

CITY COMMISSION MEETING

MINUTES

JANUARY 22, 2013

6:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Steve McFarlin, Mayor
Lorraine Huhn, Commissioner
Jim Parent, Commissioner
Bev Garnett, Commissioner

ABSENT:

Marvin Shavlan, Vice Mayor (excused)

ALSO PRESENT:

Mike Bonfield, City Manager
Mike Davis, City Attorney
Rebecca C. Haynes, City Clerk
Steve Hallock, Public Services Director
George Kinney, Community Development Director

1. Changes to the Agenda

City Manager requested to add approval of a street closure on Gulf Way as an Action Item. City Attorney Davis requested to update the Commission on a brief filed re: the Anderson case under City Attorney Reports. It was further requested to discuss Items 5(a) and 6(a) together but act upon separately.

2. Presentations

a. Cribb, Philbeck, Weaver Group, Inc. (CPWG), Stormwater Master Plan update

Public Services Director Hallock noted the Commission previously approved the Stormwater Master Plan which assesses priorities for the City.

Jeff Earhart, Consultant with CPWG, reviewed the purpose of the Watershed Study, Stormwater outfall locations, the level of service, proposed solutions and tidal influences.

b. Update on Corey Avenue project with Tampa Bay Regional Planning Council (TBRPC)

Community Development Director Kinney, presented an update on the Corey Avenue redevelopment project with the Tampa Bay Regional Planning Council, explained incentives and strategies to revitalize the area and discussed economic development assistance through TBRPC.

3. Audience Comments

Paul Pfister, North Beach Civic Association, Gulf Boulevard, thanked participants in the St. Pete Beach Classic for another successful run and event.

Tom Rogers, Corey Avenue, spoke in support of 'jazzing up' the area and offered parking alternatives.

Deborah Schechner, Boca Ciega Isle Drive, urged the Commission and staff to include the community in discussions and to remember to include West Corey Avenue in the improvements.

Mayor McFarlin commented that ignoring West Corey Avenue is the furthest from everybody's mind when improvements take place.

4. Consent

a. Approval of minutes for the Regular City Commission Meetings of December 11, 2012 and December 27, 2012.

b. Authorization for the City Manager to accept a proposal from Michael Baker Jr., Inc. in the amount of \$18,940 to provide GIS hosting and support services.

c. Authorize the City Manager to enter into a Memorandum of Agreement (MOA) with the Florida Department of Transportation (FDOT) for installation and maintenance of crosswalk signage and flashing beacons.

d. Ratification of the City Manager decision to accept a proposal from Above All Caulking & Waterproofing, Inc. in the amount of \$20,330 for resealing the City Hall windows.

City Manager Bonfield recommended approval of the Consent Agenda as submitted.

Commissioner Parent made a motion to approve the Consent Agenda as written. The motion was seconded by Commissioner Garnett and unanimously approved by an individual roll call vote.

5. Action Items

City Manager Bonfield requested to act upon Item 5(b) before Item 5(a).

b. Approve request from the Brass Monkey Restaurant to close Gulf Way

City Manager Bonfield reported that he received a request from the owner of Brass Monkey Restaurant to close Gulf Way during the Super Bowl Party.

Mayor McFarlin requested one extra deputy to assist the currently assigned deputy, for a total of two Pinellas County deputies for the event.

Commissioner Garnett moved to approve Item 5(b), the request from the Brass Monkey Restaurant to close Gulf Way from the south side of 8th Avenue for approximately 50' from 6:00 Saturday, February 2, through midnight Sunday, February 3, 2013 for a Super Bowl Party, with the total of two deputies assigned to the event. The motion was seconded by Commissioner Parent and unanimously approved by an individual roll call vote.

a. Conditional Use/Variance 2013-0001. Request to draw temporary lodging units from the St. Pete Beach density pool and relief from Sections 23.5 and 42.7 of the Land Development Code (Quasi-Judicial).

6(a). Ordinance 2013-02, Final Reading and Public Hearing, Providing for the allocation of 50 units of tourist lodging density under the provisions of the Bayou Residential District Temporary Lodging Unit Density Pool, as established in the City of St. Pete Beach Comprehensive Plan, to property located at 3701 Gulf Boulevard (Hotel Zamora).

City Manager Bonfield reiterated that the Commission will discuss Items 5(a) and 6(a) together but act upon each item separately

City Attorney Davis noted for the record to treat both items as one item, yet take two separate votes; one vote to either approve or deny the variance and the second vote to approve or deny Ordinance 2013-02 (which is actually the approval of the conditional use). Mr. Davis requested to treat both items as a quasi-judicial matter.

Mayor McFarlin asked if any Commissioners have had any involvement or conversations with the applicant. None were reported.

Mayor McFarlin asked if any audience member would like to be considered a substantially affected party. None were requested.

