

# **CITY COMMISSION MEETING**

## **MINUTES**

**AUGUST 8, 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  
Rebecca C. Haynes, City Clerk  
Jennifer Bryla, Community Development Director  
Mike Clarke, Public Works Director  
Jennifer McMahon, Recreation Director  
Vince Tenaglia, Administrative Services Director

#### **1. Presentations**

There were no presentations.

#### **2. Changes to the Agenda**

City Manager Saunders commented that a notice mailed to residents, in regard to a conditional use permit request for water sports equipment rental, was incorrectly dated and will be heard at the August 22, 2017 Commission meeting.

#### **3. Audience Comments**

Sebastian Font, operator of Island Ferry, commented in favor of the purchase of a fire boat and requested clarification of ownership of the dock.

**4. Consent**

- a. Approval of minutes from City Commission Meeting June 27, 2017
- b. Authorization to hang banners over 75<sup>th</sup> Avenue at Boca Ciega Drive for the October Concert Series held each Friday in October 2017.

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

**Vice Mayor Friszolowski moved to approve Consent Items 4(a) and 4(b) as presented. The motion was seconded by Commissioner Falkenstein.**

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

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

**5. Action Items**

- a. Approve Change Order No. 25 to the purchase agreement with Nelson Construction for the Pass-a-Grille Way Reconstruction Project in the amount of \$84,480.44.

City Manager Saunders noted the existing cracked pipes collapsed during replacement, causing an overflow which necessitated the emergency rental of by-pass equipment.

Hearing no further Commission comments or audience comments, Mayor Johnson called for a motion and the vote.

**Commissioner Pletcher moved to approve Item 5(a), to approve Change Order No. 25 to the purchase agreement with Nelson Construction for the Pass-a-Grille Way Reconstruction Project in the amount of \$84,480.44. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.**

- b. Approve Change Order No. 2 to the purchase agreement with Hinterland Group, Inc. for the Lift Station No. 16 Rehabilitation Project in the amount of \$120,010.00.

City Manager Saunders explained that the change order is necessary due to the unanticipated deterioration of the fiberglass tank lining.

Mayor Johnson called for audience comments.

John Michael, Bay Street, commented on public awareness in regard to the analysis used when awarding projects to contractors.

Hearing no further Commissioner comments or audience comments, Mayor Johnson called for a motion and the vote.

**Vice Mayor Friszolowski moved to approve Item 5(b), to approve Change Order No. 2 to the purchase agreement with Hinterland Group, Inc. for the Lift Station No. 16 Rehabilitation Project in the amount of \$120,010.00. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.**

## **6. Ordinances**

- a. Ordinance No 2017-15, Final Reading and Public Hearing of an Ordinance of the City of St. Pete Beach, Florida for a temporary moratorium on the submittal and processing of applications, and issuance of any permit for location of any wireless communication facility, tower or antenna.

Andrew Dickman, City Attorney, noted the moratorium will provide staff sufficient time to draft the procedure, the application form, and any permissible restrictions in accordance with the recently adopted state law.

Hearing no further Commission comments or audience comments, Mayor Johnson called for a motion and the vote.

**Commissioner Finnerty moved to approve Item 6(a), Ordinance No. 2017-15, upon final reading, an ordinance of the City of St. Pete Beach, Florida, establishing a temporary moratorium on the submittal and processing of any application and issuance of any permit for location of any wireless communication facilities, towers or antennas in the City's right-of-way for a period of one hundred twenty (120) days; providing for legislative findings, intent and purpose; providing for conflicts, severability, construction and publication; providing for an effective date. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.**

- b. Ordinance No. 2016-09, First Reading and Public Hearing, an Ordinance amending Chapter 6, Alcoholic Beverages, of the City of St. Pete Beach Code of Ordinances, allowing for the consumption of alcohol on the sand beach in conjunction with a transient lodging facility.

Jennifer Bryla, Community Development Director, reported that the proposed ordinance will provide for the consumption of alcoholic beverages on the sand beach in conjunction with a transient lodging facility.

The Commission discussed community reputation; cabana area boundaries; registered hotel guests and cabana-only guests; issuance, renewal and revocation of permits; penalties; private land and public land; cart service; and adherence to potential changes to the conditions.

Mayor Johnson called for audience comments.

John Michael, Bay Street, spoke in opposition to the proposed ordinance.

David Westmark, Blue Turtle Society, spoke in favor of requiring biodegradable straws, cups, lids, etc.

Keith Overton, President of TradeWinds Resort, spoke in support of the ordinance and requested consideration to allow service via an electric mobile cart in addition to service on foot. Mr. Overton noted that the carts will allow faster service and will be equipped with a trash receptacle.

Bill Pyle, President of Silver Sands Condominium Master Association, spoke in opposition to the proposed ordinance.

Robert Czystczon, Owner of Plaza Beach Resort, spoke in support of the proposed ordinance noting the hotels provide for clean-up services on the beach.

