ST. PETE BEACH CITY COMMISSION
MINUTES

Tuesday, July 22, 2008
06:30 p.m.

Call to Order

Pledge of Allegiance

Invocation

Invocation was given by Vice Mayor Metz.

Roll Call

THOSE PRESENT:

Mayor Mike Finnerty
Vice Mayor Harry Metz
Commissioner Linda Chaney
Commissioner Christopher Leonard
Commissioner Al Halpern

ALSO PRESENT:

City Manager Mike Bonfield
City Attorney Mike Davis
City Clerk Theresa McMaster

Mayor Finnerty noted that the Police Department has free bike helmets.

AGENDA MEETING

All items on the Consent Agenda will be enacted by one motion at the Regular Meeting. Items may be removed for discussion, changes, and/or anticipation of a non-unanimous vote and considered separately at the

Regular Meeting on the request of anyone on the Commission or by a majority vote of the City Commission upon request of an audience member

Commissioner Chaney requested that Item 5a Discussion on Upham Beach T-Groins be moved up on the agenda to immediately follow the Consent Agenda.

The Commission agreed to do so.

The Commission discussed setting a time certain for adjournment.

No decision was made at that time. It will be addressed at a later time.

REGULAR MEETING

1. Audience Comments

Mimi Gewanter, 265 Tessier Drive, W. - suggested that the Commission limit their discussion and not repeat comments; expressed her opposition to outsourceing the Police Dispatch to the County Sheriff s Department;suggested that only residents and tax payers be allowed to speak on the T-Groin issue.

Dale Hughes, 8301 Boca Ciega Drive. Discussed a crisis of leadership; spoke to credibility of the Commission; discussed the budget crisis and the reason therefore;expressed opposition to a millage increase; suggested that management positions could be eliminated; discussed tourism and the trickle down effect of tourism; suggest that the City sell the Don Vista Building and the Library Building; move the Library to the Community Center Complex; discussed a municipal marina

Maria Urban, Three Palms Point - expressed her dissatisfaction with the actions of the City regarding a dispute with her neighbor, Steve McFarlin.

Paul Pfister, 8090 Gulf Boulevard, reported that North Beach residents expressed support for retaining the police dispatch function in the budget; residents relayed to him they weren t concerned about a slight increase in the millage rate;support of splas pad project; Aegon Insurance thanked the Community for paying for postage on the Support Our Troops packages; noted that the Pinellas County

Planning Council unamously approved the changes submitted to the Countywide Plan.

Rose Mary Manning, 200 1st Avenue. asked questions about properties on Gulf Way that are for sale, thought they were the small motels that the City has been working for the last couple of years to allow them to redevelop.

2. Consent

a. Minutes of the September 10, 2007 City Commission Workshop Meeting

Vice Mayor Harry Metz moved to adopt the consent agenda as presented. Commissioner Linda Chaney seconded the motion.

The motion was unanimously approved by individual roll call vote.

6a. Discussion of T-groin replacement - Nicole Elko

Nicole Elko, Pinellas County Coastal Manager gave a report on the T-groin Project at Upham Beach.

Commissioner Halpern was concerned about downdrift effects in Pass-a-Grille; discussed the schedule for dredging of Blind Pass Channel as a borrow site for Upham Beach; and discussed the 5 year plan for the t-groin experiment.

Commissioner Chaney asked about the time frames for the program being presented; stated that with the T-Groins experiment, the renorushment has ocurred every 3 to 4 years, not six years as is suggested with permanent structures. Dr. Elko noted that the renourishment is anticipated every six years. She stated that the 2006 renourishment was not a planned project. It was partially required because of vandalism to the geo-textile groins.

Dr. Elko noted that the area in front of Star Light Towers is of concern and that the engineer that will be hired in 2009 will consider alternative designs to increase the effectiveness of the structures.

Dr. Elko reported that computer models will be used with existing data to test various configurations.

Commissioner Leonard expressed his appreciation to the County; expressed concern about the need to tweak the project before permanent structures are installed and the fact that our weather has been mild in the past couple of years.

Dr. Elko stated that the plans for the permanent structures will be some variation of what is currently there and noted that if there is a negative downdrift effect of the structures they must be removed.

Commissioner Metz suggested extending the jetty in a southwestern direction and putting a pump on the jetty. Dr. Elko stated that one of the options considered was to place a pump on Sunset Beach and it was found to be cost prohibitive because it would be an ongoing project and require several full-time staff members.

