CITY COMMISSION MEETING

MINUTES

NOVEMBER 28, 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
Mike Clarke, Public Works Director
Vince Tenaglia, Administrative Services Director
Jennifer McMahon, Recreation Director

1. Presentations

There were no presentations.

2. Changes to the Agenda

There were no changes to the agenda.

3. Audience Comments

Don Ardell, no address provided, commented on issues of concern to him and his beliefs on how to unite America.

Terry Assenheimer, Pass-a-Grille Way, spoke against the installation of a lift station in front of his residence.

Joy Assenheimer, Pass-a-Grille Way, spoke against the installation of a lift station in front of her residence.

Max Assenheimer, Pass-a-Grille Way, commented against the installation of a lift station in front of his residence and possible location on the Intracoastal side.

4. Consent

a. Authorization to approve special event application for Don Cesar Hotel's Don Delights event for December 21, 2017

b. Authorization to approve the application for street closures for four craft shows and to hang banners over 75th Avenue at Boca Ciega Drive for the following Corey Area Business Association 2017 events: Corey Art & Craft Show January 20-21, 2018; Corey Art & Craft Show March 24-25, 2018; Corey Art and Craft Show June 2-3, 2018; and Corey Art and Craft Show December 1-2, 2018

c. Request approval of the proposal under the Continuing Engineering Services Contract with GGI LLC, in the amount of $19,900.00 for the design and contract documents of Stormwater Improvements at 44th Avenue and Moody Street

d. Request approval to enter into an Interlocal Agreement providing for the operation and maintenance of a Water Quality Monitoring Program and Biological Monitoring Program.

e. Approval of the Employee Health Insurance Enrollment renewal with Florida Blue for 2018.

f. Approval of Guardian renewal proposal to provide Employee Dental Insurance for 2018.

g. Approval of Sun Life Financial renewal proposal to provide Employee Life and AD&D Insurance for 2018.

h. Authorize sending a letter to Florida Blue acknowledging the commission level being paid to our agent of record – Sun Risk Management, Inc.

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

Vice Mayor Friszolowski moved to approve Consent Items 4(a), (b), (c), (d), (e), (f), (g), and (h) as presented. The motion was seconded by

Commissioner Pletcher and unanimously approved by an individual roll call vote.

5. **Action Items**

a. Authorization to execute a purchase agreement with Enforcement One, Inc. in the amount of $54,914.72 with partial funds provided by Pinellas County EMS utilizing the Florida Sheriff's Bid to replace the District Chief vehicle.

The proposed vehicle will be utilized by the three district chiefs. Pinellas County EMS will reimburse the City $37,500 which equals ¾ of the cost up to $50,000.

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

Commissioner Finnerty moved to approve Item 5(a), to authorize and execute a purchase agreement with Enforcement One, Inc., for the replacement of the existing District Chief vehicle in the amount of $54,914.72, priced using the Sheriff's Association Bid No. 8 utilizing partial Pinellas County EMS funds. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

b. Request approval to utilize the Purchase Agreement with Rowland, Inc., dated December 12, 2016, for Wastewater System Point Repairs not to exceed the FY18 CIP budget for Inflow and Infiltration.

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

Commissioner Pletcher moved to approve Item 5(b), to approve the utilization of the purchase agreement with Rowland, Inc., dated December 12, 2016, for Wastewater System Point Repairs not to exceed the FY 18 CIP budget for Inflow and Infiltration. The motion was seconded by Vice Mayor Friszolowski and unanimously approved by an individual roll call vote.

c. Request approval to utilize the Purchase Agreement with Rowland, Inc., dated December 12, 2016, for Wastewater System Manhole Rehabilitation not to exceed the FY18 CIP budget for Inflow and Infiltration.

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

Commissioner Finnerty moved to approve Item 5(c), to approve the utilization of the purchase agreement with Rowland, Inc., dated December 12, 2016, for Wastewater System Manhole Rehabilitation not to exceed the

FY 18 CIP budget for Inflow and Infiltration. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

d. Request approval to utilize the Purchase Agreement with Insituform Technologies, LLC, dated December 12, 2016, for Wastewater System Pipe Lining not to exceed the FY18 CIP budget for Inflow and Infiltration.

