

City Commission Meeting

July 27, 2021

6:00 p.m.

ELECTED OFFICIALS PRESENT:

Alan Johnson, Mayor

Ward Friszolowski, Vice Mayor, Commissioner, District 3

Chris Graus, Commissioner, District 1

Melinda Pletcher, Commissioner, District 4

ELECTED OFFICIALS EXCUSED ABSENCE:

Mark Grill, Commissioner, District 2

STAFF PRESENT:

Alex Rey, City Manager

Andrew Dickman, City Attorney

Amber LaRowe, City Clerk

Vince Tenaglia, Assistant City Manager

Matthew McConnell, Assistant City Attorney

Michelle Gonzalez, Community Development Director

Jennifer McMahon, Parks and Recreation Director

Mayor Johnson called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

1. CHANGES TO THE AGENDA

No changes were made.

2. AUDIENCE COMMENTS

No audience comments.

3. CONSENT

- a. July 13, 2021 City Commission Minutes
- b. Minor League Baseball Field at Egan Park
- c. Updated Placemaking Entrance and Facility Sign Improvements
- d. Citywide Seawall Evaluation and Masterplan
- e. Public Works Campus Improvements Design
- f. 18th and 19th Avenues Alleyway Improvements

Motion: Commissioner Pletcher moved, Commissioner Graus seconded, and the motion carried 4-0 to approve the July 27, 2021 Consent Agenda as presented by the City Manager.

4. ACTION ITEMS

- a. **Sovereignty Submerged Lands Lease #520026983 – Merry Pier**

Alex Rey, City Manager, informed the Commission that this is a routine lease that has to come before the Commission for reapproval, typically every four years.

Motion: Commissioner Pletcher moved, Vice Mayor Friszolowski seconded, and the motion carried

4-0 to authorize the Mayor to sign a Sovereignty Submerged Lands Lease, #520026983, from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

5. ORDINANCES

a. First Reading Ordinance 2021-09: Communication Towers

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, PROVIDING FOR THE REPEAL OF ORDINANCE 1997-18 AND ORDINANCE 2000-44 RELATED TO WIRELESS COMMUNICATION TOWERS AND ANTENNAS AND CHAPTER 131 – WIRELESS COMMUNICATION TOWERS AND ANTENNAS IN ITS ENTIRETY; THE AMENDMENT OF CODE OF ORDINANCES CHAPTER 132 - COMMUNICATION FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; SECTION 132-1 – PURPOSE; SECTION 132-2 – DEFINITIONS; SECTION 132-3 – REGISTRATION; SECTION 132-4 – PERMIT FOR ANTENNA OR TOWER IN CITY RIGHTS-OF-WAY; SECTION 132-5 – PERMITTING REQUIREMENTS FOR SMALL WIRELESS FACILITIES; SECTION 132-6 – PERMITTING REQUIREMENTS FOR NEW COMMUNICATIONS FACILITIES, WIRELESS FACILITIES, AND WIRELESS SUPPORT STRUCTURES; AND SECTION 132-7 – ACCESSORY EQUIPMENT; PROVIDING FOR THE ADOPTION OF CODE OF ORDINANCES SECTION 132-8 – DISRUPTION, OR TEMPORARY RELOCATION OF COMMUNICATION FACILITIES IN THE RIGHT-OF-WAY; SECTION 132-9 – ABANDONED FACILITIES; SECTION 132-10 – CONSTRUCTION AND RESTORATION; SECTION 132-11 – PROVISION AND FILING OF AS-BUILT SURVEYS; SECTION 132-12 – ENFORCEMENT OF PERMIT OBLIGATIONS; SECTION 132-13 – INSPECTIONS, ENFORCEMENT, STOP WORK ORDERS, AND REVOCATION OF PERMIT; SECTION 132-14 – GENERAL RESTRICTIONS ON CITY; SECTION 132-15 – PERMITS REQUIRED AND DURATION; SECTION 132-16 – PERMIT PROCEDURES; SECTION 132-17 – DESIGN STANDARDS; SECTION 132-18 – WAIVER OF OBJECTIVE DESIGN STANDARDS FOR SMALL WIRELESS FACILITIES; SECTION 132-19 – ADMINISTRATIVELY APPROVED USES; SECTION 132-20 – APPEALS; SECTION 132-21 – INSURANCE; SECTION 132-22 – CONSTRUCTION BOND; SECTION 132-23 – INDEMNIFICATION; SECTION 132-24 – RESERVATION OF RIGHTS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Assistant City Attorney Matthew McConnell gave a presentation to the Commission on the Ordinance. The presentation discussed the following:

- The Advanced Wireless Infrastructure Deployment Act
 - Act first in effect 2017
 - Amended in 2019
 - Prohibits local governments from instituting a moratorium
- Florida State Statute 37.401
 - Four types of installation in the rights-of-way
- Treatment of Providers
- Definitions
- Registration
 - Prohibits local governments from requiring providers submit certain information
- Design Standards and Spacing
 - New Subsection to Florida State Statute – 337.401(7)(r)
 - Allows local government to require compliance with objective design standards as established by an ordinance

- Permitting
- Prohibitions
- Undergrounding Utilities
- Taxpayer Protections
- Fees and Taxes
- Possible Challenges
- Legal Provisions

The goal of the Ordinance is to be in compliance with the 2019 State modifications to the Advanced Wireless Infrastructure Deployment Act. A copy of the presentation is made a part of the minutes.

The Commission discussed the regulation of design standards. Attorney McConnell will work with staff to review the current design standards as well as review what other municipalities have done.

Commissioner Pletcher stated that she would like to see prioritization made on site visits. Specifically she would like to have staff visit the site as outlined in the application to make sure that it is the best place and is not obtrusive or interfering with sight.

Motion: Vice Mayor Friszolowski moved, Commissioner Graus seconded, and the motion carried 4-0 to approve the first reading of Ordinance 2021-09.

b. First Reading Ordinance 2021-17: Reducing the Speed Limit on Sunset Way

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 82 – TRAFFIC AND VEHICLES, ARTICLE II – SPECIFIC STREET REGULATIONS; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Michelle Gonzalez, Community Development Director, stated that this Ordinance has been drafted to address the concerns as expressed by several residents along Sunset Way. As a first step, staff is recommending lowering the speed limit to 20 MPH. Florida Statute 316.189 states that the lowest maximum speed limit a municipality can set for a local street is 20 MPH. The Code establishes the speed limit for all local streets at 25 MPH unless otherwise provided.

Mayor opined that all local streets should be 20 MPH Citywide.

Vice Mayor Friszolowski commented on the streets in Belle Vista and how there are three streets at 20 MPH and the rest are 25 MPH. He preferred that all of Belle Vista be 20 MPH for consistency sake.

City Manager Rey suggested that the Commission provide input to Ms. Gonzalez in regard to streets in their district that they, or their constituents, feel should be reduced to 20 MPH and those can be included in this Ordinance prior to adoption.

Motion: Commissioner Pletcher moved, Vice Mayor Friszolowski seconded, and the motion carried 4-0 to approve the first reading of Ordinance 2021-17.

c. First Reading Ordinance 2021-18: Utilities

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA AMENDING THE CODE OF

ORDINANCES, CHAPTER 86 – UTILITIES, ARTICLE IV – RECLAIMED WATER SYSTEM; AMENDING DIVISION 1 – GENERALLY, SECTIONS 86-99 – 86-125 – RESERVED; RENUMBERING DIVISION 2 – RECLAIMED WATER USE SECTIONS 86-126 THROUGH SECTION 86-146; AND ADOPTING DIVISION 3 – YEAR-ROUND RECLAIMED WATER CONSERVATION MEASURES; PROVIDING FOR SECTION 86-133 – INTENT AND PURPOSE; SECTION 86-134 – DEFINITIONS; SECTION 86-135 – APPLICABILITY; SECTION 86-136 YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES; SECTION 86-137 – EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULES; SECTION 86-138 – ADDITIONAL REQUIREMENTS; SECTION 86-139 – DECLARATION OF WATER SHORTAGE OR WATER SHORTAGE EMERGENCY; SECTION 86-140 – ENFORCEMENT; SECTION 86-141 – PENALTIES; SECTIONS 86-142 – 86-146 – RESERVED; PROVIDING FOR CODIFICATION; CONFLICTS; SEVERABILITY; CORRECTION OF SCRIVENER’S ERROR; CONSTRUCTION; PUBLICATION; AND AN EFFECTIVE DATE.

Mrs. McMahon informed the Commission that a survey was sent out to the residents for feedback on water conservation. This Ordinance has been drafted in response to that feedback. Staff has also prepared an educational document to answer frequently asked questions and misconceptions.

Mrs. McMahon stated that this Ordinance is mimicking the County Ordinance for reclaimed water conservation. There is a rate to be brought forward to the Commission at a later date; this mimics the County as well.

The Commission discussed the Ordinance and the conservation efforts. It was the consensus of the Commission to have this in effect year-round.

Rain gauges on irrigation systems were discussed. The Commission asked staff to research if regulations can be adopted in an Ordinance to require a timeframe for anyone with an irrigation system without a rain gauge to install one.

Attorney Dickman noted a few changes to the Ordinance. In regard to the section on definitions, the lettering bullet points will be removed, and the definitions will be in alphabetical order only. The second change is to refer to the City of St. Pete Beach one time and add (City) so that in the Ordinance the word “City” can be used instead of the entire name every time.

