

COMMISSION WORKSHOP SESSION
October 15, 2002

It is noted that Commissioner Maloof was on vacation and not present at this meeting.

I. PUBLIC COMMENTS:

Mr. Bob Dowling read a letter on behalf of the Dowling family in response to comments made previously by the Voters Watch organization. Mr. Dowling indicated that the Dowling family supports changes to the land development regulations and urges passage of the proposed ordinance.

Mr. Dowling stated he feels the City should come together in support of the proposed changes. He indicated that the people have always wanted the best for Treasure Island and will continue to do so.

Ms. Jennifer Zuhrig spoke against the passage of the amendment to the land development regulations prior to the vote on the referendum.

Ms. Gwenda Barnitz spoke against the amendments to the land development regulations and urged the Commission hold off taking its final vote.

Mr. Harry Black thanked the Mayor and Commissioner Blush for attending the band concert performed by a school in Niagara Falls, Ontario. He indicated that the band will be returning next year and would like to spend more time in Treasure Island. He indicated the band appreciated the proclamation.

II. APPROVAL OF MINUTES:

Motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve the Workshop Minutes of October 1. Upon roll call, vote was unanimous.

III. ACTION ITEMS:

1. Ordinance 02-06 – LDR Amendments – 2nd Reading & Public Hearing –

Commissioner Lavino noted her quote in the *St. Pete Times* regarding her vote on the issue and indicated she didn't appreciate it.

The City Attorney advised the Commission that he and the City Manager met today with residents and their attorneys regarding this issue.

The City Attorney advised that the residents' attorneys plan to file an injunction within 24-48 hours if the ordinance is carried forward to the October 22nd meeting.

The City Attorney indicated that during the meeting he made the suggestion that all sides should back off until after the election and the attorneys for the residents indicated they didn't believe that was possible.

The City Manager noted that after the amendment of the ordinance on first reading, there is no density increase but there is a provision for density averaging.

The City Manager further explained that the ordinance as amended addresses development agreements in the RFH-50 district only and does not include a majority of the Rice Property or the property at the entrance to Sunset Beach.

The City Manager indicated that, to his knowledge, there is no project waiting in the wings that would benefit from the developers agreement option in the proposed ordinance. He explained that if a project were to come in, it would require 1-2 months of staff review plus time for the passage of a development agreement ordinance. The entire process would take approximately six months.

Mr. Chris Hearn presented a height and view chart and discussed the developers agreement. He suggested limiting density averaging to properties in the same land use district.

Mr. Hearn commented regarding the October 9 Beach Stewardship Committee meeting and comments made there regarding development agreements and other comments made regarding the need for a sand tax.

Ms. Ruth Pignatello indicated that there hasn't been a stable document presented. She noted the various topics at issue and explained that the issue is about our American way of life – democracy – freedoms fought for. She urged the Commission to preserve democracy.

Mr. Ken Weiss, indicated he is the attorney representing, Mr. Ray Green and Mr. Mike Daughtry. He indicated they met with the City Attorney and City Manager to try to prevent litigation. He explained that if the Commission doesn't decide to cease action, they would have to proceed with the litigation.

Mr. Weiss discussed his version of how ordinance adoption procedures are supposed to work. He explained that on September 24th, the Commission should have told the City Clerk to publish an advertisement by resolution and then hold a public hearing 15 days thereafter. The Clerk was simply directed to advertise the ordinance instead.

Since the City Attorney was in court all afternoon and hadn't had an opportunity to complete his review of material submitted at this morning's meeting, Mr. Weiss indicated that he would withhold filing the injunctive action for one day.

Ms. Silvia Stratis commented regarding the article in the *St. Pete Times* titled *Petition Leaders are Leaving*. She indicated she is surprised they are leaving to pursue their self-interests.

Ms. Stratis commented regarding democracy and indicated that the Commission is voting for the good of the community as a whole.

Mr. Ray Green commented regarding a call received from the leader of the "silent majority" indicating that they also wanted the Commission to hold off on the final vote until after the election.

Mr. Green suggested that the only people that the Commission could represent are the ones who have spoken. He urged that the final vote be held off until after the November 5th election.

