

CITY COMMISSION SPECIAL MEETING – EXECUTIVE SESSION

MINUTES

JULY 10, 2018

5:00 P.M.

CALL TO ORDER

Mayor Johnson called the meeting to order at 5:02 p.m.

PRESENT:

Al Johnson, Mayor
Melinda Pletcher, Vice Mayor (arrived at 5:03 p.m.)
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Ward Friszolowski, Commissioner

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk

1. Announcement of Litigation

A. Chmielewski v. City of St. Pete Beach

- (1) Case No. 8:13-cv-03170-JDW-MAP; Middle District of FL
- (2) Case No. 16-16402; 11th Circuit Court of Appeals

Mayor Johnson announced the commencement of an attorney-client executive session.

2. Adjourn to Executive Session

Mayor Johnson adjourned the meeting to an attorney-client executive session.

3. Reconvene to Public Session

Mayor Johnson announced the conclusion of the executive session and reconvened the meeting to a public session.

4. Discussion and Possible Action

A. Chmielewski v. City of St. Pete Beach

- (1) Case No. 8:13-cv-03170-JDW-MAP; Middle District of FL
- (2) Case No. 16-16402; 11th Circuit Court of Appeals

City Attorney Dickman noted that he and City Manager Wayne Saunders are seeking instruction on going forth with three separate issues in regard to the Chmielewski lawsuit.

Commissioner Finnerty moved to not authorize an appeal of the 11th Circuit's opinion. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

Vice Mayor Pletcher moved to authorize the City Manager and the City Attorney to pay the judgment and the pre- and post-judgment interest from the restricted account subject to court order or court instructions. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

Commissioner Friszolowski moved to authorize the City Attorney to take appropriate action to secure the easement awarded by the Appellate Court on the Chmielewski beach parcel. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

5. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 5:58 p.m.

Attest:



Rebecca C. Haynes, City Clerk



Alan Johnson, Mayor

Minutes approved on: 7-24-2018