

CITY COMMISSION MEETING

MINUTES

June 26, 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
Bev Garnett, Commissioner

ALSO PRESENT:

Mike Bonfield, City Manager
Mike Davis, City Attorney
Pamala Prell, Deputy City Clerk, MMC
Steve Hallock, Director of Public Services
George Kinney, Director of Community Development

1. Changes to the Agenda

Mayor McFarlin asked City Manager Bonfield to give an update on the damage caused by tropical storm Debby.

2. Presentations

a. Tropical Storm Debby Damage Report

City Manager Mike Bonfield reported that a tornado touched down in Pass-a-Grille causing electrical outages and damage to homes in that area, and in the Vina del Mar and Belle Vista neighborhoods. He estimated that there is \$1.5 million worth of damage.

Mr. Bonfield advised that the wastewater system suffered minor damage, mostly to manhole lids. The rain and high tides produced more water than the system can discharge which causes the streets to flood.

Mayor McFarlin stated that he will not call for audience comments during the presentation by the Pinellas County Sheriff and requested proper decorum from the audience when the item was presented. If the Commission approves placing the law enforcement issue on the ballot, several public forums will be scheduled prior to the election to answer residents' questions.

b. Parks and Recreation Month Proclamation for July 2012

Mayor McFarlin read a proclamation declaring the month of July as Parks and Recreation Month.

c. Pinellas County Sheriff's Office Proposal For Law Enforcement Services – Sheriff Robert Gualtieri

Sheriff Robert Gualtieri gave a presentation regarding his proposal to offer law enforcement services for the City and explained the operations of the Pinellas County Sheriff's Office. Sheriff Gualtieri outlined the costs of the services pointing out that the savings to the City would be approximately \$2.4 million. Sheriff Gualtieri invited members of the City Commission to visit his office for a tour of the facilities.

The Commission unanimously agreed to direct the City Manager to place the issue of law enforcement services in St. Pete Beach on the ballot.

City Manager Bonfield explained that an ordinance will be drafted for the ballot language which will be considered for first reading at the July 10, 2012 meeting and, if approved, it will be considered for final reading at the July 24, 2012 meeting.

3. Audience Comments

Rosemary Manning, 1st Avenue, commented about the poor condition of Gulf Boulevard.

Deborah Schechner, Boca Ciega Isle, thanked everyone for their efforts in responding to the damage caused by Tropical Storm Debby. She also expressed her displeasure with the removal of a plaque from the Commission Chambers.

Jake Holehouse, 12th Avenue, thanked everyone for their efforts in responding to the damage caused by Tropical Storm Debby and offered to help residents with any insurance issues.

4. **Consent**

- a. Approval of the June 12, 2012 Regular Meeting Minutes

Vice Mayor Shavlan moved to approve the minutes of the regular meeting of June 12, 2012, as amended. The motion was seconded by Commissioner Parent and unanimously approved by roll call vote.

5. **Action Items**

- a. Rescind the Indemnification and Hold Harmless Agreement with the Swigwam Beach Bar, LLC for outside seating and consumption of alcoholic beverages in the public right-of-way.

Commissioner Huhn moved to revoke the permit for the use of the public sidewalk and right-of-way for alcoholic beverages and the Indemnification Agreement. The motion was seconded by Commissioner Garnett.

Rob Williams, Swigwam owner, addressed the Commission and requested that he be allowed to have the outdoor seating and alcohol consumption at his place of business.

The motion was approved by a 3-2 roll call vote, with Commissioner Parent and Vice Mayor Shavlan voting no.

Mayor McFarlin called for a recess at 8:00 p.m. The meeting reconvened at 8:10 p.m. with all members present.

- b. Authorize the City Manager to remove the sidewalk west of the private properties on Sunset Way between 29th and 30th Avenues.

Commissioner Huhn made a motion to authorize the City Manager to remove the sidewalk west of the private properties on Sunset Way between 29th and 30th Avenues. The motion was seconded by Commissioner Garnett.

The Commission held a general discussion regarding public access to the beach, public use of the sidewalk and the sidewalk's historical value.

Public Services Director Steve Hallock reported that the City has the authority to remove the sidewalk; if not removed, it should be repaired. Mr. Hallock cautioned that there is one retainer wall on private property which abuts the sidewalk that will eventually fall, regardless if the sidewalk is removed. He reported that replacement of the entire sidewalk would cost approximately \$35,000.

Mayor McFarlin called for audience comments.

