

CITY COMMISSION MEETING

MINUTES

JUNE 26, 2018

6:00 P.M.

CALL TO ORDER

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

Mayor Johnson requested a moment of silence in remembrance of Steve McFarlin, former Mayor of St. Pete Beach, who passed away earlier in the day.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

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

ABSENT:

Terri Finnerty, 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

1. Presentations

- a. Florida League of Cities – Certificate of Completion

Vice Mayor Pletcher presented a Certificate of Completion to Mayor Johnson for finishing the Advanced Institute for Elected Municipal Officials training.

2. Changes to the Agenda

City Clerk Haynes requested to add Item 1(a).

3. Audience Comments

Ray Blacklidge introduced himself as a candidate for District 69 with the Florida House of Representatives.

Michael (no last name provided) introduced himself as the campaign manager for Jennifer Webb, candidate for District 69 with the Florida House of Representatives.

4. Consent

- a. Request approval of the proposal from Ennead, LLC in the amount of \$14,000 to update the Fiscal Year 2019 Stormwater Non-Ad Valorem Assessment Roll.
- b. Request approval of the Task Order under the Continuing Engineering Services Contract with GGI LLC, in the amount of \$29,810.00 for the design and contract documents of Stormwater Improvements at 44th Avenue and Moody Street
- c. Request approval of the services agreement with Blades of Green, Inc., in an amount not to exceed the FY18 budget for Tree Trimming.

Vice Mayor Pletcher moved to approve Consent Items 4(a), (b), and (c) as presented. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

5. Action Items

- a. Approve Change Order #8 to the purchase agreement with Gibbs & Register, Inc. for the Pass-A-Grille Way Reconstruction from 1st Avenue to 19th Avenue project, in the amount of \$68,201.23.

City Manager Saunders noted the change order includes removal and replacement of wires that supply power to the street lights on the east side of Pass-a-Grille Way, an unknown seawall at the 14th Avenue Stormwater outfall, the change in diameter for Force Main No. 5, and delay costs for water main tie-ins.

Vice Mayor Pletcher moved to approve Item 5(a), Change Order No. 8 to the purchase agreement with Gibbs & Register, Inc., for the Pass-A-Grille Way Reconstruction from 1st Avenue to 19th Avenue project, in the amount of \$68,201.23. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

- b. Approve Change Order #28 to the purchase agreement with Nelson Construction for the Pass-A-Grille Way Reconstruction from 19th Avenue to W Maritana Drive project in the amount of \$490,042.86.

Change Order No. 28 includes impacts from Hurricane Irma, Tropical Storm Colin, and Tropical Storm Hermine which are reimbursable through FEMA.

Commissioner Falkenstein moved to approved Item 5(b), Change Order No. 28, to the purchase agreement with Nelson Construction for the Pass-a-Grille Way Reconstruction from 19th Avenue to West Maritana Drive project in the amount of \$490,042.86. The motion was seconded by Commissioner Friszolowski and unanimously approved by an individual roll call vote.

- c. Request approval of the amendment to and extension of the Interlocal Agreement between the City of St. Pete Beach and Pinellas County for Advanced Traffic Management System/Intelligent Transportation System (ATMS/ITS) and Roadway Transfer Agreement to transfer traffic control authority.

Public Works Director Clarke noted the proposed agreement will provide for the extension of signalized intersections which are currently maintained by Pinellas County.

Commissioner Falkenstein moved to approve Item 5(c), the amendment to and extension of the Interlocal Agreement between the City of St. Pete Beach and Pinellas County for Advanced Traffic Management System/Intelligent Transportation System (ATMS/ITS) and Roadway Transfer Agreement to transfer traffic control authority. The motion was seconded by Commissioner Friszolowski and unanimously approved by an individual roll call vote.

6. Ordinances

- a. Ordinance No. 2018-05, Final Reading and Public Hearing; an ordinance of the City of St. Pete Beach, Florida providing for an amendment to Appendix A (Fee Schedule) of the Code of Ordinances.

The proposed ordinance will amend the metered hourly parking rates to \$2.75 per hour.

Commissioner Friszolowski moved to approve Item 6(a), Ordinance 2018-05, upon final reading, an ordinance of the City of St. Pete Beach, Florida, providing for an amendment to Appendix A (Fee Schedule) of the Code of Ordinances; providing for conflicts, severability, construction, publication, and an effective date. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

- b. Ordinance No. 2018-03, Final Reading and Public Hearing; an ordinance of the City of St. Pete Beach, Florida, adopting new regulations for communication towers and antennas and establishing new regulations for wireless communication facilities.

Mr. Saunders reported that the proposed ordinance will provide for new regulations to accept, process and issue wireless permits.