City Attorney Dickman amended the language as follows:

Section 3(d) (4) (g): Delete "on foot"

Section 3(d) 4) (j): Delete "...mobile distribution of alcohol is strictly prohibited"

Add "Section 3(d) (4) (l): Cabana service area permits shall be issued on an annual basis and subject to all ordinance amendments at the time of renewal."

Hearing no further Commission comments or audience comments, Mayor Johnson called for a motion and the vote.

**Commissioner Finnerty moved to approve Item 6(b), Ordinance No. 2016-09, upon first reading, an ordinance of the City Commission of the City of St. Pete Beach, Florida, amending Division 2, Section 2.1 – Words, Terms and Phrases Defined, of the St. Pete Beach Land Development Code; amending Chapter 6, Alcoholic Beverages, Article 1, in general, of the City of St. Pete Beach Code of Ordinances by amending Section 6.5, Public Consumption or Possession, relating to restriction and permitting of public alcohol consumption on sand beach areas; providing for publication in accordance with the requirements of law; and providing for an effective date, with the amendments as stated by the City Attorney. The motion was**

**seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.**

- c. Ordinance No. 2017-14, First Reading and Public Hearing, relating to the re-platting of real property

Ms. Bryla explained that the applicant is aggregating portions of lots 11 and 12, and combining lots 13, 14, 15 and 16 located at 7200 and 7210 Gulf Boulevard, which will create one lot for commercial-use purposes.

Hearing no further Commission comments or any audience comments, Mayor Johnson called for a motion and the vote.

**Commissioner Pletcher moved to approve Item 6(c), Ordinance 2017-14, upon first reading, an ordinance of the City of St. Pete Beach, Florida, providing for a re-plat of a portion of Lots 11 and 12, and Lots 13, 14, 15 and 16 of a re-plat of St. Petersburg Beach, according to the plat thereof, as recorded in Plat Book 5, pages 28 and 29, of the public records of Pinellas County, Florida, lying in Section 36, Township 31 South, Range 15 east, City of St. Petersburg Beach, Pinellas County, Florida, more fully detailed in the attached survey, providing for conflicts, severability, construction, publication and an effective date. The motion was seconded by Vice Mayor Friszolowski and unanimously approved by an individual roll call vote.**

## **7. Resolutions**

There were no resolutions presented.

## **8. Items for Discussion**

- a. Pass-A-Grille Freedom Fountain Request

Mayor Johnson discussed the Freedom Fountain project as proposed by Mr. Harry Metz and Mr. Brooks Cavender in regard to the location, dimensions, costs, etc.

It was the consensus of the Commission to request the Recreation Advisory Board and the Historic Preservation Board review the project and provide input, and return to the City Commission with more detailed information.

- b. Plastic Bags Prohibition

Commissioner Falkenstein presented information in regard to the increased use of plastic and Styrofoam materials.

## **9. Audience Comments - 2**

John Michael, Bay Street, spoke against allowing drinking of alcoholic beverages on the sand beach.

Robert Czyszczon, Plaza Beach Resort, spoke in support of limiting the use of plastic bags and in support of allowing LED signs where "letter signs" currently exist.

Unidentified speaker discussed astrological events.

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

City Clerk Haynes reported on the following item:

- Current meeting schedule for advisory boards and the December commission meeting schedule

City Manager Saunders reported on the following items:

- FOG ordinance
- Intersection at Pass-a-Grille Way and 21<sup>st</sup> Avenue has been temporarily changed to a four-way stop
- Intersections on Corey Avenue at Boca Ciega Drive and at Blind Pass Road will undergo a trial period of using four-way traffic signal stops

City Attorney Dickman did not have a report.

Commissioner Finnerty reported on the following item:

- Florida League of Cities conference in Orlando

Commissioner Falkenstein reported on the following items:

- School begins on Thursday, August 10, 2017
- Update on Pump Station No. 2
- Update on Upham Beach rock jetty

Vice Mayor Friszolowski reported on the following items:

- Update on speeding boats
- Update on proposed hoarding ordinance

Commissioner Pletcher reported on the following items:

- Pass-a-Grille Way Reconstruction Project, speeding vehicles and study in regard to the four-way stop at 21<sup>st</sup> Avenue

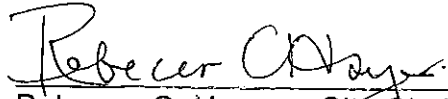
Mayor Johnson reported on the following items:

- Big C Meeting held on July 26, 2017
- Mayors' Council Meeting held on August 2, 2017
- LED sign ordinance
- Vehicle towing from Dolphin Village
- Unsightly dumpster location crossing over Corey Avenue bridge

**11. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 9:05 p.m.

Attest:

  
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Rebecca C. Haynes, City Clerk

  
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Alan Johnson, Mayor

Minutes approved on: 9/19/2017