CITY COMMISSION MEETING

MINUTES

MAY 23, 2017

6:00 P.M.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Al Johnson, Mayor
Ward Friszolowski, Vice Mayor
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Melinda Pletcher, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Director
Jim Kilpatrick, Fire Chief
Jennifer McMahon, Recreation Director
Vince Tenaglia, Administrative Services Director
Ian Wade, City Engineer
Mary Jo Murphy, Deputy City Clerk

1. Presentations

a. Presentation of the new Medic 22

Mr. Kilpatrick, Fire Chief, highlighted items in regard to the new Medic 22 vehicle.

b. Proclamation – National Safe Boating Week

Mayor Johnson read the proclamation and invited members of the Coast Guard Auxiliary to speak.

2. Changes to the Agenda

There were no changes to the agenda.

3. Audience Comments

There were no audience comments.

4. Consent

a. Approval of minutes from the following City Commission meetings: March 28, 2017, regular meeting; April 6, 2017, Budget Workshop; and April 11, 2017, regular meeting.

b. Authorization to approve special event application, wet zone and street closure for a private block party scheduled for Saturday, May 27, 2017. Closures will be 20th Avenue between the two alley ways from 5 p.m. - 10 p.m.

c. Authorization to approve special event application for the Surfers for Autism event to be held in Pass-A-Grille on July 8, 2017. The event will require street closures on 9th Avenue and 10th Avenue between Gulf Way and Pass-A-Grille Way, and Gulf Way from 11th Avenue to 8th Avenue.

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

Mayor Johnson asked for audience comments. Hearing no audience comments, Mayor Johnson asked for City Commission discussion. Hearing none, Mayor Johnson asked for a motion.

Vice Mayor Friszolowski moved to approve Consent Items 4(a), (b), (c), as presented. The motion was seconded by Commissioner Pletcher.

Hearing no discussion, Mayor Johnson called for the vote.

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

5. Action Items

a. Authorization for the City Manager to purchase a 2017 GMC Savana 12 passenger van from Gainesville Buick GMC in the amount of $25,331.00 that will be assigned to the Recreation Department.

City Manager Saunders explained the new van would replace a 1999 van that is used by the Recreation Department and recommended approval.

Mayor Johnson asked for audience comments. There were no audience comments.

Commissioner Finnerty moved to approve Item 5(a), to authorize the City Manager to purchase a 2017 GMC Savana 12 passenger van from Gainesville Buick GMC in the amount of $25,331.00 that will be assigned to the Recreation Department. The motion was seconded by Commissioner Falkenstein.

Hearing no discussion, Mayor Johnson called for the vote.

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

b. Authorize the City Manager to enter into a Purchasing Agreement with Four Seasons Mowing & More, LLC in the amount of $48,858.68 for Landscaping Maintenance of District 3.

Mr. Saunders requested approval of the contract for mowing and landscaping and explained that the current contracts were expiring.

Mayor Johnson asked for audience comments. There were no audience comments.

Mr. Ian Wade, City Engineer, spoke about District 1 and District 2 being handled in-house, and if approved, District 3 and District 4 will be one-year contracts with the ability to renew.

Mayor Johnson asked for a motion.

Vice Mayor Friszolowski moved to approve Item 5(b), to authorize the City Manager to enter into a purchasing agreement with Four Seasons Mowing & More in the amount of $48,858.68 for Landscaping Maintenance of District 3. The motion was seconded by Commissioner Finnerty.

Hearing no further discussion, Mayor Johnson called for the vote.

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

c. Authorize the City Manager to enter into a Purchasing Agreement with Luke's Landscaping, Inc. in the amount of $60,996.00 for Landscaping Maintenance of District 4.

Mayor Johnson asked for audience comments. There were no audience comments.

Ian Wade explained the hourly rates included in the bids and the scope of work for the landscaping maintenance of District 4.

Hearing no further discussion, Mayor Johnson asked for a motion.

Commissioner Pletcher moved to approve Item 5(c), to authorize the City Manager to enter into a Purchasing Agreement with Luke's Landscaping, Inc. in the amount of $60,996.00 for Landscaping Maintenance of District 4. The motion was seconded by Commissioner Falkenstein.

Hearing no further discussion, Mayor Johnson asked for a roll call vote.

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

d. Authorize the City Manager to approve Change Order Nos. 19, 20, and 21 to the purchase agreement with Nelson Construction for the Pass-A-Grille Way Reconstruction Project for $20,769.39, $15,148.99, and $34,031.23, respectively.

