ST. PETE BEACH COMMISSION MEETING
MINUTES

Tuesday, November 10, 2009
5:00 p.m.

THOSE PRESENT:

Mayor Finnerty
Vice Mayor Halpern
Commissioner Leonard
Commissioner Garnett
Commissioner Parent

ALSO PRESENT:

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

1. Changes to the Agenda

Items 5a and 5b (rezoning of Coconut Inn) were postponed until January 12, 2010.

Discussion was held about Mr. Caruso withdrawing his application and coming back at a later day with the fees for the re-zoning being waived for the second application.

Commissioner Garnett moved to continue Items 5a and 5b (ordinances regarding Coconut Inn rezoning) until January 12,2010 Commissioner Leonard seconded the motion.

It was noted by the City Manager that there will be no additional notice for the January 12, 2009 meeting.

The Commission removed Item 6c, settlement agreement, from the agenda.

Commissioner Garnett asked to postpone Item 7b regarding a letter from Bette Woods until the first meeting in December.

2. Presentations

NONE

3. Audience Comments

Harry Metz, 504 Pass-a-Grille Way

Tom Bogott, Tradewinds

Bill Pyle, 6600 Sunset Way

Lorraine Huhn, 9425 Blind Pass Road

Tony Cahill, 9343 Blind Pass Road

4. Consent

a. Minutes of the September 10, 2008 City Commission Meeting, the September 21, 2009 City Commission Meeting and the October 20, 2008 City Commission Meeting.

Minutes of the September 10, 2008 City Commission Meeting.
Minutes of the September 21, 2009 City Commission Meeting
Minutes of the October 20, 2008 City Commission Meeting

b. Authorize the City Manager to add services to the TruGreen LandCare Inc. contract in the amount of $13,022.35 for turf care in Horan and Egan Parks to include fertilization, weed control, insect control and disease control for one year.

Herbicide and Pesticide Spraying Proposal
TruGreen Proposal

c. Authorization for the City Manager to enter into an agreement with QRC, Inc. in the amount of $94,500.00 for the rehabilitation of wastewater lift station No. 7.

Lift Station 7 Agenda Report
Lift Station 7 Bid and Purchasing Agreement

Commissioner Parent moved to approve the Consent Agenda Commissioner Garnett seconded the motion.

The motion was unanimously approved by individual roll call vote.

5. Resolutions

a. Resolution 2009-22, supporting the TBRPC hosting the 2012 National Association of Regional Councils conference.

Resolution 2009-22 Agenda Report
Resolution 2009-22

City Manager Bonfield summarized the issue.

Vice Mayor Halpern moved to adopt Resolution 2009-22, supporting the TBRPC hosting the 2012 National Association of Regional Councils conference. Commissioner Parent seconded the motion.

The motion was unanimously approved by individual roll call vote.

b. Resolution 2009-23, reappointing John Elias, Esq. as the Parking Citation Hearing Officer, Administrative Appeals Hearing Officer and Special Magistrate for the City's Code Enforcement Division

Resolution 2009-23 Agenda Report
Resolution 2009-23

Mr. Bonfield summarized the issue.

Commissioner Parent moved to adopt Resolution 2009-23, reappointing John Elias, Esq. as the Parking Citation Hearing Officer, Administrative Appeals Hearing Officer and Special Magistrate for the City's Code Enforcement Division Commissioner Leonard seconded the motion.

The motion was unanimously approved by individual roll call vote.

c. Resolution 2009-24 endorsing and supporting the Countywide School Zone Improvement Program.

Resolution 2009-24 Agenda Report
Resolution 2009-24

Mr. Bonfield reported on the issue.

Commissioner Garnett moved to adopt Resolution 2009-24 endorsing and supporting the Countywide School Zone Improvement Program. Commissioner Parent seconded the motion.

The motion was unanimously approved by individual roll call vote.

6. Ordinances

a. Ordinance 2009-14, First Reading and Public Hearing providing for amendment of the Future Land Use Map of the St. Pete Beach Comprehensive Plan for property located at 113 11th Avenue.

Ordinance 2009-14 Report
Ordinance 2009-14
Ordinance 2009-14 Location Map
11-2-09 Email From City Attorney

**This item was continued to the first meeting in January, 2010.

b. Ordinance 2009-15, First Reading and Public Hearing providing for amendment of the Official Zoning Map of the St. Pete Beach Land Development Code for property located at 113 11th Avenue.

Ordinance 2009-15 Report
Ordinance 2009-15
Ordinance 2009-15 Analysis

**This item was continued to the first meeting in January, 2010.

c. Ordinance 2009-30, First Reading and Public Hearing, Capital Improvement and Essential Services Assessment.

Ordinance 2009-30 Agenda Report
FAQs for Procedural Ordinances
Ordinance 2009-30

Mr. Bonfield reviewed the background on the ordinance.

Mark Lawson, attorney with Bryant Miller Olive, addressed the Commission and answered their questions.

Rick Falkenstein, 4th Palm Point spoke in opposition to the proposed ordinance.

Bruno Falkenstein, 2401 PAG Way spoke in opposition of the proposed ordinance.

