

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS MEETING
January 14, 2003
7:00 p.m.**

A. PLEDGE OF ALLEGIANCE: Led by Mayor Atkinson

B. ROLL CALL:

Mayor Leon G. Atkinson	Present
Commissioner Stephanie Lavino	Absent
Commissioner Irving S. Ellsworth Vice-Mayor	Present
Commissioner Mary Maloof	Present
Commissioner Barbara Blush	Present

C. MINUTES:

No minutes were ready for approval.

D. PUBLIC COMMENTS:

George Makrauer requested that the Commission remove the proposed changes to the Rules of Procedure from the agenda.

Dan Lenehan commented regarding the initiative to recall Commissioner Blush. He stated that Commissioner Blush has always voted her conscience and not in the interest of any particular group. Mr. Lenehan further stated that Commissioner Blush has always voted on behalf of Sunset Beach and Treasure Island.

Larry Yost stated his dissatisfaction with the initiative to recall Commissioner Blush. He said that Commissioner Blush has the best interests of Treasure Island in mind. He further stated that the Commission as a whole has received unfair criticism. Mr. Yost also expressed his disappointment to hear that Mayor Atkinson was forced to discontinue a long standing tradition of playing Santa Claus at Christmas.

A resident stated that several establishments are in support of the parking variance for the American Legion, Post #158.

John Hadsall spoke regarding public comments. He stated that combining Commission Workshops and Meetings does not encourage public comments.

Mr. Hadsall commented regarding an article on the Sunshine Law published in the *Neighborhood Times* on December 24th. He stated that the public has a right to know if any member of the Commission has broken the law.

1/14/2003

Mr. Hadsall stated that the Commission should repeal the LDR Ordinance rather than tabling the issue for the new Commission.

A resident commented regarding the initiative to recall Commissioner Blush. She stated that the community owes the Commissioners some respect as the governing body elected to make decisions and pass laws regardless if residents disagree with some of their decisions.

E. ITEMS OF BUSINESS:

1. Ordinance 02-09 – LDR Moratorium – 2nd Reading & Public Hearing –

After hearing the 2nd reading and public hearing of this ordinance enacting a moratorium on the issuance of any developmental permits pursuant to newly enacted Ordinance 02-06; allowing any developmental permits to be issued for any structures that would have so qualified for such permit prior to the enactment of Ordinance 02-06; providing for the inclusion of such ordinance in the in the “Code of Ordinances of the City of Treasure Island, Florida”; providing an effective date, motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve this ordinance as read. Upon roll call, vote was unanimous.

2. Ordinance 03-01 – Election Runoff Date – 1st Reading –

After hearing the 1st reading of this ordinance pertaining to elections; amending Section 14-3(b) of the “Code of Ordinances of the City of Treasure Island, Florida” pertaining to elections; providing that any required runoff election is conducted on the fifth Tuesday following the regular or special election; providing for the inclusion of such amended ordinance in the “Code of Ordinances of the City of Treasure Island, Florida”; providing an effective date, motion was made by Commissioner Maloof and seconded by Commissioner Blush to approve this ordinance as read. Upon roll call, the vote was unanimous.

3. Resolution – Appointing Jennifer Nye as Deputy City Clerk –

After hearing the reading of this resolution appointing Jennifer L. Nye as Deputy City Clerk for the City of Treasure Island, Florida, motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve the resolution as read. Upon roll call, the vote was unanimous.

4. Resolution – Appointment of Sandi Fiber to the Personnel Advisory Board -

1/14/2003

After hearing the reading of this resolution appointing Sandi Fiber to fill the vacancy on the Personnel Advisory Board as a result of the resignation of Bill Bennington, motion was made by Commissioner Maloof and seconded by Commissioner Ellsworth to approve the resolution as read. Upon roll call, the vote was unanimous.