Motion: Commissioner Graus moved, Vice Mayor Friszolowski seconded, and the motion carried 4-0 to approve the first reading of Ordinance 2021-18 with the changes as noted by the Attorney.

6. RESOLUTIONS

a. Resolution 2021-14: Fiscal Year 2022 Proposed Millage Rate and Public Hearings for Adoption

A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF ST. PETE BEACH, FLORIDA, ESTABLISHING THE FISCAL YEAR 2022 PROPOSED MILLAGE RATE; SCHEDULING PUBLIC HEARINGS DATES FOR BUDGET ADOPTION; AND PROVIDING AN EFFECTIVE DATE.

Assistant City Attorney Vince Tenaglia discussed the process as dictated by the Department of Revenue. The City is to submit the proposed millage rate to the Property Appraiser by August 4th so that the information can be submitted to residents in their annual Truth in Millage (TRIM) statement. He reminded them that whatever millage is adopted can be lowered but cannot be raised after tonight.

The City also has to adopt the public hearing dates, which also is submitted in the TRIM notices. The dates cannot

be the same dates as the School Board nor the County.

Staff is recommending the proposed millage rate of 3.1500 mills and the public hearing dates of September 13 and September 27 at 6:00 p.m.

Motion: Commissioner Graus moved, Vice Mayor Friszolowski seconded, and the motion carried 4-0 to adopt Resolution 2021-14.

7. ITEMS FOR DISCUSSION

a. Monthly Town Meeting at the Community Center

Mr. Rey discussed a monthly update where each director would talk to the Commission and public about things going on around the City.

Mayor Johnson would like it to be more of an open forum discussion with staff, Commission and public.

Mr. Rey proposed to rotate venues in the different districts for discussions.

Vice Mayor Friszolowski is not too sure of having it monthly.

Discussion ensued. The consensus was to have them quarterly to begin in October with the new fiscal year.

Commissioner Pletcher appreciated the idea and also recognized how much the City puts information out, especially through Sarah Laracuate, the Public Information Officer (PIO). A lot is pushed out through social media. She opined that instead of weekly updates by the Mayor and PIO, staff could rotate and add information as well, at least once a month. She agreed that meeting quarterly is more efficient than monthly.

The consensus of the Commission was to hold quarterly town hall meetings at different districts. Each quarter would be attended by that district commissioner and Mayor along with one or two directors who may have projects going on in that district. The first town hall meeting will be in October and will be in District 1 with Commissioner Graus and Mayor Johnson, the meetings thereafter will go to District 2, District 3 and District 4.

8. CITY CLERK, CITY MANAGER, CITY ATTORNEY AND CITY COMMISSION REPORTS

Amber LaRowe, City Clerk—reminded the Commission of the workshop on August 10 at 4:30 p.m. with Lisa Foster and the Vulnerability Study.

Alex Rey, City Manager—is requesting an executive session to negotiate with CWA Union.

The recent Ordinance adopting FEMA regulations was accepted by FEMA.

He discussed the chiller in the air conditioning unit at the Library. It is continuing to have problems and is still being worked on.

Attorney Dickman, City Attorney—requested an executive session to discuss the tentative settlement with Pass-A-Grille Community Church; he would like it to be August 10 at 5:30 p.m. A court reporter will be present.

He discussed the Miramar appeal and the steps that will be taken. The court is in the process of reviewing the petition.

Commissioner Pletcher—discussed red tide issues and mentioned other ways that the situation could be handled, especially in the future.

Vice Mayor Friszolowski—is very grateful with the red tide cleanup efforts and agreed that there could be a more sophisticated approach to the issue going forward.

Commissioner Graus—commented on red tide issues and is grateful for staff cleaning up the beaches.

Mayor Johnson—there will be representatives from the State and County present at tomorrow's BIG-C meeting to discuss red tide.

He mentioned an email that was distributed by the PIO. There was a segment on FOX 13 about the Fire Department rescue on Memorial Day with a family stuck on their boat.

Mayor Johnson is intending to go to the Florida League of Cities Conference in August and reminded anyone who would like to attend that the deadline is Friday to be registered.

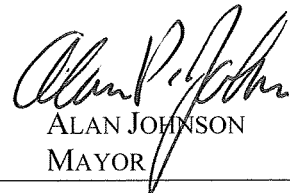
Vice Mayor Friszolowski and Commissioner Pletcher stated they may attend.

Mayor Johnson adjourned the meeting at 8:00 p.m.

MINUTES APPROVED: August 10, 2021



AMBER LAROWE
CITY CLERK



ALAN JOHNSON
MAYOR