hearing amending the Land Development Code regarding accessory structures for commercial uses. (Beach Concession Huts)

Commissioner Pletcher moved to continue Item 6(b), Ordinance 2016-15, to date certain of September 20, 2016. The motion was seconded by Vice Mayor Falkenstein.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

- c. Ordinance 2016-08, First Reading and Public Hearing amending the Land Development Code regarding accessory structures for commercial uses. (Portable Toilets).

City Manager reported the proposed ordinance is an amendment to the Land Development Code that speaks to accessory structures.

Commissioner Finnerty moved to approve Item 6(c), Ordinance 2016-08, upon first reading, an ordinance of the City Commission of the City of St. Pete Beach, Florida, amending Section 2.1 of the City of St. Pete Beach Land Development Code providing for a definition of portable toilets; amending Section 6.12 and Section 6.13 providing for regulation of portable toilets as accessory structures for commercial and residential uses; providing for severability; providing for the repeal of all ordinances in conflict herewith; and providing for an effective date. The motion was seconded by Commissioner Friszolowski.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

- d. Ordinance 2016-13, First Reading and Public Hearing amending Chapter 82 of the Code of Ordinances regarding traffic and vehicles.

Jennifer Bryla, Community Development Director, reported that the proposed ordinance includes a provision for temporary parking permits, clarifies parking in the Lido neighborhood and eliminates the ability to request conditional use approval for commercial parking lots in institutional districts.

Commissioner Friszolowski requested clarification on page 63, first item in regard to Maritana Drive and on page 81, fourth item in regard to Casablanca Avenue at Cabrillo Avenue.

Commissioner Finnerty moved to approve Item 6(d), Ordinance 2016-13, upon first reading, an ordinance of the City Commission of the City of St. Pete Beach, Florida, amending Chapter 82, Traffic and Vehicles, of the City of St. Pete Beach Code of Ordinances, by amending Section 82.137 of

Division 3 of Article III related to prohibited parking; amending Section 82-202 removing the provision for non-resident parking passes; and amending Section 82-245, providing for "C" temporary hang tags; amending the Land Development Code Section 17.3 "Allowable Conditional Uses" removing (g) "Parking Lots, Commercial and/or Off-Premise;" providing for amendment of the City parking maps; correcting Scrivener's errors; providing for severability; providing for the repeal of all ordinances in conflict herewith; and providing for an effective date. The motion was seconded by Vice Mayor Falkenstein.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

- e. Ordinance 2016-20, First Reading and Public Hearing repealing Ordinance 1988-36 of the Code of Ordinances.

Mr. Dickman reported that Ordinance 1988-36 is now superseded by Chapters 163 and 166 of the Florida Statutes in regard to comprehensive planning and minimum requirements for public hearings and public notices.

Commissioner Finnerty moved to approve Item 6(e), Ordinance 2016-20, upon first reading, an ordinance of the City of St. Pete Beach, Pinellas County, Florida, providing for the repeal of Ordinance 1988-36 and Section 118-28 of the City's Code of Ordinances; providing for severability; and providing for an effective date. The motion was seconded by Commissioner Pletcher.

Hearing no audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

7. Resolutions

- a. Resolution No. 2016-13 approving the form of Economic Development Transportation Project Fund Agreement; authorizing the execution and delivery of the funding agreement by the City Manager; providing ownership, operation, and maintenance for the upcoming Blind Pass Road Redesign project.

Mr. Saunders explained that the proposed resolution approves an agreement between the City of St. Pete Beach and the Florida Department of Transportation in regard to a \$1 million appropriation for Blind Pass Road Reconstruction Project.

Commissioner Pletcher moved to approve Item 7(a), Resolution 2016-13, a resolution of the City Commission of the City of St. Pete Beach, Florida,

approving the form of Economic Development Transportation Project Fund Agreement (“Funding Agreement”); authorizing the execution and delivery of the Funding Agreement by the City Manager providing for ownership, operation and maintenance of certain project improvements; approving certain actions in furtherance of the fund agreement; and providing an effective date. The motion was seconded by Commissioner Finnerty.

Hearing no further audience comments, Mayor Schechner called for the vote.

The motion was unanimously approved by an individual roll call vote.

8. Items for Discussion

a. Architectural Standards

Ms. Bryla explained the concept of architectural standards for commercial buildings and property.

9. Audience Comments 2

Sebastian Font, Operator of Pass-A-Grille Island Ferry, commented on water quality and wastewater improvements.

Unidentified speaker commented on water quality.

10. City Clerk, City Manager, City Attorney and City Commission Reports

City Clerk Haynes had no items to report.

City Manager Saunders reported on the following items:

- The next City Commission meeting is September 20, 2016 at 6:00 p.m.
- Pump trucks along Gulf Boulevard are transporting waste materials from the trunk lines as part of the I&I Study and cleaning the lines

City Attorney Dickman reported on the following items:

- An appeal to a variance has been filed in circuit court
- Clarified information reported in the Beach Beacon

Vice Mayor Falkenstein reported on the following items:

- Report from Tampa Bay Watch
- Woody's Restaurant parking lot
- Channel 10 report on St. Pete Beach resident who collects baseballs
- October Concert Series begins Friday, October 7, 2016
- Sign up for SPB Connect

Commissioner Friszolowski reported on the following items:

- Attended a first responder ceremony at the American Legion facility
- Stormwater and Sewer Workshop

Commissioner Finnerty reported on the following items:

- American Legion sponsored a first responder dedication ceremony
- Lighting along Corey Avenue
- Attended a Mayors' Council meeting where PSTA services were discussed

Commissioner Pletcher reported on the following items:

- Reclaimed water line break
- Chowder Challenge will be held November 13th from 1:00 p.m. to 5:00 p.m.
- Water quality report provided at www.floridahealth.gov

Mayor Schechner reported on the following items:

- Reminder to lock doors at home and on vehicles
- Community Yard Sale will be held Saturday, September 17th at the Community Center from 8:00 a.m. to 12:00 p.m.
- Turtle season lighting information is available by calling 727-744-6524
- Senior Excursion to Hard Rock Casino through the Recreation Center on September 25, 2016

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:15 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Deborah Schechner, Mayor

Minutes approved on: 10/11/2016