Community Development Director Kinney reported the site currently contains an abandoned, unfinished hotel facility. The new owner is requesting the allocation of 50 units from the Bayou Residential-Activity Center-Town Center Core Districts Temporary Lodging Unit Density pool. The variance addresses the on-site parking of 69 spaces in lieu of the 81 required and the encroachment of a porte-cochere yet to be constructed. Mr. Kinney recommended approval based upon site plan submission and approval prior to building site approval. He noted the site plan cannot be approved until all code and lien violations have been resolved.

For the record, the ordinance contains a clause that the permit must be pulled within one year and the Certificate of Occupancy obtained within two years.

Mayor McFarlin called for applicant comments.

Marilyn Healy, East Kennedy Boulevard, representing the applicant, introduced into the record several staff resumes and a planning analysis of the property. Ms. Healy noted the property has been cleaned up and that they were requesting approval of additional units, a parking modification and the porte-cochere.

Susan Finch, East Kennedy Boulevard, Land Use Planner, commented that the conditional use application meets the criteria of the Comp Plan. Ms. Finch also noted that a parking service reported they could accommodate 145 cars on the property. Additionally Ms. Finch stated the porte-cochere is a great feature that would keep guests dry as they entered/exited their vehicles during inclement weather.

Commissioner Huhn moved to approve Item 6(a), Ordinance 2013-02, An ordinance of the City of St. Pete Beach, Florida providing for the allocation of 50 units of tourist lodging density under the provisions of the Bayou Residential District Temporary Lodging Unit density pool, as established in the City of St. Pete Beach Comprehensive Plan, to property located at 3701 Gulf Boulevard (Hotel Zamora); providing for the repeal of ordinances, or parts of ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date. The motion was seconded by Commissioner Parent.

Mayor McFarlin called for audience comments.

Deborah Schechner, Boca Ciega Isle, voiced concern with traffic, noise and parking impact.

Tom Rogers, Corey Avenue, spoke in support of the project and noted it would be a great addition to the community.

Mayor McFarlin called for the vote.

The motion was unanimously approved by an individual roll call vote.

Commissioner Parent moved to approve Item 5(a), the Conditional Use/Variance 2013-0001. The motion was seconded by Commissioner Huhn.

Mayor McFarlin called for audience comments.

Deborah Schechner, Boca Ciega Isle, commented on the impact the development will have on nearby residents.

Mayor McFarlin called for the vote.

The motion was unanimously approved by an individual roll call vote.

6. Ordinances

b. Ordinance 2013-03, Final Reading and Public Hearing, an Ordinance amending Division 39.3 of the Land Development Code, deleting the prohibition of the use of primary or secondary colors for exterior paint colors.

City Manager Bonfield noted the proposed ordinance addresses paint colors in the Community Redevelopment District and eliminates some restrictions and relaxes the use of murals and/or artwork.

Commissioner Garnett moved to approve Item 6(b), Ordinance 2013-03, An ordinance of the City of St. Pete Beach, Florida, amending Division 39.3 of the Land Development Code, deleting the prohibition of the use of primary or secondary colors for exterior paint colors; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. The motion was seconded by Commissioner Huhn.

Mayor McFarlin called for audience comments.

Eduardo Rodriguez, student at St. Petersburg College, spoke in support of the ordinance.

Mayor McFarlin called for the vote.

The motion was unanimously approved by an individual roll call vote.

c. Ordinance 2013-04, Final Reading and Public Hearing, Amending Division 39 of the Land Development Code as it relates to the outdoor display of merchandise.

City Manager Bonfield noted the proposed ordinance will remove the current restriction placed on outdoor displays of merchandise.

Commissioner Huhn moved to approve Item 6(c), Ordinance 2013-04, An ordinance of the City of St. Pete Beach, Florida, amending Division 39 of the Land Development Code as it relates to the outdoor display of merchandise; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. The motion was seconded by Commissioner Garnett.

Mayor McFarlin called for audience comments. There were none.

Mayor McFarlin called for the vote.

The motion was unanimously approved by an individual roll call vote.

d. Ordinance 2013-05, Final Reading and Public Hearing, Amending Division 6 of the Land Development Code to add regulations and conditions for the outdoor display of merchandise and to add regulations for temporary construction fencing.

City Manager Bonfield explained that the proposed ordinance amends the outdoor displays of merchandise on private and public property and requires an active building permit in order to construct temporary fencing. A provision for vinyl-coated chain link fencing was eliminated.

Commissioner Parent moved to approve Item 6(d), Ordinance 2013-05, An ordinance of the City of St. Pete Beach, Florida, amending Division 6 of the Land Development Code to add regulations and conditions for the outdoor display of merchandise and to add regulations for temporary construction fencing; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith; to the extent of such conflict; and providing for an effective date. The motion was seconded by Commissioner Huhn.

Mayor McFarlin called for audience comments. There were none.

Mayor McFarlin called for the vote.

