

CITY COMMISSION MEETING

MINUTES

OCTOBER 9, 2018

6:00 P.M.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

PRESENT:

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

ALSO PRESENT:

Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Mike Clarke, Public Works Director
Vince Tenaglia, Administrative Services Director
Jennifer McMahon, Recreation Director
Wesley Wright, Community Development Director
Mary Jo Murphy, Deputy City Clerk

1. Presentations

- a. Forward Pinellas Update – Joanne “Cookie” Kennedy, Mayor/Indian Rocks Beach, and Whit Blanton, Executive Director/Forward Pinellas

Mayor Kennedy of Indian Rocks Beach, representing the beach communities with Forward Pinellas, spoke about short term rentals, safety, pedestrian crossings, sidewalks, transportation, and planning. Ms. Kennedy commented that she visits with communities to engage with citizens and to ensure everyone is aware of issues that Forward Pinellas can assist with such as safety and traffic.

Whit Blanton, Executive Director/Forward Pinellas, spoke about the following topics: transportation; 5-year work programs; Florida Department of Transportation; safety projects; January 18, 2019 transportation funding workshop; smart transportation; Pinellas Suncoast Transit Authority; potential merger of regional metropolitan planning organizations; funding for the I-275 project improvements with lane continuity; regional bus rapid transit project; and bicycle safety.

- b. Presentation by Mike Twitty, MAI Pinellas County Property Appraiser – Amendment 1

Mr. Mike Twitty gave a presentation entitled “2018 Constitutional Amendments 1 & 2 Affecting Assessments & Taxes” and discussed the following items:

- Constitutional Amendments on the Ballot in 2018 Impacting Taxing Authorities
 1. Amendment 1 – 3rd Homestead Exemption (additional \$25,000)
 2. Amendment 2 – Removes the scheduled repeal language of the 10% non-homestead property cap (will currently sunset at end of 2018)
- Homestead Exemptions – History, Homestead Banding by Assessed Value, Eligibility, Countywide Tax Impact, and Exemption Estimator
- Assessed Value
- Market Value
- Assessment Caps
- Residential Households
- Value Trends
- Tax Estimator

2. Changes to the Agenda

There were no changes to the agenda.

3. Audience Comments

There were no audience comments.

4. Consent

- a. Request approval of the City Commission minutes for the following meetings: September 11, 2018 and September 18, 2018.
- b. Request approval to replace six copiers utilizing Pinellas County contract no. 156-0122-B (JJ) in the estimated amount of \$18,000 per year
- c. Authorization of payment for annual maintenance support and hosting services from Vermont Systems for the Recreation Department in the amount of \$13,854.00

- d. Request approval to sign a statement of "no objection" for the property owner to the north of the 28th Avenue right-of-way owned by the City in order to move and reconstruct the dock, with the installation of a new deck lift and boatlift.
- e. Request approval to execute a purchase agreement with Motorola Solutions in the amount of \$61,288.14 for the replacement of the portable radios utilized by fire department personnel.
- f. Request approval of the Interlocal Service Agreement between the City of St. Pete Beach and Pinellas County for Traffic Control Signals and Related Devices.

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

5. Action Items

- a. Approve Change Order 01 to the purchase agreement with Gibbs & Register, Inc. for Blind Pass Road Reconstruction from 75th Avenue to Gulf Boulevard, deducting \$811,407.51, and authorizing corresponding direct material purchases in the amount of \$765,337.36.

City Manager Saunders explained that there is a stipulation in the agreement with the contractor that allows the City to direct purchase large items which is a deduction off of the contract price. The benefit is that the City is exempt for sales tax and will save the City approximately \$46,000.00 in taxes.

Mayor Johnson asked for audience comments.

Hearing none, Mayor Johnson asked for a motion.

Commissioner Finnerty moved to approve Item 5(a), to approve Change Order 01 to the purchase agreement with Gibbs & Register, Inc. for Blind Pass Road Reconstruction from 75th Avenue to Gulf Boulevard, deducting \$811,407.51, and authorizing corresponding direct material purchases in the amount of \$765,337.36. 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 Caveman Concrete, LLC for Concrete, Brick, and Mortar Repair & Replacement in an amount not to exceed the FY19 budget of \$100,000.00.

City Manager Saunders noted that the City Commission previously approved Caveman Concrete for all miscellaneous concrete, brick and mortar repairs and replacements.

