

CITY COMMISSION MEETING

MINUTES

June 12, 2012

6:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENT:

Steve McFarlin, Mayor
Marvin Shavlan, Vice Mayor
Lorraine Huhn, Commissioner
Jim Parent, Commissioner

ABSENT:

Bev Garnett, Commissioner (Excused)

ALSO PRESENT:

Mike Bonfield, City Manager
Mike Davis, City Attorney
Pamala Prell, Deputy City Clerk, MMC
Renee Cooper, CIP Construction Manager
Dan O'Connor, Administrative Services Supervisor
David Romine, Police Chief

1. Changes to the Agenda

Commissioner Huhn requested to add the termination of the Right-of-Way Agreement between the Swigwam Bar and the City. It was added as Item 5(d).

Commissioner Parent requested the removal of Item 4(e) from the consent agenda, for discussion. It was added as Item 5(e).

Mayor McFarlin requested to add a presentation by the Tampa Bay Beaches Chamber of Commerce.

City Manager Bonfield requested to add a presentation by the Friends of St. Pete Beach.

City Manager Bonfield requested that Item 5(c) be removed from the agenda and be rescheduled for a future meeting. He explained that there was a provision in the Land Development Code regarding rear yard setbacks in the Large Resort District that was overlooked, and the notice and application need to be amended and re-advertised. He advised that it may be four weeks before it is ready for consideration by the Commission.

2. Presentations

- a. Proclamation Mimi Gewanter Day.

Mayor McFarlin read a proclamation declaring June 12, 2012 as "Mimi Gewanter Day".

- b. Presentation of donation from Tampa Bay Beaches Chamber of Commerce.

Mayor McFarlin presented a check in the amount of \$4,074 as a donation towards the barge for the July 4, 2012 fireworks display.

- c. Presentation of donation from The Friends of St. Pete Beach

Tom DeCair presented a check in the amount of \$1,000 as a donation towards the barge for the July 4, 2012 fireworks display.

3. Audience Comments

Attorney Ryan Barack, 133 North Ft. Harrison Avenue, Clearwater, Florida, requested that item 4(g) be removed from the Consent Agenda, in order for his law firm to be considered for the legal representation relating to the Deepwater Horizon Disaster and BP Oil Spill.

Deborah Schechner, Boca Ciega Isle, urged the Commission to have the plaque that reads "How Does My Vote Benefit the Residents" returned to the Commission Chambers.

Debra Edney, 181 73rd Avenue, St Pete Beach, spoke regarding the City's pension debt and the City's financial obligations to the residents.

4. Consent

- a. Approval of the Minutes for Shade Meeting of May 22, 2012 and Regular Meeting of May 22, 2012.
- b. Authorize the City Manager to have banners raised over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the Suntan Art Center/City of St. Pete Beach 100 Artist Shows.
- c. Authorize the City Manager to have banners raised over 75th Avenue at Boca Ciega Drive and over the Pinellas Bayway at Granada Avenue for the Corey Avenue Car Shows.
- d. Approve the request from Corey Area Business Association to close the 300-400 block of Corey Avenue on September 15, 2012 and December 15, 2012 for the Corey Avenue Car Shows.
- e. Ratification of the City Manager's decision to accept a proposal from Ennead LLC in the amount of \$11,000 to provide sub-consulting services associated with the update of the FY 2012-2013 stormwater Non-Ad Valorem (NAV) assessment, including the "Fixed Fee" and "Impervious-Based" assessment components.

This item was removed from the consent agenda and added as Item 5 (e).

- f. Ratification of the City Manager's decision to allow the closure of the 300 block of Corey Avenue on Sundays for the Corey Fresh Market in St. Pete Beach through the end of June 2012.
- g. Authorize the City Manager to enter into an agreement with Penton Law Firm for legal representation relating to the Deepwater Horizon Disaster and BP Oil Spill.
- h. Authorize the City Manager to enter into an agreement with Verizon Wireless Personal Communications LP d/b/a Verizon Wireless for temporary placement of a portable cellular phone tower at 3300 Gulf Blvd.

Commissioner Parent moved to approve Consent Agenda Items (a) through (h), excluding Item (e), as written. The motion was seconded by Commissioner Huhn and unanimously approved by a roll call vote.

5. Action Items

- a. Designation of voting delegate for the 8th Annual FLC Conference.

Mayor McFarlin nominated Commissioner Parent as the FLC voting delegate. Vice Mayor Shavlan seconded the nomination. The nomination was unanimously approved by a voice vote.

b. Authorize the City Manager to enter into a purchasing agreement with Morelli Landscaping, Inc., in the amount of \$312,970 for landscaping and irrigation improvement on the FDOT Right-of-Way.