Ms. Cindy Gosk, an owner of Johns Pass Beach Motel, indicated that the current regulations do not provide a win/win situation. She explained that property owners presently have too many obstacles to overcome to improve their properties. She indicated she is afraid of no change and stated she wants to see the best decision made for the entire city.

Ms. Rita Oratowski indicated she sees a lot of confusion and animosity within the City. She indicated that Treasure Island isn't normally like that. She suggested that business owners have to make improvements in order to make a profit, they must expand. She suggested we need to find a medium where all can agree.

Mr. Jeffrey Werner indicated he doesn't want changes made to the land development regulations because they do not provide enough benefit for the city or for the residents. He urged the Commission to let the people vote before action is taken on the ordinance.

Mr. Werner commented regarding the appearance of a conflict of interest on the part of the Mayor and Commissioner Ellsworth.

Mr. Mike Daughtry read into the record the letter delivered to the City Attorney and City Manager earlier today.

Mr. Walter Wilder voiced concern that if a hurricane would hit Treasure Island and destroy everything, when rebuilding begins, FEMA regulations must be met, which would require structures to be elevated. He indicated he is concerned about residential requirements as well.

The ordinance will be on Tuesday's agenda for second reading & public hearing.

IV. DISCUSSION ITEMS:

1. LDR Dock Regulations –

The City Planner discussed suggested changes to the existing dock regulations. She noted an additional page regarding Section 69-91. The Planner explained she received input from the Marine Contractors Association and interested residents.

The City Planner noted the changes proposed.

Commissioner Ellsworth stated he thought that docks were to be included as a part of the changes to the residential regulations.

The City Manager explained that there is a lot of interest in the community for changing the dock regulations. Since dock regulations are a single, self contained item and suggested changes were ready to go forward, he decided to bring this item to the Commission now.

Commissioner Lavino stated she would rather see the suggested amendments to dock regulations included with the amendments to the residential regulations.

Commissioner Blush indicated she has no problem with sending the suggested changes to the dock regulations to the Planning and Zoning Board at this time since it is a big issue.

The Mayor agreed with sending them forward as long as the dock regulations don't hold up work on the residential regulations.

Mr. Bill Jansen, President of the Dock Builders Association, spoke in favor of the suggested changes.

Mr. Paul Mevoli indicated that he wants to see the suggested changes to the residential regulations get under way.

This item will be on Tuesday's agenda for action.

2. Beach Special Event –

A request from the Island Inn for permission to hold certain wedding related events on the beach behind the Island Inn between the dates of November 27 – December 1 was noted and discussed.

Commissioner Blush asked whether an insurance stipulation would be required and it was indicated that such a stipulation would be required.

A resolution will be on Tuesday's agenda for action.

3. Contract Award for Mast Arm Traffic Signal –

The City Manager noted that three bids were received for the purchase and installation of mast arm traffic signals. He indicated he and consultant Phil Graham & Company are recommending the low bid of M.P.G. & Company with a \$5,000 contingency for a total purchase and installation cost of \$68,000.

A resolution will be on Tuesday's agenda for action.

4. Contract Award for Causeway Financial Advisor –

The City Manager reported that staff has successfully negotiated a contract with First Southwest Corporation to be Financial Advisor for the Causeway Improvement Project. He indicated staff is comfortable with the contract.

A resolution will be on Tuesday's agenda for action.

5. Order Playground Equipment –

The City Manager reported that staff is prepared to move forward with the upgrade of all four playgrounds. He indicated that \$90,000 has been allocated for the first phase of the upgrade and the work should be completed by January. He indicated that the improvements are badly needed. The total cost for the first phase is \$91,500.

A resolution will be on Tuesday's agenda authorizing the purchase of the equipment.

6. Beach Stewardship "Train the Trainer" –

Commissioner Blush noted her memo dated October 15 regarding "Plant Our Beach Discovery Map Program." She explained that the Beach Stewardship Committee is asking each Commissioner and the Mayor to each nominate a volunteer who would be willing to serve as a trainer for the program.