This allows the City to continue using Caveman Concrete under the unit prices with the new budget that began on October 1, 2018 but not to exceed this year's budget.

Mayor Johnson asked for audience comments.

Hearing none, Mayor Johnson asked for a motion.

Vice Mayor Pletcher moved to approve Item 5(b), to approve the utilization of the Purchase Agreement with Caveman Concrete, LLC for Concrete, Brick, and Mortar Repair & Replacement in an amount not to exceed the FY19 budget of \$100,000.00. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

- c. Request approval to utilize the Services Agreements with Shen-Line, LLC and Ajax Paving Industries of Florida LLC for Local Street Flooding Mitigation Program in an amount not to exceed the FY19 budget of \$400,000.00.

City Manager Saunders noted this item relates to the service agreements for the Local Street Flooding Mitigation Program. This allows the City to continue using Shen-Line, LLC and Ajax Paving Industries of Florida LLC in an amount not to exceed the current year's budget.

Mayor Johnson asked for audience comments.

Hearing none, Mayor Johnson asked for a motion and a second.

Commissioner Finnerty moved to approve Item 5(c), the utilization of the Services Agreement with Shen-Line, LLC and Ajax Paving Industries of Florida LLC for Local Street Flooding Mitigation Program in an amount not to exceed the FY19 budget of \$400,000.00. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

- d. Request approval to utilize the services agreement with Asphalt Paving Systems, dated February 16, 2018, for Street Rehabilitation in an amount not to exceed the FY19 budget of \$650,000.00.

City Manager Saunders noted this item relates to utilizing the service agreement with Asphalt Paving Systems into the new fiscal year for the annual street resurfacing program.

Vice Mayor Pletcher requested that Staff email the Commission the street ratings, and City Manager Saunders agreed to send the information to the City Commission. Mr. Saunders commented that every other year the streets are rated, and a new list is being

developed for this year. The list will be available in the very near future and will be posted on the website and on SPB Connect.

Mayor Johnson asked for audience comments.

Anne Randell, 6892 Gulf Winds Drive, questioned if the City was considering projects involving speed bumps, stop signs and speed limits for roads.

Mayor Johnson closed audience comments and asked for a motion and a second.

Commissioner Finnerty moved to approve Item 5(d), to approve the utilization of the services agreement with Asphalt Paving Systems, dated February 16, 2018, for Street Rehabilitation in an amount not to exceed the FY19 budget of \$650,000.00. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

- e. Request approval to utilize the Purchase Agreements with Insituform Technologies, LLC and Rowland, Inc., dated December 12, 2016, for Wastewater System repairs in an amount not to exceed the FY19 budget for Inflow and Infiltration of \$540,000.00.

City Manager Saunders noted these are the contractors for Wastewater System repairs and Inflow & Infiltration improvements that are continuing in the fiscal year. Mr. Saunders added that the latest numbers have shown that the flow has decreased by 8 percent.

Mayor Johnson asked for audience comments.

Hearing none, Mayor Johnson asked for a motion and a second.

Vice Mayor Pletcher moved to approve Item 5(e), to approve the utilization of the Purchase Agreements with Insituform Technologies, LLC and Rowland, Inc., dated December 12, 2016, for Wastewater System repairs in the amount not to exceed the FY19 budget for Inflow and Infiltration of \$540,000.00. The motion was seconded by Commissioner Falkenstein and unanimously approved by an individual roll call vote.

6. Ordinances

No items were submitted.

7. Resolutions

- a. Resolution 2018-14, recommending appointment of a member to Forward Pinellas, formerly known as the Pinellas County Metropolitan Planning Organization (MP0).

City Manager Saunders updated the City Commission that each year there are rotating appointments to the Forward Pinellas. The City of St. Pete Beach City Commission can nominate one of their elected officials, support the nomination of an official from another community, or support the re-nomination of the current representative, which is Mayor Joanne Kennedy of Indian Rocks Beach.

Mayor Johnson asked for comments from the City Commission.

Hearing no discussion, Mayor Johnson asked for audience comments.

Hearing none, Mayor Johnson asked for a motion.

Commissioner Friszolowski made a motion to nominate Mayor Cookie Kennedy to serve on the Forward Pinellas board and to approve Item 7(a), Resolution 2018-14, a resolution of the City of St. Pete Beach, Pinellas County, Florida recommending appointment of a member to the Joint Pinellas County Metropolitan Planning Organization, also known as ("Forward Pinellas"), and providing for an effective date. The motion was seconded by Commissioner Finnerty and unanimously approved by an individual roll call vote.