City Manager Bonfield explained the agreement is for landscaping and restoration work in the new medians on Gulf Boulevard and Blind Pass Road. Mr. Bonfield pointed out that this project is funded by an FDOT grant and by 'Penny for Pinellas'. He reported that the project should be finished before the Republican National Convention (RNC); if not, the contractor has agreed to stop working on Gulf Boulevard during that time.

Mayor McFarlin stated that he wanted to be certain that the work would stop during the RNC because of the additional traffic and buses that will be using Gulf Boulevard.

Commissioner Parent pointed out that the City is not required to provide any funding for this project.

Commissioner Parent moved to authorize the City Manager to enter into a purchasing agreement with Morelli Landscaping, Inc., in the amount of \$312,970 for landscaping and irrigation improvements on the FDOT Right of Way. The motion was seconded by Vice Mayor Shavlan and unanimously approved by a roll call vote.

c. Public Hearing for Variance 2012-006, requesting the construction of a sundeck seaward of the City Coastal Construction Excavation Setback Line. (Quasi-Judicial)

This Item was removed from the agenda and will be rescheduled to a future meeting.

d. Termination of the Right of Way Agreement with the Swigwam Bar and the City of St. Pete Beach.

Commissioner Huhn explained that she wanted to terminate the agreement to eliminate the crowds that gather on the sidewalk and block the public's access. She advised that she has received several complaints regarding the use of the sidewalk.

Rob Williams, owner of the Swigwam Bar, stated that he was not aware that this item was going to be discussed and requested the opportunity to talk to the business owners on Corey Avenue to try to resolve their concerns. Mr. Williams suggested that certain hours be set for the use of the sidewalk.

Mayor McFarlin pointed out that the City was previously given a petition, signed by approximately 12 businesses owners on Corey Avenue, requesting that the sidewalk not be used by the bar patrons.

The Commission agreed to discuss the termination of the agreement at their June 26, 2012 meeting.

e. Ratification of the City Manager's decision to accept a proposal from Ennead LLC in the amount of \$11,000 to provide sub-consulting services associated with the update of the FY 2012-2013 stormwater Non-Ad Valorem (NAV) assessment, including the "Fixed Fee" and "Impervious-Based" assessment components.

Commissioner Parent stated that he wanted to clarify that this agreement did not contain any provisions for the mitigation portion of the Assessment Program and that he would like to revisit the mitigation variable fees.

City Manager Bonfield advised that this agreement is strictly for the mailing of notices to the addresses on the tax roll and that he would schedule the review at a future meeting.

Commissioner Parent moved to approve the ratification of the City Manager's decision to accept a proposal from Ennead LLC, in the amount of \$11,000, to provide sub-consulting services associated with the update of the FY 2012-2013 stormwater Non-Ad Valorem (NAV) assessment, including the "Fixed Fee" and "Impervious-Based" assessment components. The motion was seconded by Vice Mayor Shavlan and unanimously approved by a roll call vote.

Vice Mayor Shavlan asked if there could be a discussion item on a future agenda regarding the \$300,000 that was budgeted for improvements on Corey Avenue.

6. Ordinances

a. Ordinance 2012-09, First Reading and Public Hearing, amendment of Subsection (v) of Section 82-137 of Division 1 of Article III of Chapter 82 of the Code of Ordinances, pertaining to stopping, standing and parking of vehicles; providing for amendment of the City parking maps; providing for severability; providing for the repeal of all ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

City Manager Bonfield explained that this ordinance is an amendment to the previous ordinance that was adopted to restrict parking in the 64th Avenue/Three Palms Point neighborhood, to include the finger streets.

Dan O'Connor, Administrative Services Supervisor, explained that the ordinance contained an error and pointed out that the parking will be restricted between 425 64th Avenue and Fourth Palm Point, including the fingers streets.

Commissioner Parent suggested regulating the time for no parking in this area. The Commission agreed to prohibit parking in this area until after 9 p.m.

Commissioner Parent suggested that the City review their parking regulations and consider developing regulations for each neighborhood, similar to the regulations in Pass-a-Grille.

Mayor McFarlin called for audience comments.

Lonnie Jones, St. Pete Junior College student, stated that she is in favor of the proposed parking regulations and asked for an explanation of the Parking Permit Program and its enforcement. City Manager Bonfield provided information about the Parking Permit Program and enforcement.

Keith Kaputus, Gulf Winds Drive, St. Pete Beach, asked the Commission to consider issuing one day permits to the residents in his neighborhood for guest parking.