Mayor Finnerty noted that the results have been good and there are two sea turtles nests on Upham Beach at this time.

Cleo Robinson, 2162 W.Vina Del Mar Boulevard; not totally in support or opposed; was uncomfortable in making financial comittments and would prefer a solution that doesnt need renourishment; discussed alternatives to the rock structures; asked that other solutions be considered before a final determination is made; discussed the sea life and the effect renourishment has on the sea life.

Mike Meehan, Causeway Isle Estates; frequent user of this beach; not quite in opposition or in support; impressed with Dr. Elko s report; discussed placing artificial reefs off the beach.

Jessica Emery. Not in opposition or support; backed up previous speakers on this issue; asked that other options be researched.

The Mayor asked for audience comments from those that support the t-groins.

Kevin Hing, Starlight Towers Condominium. Gave a presentation on the need for the T-groins and expressed his support on moving forward with permanent structures; noted that 90% of the owners in Starlight Towers have stated that they are in support of the project.

Bill Pyle, 6600 Sunset Way. Voiced his support of the project.

George Wolf, Starlight Towers, in support of permanent structures.

Lenny Stamos, 2491 Vina Del Mar Boulevard. Noted that Starlight Towers allowed him to put a webcam on their fourth floor showing the beach; they have relocated the camera and updated the technology; it was suggested that the Police Department could monitor the beach and minimize vandalism that has caused a great deal of expense to the County on this temporary solution.

The Mayor closed audience comments.

Nicole Elko answered questions by the Commission regarding the issue and responded to some of the audience comments.

Dr. Elko said she was familiar with the options brought up by speakers at this meeting and those options will be considered by the engineer in 2009. She also noted that one if the options being discussed was filling geo-tubes with concrete and that is not advisable and not allowed in Florida.

After considerable discussion, the consensus of commission was to move forward with the installation of some kind of permanent solution for erosion control.

The City Manager was asked to research the possibility of receiving a grant for some surveillance equipment at Upham Beach.

4. Ordinances

a. Ordinance 2008-26, First Reading and Public Hearing, proposing a Charter amendment requiring referendum approval of casino style

gambling within the municipal limits of St. Pete Beach; and prohibiting casino style gambling within the city until such referendum approval is granted by the citizens of the city.

City Attorney Davis provided a revised ordinance to the Commission. Commissioner Chaney asked that this issue be considered later in the meeting so that she can read what has been presented by the City Attorney.

b. **Ordinance 2008-28, Final Reading and Public Hearing, amending the Code of Ordinances Chapter 22, Boards and Committees - staff responsibilities**

Continued until August 12, 2008.

c. **Ordinance 2008-29, Final Reading and Public Hearing, amending Code Sections 22-101 through and including 11-109 of Article IV of Chapter 22 to change the name and scope of the Leisure Services Committee.**

Continued until August 12, 2008

d. **Ordinance 2008-30, First Reading and Public Hearing, amending Chapter 58 pertaining to the Recreation Division and Appendix A Fee Schedule.**

Continued until August 12, 2008.

3. Resolutions

a. **Resolution 2008-18, finding the necessity to create a Community Redevelopment Agency and designating the membership of the St. Pete Beach City Commission as the Community Redevelopment Agency.**

City Manager Bonfield summarized the report to the Commission.

It was noted that the City Commission must serve as the Community Redevelopment Agency.

Discussion was held on creating an advisory committee to make recommendations to the City Commission, as they are sitting as the Community Redevelopment Agency.

Commissioner Chaney expressed that she does not agree with the estimation that there will be no increase of water usage which will impact the entire City. Her concern is that the developers pay the costs needed for the impact of their project.

Commissioner Chaney requested that staff provide a report regarding the current amount of water usage for the hotels already in existence. She inferred that would be a baseline number to indicate whether or not there is an increase in usage due to redevelopment

Mr. Davis stated that the Commission is obligated to adopt the resolution and move it forward to the County as it is part of the Settlement Agreement with SOLV and then put it on the ballot for the voters to consider.

Commissioner Linda Chaney made a motion to have staff establish a baseline of the current usage data for water and sewer for the hotels. Vice Mayor Harry Metz seconded the motion.

Mr. Bonfield noted that impact fees are separate issues and that this Resolution is for the Community Redevelopment Agency.

Commissioner Chaney withdrew her motion.