- b. Resolution 2018-15. A resolution of the City Commission of the City of St. Pete Beach, Florida, approving a Conditional Use Permit modifying an existing conditional use approval (Resolution 2002-02) to allow for an expansion of a commercial water sports special exception from three (3) to eleven (11) boats at 1901 Pass-A-Grille Way; incorporating the conditions outlined herein and providing for an effective date.

Commissioner Falkenstein excused himself from participating in this matter due to a financial conflict and exited the Commission Chambers at 7:25 p.m. Commissioner Falkenstein also presented a document entitled "Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers" to the Deputy City Clerk, which was signed and dated on 10/9/2018 by Commissioner Falkenstein.

City Manager Saunders stated this item was a request for a conditional use permit which modifies an existing conditional use permit and will allow for the expansion of a commercial water sports company located at 1901 Pass-A-Grille Way.

City Attorney Dickman instructed the City Commission that this was a Quasi-Judicial proceeding and gave a brief outline of the procedures to be followed.

The Deputy City Clerk, Mary Jo Murphy, administered the oath to anyone that was going to speak or testify.

In regard to ex parte communications, the following statements were made by the City Commission:

Mayor Johnson reported having no communications.

Commissioner Friszolowski reported speaking to the applicant.

Vice Mayor Pletcher reported having conversations with Nancy from Merry Pier, some business owners on 8th Avenue, a property owner close to the marina that would be the most impacted, the applicant, and asked Joanne Boland, the City's Permitting Administrator, to send her the package that a person fills out to operate a business.

Commissioner Finnerty reported having no communications.

Wesley Wright, Community Development Director, gave a presentation in regard to Case Number 18-00010, 1901 Pass-A-Grille Way, owner KAZBO, LLC and applicant Christopher S. Furlong, Esquire, on behalf of the owner.

Christopher Furlong, Esquire, Bacon, Bacon & Furlong, P.A., 2959 1st Avenue North, St. Pete, Florida 33713, speaking on behalf of the petitioner, gave a presentation and spoke about the following items: the applicant is willing to comply with the additional requirements for parking, but the additional requirements for the fire safety protection is economically infeasible for the applicant and he is not a property owner that could authorize a space for the fire boat to the fire department.

Al Bobelis, Pass-A-Grille Mariana and resident at 4010 Belle Vista Drive, spoke about the expenses of maintaining the fuel system, meeting county requirements, cost of fire extinguishers, annual fire inspections, National Fire Prevention Association requirements and a standpipe system.

Christopher Furlong spoke about the parking regulations, NFPA requirements, no physical change being made to the building or property, and asked the City to accept the request as compliant now and to take it as a grandfathered use.

Mr. Wright spoke about the staff report including the comments about the applicant expressing a willingness to comply with the parking facilities and adding additional items from Fire as a result of the Technical Review Committee meeting, which are not conditions of the conditional use permit.

Christopher Furlong spoke about WaveRunners, jet skis, the safety of watercraft, and personal watercraft being counted individually.

Mayor Johnson asked for audience comments.

Robert Bell, 641 64th Avenue, St. Pete Beach, property owner of 2001 Pass-A-Grille Way, The Wharf Seafood Restaurant, spoke in favor of the expansion but spoke to a buoy between the restaurant and the applicant's dock that stated the area was off limits to all watercraft. Mr. Bell expressed his concern of being prevented to having access to the south side of his building and questioned, if approved, whether they will be able to

maneuver the boats in and out with Mr. Bell having proper access to his property. Furthermore, Mr. Bell stated the subject buoy has been removed from the water.

Al Bobelis spoke about a navigable waterway for ingress and egress and referred to Staff's Power Point diagrams on the document camera.

Robert Bell spoke about the equal use of the waterway.

City Attorney Dickman spoke about the topic of the submerged land lease.

Christopher Furlong spoke about the submerged land lease and referred to a diagram via the document camera.

Al Bobelis spoke about tying up boats, the subject buoy and referred to a diagram via the document camera.

Robert Bell spoke about the subject buoy, tying up boats, submerged land, access to his building and referred to a diagram via the document camera.

Ms. Murphy administered the oath to Mr. Font.

Sebastian Font, Tierra Verde, owner of Island Ferry, referred to the diagram via the document camera and spoke about the riparian line, submerged land lease, large boats parking over the riparian line, the subject buoy, the marina and 6-pack boats.