Vice Mayor Pletcher moved to approve Item 6(b), Ordinance 2018-03, upon final reading, an ordinance of the City of St. Pete Beach, Florida, relating to communication facilities; creating Chapter 132 of the City of St. Pete Beach Code of Ordinances entitled, "Communication Facilities in the Public Right-Of-Way," Sections 132-1 through 132-7, including "Purpose," "Definitions," "Registration," "Permits for Antennas or Towers in City Rights-Of-Way," "Permitting Requirements for Small Wireless Facilities," "Permitting Requirements for New Communications Facilities, Wireless Facilities and Wireless Support Structures," and "Accessory Equipment"; providing for conflicts, severability, construction, publication and an effective date. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

- c. Ordinance No. 2018-07, Final Reading and Public Hearing; an ordinance of the City of St. Pete Beach, Florida, designed to assert long-standing recognition of customary use of beaches by the public.

City Attorney Dickman reported that the proposed ordinance will provide for the continuation of local governments to exercise their home rule authority to regulate all lands within their jurisdictions for public health, safety and welfare. The ordinance allows for the public to access and use the sandy beach areas as customarily invoked.

Mayor Johnson called for audience comments.

The following spoke in opposition of the ordinance.

Timothy Weber, attorney with Weber, Crabb and Wein, St. Petersburg
Bill Pyle, Sunset Way
Andrew (last name inaudible), Sunset Way
Roger Curtis Clark, Sunset Way
Martin Jahobby, Sunset Way

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

Commissioner Friszolowski moved to approve Item 6(c), Ordinance 2018-07, upon final reading, an ordinance of the City of St. Pete Beach, Florida, relating to customary use of beaches and public access; amending Chapter 94, Waterways, Article III, Beaches, Division 1, Generally, of the Code of

Ordinances, by creating Section 94-74, Customary Use of Beaches – Intent; creating Section 94-75, Preservation of Public Access; creating Section 94-76, Prohibition of Obstructions to Personal Access to the Beaches; creating Section 94-77, Construction of Erosion Control Structures; creating Section 94-78, Prohibition of Interference and Posting; creating Section 94-79, Enforcement and Violations; providing for conflicts, severability, construction, publication and an effective date. The motion was seconded by Vice Mayor Pletcher and unanimously approved by an individual roll call vote.

- d. Ordinance No. 2018-06 - First Reading and Public Hearing; an ordinance of the City of St. Pete Beach, Florida providing for an amendment to Section 82-171 (Fines for Violations) of the Code of Ordinances.

Mr. Saunders reported that the proposed ordinance will amend the parking fines and parking permit violations.

Vice Mayor Pletcher moved to approve Item 6(d), Ordinance 2018-06, upon first reading, an ordinance of the City of St. Pete Beach, Florida, providing for an amendment to Section 82-171, Fines for Violations, of the Code of Ordinances; providing for conflicts, severability, construction, publication and an effective date. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

7. Resolutions

There were no resolutions presented.

8. Items for Discussion

There were no items for discussion presented.

9. Audience Comments 2

An unidentified individual commented on turtle nesting laws and lighting.

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

City Clerk Haynes reported on the following item:

- Big C Business Meeting is scheduled for 9:00 a.m., Wednesday, June 27th, at the Community Center, hosted by the City Clerk's Office

City Manager Saunders reported on the following items:

- Workshop previously scheduled for July 10th is cancelled
- Blind Pass Road reconstruction project bid opening was conducted on June 22nd and bids received were higher than projected

City Attorney Dickman reported on the following items:

- Requested the City Commission's advice in regard to the Chmielewski case during an Executive Session scheduled for 5:00 p.m., Tuesday, July 10, 2018
- Attorney report for the second quarter will be presented at the July 24th meeting
- Anderson vs. the City of St. Pete Beach appeal in regard to the TradeWinds' Sugar Sands development was dismissed with prejudice

Vice Mayor Pletcher did not submit a report.

Commissioner Friszolowski did not submit a report.

Commissioner Falkenstein reported on the following items:

- Shell Key has 45 turtle nests and St. Pete Beach has 35 turtle nests
- Update on broken crane at the jetty site
- Update on sand wall color along Gulf Way
- Parking access during the Fourth of July fireworks at Upham Beach

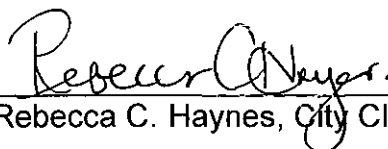
Mayor Johnson reported on the following items:

- Big C Business Meeting is scheduled for 9:00 a.m., Wednesday, June 27th, at the Community Center, hosted by the City Clerk's Office
- Review parameters of the food truck ordinance
- Spear fishing off the jetty at Blind Pass Road
- Bike racks at beach access points

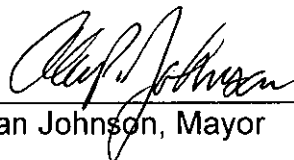
11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.

Attest:



Rebecca C. Haynes, City Clerk



Alan Johnson, Mayor

Minutes approved on: 7/10/2018