Commissioner Parent suggested exploring what other beach cities do to solve their parking issues.

Hearing no further comments, Mayor McFarlin closed audience comments.

Vice Mayor Parent moved to adopt Ordinance 2012-09, First Reading and Public Hearing, amendment of Subsection (v) of Section 82-137 of Division 1 of Article III of Chapter 82 of the Code of Ordinances, pertaining to stopping, standing and parking of vehicles; providing for amendment of the City parking maps; providing for severability; providing for the repeal of all ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date, as amended. The motion was seconded by Vice Mayor Shavlan and unanimously approved by a roll call vote.

7. Resolutions

a. Resolution 2012-04, declaring as surplus certain City vehicles and authorizing the City Manager to dispose of same.

Vice Mayor Huhn moved to approve Resolution 2012-04, declaring as surplus certain City vehicles and authorizing the City Manager to dispose of same. The motion was seconded by Commissioner Parent and unanimously approved by a roll call vote.

8. Items for Discussion

a. Process for considering contract for Law Enforcement Services with Pinellas County Sheriff's Office.

City Manager Bonfield explained that the proposal from the Sheriff has been provided to the Commission and suggested that the Sheriff be invited to a meeting to answer their questions. Mr. Bonfield pointed out that the ballot language needs to be submitted to the Supervisor of Elections in mid-August to be on the November, 2012 ballot, and that an ordinance would have to be adopted in July to meet that deadline.

After a general discussion, the Commission agreed to authorize the City Manager to invite the Sheriff to their June 26, 2012 meeting to answer questions. Mr. Bonfield suggested that the Commission submit their questions to him prior to the meeting so he can forward them to the Sheriff.

Mayor McFarlin called for audience comments.

The following persons spoke in opposition of contracting with the Sheriff for law enforcement services for the City:

Bruno Falkenstein, Hurricane Restaurant, St. Pete Beach
Deborah Edney, 73rd Avenue, St. Pete Beach
Bruce (Inaudible), Captiva Circle, St. Pete Beach
Deborah Schechner, Boca Ciega Isle Drive, St. Pete Beach
Chuck Hendershot, Belle Vista, St. Pete Beach
Millard Gamble, 1 Pass-a-Grille Way, St. Pete Beach
Danielle Micklitsch, St. Pete Beach
Rob Stambaugh, Silas Dents Restaurant, St. Pete Beach
Michael Jones, Sports Bar, St. Pete Beach

The following person spoke in favor of gathering more information about the Sheriff's proposal:

Michael Lehman, 535 80th Avenue, St. Pete Beach

Police Chief David Romine offered to meet with the City Commission individually to discuss the operations of the Police Department and requested to be involved in the meetings with the Sheriff's Office.

There being no further comments, the Mayor closed audience comments.

9. City Manager, City Attorney and City Commission Reports

City Manager Bonfield reported that the Friday Dive-in Movies are back for the summer; Summer Camp is underway; there will be a Public Meeting regarding the Stormwater Plan on June 19, 2012 at 6 p.m. at the Community Center. He also outlined the items that will be on the June 26, 2012 agenda.

City Attorney Davis referenced a letter that the City sent to Attorney Ken Weiss proposing a settlement of the Anderson lawsuit, with a deadline of June 21, 2012 to

accept or reject the offer. Mr. Davis explained the offer is to waive court costs that the City could seek, and that neither party would appeal the orders that have been entered so far, and the City agrees to adopt the current Comprehensive Plan through the expedited process set forth in the statutes.

Vice Mayor Shavlan announced the Belle Vista Civic Association Meeting on June 14, 2012 and a sea oat planting event hosted by the Sirata Beach Resort and the Chamber of Commerce on June 30, 2012, beginning at 9 a.m.

Commissioner Parent did not have a report.

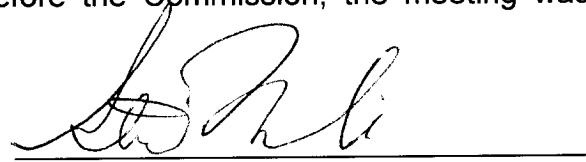
Commissioner Huhn reported that the Sunday Corey Fresh Market will begin on June 17, 2012 and advised that the 2012 Hurricane Guides are available at City Hall, the Library and Police Department.

Mayor McFarlin reported that at a meeting with the Pinellas County Property Appraiser he was informed that the sale of waterfront homes has drastically increased.

10. **Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 7:50 p.m.


Rebecca C. Haynes, City Clerk


Steve McFarlin, Mayor

Minutes approved on: 6-26-12