City Manager Saunders asked for approval of the three change orders and informed the City Commission that Nos. 19 & 20 are associated with the county water portion of the project and will be covered by the county, and a portion of No. 21 the City will be seeking a credit from the design engineer.

Mayor Johnson asked for audience comments. There were no audience comments.

Hearing no further discussion, Mayor Johnson asked for a motion.

Commissioner Pletcher moved to approve Item 5(d), to authorize the City Manager to approve Change Order Nos. 19, 20, and 21 to the purchase agreement with Nelson Construction for the Pass-A-Grille Way Reconstruction Project for $20,769.39, $15,148.99, and $34,031.23, respectively. The motion was seconded by Commissioner Finnerty.

Hearing no further discussion, Mayor Johnson asked for a roll call vote.

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

e. Authorize the City Manager to execute Change Order No. 9 to the existing contract with USA Voltage, LLC in the amount of $47,530 to provide underground utility service connections for the Pass-a-Grille Way North Reconstruction project.

City Manager Saunders reported that this is a change order in regard to switching the overhead to the underground, and all utilities have been converted to the underground.

Mayor Johnson asked for audience comments. There were no audience comments.

Vice Mayor Friszolowski inquired about removing a pole by the Don Vista. City Manager Saunders responded that the single pole by the canister will be removed.

Hearing no further discussion, Mayor Johnson asked for a motion.

> **Commissioner Finnerty moved to approve Item 5(e), to authorize the City Manager to execute Change Order No. 9 to the existing contract with USA Voltage, LLC in the amount of $47,530 to provide underground utility service connections for the Pass-a-Grille Way North Reconstruction project. The motion was seconded by Commissioner Falkenstein.**

Hearing no discussion, Mayor Johnson called for the vote.

> **The motion was unanimously passed by an individual roll call vote.**

f. Authorize the City Manager enter into a Purchasing Agreement with Pavement Technology, Inc. for $25,142.40 to piggyback an existing agreement with the City of Punta Gorda for Asphalt Rejuvenation.

Mr. Saunders spoke about the rejuvenation project and explained that the technique had been proven in other municipalities to extend the life of roads and asphalt within cities.

Mayor Johnson asked for audience comments. There were no audience comments.

Hearing no further discussion, Mayor Johnson asked for a motion.

> **Commissioner Finnerty moved to approve Item 5(f), to authorize the City Manager enter into a Purchasing Agreement with Pavement Technology, Inc. for $25,142.40 to piggyback an existing agreement with the City of Punta Gorda for asphalt rejuvenation. The motion was seconded by Commissioner Falkenstein.**

Mayor Johnson asked for a roll call vote.

> **The motion was unanimously passed by an individual roll call vote.**

g. Authorization for the City Attorney to initiate foreclosure proceedings against the property owner, et al., of 627 78th Avenue, St. Pete Beach, FL 33706.

City Attorney Dickman requested authorization from the City Commission to take legal action against James Birmingham as well as the property located at 627 78th Avenue.

Mayor Johnson asked for audience comments.

<u>Susan Perodeau, 618 78th Avenue</u>, spoke in favor of the foreclosure proceedings.

<u>Karen Hale, 7711 Coquina Way</u>, spoke in favor of the foreclosure proceedings.

Attorney Dickman explained the legal actions involved with the subject property.

> **Commissioner Pletcher moved to approve Item 5(g), authorize the City Attorney to initiate litigation against James Birmingham, et al., for code violations and liens associated with the property located at 627 78th Avenue, St. Pete Beach, FL 33706. The motion was seconded by Commissioner Finnerty.**

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

> **The motion was unanimously passed by an individual roll call vote.**

6. Ordinances

a. Ordinance 2017-06, First Reading and Public Hearing, amending Chapter 6 – Alcoholic Beverages, Section 6-2 – Hours of Sale and Operation of the City of St. Pete Beach Code of Ordinances.

Mr. Saunders stated that Ordinance 2017-06 will amend Chapter 6 regarding alcoholic beverages and the hours of sale in regard to Sundays. If approved, the hours will be 8:00 a.m. to 3:00 a.m., and it will be consistent with the County.

> **Vice Mayor Friszolowski moved to approve Item 6(a), Ordinance 2017-06, an ordinance of the City of St. Pete Beach, Florida, amending Chapter 6, Alcoholic Beverages, Article 1, in general, of the City of the St. Pete Beach Code of Ordinances by amending Section 6-2, Hours of Sale and Operation, providing for hours of sale of alcoholic beverages, providing for conflicts, severability, construction, publication and an effective date. The motion was seconded by Commissioner Finnerty.**

Mayor Johnson called for the vote.