Chet Chmielewski, 3214 El Centro

Commissioner Parent moved to approve Ordinance 2009-30, First Reading and Public Hearing, Capital Improvement and Essential Services Assessment. Vice Mayor Halpern seconded the motion.

The motion was approved by individual roll call vote of (4-1) with Mayor Finnerty voting no.

d. Ordinance 2009-31, First Reading and Public Hearing, repealing Ordinance 2005-02 that adopted the St. Pete Beach Personnel Rules and Regulations Manual 2005 Edition, and repealing Ordinance 2005-34 that provided for amendment to Ordinance 2005-02

Ordinance 2009-31 agenda report
Ordinance 2009-31

Mr. Bonfield reviewed the ordinance for the Commission.

Vice Mayor Halpern moved to approve Ordinance 2009-31, First Reading and Public Hearing, repealing Ordinance 2005-02 that adopted the St. Pete Beach Personnel Rules and Regulations Manual 2005 Edition, and repealing Ordinance 2005-34 that provided for amendment to Ordinance 2005-02 Commissioner Garnett seconded the motion.

The motion was unanimously approved by individual roll call vote.

e. Ordinance 2009-32, First Reading and Public Hearing, an Ordinance of the City of St. Pete Beach, Florida, providing for a reallocation of budgeted monies in the General Fund for Fiscal Year ending September 30, 2009; Providing for funding; Providing for and effective date.

Ordinance 2009-32 Memo
Ordinance 2009-32

Mr. Bonfield reviewed the proposed ordinance.

Bruno Falkenstein, 2401 PAG Way

Commissioner Garnett moved to adopt Ordinance 2009-32, First Reading

and Public Hearing, an Ordinance of the City of St. Pete Beach, Florida, providing for a reallocation of budgeted monies in the General Fund for Fiscal Year ending September 30, 2009; Providing for funding; Providing for and effective date. Vice Mayor Halpern seconded the motion.

The motion was unanimously approved by individual roll call vote.

7. Action Items

a. Authorization for the City Manager to sign a work order for Bryant Miller Olive in the amount of $69,425.75 to develop a special assessment revenue source for a needed stormwater utility.

Stormwater Agenda Report
Stormwater Work Order

Mr. Bonfield summarized the issue.

Mr. Lawson answered questions from the Commission.

Mr. Steve Hallock, Public Services Director, addressed the Commission in response to their questions.

Commissioner Garnett moved to Authorize the City Manager to sign a work order for Bryant Miller Olive in the amount of $69,425.75 to develop a special assessment revenue source for a needed stormwater utility. Commissioner Parent seconded the motion.

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

Rick Falkenstein, 4th Palm Point
Bruno Falkenstein, 2401 Pass-A-Grille Way
Chet Chmeilewski, 3214 El Centro

b. Authorize the City Manager to enter into a one year agreement with PSTA for trolley services.

PSTA Trolley agreement agenda report
PSTA Trolley

Mr. Bonfield summarized the agreement.

Commissioner Parent moved to Authorize the City Manager to enter into a

one year agreement with PSTA for trolley services. Vice Mayor Halpern seconded the motion.

The motion was unanimously approved by individual roll call vote.

c. Authorization for the Mayor to enter into a settlement agreement regarding the following lawsuits - Pyle v. City of St. Pete Beach, Case No.: 08-8642-CI-19, Pyle v. City of St. Pete Beach, Case No.: 08-8129-CI-19, Pyle v. City of St. Pete Beach, Case No.: 08-6817-CI-08, Pyle v. Department of Community Affairs, et al, Case No.: 1D09-4181, Fla. 1st DCA, Kadoura and McCormick v. City of St. Pete Beach, Case No.: 08-10818-CI-19 and Kadoura v. City of St. Pete Beach, Case No.: 08-12498-CI-19, Circuit Court, Sixth Judicial Circuit.

**This item was removed from the Agenda.

8. Items for Discussion

a. Sign ordinance as it relates to sandwich board type signs - Commissioner Parent

Mr. Bonfield stated that Commissioner Parent asked to bring this item forward for discussion.

Commissioner Parent said that the Commission has talked a lot about waiting on some issues because of the bad state of the economy. He suggested that perhaps the City could adopt a sandwich sign ordinance for the merchants on Corey Avenue to help them with the holiday season.

Mr. Davis reported that if the code is a part of the Land Development Regulations, there is a more lengthy process to change the Code. It will require public hearings of the Planning Board which requires notice. It would then need to be heard on two occasions for the City Commission to approve.

Mr. Bonfield noted that the issue is on the upcoming agenda for the Planning Board as a discussion item. He said that he thought it could possibly be ready for Commission action at the next Commission Meeting.

b. Discussion of Bette Woods letter - Commissioner Garnett

**This item was continued until a future meeting.

9. City Manager, City Attorney and City Commission Reports

City Manager Bonfield's Report

During the Reports the Commission decided to change the meeting date for the next meeting from November 24, 2009 to November 30, 2009 at 6:30pm.

City Attorney Davis's Report

Commissioner Garnett's Report

Commissioner Leonard's Report

Commissioner Parent's Report

Vice Mayor Halpern's Report

Mayor Finnerty's Report

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Theresa B. McMaster, City Clerk Mike Finnerty, Mayor

Minutes approved on

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