5. Resolution – Contract Award for Phase 1 Bridge Construction –

After hearing the reading of this resolution acknowledging that Johnson Brothers, Inc. has the winning score and the lowest bid for the replacement of the two causeway fixed bridges, motion was made by Commissioner Ellsworth and seconded by Commissioner Blush to approve the resolution as read. Upon roll call, the vote was unanimous.

The City Manager clarified that this resolution acknowledges the low bidder and does not award a contract. Negotiations are still underway at this time.

6. Resolution – Election Debates on Treasure Island Television –

After hearing the reading of this resolution authorizing televised candidate election debates at City Hall, motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve the resolution as read. Upon roll call, the vote was unanimous.

Jim Dobyms stated that all of the candidates support Treasure Island Voters Watch handling the upcoming election debates. He requested an amendment to the resolution regarding election debates that names Voters Watch as the debate organizer. Mr. Dobyms further stated that two days would be necessary to handle the election debates due to the number of candidates for each of the three offices open for election. He suggested that the election debates take place on Friday, February 21st and Saturday, February 22nd.

Mayor Atkinson indicated that the Commission will work with City Staff to set the dates for the election debates.

7. Resolution – Rules of Procedure – Proposed Changes -

After hearing the reading of this resolution pertaining to Rules of Procedure, revising the Rules of Procedure of the City Commission of the City of Treasure Island to provide for combination workshop session/formal meetings to be held twice a month, on the first and third Tuesday night of each month; providing an effective date, a motion was made by Commissioner Ellsworth and seconded by

1/14/2003

Commissioner Blush to approve the resolution as read. After discussion, Commissioners Ellsworth and Commissioner Blush withdrew their motion and second and the Commission collectively decided not to consider any changes to the Rules of Procedure until after the upcoming election.

8. Resolution – Pinellas County Building Inspection Agreement –

After hearing the reading of this resolution authorizing the Mayor and City Manager to execute an updated interlocal agreement with Pinellas County for supplemental building inspections, motion was made by Commissioner Maloof and seconded by Commissioner Ellsworth to approve the resolution as read. Upon roll call, the vote was unanimous.

9. Resolution – Grant Award for Fire Department –

After hearing the reading of this resolution accepting a grant under the Assistance to Firefighters Grant Program in the amount of \$71, 779 for breathing apparatus, a breathing air compressor and a thermal imaging camera with said grant funds, motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve the resolution as read. Upon roll call, the vote was unanimous.

10. Resolution – Fire Chief's Vehicle Replacement -

After hearing the reading of this resolution authorizing the purchase of a new vehicle for the Fire Department in the amount of \$22,093, motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the resolution as read. Upon roll call, the vote was unanimous.

11. Resolution – Traffic Control at Election Polls –

After hearing the reading of this resolution authorizing the City Manager to modify the parking arrangements and traffic flow at the Community Center when it is being used as a polling place, motion was made by Commissioner Maloof and seconded by Commissioner Blush to approve the resolution as read. Upon roll call, the vote was unanimous.

Mayor Atkinson requested that City Staff heavily advertise the parking arrangement/traffic flow modifications to the public prior to Election Day.

12. Resolution – County Increase in Transportation Impact Fee –

1/14/2003

After hearing the reading of this resolution amending the Land Development Fee Schedule for 2003 and 2004, motion was made by Commissioner Ellsworth and seconded by Commissioner Blush to approve the resolution as read. Upon roll call, the vote was unanimous.

13. Resolution – Request by Soroptimist for Use of the Community Center –

After hearing the reading of this resolution authorizing a one time free use of the Treasure Island Community Center by Soroptimist International of Holiday Isles for a Benefit Pancake Breakfast on March 8, 2003, motion was made by Commissioner Ellsworth and seconded by Commissioner Maloof to approve the resolution as read. Upon roll call, the vote was unanimous.