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

b. Ordinance No 2017-07 – First Reading and Public Hearing amending the City of St. Pete Beach Land Development Code.

Ms. Bryla explained the six-page matrix of proposed language and justifications included in the agenda packet and answered any questions posed in regard to the proposed ordinance.

Vice Mayor Friszolowski voiced a concern in regard to Sec. 46.7(c) and (d) and asked Ms. Bryla to research the aforementioned section.

Mayor Johnson asked for audience comments.

Karen Marriott, 421 79th Avenue, spoke in support of the non-motorized water sports and complimented City Staff.

Mayor Johnson asked for a motion.

Vice Mayor Friszolowski moved to approve Item 6(b), Ordinance 2017-07, an ordinance of the City Commission of the City of St Pete Beach, Florida, amending the City of St Pete Beach Land Development Code to adopt regulatory measures designed to be consistent with and implement the Comprehensive Plan and to correct Scrivener's Errors; by amending Section 2.1 of Division 2, Definitions, providing for a definition of "demolition" that is compliant with Division 28, Historic Preservation; amending Division 3.4(b).3 of Division 3, Administration, providing for consistency with other sections of the code; amending Section 4.7 of Division 4, Conditional Use Permits, to add final actions by the City Commission shall be by resolution; amending Division 6 – Supplemental Regulations, Section 6.13 to provide greater clarity; amending Section 6.14 to allow encroachment of ancillary residential equipment, Section 6.15, fences and walls to provide greater clarity; amending Section 14.6 of Division 14 to remove the maximum transient lodging room size; amending Section 28.2 of Division 28 to remove inconsistent definition of demolition; amending Section 38.4 of Division 38 to allow non-motorized water sports as a conditional use; amending Section 42.4 of Division 42 to allow non-motorized water sports as a conditional use; amending Division 46, Section 46.6(b) and Section 46.7(c) and (d) to correct Scrivener's Errors; providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Commissioner Falkenstein.

Hearing no further comments, Mayor Johnson called for a roll call vote.

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

7. Resolutions

No items were submitted.

8. Items for Discussion

Commissioner Falkenstein commented about the City Manager's contract expiring in November 2017 and suggested listing a contract extension as an agenda item on a future agenda.

9. Audience Comments 2

There were no audience comments.

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

Deputy City Clerk Murphy reported on the following item:

- Statement of Financial Interests due by July 1, 2017

City Manager Saunders reported on the following item:

- Schedule a workshop on June 13 at 4:00 p.m. regarding food trucks and Land Development Code items.

City Attorney Dickman did not offer a report.

Commissioner Finnerty reported on the following items:

- Thanked City Attorney Dickman for pursuing the foreclosure proceedings
- Complimented the landscaping on Blind Pass Road
- Boca Ciega Drive and 87th Avenue: vehicular accidents
- American Legion Post 305: Memorial Day service at 11:00 a.m. honoring three World War II Veterans

Commissioner Pletcher reported on the following items:

- Pass-A-Grille Island Association: public dinner, 6:00 p.m., May 24, 2017, Warren Webster
- Wished everyone a wonderful Memorial Day weekend
- Thanked Jennifer Bryla and City Staff for the work produced on the Land Development Code and the foreclosure proceeding

Vice Mayor Friszolowski reported on the following items:

- Pinellas County Beach Access Park, county gulf front park across from Dolphin Village: well utilized park; issues occurring with the concessionaire of umbrellas, cabanas and the number of people and amount of space; Pinellas County will be putting out a new RFP; presently there are limited restrictions on the vendor.

Commissioner Falkenstein reported on the following items:

- 2016: two turtle nests; 2017: eight turtle nests
- Turtles: ordinance in regard to residential lighting; notify homeowner
- Change alarm codes regularly and register alarm with the County, free registration
- Recreation Department: summer program beginning
- Building Permit: permits online
- Gulf Way: inquired about the schedule of painting the wall and volunteered to help paint
- Buoys on public beaches: replacements, concrete weights, barge
- May 25, 2017: Pinellas County schools close at 1:35 p.m.

- Boats, swimming: safe summer

Mayor Johnson reported on the following items:

- Attended Legislative meeting: two State senators and two representatives were present, should receive state money
- Thanked Jennifer Bryla and her staff for the work produced on the Land Development Code
- Mayor Johnson holding office hours at the library: second and fourth Mondays of the month
- PSTA: attended PSTA workshop, met with CEO
- Robofest: June 2, 2017 and June 3, 2017, volunteer

Commissioner Finnerty commented positively on the new signs in the Commission Chambers.

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:57 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Al Johnson, Mayor

Minutes approved on: 6/27/2017