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

Vice Mayor Friszolowski moved to approve Item 5(d), to approve the utilization of the purchase agreement with Insituform Technologies, LLC, dated December 12, 2016 for Wastewater System Pipe Lining not to exceed the FY 18 CIP budget for Inflow and Infiltration. The motion was seconded by Commissioner Finnerty and unanimously approved by an individual roll call vote.

e. Request approval of the bid proposal from Jam 520, Inc., for the construction of Egan Park/Massachusetts Ave Rip Rap in the amount of $97,988.00.

City Manager Saunders reported that three bids were received in response to the competitive bidding process for the construction of rip rap at Egan Park and Massachusetts Avenue.

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

Commissioner Finnerty moved to approve Item 5(e), to approve the bid from Jam 520, Inc., for the construction of Egan Park/Massachusetts Avenue Rip Rap in the amount of $97,988.00. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

f. Authorize the City Manager to execute the one-year renewal agreement for Fiscal Year 2017-2018 with Treasure Island and PSTA for trolley and DART Services.

Mr. Saunders noted that the annual renewal could be modified if the Commission wishes to make changes to the service.

Commissioners discussed ridership levels, bus routes, vehicles and infrastructure impact during the reconstruction of Pass-a-Grille Way.

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

Commissioner Falkenstein moved to approve Item 5(f), to authorize the City Manager to execute the one-year renewal agreement for Fiscal Year 2017-2018 with Treasure Island and PSTA for trolley and DART services. The motion was seconded by Commissioner Finnerty and unanimously approved by an individual roll call vote.

6. Ordinances

a. Ordinance 2017-12, Final Reading and Public Hearing, an Ordinance providing for Mobile Food Establishments within certain zoning districts of the City.

In response to a question posed by Vice Mayor Friszolowski, City Manager Saunders responded that the proposed ordinance will permit food trucks in certain districts, but individual approval will be vetted and approved through the City's conditional use permit process.

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 2017-12, upon final reading, an ordinance of the City of St. Pete Beach, Florida providing for mobile food establishment permits; regulating performance standards and hours and location of operation of mobile food trucks; amending Division 2, Definitions; Division 6, Supplemental Regulations; creating Section 6.25; amending Division 30, Section 30.4 TC-1, Town Center Core District allowable conditional uses; amending Division 32, Section 32.4, CC-1, Commercial Corridor Blind Pass Road District allowable conditional uses; amending Division 33, Section 33.4, CC-2, Commercial Corridor Gulf Boulevard District conditional uses; amending Division 37, Section 37.5, TC-2, Town Center Corey Circle and Coquina West Districts allowable conditional uses; amending Appendix "A" of the Code of Ordinances to provide for mobile food permitting fees, providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Commissioner Falkenstein and approved by a 3-2 vote with Mayor Johnson, Commissioner Finnerty and Commissioner Falkenstein voting "yes" and Vice Mayor Friszolowski and Commissioner Pletcher voting "no."

b. Ordinance No 2017-29, Final Reading and Public Hearing, second extension to the Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensing Organizations and Treatment Centers.

Mr. Saunders reported that the second extension of the proposed ordinance will allow staff additional time to create a permanent ordinance.

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 2017-29, upon final reading, an ordinance of the City of St. Pete Beach, Florida extending the temporary moratorium on the establishment and operation of medical marijuana dispensing organizations and medical marijuana treatment centers within the City for a period not to exceed one hundred and twenty (120) days; providing for severability, conflicts and an effective date. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

c. Ordinance 2017-31: First Reading and Public Hearing. An Ordinance of the City of St. Pete Beach, Florida providing for supplemental appropriations to the General, Capital Improvement, Wastewater, Reclaimed Water, and Stormwater Funds.

City Manager Saunders noted the ordinance will carry funding from last year's budget that were either not begun or not completed the previous fiscal year.

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

Vice Mayor Friszolowski moved to approve Item 6(c), Ordinance 2017-31, upon first reading, an ordinance of the City of St. Pete Beach, Florida providing for supplemental appropriations to the general, capital improvement, wastewater, reclaimed water, and stormwater funds; providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Commissioner Finnerty and unanimously approved by an individual roll call vote.

d. Ordinance 2017-28: First Reading and Public Hearing. An Ordinance of the City of St. Pete Beach modifying the annual Capital Improvement Schedule as illustrated in Exhibit A as per Ch. 163.3177(3) (b) F.S.