14. Motion – Accepting Anonymous Donation of Videotapes –

A motion was made by Commissioner Ellsworth and seconded by Commissioner Blush to accept the donation of 94 videotapes from an anonymous donor and to send a thank you letter to the donor from the Mayor. Upon roll call, the vote was unanimous.

15. Motion – Accepting Donation from Virginia England –

A motion was made by Commissioner Blush and seconded by Commissioner Maloof to accept a donation of \$35 from Virginia England for use by the Police Department and to send a thank you letter to Ms. England from the Mayor. Upon roll call, the vote was unanimous.

16. Parking Variance – American Legion Post #158 – Public Hearing –

Lynn Rosetti, the City Planner showed a video presentation and answered questions regarding a variance request by Leo and Billie Young to allow relief from the parking ratio requirements for the occupation of a private club at 117 – 121 108th Avenue. The City Planner commented that the American Legion would require an additional 10 parking spaces for the private club over what they currently need for an office/retail use.

Commissioner Ellsworth asked if the Legion has attempted to establish shared parking arrangements with abutting property owners.

Chuck Coward, the City Manager, indicated that shared parking arrangements have not been discussed by the American Legion or City Staff in great detail up to this point due to limited availability of parking spaces and the restrictions on the use of those parking spaces.

1/14/2003

The City Planner suggested that the Legion go for mixed use in which the building would be used as an office from 8:00 am until 5:00 pm and for a private club after 5:00 pm on weekdays and on weekends.

A.J. Audet stated that the peak times for the Legion are limited to Friday, Saturday and Sunday. He said that in the daytime during the week the Legion serves soup to Legionnaires and people that come in off the street.

Commissioner Ellsworth asked whether the parking lot at City Hall could be used by the American Legion.

The City Manager indicated that the parking lot at City Hall is fully allocated for city functions as well as regularly occurring rental of the City Hall's Auditorium facilities.

Mayor Atkinson stated that Mr. Dowling indicated to the Mayor that his family is opposed to allowing the use of their parking spaces by the Legion.

The Commissioners indicated that each of them received calls regarding this matter prior to this meeting but they directed the callers to present their comments at the public hearing.

The City Manager stated that while the City Planner's report may sound unduly harsh, the staff is required to give an absolute analysis to the "letter of the law" on all variances. He further stated that Staff makes recommendations but the Commission has the ultimate authority to approve or deny variances. The City Manager also clarified that a parking variance is not necessary for shared parking agreements.

Commissioner Ellsworth asked when the Legion is scheduled to go before the Planning and Zoning Board for a special exception permit for a private club.

The City Planner indicated that the case is scheduled to go before the Planning and Zoning Board on Thursday, January 16th.

Mr. Audet spoke regarding letters of commitment from local owners that have offered the use of parking spaces after 5:00 for the Legion's use. He explained that the Legion is required to vacate the current premises by February 1st and that the Legion's charter requires them to stay in Treasure Island.

Commissioner Ellsworth indicated that while he supports the American Legion 100 percent, he could not grant the variance. He stated that the Legions should obtain shared parking agreements instead of asking for a parking variance.

1/14/2003

Mr. Audet indicated that the Legion must seek a parking variance due to time constraints for the purchase of the property.

Members of the American Legion spoke in support of the Legion being granted the variance.

Leo Young, Chris Hearn and Tom Petit also spoke in support of the American Legion being granted the parking variance.

Mayor Atkinson expressed his concern regarding complaints from abutting property owners over the use of their parking spaces. He stated that he would like to hear from neighboring business owners prior to making a decision on the matter.

A motion was made by Commissioner Blush and seconded by Commissioner Maloof to approve the variance as read.

A motion was made by Commissioner Ellsworth and seconded by Mayor Atkinson to continue the public hearing on the American Legion's request for a parking variance until the Commission Workshop Meeting on Tuesday, January 21st at 7:00 p.m. Upon roll call, the vote was unanimous.

Mayor Atkinson encouraged the public to attend the meeting on the January 21st or send letters to express their support or dissent regarding the Legion's request for a parking variance.