Commissioner Leonard was in favor of establishing an advisory board on the issue of the CRA.

Commissioner Halpern felt that an advisory committee is not necessary. He stated that he gets input from residents on issues that will come before the Commission.

Vice Mayor Metz was in agreement that an advisory committee would be necessary.

Mr. Bonfield suggested that the Commission wait until the CRA is approved by the County and then decide whether or not to create an advisory committee.

The Commission agreed to put the issue of an advisory committee on the agenda for a meeting in January 2009.

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The motion was unanimously approved by individual roll call vote.

Bill Pyle, 6600 Sunset Way - objected to the process; thought the citizens could have input before the Commission votes; objected to the resolution and the use of the word "blighted."

Rosemary Manning, 200 1st Avenue Urged the Commission to stay on the topic on the agenda; didn t see the need for an advisory committee; the elected official should do their jobs.

Karl Holley, Community Development Director answered questions from the Commission.

General discussion was held regarding impact fees and concurrency reviews.

Considerable discussion was held on concurrency review and the process.

A brief recess was taken at this time.

b. Resolution 2008-19, establishing the FY 2008/2009 tentative millage rate.

Mr. Bonfield gave a summary of the report on this Resolution.

The Mayor asked for audience comments.

Mimi Gewanter, 265 Tessier Drive S. spoke in support of raising the millage rate to keep the police and fire personnel.

Peter Roos, 8020 Gulf Boulevard Mr. Roos cautioned the Commission to adopt a tentative rate that will allow for some flexibility in the upcoming budget.

A gentleman (name and address inaudible) was opposed to increasing taxes; government needs to cut back on spending.

Bob Manning, 200 1st Avenue, agreed that the City needs to tighten the budget; warned the Commission about setting the tentative millage too low; urged the Commission to look for innovative ways to maintain the public safety personnel.

Bill Pyle, 6600 Sunset Way opposed increasing the millage rate; suggested that some departments are top heavy and some of the upper level supervisory positions should be eliminated.

Tim Place, 3805 Gulf Boulevard; was opposed to increasing the millage rate; there are always areas that can be cut;

Discussion was held regarding the cost for maintaining the Police Dispatch Service. Ms. Trehy, Finance Director, noted that it would be approximately $155,000.

Elaine Trehy, Finance Director said that one tenth of a mill would increase the ad valorem tax income by $247,000. She also noted that there is approximately $141,000 surplus in the proposed budget. The rate if increased by one tenth of a mill would be 2.4764.

Discussion was held about the millage rate of St. Pete Beach compaired to other surrounding communities. It was noted that St. Pete Beach has the lowest rate of any small city with a police department.

It was noted that setting the tentative millage will not necessarily mean that the Commission will adopt an increase, it just allows for an increase if necessary. The

proposed millage rate will result in approximaterly $26.00 per year increase for the average home in St. Pete Beach.

Commissioner Al Halpern moved to adopt Resolution 2008-19 at 2.4764 millage with the intention to have a zero increase. Commissioner Linda Chaney seconded the motion.

The motion was approved by individual roll call vote of (3-2) with Vice Mayor Harry Metz, and Commissioner Christopher Leonard voting no.

5. Action Items

City Attorney Davis administered the oath for those persons speaking on the Conditional Use issues.

Anne Marr gave a presentation.

a. Conditional Use Case 2008-0013 review for an automotive rental agency business at 5300 Gulf Blvd (Sirata Resort).

Bob Annibale, the Southeast Expansion Manager, Avis Car Rental. Mr. Annibale spoke as the applicant for this item.

Vice Mayor Harry Metz moved to approve the request for Conditional Use 2008-0013. Commissioner Christopher Leonard seconded the motion.

The motion was unanimously approved by individual roll call vote.

b. Conditional Use Case 2008-0014, Request for modification of a previously approved Conditional use for a classification /use change from a Class B multi use private dock to a Class A dock for 3701 & 3751 Gulf Boulevard.

City Attorney Davis administered the oath for those persons speaking on the Conditional Use issues.

Anne Marr, Zoning Administrator, gave the staff summary.

Robert Stevenson, his daughter owns two lots across from the site. The concerns expressed were that there would be boat trailer parking on the street and cause problems with the residents in that area.

Discussion was held regarding parking issues; possible permit parking for that area; and signage that would help with any possible parking problems.

Mr. Bonfield stated that staff would look into the issue of parking and bring back recommendations to the Commission.