The following persons spoke in opposition of removing the sidewalk:

Sylvia Thomas, Pass-a-Grille Way, St. Pete Beach
Jay Anderson, Pass-a-Grille Way, St. Pete Beach
Deborah Schechner, Boca Ciega Isle, St. Pete Beach
Attorney Robert Kapusta, Jr., 100 Second Ave., South, St. Petersburg, FL
(representing Howard Sharp, Pass-a-Grille Way and Steve McQueen of Pass-a-Grille Way)
Chester Chmielewski, El Centro, St. Pete Beach
Jacqueline Chapman, Pass-a-Grille Way, St. Pete Beach
Hayward Chapman, Pass-a-Grille Way, St. Pete Beach
Renee Roos, Gulf Boulevard, St. Pete Beach
Albert Few, Pass-a-Grille Way, St. Pete Beach

The following persons spoke in support of removing the sidewalk:

Guy Burns, Sunset Way, St. Pete Beach

Mayor McFarlin closed audience comments.

The motion was denied by a 1-4 roll call vote, with Commissioner Garnett voting yes.

6. Ordinances

a. Ordinance 2012-09, Final 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.

Vice Mayor Shavlan moved to adopt Ordinance 2012-09, Final 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 Commissioner Parent.

Mayor McFarlin called for audience comments.

Catherine Martin, Gulf Winds Drive, asked that the Commission allow a provision for guest parking permits.

Mayor McFarlin closed audience comments.

The motion was unanimously approved by a roll call vote.

7. Resolutions

- a. Resolution 2012-05, authorizing the Mayor of the City of St. Pete Beach, Florida to execute an Interlocal Agreement with the Pinellas County School System to facilitate County-Wide School Concurrency.

Commissioner Parent moved to approve Resolution 2012-05, authorizing the Mayor of the City of St. Pete Beach, Florida to execute an Interlocal Agreement with the Pinellas County School System to facilitate County-Wide School Concurrency. The motion was seconded by Vice Mayor Shavlan and unanimously approved by a roll call vote.

- b. Resolution 2012-06, establishing a public hearing for September 11, 2012 to consider adoption of the annual stormwater assessment roll.

Commissioner Garnett moved to approve Resolution 2012-06, establishing a public hearing for September 11, 2012 to consider adoption of the annual storm water assessment roll. The motion was seconded by Vice Mayor Shavlan and unanimously approved by a roll call vote.

8. Items for Discussion

There were no discussion items.

9. City Manager, City Attorney and City Commission Reports

City Manager Bonfield reported on the Planning Board's June Meeting. He announced that the FY-2013 Budget will be ready by the end of the week and noted that it reflects a shortfall of approximately \$930,000, which includes approximately \$780,000 for pension costs. He reported that the Recreation Department summer camps are well attended. Mr. Bonfield then outlined the agenda items for the July 10, 2012 meeting.

City Attorney Davis provided an update on the Anderson litigation and advised that Attorney Ken Weiss requested that the deadline to accept the City's settlement offer be extended to July 1, 2012. He advised that the hearing date is August 3, 2012.

City Attorney Davis asked the Commission to hold a shade meeting prior to the hearing to discuss the Anderson case. The Commission was in agreement to hold a shade meeting, if necessary.

City Attorney Davis reported that the City prevailed in the Pletcher (Betty Woods) lawsuit. He also reported that there has been no hearing date set for the Caruso case.

Commissioner Garnett thanked everyone for their efforts in assisting with the damage caused by Tropical Storm Debby. She announced that the 8th Avenue Annual Summer Fest will be on June 30, 2012 and urged everyone to attend. Ms. Garnett reported that she will not hold her citizen meeting on July 4, 2012.

Vice Mayor Shavlan reported that a sea oat planting will be held at 9:00 a.m., Saturday, June 30, 2012 at the Sirata Beach Resort.

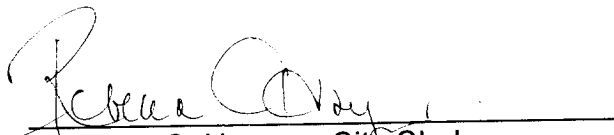
Commissioner Parent announced that the Big C meeting scheduled for June 27, 2012 has been cancelled and that he will hold his regular meeting at the Library on June 27, 2012 at 6:30 p.m. He inquired if the City is considering cancelling the Holiday Land Parade and, if so, suggested that a community organization might volunteer to organize the parade.

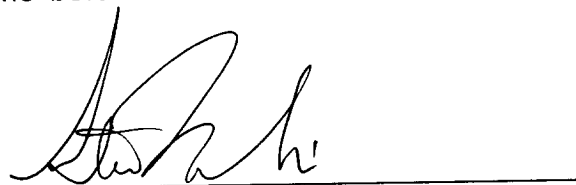
Commissioner Huhn reported on the Ribbon Cutting Ceremony for the City's electric charging stations at City Hall and complimented the City on the Summer Camp Program.

Mayor McFarlin thanked everyone for their efforts in responding to the tropical storm damage and announced that the City put two dumpsters in Pass-a-Grille for the residents to use in cleaning up the debris. He also advised that the Fire Department will be offering an under-carriage wash for vehicles that drove through the salt water.

10. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 10:00 p.m.


Rebecca C. Haynes, City Clerk


Steve McFarlin, Mayor

Minutes approved on: 8/17/2012