Doug Izzo, Tampa Bay Beaches Chamber of Commerce, spoke in support of the Pass-Pass-A-Grille Marina's request.

Robert Bell spoke and asked if the subject buoy will be allowed, which states no one can access the waterway, if the conditional use permit is approved.

Mayor Johnson asked for comments from the City Commission.

After hearing no further discussion, Mayor Johnson asked for a motion.

Vice Mayor Pletcher moved to approve Item 7(b), Resolution 2018-15, a resolution of the City Commission of the City of St. Pete Beach, Florida authorizing the modification of an existing conditional use approval (Resolution 2002-02) to allow for an expansion of a commercial water sports special exception from three (3) to eleven (11) boats at the 1901 Pass-A-Grille Way; incorporating the conditions outlined herein and providing for an effective date. The motion was seconded by Commissioner Friszolowski and unanimously approved by an individual roll call vote.

At 8:20 p.m. Commissioner Falkenstein entered the Commission Chambers.

8. Items for Discussion

- a. Waiver of parking fees.

Mayor Johnson reiterated that the City Commission had previously stated that the parking fees would be reviewed biweekly to consider the option of continuing the waiving of parking fees.

Commissioner Falkenstein suggested giving the administration the authority to make the decision due to the impending storm and possible Red Tide events.

It was the consensus of the City Commission to extend the waiving of parking fees for two weeks.

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 items:

- Candidate Forum for State Senate, hosted by the Florida League of Cities and the Pinellas Park/Gateway Chamber of Commerce; Wednesday, October 17, 2018 at 7:30 a.m.
- City Clerk's annual records disposition

City Manager Saunders reported on the following items:

- Request for proposals for search firms in regard to the City Manager candidates
- Possible workshop on October 23, 2018 and selection of search firm during a City Commission meeting

It was the consensus of the City Commission for the following to take place:

- Receive an email of the attribute assessments from Staff
- Workshop at 4:00 p.m. on October 16, 2018 to review the attribute assessments and to discuss timelines
- Workshop at 4:00 p.m. on October 23, 2018 to interview executive search firms for the City Manager position

City Manager Saunders continued to report on the following items:

- Scheduled the City Commission meetings during December on December 4, 2018 and December 11, 2018
- Hurricane Michael update

City Attorney Dickman reported on the following item:

- Silver Sands lawsuit against the City of St. Pete Beach in Federal Court

Vice Mayor Pletcher did not submit a report.

Commissioner Finnerty reported on the following items:

- Florida League of Cities Legislative Policy Committee Meeting in Orlando canceled due to Hurricane Michael. The meeting will be rescheduled to a date in November 2018.
- Gulf Beaches Elementary Walk to School Day postponed until October 17, 2018 due to Hurricane Michael
- Beach Theatre Committee
- Library Committee Meeting in regard to Blind Pass Road Construction on October 10, 2018 at 3:00 p.m.
- Amendment 1 & Amendment 2
- Resolution regarding Amendment 1 to possibly be placed on a future agenda

Commissioner Falkenstein reported on the following items:

- Schools closed on Monday
- High tide at 1:30 a.m. on October 10, 2018

Commissioner Friszolowski reported on the following items:

- Belle Vista Civic Association meeting on October 11, 2018
- Lido Beach Civic Association meeting on October 18, 2018
- Traffic issue for Gulf Boulevard, 75th Avenue and Blind Pass Road – possible meeting with the Department of Transportation

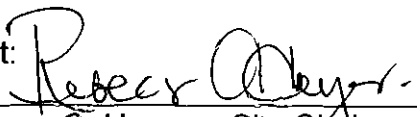
Mayor Johnson reported on the following item:

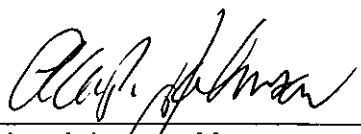
- Mayors' Council of Pinellas Holiday Luncheon at the Salt Rock Grill in Indian Shores on December 7, 2018 at 11:30 a.m.
- Signed the Memo of Understanding for the Tampa Bay Regional Resiliency Coalition
- Undergrounding discussions with the County Commission in Clearwater
- City Manager and City Clerk's Annual Reviews on the October 23, 2018 agenda

11. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 9:03 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Alan Johnson, Mayor

Minutes approved on: 11/13/2018