

CITY COMMISSION MEETING – SPECIAL MEETING

MINUTES

OCTOBER 21, 2014

2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENT:

Maria Lowe, Mayor
Melinda Pletcher, Vice Mayor
Terri Finnerty, Commissioner
Rick Falkenstein, Commissioner
Gregory Premer, Commissioner

ALSO PRESENT:

Elaine Edmunds, Interim City Manager
Andrew Dickman, City Attorney
Rebecca C. Haynes, City Clerk

1. Action Items

- a. Approval of Employment Agreement for City Manager with Mr. Wayne Saunders

City Attorney Dickman reviewed the specifics of the proposed contract and provided a summary of the highlights.

Mr. Wayne Saunders took the podium and answered questions related to the employment agreement for the position of City Manager with the City of St. Pete Beach.

Commissioner Falkenstein moved to approve Item 1(a), approving the employment agreement for City Manager Wayne Saunders. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

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

- b. Discussion of the Commission's options for the next steps in light of the Second District Court of Appeal's decision in *Anderson v. City of St. Pete Beach*, Appeal Case No. 2D12-5969.

Mayor Lowe reported that the memorandum provided by Bryant, Miller, Olive was provided as a sealed document not releasable to the public. Mayor Lowe recommended voting to release the document, thereby making it a public record and providing copies to the audience to review prior to discussion and action.

Vice Mayor Pletcher moved to approve the release of the memorandum from Bryant, Miller, Olive dated October 20, 2014 re: *Anderson v. City of St. Pete Beach*, Appeal Case No. 2D12-5969. The motion was seconded by Commissioner Finnerty.

Mayor Lowe called for audience comments.

Being there were no audience comments, Mayor Lowe called for the vote.

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

The City Commission recessed for 15 minutes to allow for review of the memorandum.

Susan Churuti, Bryant, Miller, Olive; attorney of record for Case No. 2D12-5969, discussed the referenced memorandum providing background information and a recommendation. Ms. Churuti recommended approval of:

Option (1): A 2014 re-adoption of the 2008/2011/2013 plan under the process laid out by the appellate court; and

Option (2): Filing a motion for rehearing on both the Sunshine Law and the adoption process.

In response to a question posed by Commissioner Falkenstein, Ms. Churuti stated that a response must be filed by October 30, 2014.

Ward Friszolowski, Chairman of the Planning Board, reported that the Planning Board agenda, scheduled to begin at 4:00 p.m., was comprised solely of legislative matters addressing code amendments and it was the consensus of the members to postpone their meeting to allow for full audience participation on Item 1(b).

Mayor Lowe called for audience comments.

Ken Weiss, 9th Street East, Treasure Island, reviewed the history of adopting a comprehensive plan, conducting associated studies, procedures under the Growth

Management Act and the issuance of building permits. Mr. Weiss agreed to further meetings to discuss moving forward.

Ward Friszolowski, Belle Vista Drive, noted as a point of order that the Planning Board members agreed to postpone their 4:00 p.m. meeting to date certain of 4:00 p.m., Tuesday, October 28, 2014.

Vice Mayor Pletcher moved to approve the Planning Board meeting scheduled for 4:00 p.m., October 21, 2014, be moved to date certain at 3:00 p.m., October 28, 2014 in the Commission Chambers. The motion was seconded by Commissioner Premer.

Mayor Lowe called for audience comments.

There being no audience comments, Mayor Lowe called for the vote.

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

Ward Friszolowski, Belle Vista Drive, commented that most of the legal challenges to the Comprehensive Plan have been technical rather than substantive based, and discussed the work and funding involved with the Community Redevelopment Area.

John Michael, Bay Street, spoke against comprehensive plans in general and limited parking in the area.

Lorraine Huhn, Blind Pass Road, spoke in favor of redevelopment to accommodate the tourist industry.

Deborah Martohue, Blind Pass Road, commented on numerous discussions with County representatives regarding the Community Redevelopment Area and spoke in support of resolving the associated issues.

Harry Metz, Pass-A-Grille Way, spoke in support of further discussions to resolve the comprehensive plan.

Ken Weiss, Treasure Island, commented on Chapters 163 and 166 of the Florida Statutes.

Tim Bogott, Chief Executive Officer/Tradewinds Resort, spoke in support of further discussions to reach a mediation agreement and noted the Regional Planning Council and County of Pinellas have conducted the required studies.

City Attorney Dickman recommended the City file a motion for clarification and go forth to re-adopt a new comprehensive plan under the appropriate statute. Mr. Dickman did not recommend requesting a re-hearing. The City Attorney recommended Mayor Lowe instruct him and the two attorneys of record as follows:

1. Arrange a meeting with Ken Weiss to further discuss outstanding issues related to the Comprehensive Plan.
2. Compile the documents related to the Comprehensive Plan to assemble a summary of how to move forward.
3. Compile the arguments for a motion for re-hearing and draft a motion for clarification for further review.

It was the consensus of the Commission to schedule a meeting for 5:00 p.m., Friday, October 24, 2014 in the Commission Chambers to further discuss the City's options regarding the Second District Court of Appeal's decision in *Anderson v. City of St. Pete Beach*.

The Commission was in agreement to request any documents forwarded to them from the City Attorney related to the above meeting and included in the agenda packet to be regarded as public documents and not have the restriction of Attorney-Client privilege.

Ron Holehouse, 12th Avenue, welcomed Wayne Saunders as the new City Manager and thanked the Commission for holding the meetings to resolve the comprehensive plan issues.

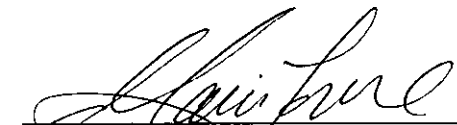
Deborah Schechner, Boca Ciega Isle Drive, spoke in support of the open meetings and obtaining updated reports.

2. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 5:33 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Maria Lowe, Mayor

Minutes approved on: 12-2-2014