F. CITY MANAGER/CITY ATTORNEY REPORTS & COMMENTS:

The City Manager reported that Fred Turner, Personnel Director, distributed the Personnel Director's Annual Report for 2002 as required by the City Charter.

The City Manager also reported that the playgrounds throughout Treasure Island are coming together nicely. He complimented the Public Works Department on a job well done.

The City Manager provided the Commission with a list of accomplishments for 2002 as well as project goals for fiscal year 02/03.

G. REPORTS & COMMENTS BY COMMISSION:

Commissioner Ellsworth spoke regarding deficiencies with the cleanup of the reclaimed water project on 104th Avenue and throughout the City. He requested that the issue be discussed with County Commissioner Morrioni at the next "Big C"

1/14/2003

Meeting. Commissioner Ellsworth stated that other beaches must be having similar problems with the cleanup of reclaimed water.

Mayor Atkinson asked for complaints in writing to take with him to the "Big C" meeting.

Commissioner Ellsworth voiced his vote of confidence in Commissioner Blush and his support for her as well as her family. He said her level of integrity speaks for itself.

Commissioner Blush reported that the asphalt work began in the Sunset Beach area on Tuesday, January 14th. She also stated that the Snowy Egret lot is tied to rentals at the Beach Pavilion and not a valid parking lot to use free parking passes for.

Mayor Atkinson asked if the passes state that the Snowy Egret lot is not one of the parking lots available for use with the parking pass.

The City Manager stated that the six parking lots that are valid for use with the passes are listed on the passes themselves.

Mayor Atkinson asked if it would be possible to put up a sign at the Snowy Egret Lot that states parking passes are not valid at this lot.

The City Manager said that it would not be a problem to post such signs at the Snowy Egret Lot.

Commissioner Maloof spoke regarding an issue with returning toll passes and not having the complete pass. Commissioner Maloof asked what the City does in this case.

The City Manager stated that the whole pass must be returned but the pass may be in pieces. He said that City ordinance requires surety that the old pass has been destroyed before issuing a new pass. A certified letter from a car dealer may also be obtained.

Mayor Atkinson responded to John Hadsall's comments. He said that he does not want the election to get nasty. He made the decision not to run for re-election back in April. He has thought about reconsidering this decision but ultimately he chose not to run for re-election.

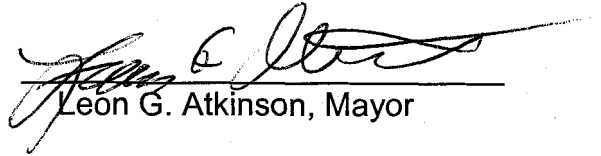
Mayor Atkinson stated that he too would like to express his support for Commissioner Blush. He said that Commissioner Blush is extremely ethical and

1/14/2003

that he is appalled at the attempt to recall her. The Mayor indicated that he doubts if the people heading up this petition will be able to gather enough petitioners for the signatures required.

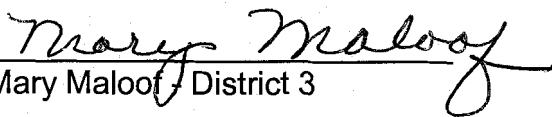
H. PUBLIC COMMENTS:

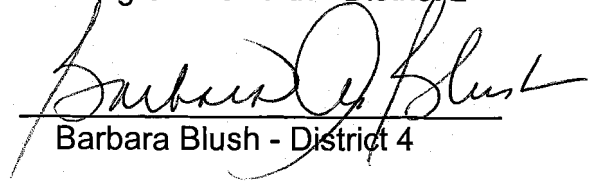
I. ADJOURNMENT:


Leon G. Atkinson, Mayor

Stephanie Lavino - District 1

Irving S. Ellsworth - District 2


Mary Maloof - District 3


Barbara Blush - District 4

ATTEST:

Charles S. Coward, City Clerk