The motion was unanimously approved by an individual roll call vote.

e. Ordinance 2013-06, Final Reading and Public Hearing, Amending the text of Section 40 of the Land Development Code to increase the temporary lodging density from 30 to 50 units per acre and to allow stand-alone residential uses that are historic structures as a conditional use in the CRD-EA (Community Redevelopment District - Eight Avenue) zoning district.

City Manager Bonfield noted the proposed ordinance amends the 8th Avenue Special Area Plan to include Single Family Residential (SFR) as a permitted use and increases temporary lodging from 30 units to 50 units per acre. It also provides that SFR be allowed only as a conditional use if the homeowner is saving and restoring and/or moving and restoring an historic structure.

Commissioner Garnett moved to approve Item 6(e), Ordinance 2013-06, An ordinance of the City of St. Pete Beach, Florida, amending the text of Section 40 of the Land Development Code to increase the temporary lodging density from 30 to 50 units per acre and to allow stand-alone residential uses that are historic structures as a conditional use in the CRD-EA (Community Redevelopment District – Eighth Avenue) Zoning District; providing for severability; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. The motion was seconded by Commissioner Huhn.

Mayor McFarlin called for audience comments. There were none.

Mayor McFarlin called for the vote.

The motion was unanimously approved by an individual roll call vote.

f. Ordinance 2013-07, Final Reading and Public Hearing, an ordinance of the City of St. Pete Beach, Florida providing for amendment of section 50 of the Code of Ordinances of the City, pertaining to the library.

City Manager Bonfield explained the fee structure will allow the library to be consistent with the remaining libraries in the Pinellas County Library Cooperative.

Commissioner Parent moved to approve Item 6(f), Ordinance 2013-07, An ordinance of the City of St. Pete Beach, Florida providing for the amendment of Section 50 of the Code of Ordinances of the City, pertaining to the library; providing for severability; providing for repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date. The motion was seconded by Commissioner Garnett.

Mayor McFarlin called for audience comments. There were none.

Mayor McFarlin called for the vote.

The motion was unanimously approved by individual roll call vote.

7. Resolutions

a. Resolution 2013-01, supporting firefighter pension plan and disability presumption reforms.

City Manager Bonfield noted the annual request is from the Florida League of Cities (FLC) requesting municipalities to support FLC's request to the State Legislature to not pass unfunded laws.

Commissioner Huhn moved to approve Item 7(a), Resolution 2013-01, A resolution of the City of St. Pete Beach supporting firefighter pension plan and disability presumption reforms to make the plans sustainable, sound and secure for current and future firefighters. The motion was seconded by Commissioner Garnett and unanimously approved by an individual roll call vote.

8. Items for Discussion

There were no items for discussion.

9. City Manager, City Attorney and City Commission Reports

City Manager Bonfield thanked participants and volunteers involved with the St. Pete Beach Classic, requested a special meeting to discuss potential budget savings through the transfer of law enforcement services and reported FDOT will repave Gulf Boulevard in the evening hours from 55th Avenue to Gulf Winds Drive. Mr. Bonfield noted he will attend the Big C meeting to present the Gulf Boulevard project for their approval and then listed the items for the next City Commission Meeting.

City Attorney Davis reported on the Anderson appeal and the First Amendment Foundation. It was the consensus of the Commission to not allow the First Amendment Foundation to file an Amicus Brief in the Anderson case. Commissioner Parent offered that we request the Foundation to support the City instead.

Commissioner Garnett reported that the Pass-a-Grille (PAG) Community Association dinner is Wednesday evening, the annual yard sale sponsored by the PAG Women's Club is Saturday and PAG's 8th Avenue Celebration is Saturday. Ms. Garnett noted the Annual Benefit for the Gulf Beaches Historic Museum is this Thursday at the St. Pete City Theatre and the museum is looking for volunteers. She reminded everyone of the Sutan Market this Sunday and requested everyone support their local merchants.

Commissioner Parent reported that the Pinellas County Sheriff's Office (PCSO) has a link on their website to view local calls for service and commented on the latest class through the PCSO Citizens Academy held on Wednesday evenings. Mr. Parent commented on the successful St. Pete Beach Classic, the Chamber of Commerce Business Expo and the Commission's visit to the top of the Pinellas Bayway Bridge. He then noted the new ladder truck was delivered to the Fire Department, the Community

Center won the 2013 Bride's Choice Award, and the Library will host Author Tim Dorsey on January 23, 2012.

Commissioner Huhn reported on Corey Avenue happenings including the Friday Night Food Truck Festival and the Art Show over the weekend. Ms. Huhn commented she volunteered as Race Marshall at the St. Pete Beach Classic for the fourth year in a row. She then elaborated on how the numerous volunteers are instrumental in making things happen in the community.

Mayor McFarlin spoke about volunteering at the St. Pete Beach Classic for the second year in the row. Mr. McFarlin noted the City is finally seeing an end to the lawsuits.

10. Adjournment

There being no further business to come before the commission, the meeting was adjourned at 8:05 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Steve McFarlin, Mayor

Minutes approved on: 2/12/2013