Mr. Saunders noted the City is required to update the five-year Capital Improvement Plan (CIP) as part of the annual budget process; in turn, as part of the City's Comprehensive Plan, a Capital Improvement Element must be updated on an annual basis, which is allowed by ordinance.

Hearing no further Commission comments, Mayor Johnson called for audience comments.

Bill Pyle, Sunset Way, spoke in opposition to the proposed ordinance.

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

> **Commissioner Pletcher moved to approve Item 6(d), Ordinance 2017-28, upon first reading, an ordinance of the City Commission of the City of St. Pete Beach, Florida modifying the annual Capital Improvements Schedule as illustrated in Exhibit "A" as per Chapter 163.3177 (3) (b) F.S.; providing for publication in accordance with the requirements of law, and providing for an effective date. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.**

e. Ordinance No 2017-32, First Reading and Public Hearing, Extension to temporary moratorium on the submittal and processing applications, and issuance of any permit for location of any wireless communication facility, tower or antenna in the public rights-of-way.

Mr. Saunders commented that Senate Bill 687 allows for governmental entities to enact regulations for accepting, processing and issuing wireless permits. The temporary moratorium will allow staff the time to amend the City's Land Development Code to provide for the new State law.

Hearing no further Commission comments, Mayor Johnson called for audience comments.

Terry Assenheimer, Pass-a-Grille Way, commented on the need for additional research.

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

> **Commissioner Pletcher moved to approve Item 6(e), Ordinance 2017-32, upon first 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 rights-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 Finnerty and unanimously approved by an individual roll call vote.**

7. Resolutions

There were no resolutions submitted.

8. Items for Discussion

There were no items for discussion submitted.

9. Audience Comments 2

The following residents commented on stormwater improvements at 44th Avenue and Moody Street and requested inclusion in the process:

Tim Hoffman, 44th Avenue
Bill (last name inaudible), 44th Avenue
Candy Morgenson, 41st Avenue

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

City Clerk Haynes reported on the following items:

- The Qualification Period for the March 2018 election is Thursday, November 30, 2017 through December 8, 2018, noon to noon
- Suncoast League of Cities business luncheon on December 15, 2017 is at the Gulfport Casino

City Manager Saunders reported on the following items:

- City Commission Workshop scheduled for Tuesday, December 5, 2017 at 4:00 p.m. to discuss concession stands, legislative priorities, and medical marijuana
- Lease agreement with Duke Energy in regard to Lido Park

City Attorney Dickman reported on the following item:

- Update on Anderson v. City of St. Pete Beach lawsuits

Commissioner Pletcher reported on the following items:

- Pass-a-Grille Way Road Reconstruction project
- Pass-a-Grille and Vina del Mar boat parade on December 2, 2017

Commissioner Finnerty reported on the following items:

- Attended National League of Cities conference
- Corey Avenue landscaping and watering system
- Board of Adjustment appointee
- Legislative action resolutions at the Florida League of Cities conference in December
- Home Rule information article in the City's newsletter
- House Bill 17 passed on November 14th in regard to Community Redevelopment Agencies and a phase-out process
- Blind Pass Road reconstruction update
- Boat Parade on December 8th and Land Parade on December 9th

Commissioner Falkenstein reported on the following items:

- Bike Fest sponsored by the Tradewinds and related parking signs
- Dogs on the beach
- Tree trimming on Corey Avenue
- Two American Bald Eagles on 64th Avenue and 4th Palm Point
- Prop 51 and choice of power supply source

Vice Mayor Friszolowski reported on the following items:

- Update on the proposed hoarding ordinance
- Flags in City parks
- Belle Vista holiday party on December 14th at 6:00 p.m. in Bill Corrotto Park

Mayor Johnson reported on the following items:

- Bike Fest sponsored by the Tradewinds
- Intersection of 21st Avenue and Pass-a-Grille Way
- St. Pete Beach Classic

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:10 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Alan Johnson, Mayor

Minutes approved on: 1/09/2018