The Mayor urged interested persons to contact either him or his/her Commissioner if they wished to participate.

A resolution will be on Tuesday's agenda appointing trainers.

7. Amendments to Career Service Manual –

The Personnel Director noted amendments to the Career Service Manual needed to implement program changes already approved in the budget.

A resolution will be on Tuesday's agenda implementing the changes.

8. Appointment to Planning and Zoning Board –

The Mayor noted receipt of Mr. Evan Adams' letter of resignation from the Planning and Zoning Board due to the fact he has sold his home and is moving from the Island.

The Mayor indicated he is nominating Joel Manings to replace Mr. Adams on the Board.

A resolution will be on Tuesday's agenda for action.

9. Appointment to Pinellas Planning Council –

The Mayor indicated that Madeira Beach Mayor, Tom DeCesare, presently represents the Cities of St. Pete Beach, Treasure Island and Madeira Beach on the Pinellas Planning Council. His term expires December 31. Mayor DeCesare has expressed the desire to serve another term on the Council.

A resolution will be on Tuesday's agenda nominating Mayor DeCesare for another term on the Pinellas Planning Council.

The Mayor requested permission to add an item to the agenda accepting a donation from the Volunteer Fire Company. The Commission concurred.

The City Manager noted a memo from the Fire Chief dated October 15 regarding a donation from the Volunteer Fire Company.

The City Manager indicated that the Volunteer Fire Company has offered a donation of \$10,211.60 for the purchase of Fire Department equipment. He indicated that the funds were raised through the annual fund drive.

The donation will be formally accepted at next Tuesday's meeting.

V. CITY MANAGER/CITY ATTORNEY REPORTS & COMMENTS:

The City Manager reminded the Commission of the Employee Recognition Luncheon scheduled for Friday, October 18th beginning at 11:30 a.m. and urged Commission attendance.

The City Manager reminded the Commission and public of the Treasure Island Celebration scheduled for Saturday, October 26 beginning at 10:00 a.m.

VI. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Lavino asked the City Manager to write a letter to Caroline Patterson regarding a concrete patch on 119th Avenue.

The City Manager indicated he would write the letter on Wednesday.

Commissioner Lavino commented regarding a sewer backup on 123 Avenue over the weekend. The City Manager indicated he would check into the matter.

Commissioner Ellsworth commented regarding Mr. Decker's letter regarding traffic and speeding on 108th Avenue and asked if anything has been done to correct the situation.

The City Manager indicated that our traffic consultant, Robert Debkowski, is looking at the situation and preparing a proposal. The proposal will be brought to the Commission in the near future.

Commissioner Ellsworth commented regarding needed repair to the boat ramp on 125 Avenue.

The City Manager indicated he would like an onsite meeting with Commissioner Ellsworth and the Public Works Director because there is no quick fix.

Commissioner Ellsworth commented regarding the need to start working on fireworks regulations. The City Manager indicated the item would be on the next workshop for discussion.

Commissioner Ellsworth asked if regulations could be implemented before New Years Eve because of the fireworks that would occur then. The City Manager indicated he didn't think it would be possible to do so.

Commissioner Blush commented regarding the October 9 Beach Stewardship Meeting and explained the comments that had been made regarding developers agreements and sand tax referred to earlier by Mr. Hearn.

Commissioner Blush commented regarding a meeting held at Mr. Graham's office the previous Thursday afternoon to select a mosaic for Sunset Vista Trailhead Park. She indicated there were 22 entries. A report from Mr. Graham is forthcoming.

The Mayor apologized for not mentioning Mr. John Burke's surgery at the previous meeting. He indicated that Mr. Burke is home from the hospital and recovering.

The City Manager indicated that the next workshop is scheduled for November 5th, Election Day. He asked if the Commission would prefer not to hold a meeting that evening since the Pinellas County Supervisor of Elections has asked if we wish to have observers present at the canvassing of the ballots.

He indicated that there are no significant items scheduled for that workshop.

The Commission will decide next Tuesday whether to hold the meeting on the 5th.

VII. PUBLIC COMMENTS:

None

VIII. ADJOURNMENT:

Attendance: 50