Diane Hio, Woods Consulting, speaking as the applicant. Noted that there were no physical changes to the dock, just changes in use.

Commissioner Linda Chaney moved to approve Conditional Use Case 2008-0014, Request for modification of a previously approved Conditional use for a classification /use change from a Class B multi use private dock to a Class A dock for 3701 & 3751 Gulf Boulevard. Vice Mayor Harry Metz seconded the motion.

The motion was unanimously approved by individual roll call vote.

c. Approval of contract between the City of St. Pete Beach and Karabashian Eddington Planning Group for development of new construction design guidelines for the Pass-a-Grille area of the City.

Mr. Bonfield summarized the issue.

Karl Holley, Community Development Director, answered questions from the Commission.

The Mayor asked for audience comments.

Melinda Pletcher, Chair of the Historic Preservation Board; urged the Commission to approve the contract and move forward; noted that the Board and Staff has put

a great deal of time on this issue; and stated that the Board is conscientious and responsible.

After considerable discussion, it was the consensus of the Commission to not approve the contract with Karbashian Eddington Planning Group due to the current budget contraints of the City.

6. Items for Discussion

a. Discussion of T-groin replacement - Nicole Elko

This item was moved up on the agenda and discussed earlier in the meeting.

b. City Attorney Services

This item was continued until a later meeting.

c. Meeting decorum

This item was continued until a later meeting.

4 a. Ordinance 2008-26, First Reading and Public Hearing, proposing a Charter amendment requiring referendum approval of casino style gambling within the municipal limits of St. Pete Beach; and prohibiting casino style gambling within the city until such referendum approval is granted by the citizens of the city.

moved to

Rosemary Manning, 200 1st Avenue. She questioned the urgency of this matter; suggested that the Commission should listen to the Boards and Committees that they have appointed; related that the Commission needs to take care of their responsibilities and make decisions.

Lorraine Huhn, 9425 Blind Pass Road. She asked the Commission to take the recommendations of the Boards and Committees.

The motion was approved by individual roll call vote of (4-1) with Commissioner Al Halpern voting no.

Commissioner Linda Chaney moved to continue items 4 b, c & d until the August 12, 2008 meeting Vice Mayor Harry Metz seconded the motion.

The motion was unanimously approved by individual roll call vote.

7. Reports

a. City Manager's Report

Land Use Map Plan Amendment (SOLV) was recommended for approval by the Pinellas Planning Council to the Board of County Commission who will meet on August 5, 2008.

Planning Board Meeting on July 23, 2008 listed the items on the agenda.

Paradise Sweets has requested an amendment to their lease agreement to be allowed to serve beer and wine.

Noted the dates and times for the City Commission Budget Workshops.

Chamber of Commerce Open House.

Library closed August 5, 2008 for the County s new automation system.

Went over items for the next meeting.

b. City Attorney's Report

City Attorney Davis reported that a suit has been filed by Wachovia Bank for a mortgage forclosure on a property for which City has placed a lien. His firm has a conflict. He suggested an outside attorney by the name of Peggy McGaridy. She would be retained at Olive Miller Bryant's standard rate. He estimated the cost to be less than $5,000 total.

Mr. Davis asked the Commission to schedule an Executive Session to discuss the Chmielewski case. It was scheduled for July 30, 2008 at 6:30pm.

c. Commission Reports

Vice Mayor Metz reported on activities in District 4.

Commissioner Leonard reported on activities in District 3.

Commissioner Chaney reported on activites in District 2.

Commissioner Halpern reported on activities in District 1.

Mayor Finnerty reported various activities throughout the City.

8. Audience Comments

Peter Roos, 8020 Gulf Boulevard: expressed his opposition to eliminating positions that are currently filled with experienced staff, especially in the Recreation Division; opposition to putting off the Fee Schedule Ordinance; the brochure for the upcoming months of recreation events and activities is critical to get the participation in programs necessary.

Bill Pyle, 6600 Sunset Way; thanked the Commission for supporting the T-groin Project at Upham Beach.

After discussion by the Commission, a Special Meeting was scheduled for July 30, 2008 at 6:30pm to have first reading on the fee schedule ordinance.

City Attorney Davis requested an Executive Session be held on that date after the Special Meeting to discuss the Chmielewski case.

9. Adjournment

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Rebecca C. Haynes, City Clerk Steve McFarlin, Mayor

Minutes approved on

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