

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP
September 2, 2003
7:00 p.m.**

I. SILENT ROLL CALL BY DEPUTY CITY CLERK:

Mayor Mary Maloof		Present
Commissioner Phil Collins		Present
Commissioner Irving S. Ellsworth		Present
Commissioner Richard Kraus		Present
Commissioner Barbara Blush	Vice-Mayor	Present

II. PUBLIC COMMENTS:

Mr. Frank McConnell thanked the Commission for authorizing the free use of the Auditorium on Wednesday, September 24th to host Ms. Deborah Clark, Supervisor of Elections, as a speaker and he invited anyone that is interested to attend.

III. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Ellsworth to approve the minutes as written. Upon roll call, the vote to approve was unanimous.

IV. DISCUSSION ITEMS:

1. Mill Levy Resolution for FY 03-04 –

The Commission will consider this resolution on Wednesday, September 10th.

2. Budget Ordinance for FY 03-04 –

City Manager Chuck Coward stated that the final Commission proposed budgets were included with their agenda packets.

Mr. Bill Laubach, an attorney for the Police Benevolent Association, urged the Commission to consider subsidizing dependent health insurance coverage. He stated that the following cities pay a percentage of dependent health coverage:

1. St. Pete Beach – 40%
2. Gulfport - 20%
3. Pinellas Park – (3 plans) HMO – 75%
4. St. Petersburg – 75%

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Mr. Laubach stated that it will cost Treasure Island \$78,056 to cover 50% of dependent health and \$39,028 to provide for 25% of dependent health coverage. He asked the Commission to subsidize at least 25% of dependent health costs for the FY 03-04 budget.

The Commission will consider this ordinance for first reading and public hearing on Wednesday, September 10th.

3. Salary and Classification Ordinance for FY 03-04 –

The City Manager stated that appendix I, II and III of the Salary and Classification Plan are included in the Commission Proposed Budget.

The Commission will consider this ordinance for first reading on Wednesday, September 10th.

4. Beach Fund – Minimum Fund Balance Policy –

The City Manager stated that this resolution would establish a policy setting the minimum dollar amount for the Beach Fund at \$500,000.

The Commission will consider this resolution on Wednesday, September 10th.

5. Supplemental Appropriation Ordinance for FY 02-03 –

The City Manager stated that Finance Director Darren LaFrance analyzed each of the funds and that supplemental appropriations are necessary for 5 of the funds. He stated that the items have been brought before the Commission and that funds are available for these supplemental appropriations.

The Commission will consider this ordinance for first reading on Wednesday, September 10th.

6. Beautification Awards – Residential and Commercial Properties –

Beautification Committee Chairperson Carol Malkin and Mayor Maloof presented the residential beautification award to Robert and Evelyn Jimenez of 111 Bay Plaza and the commercial beautification award to Mr. Nash, a contractor for the Smugglers Cove Condominium Association of 215 85th Avenue.

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7. Causeway Bridge – Design of Emergency Repairs –

Public Works Director Don Hambidge introduced Mr. Jim Phillips of E.C. Driver, who presented the Commission with a conceptual design for the repairs to the bascule bridge that includes installing crutch bents to provide support to the beams.

Commissioner Blush asked how long the repairs would take and Mr. Phillips stated that E.C. Driver is working with Johnson Brothers to develop pricing and the design details. He stated that it would take approximately 7 - 8 weeks for the design, pricing and repairs to be completed.

Commissioner Kraus asked if there would be any additional lane closures and Mr. Phillips stated that there would be temporary disruptions on the approach to the bridge for cranes and other equipment.

Commissioner Ellsworth asked if the repairs would affect the construction on the east and west causeway bridges. Mr. Phillips stated that separate equipment would be used but he was unsure whether the same crews would do the work.

Commissioner Collins asked whether there are plans to slow traffic over the bridge as well as have less bridge openings to prolong the life of the bascule bridge. The Public Works Director stated that the City is looking at working with the Coast Guard to see if the number of bridge openings can be reduced.

Mayor Maloof asked how often the bridge is inspected. Mr. Phillips stated that the trunnions are inspected monthly and the approach spans were inspected every 6 months but that has been stepped up due to deterioration.

Commissioner Ellsworth asked if the City is looking into reducing the tonnage allowed on the bridge. Mr. Phillips stated that the current weight limit is 10 tons and that it could be dropped to 5 tons but it would not make much of an impact. Mr. Phillips stated that all trucks would need to be restricted if the City reduced the tonnage below 10 tons.

The City Manager stated that a contract for pricing and the design of the repairs for the bascule bridge should be ready for the Commission's review at the next workshop meeting.

Mr. Carl Ystrom suggested that the City consider building a high fixed bridge because it would last longer and be cheaper to construct. Mayor Maloof stated that his comments were appreciated but that the community has already decided on the 21 foot high bascule bridge.

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8. PSTA Contract Extension for Suncoast Beach Trolley –

The City Manager stated that the contract extension is for a 5 year period. He said that there is a CMAQ grant extension for FY 03-04 and that the City would not pay the full cost of the trolley service until the 4th and 5th years of the contract.

Mayor Maloof asked how FY 04-05 and FY 05-06 would be financed. The City Manager stated that PSTA would pursue new grant funds, a reduction in operating costs or an increase in passenger revenue to make up that money.

Commissioner Blush stated that as of August 24th, senior citizens, people on Medicare and those that are physically challenged can obtain an ID card and pay a discounted fee of \$0.60 to ride the trolley.

The Commission will consider this resolution on Wednesday, September 10th.

9. Veterans Boat Parade –

The City Manager stated that Mr. Warren Shepard is requesting a \$300 donation from the City as a sponsor of the 2003 Veterans Day Boat Parade and he said that the City sponsored the parade last year.

The Commission will consider this resolution on Wednesday, September 10th.

10. T.I. Hotel/Motel Association – Request for Oktoberfest Special Event Permit –

Mr. Bob Dowling reported that the Oktoberfest event would take place on Friday, October 10th and Saturday, October 11th at the Treasure Island Shopping Center to raise money for the civic associations. He asked the Commission for authorization to hold the event and stated that traffic cones as well as tables and chairs would be needed for the event.

The Commission will consider this resolution on Wednesday, September 10th.

11. Drum Circle Petition –

Commissioner Blush stated that Frank Lepore gave her a petition signed by Sunset Beach residents back in June and that she asked to have the item put on the agenda for discussion.

Commissioner Kraus stated that he and his wife observe the Drum Circle and that there were approximately 300 people in attendance. He said there were no horns

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or torches. Commissioner Kraus stated that the number of complaints filed with the police is minimal.

Mayor Maloof stated that she also observed the Drum Circle. She stated that it was around dinnertime and that there was a small but growing crowd assembled. Mayor Maloof said that she did not see any torches.

Ms. Roseanne Petit stated that she owns a business at 10356 Gulf Boulevard. She said that the Drum Circle goes from 4:30 p.m. until 11:00 p.m. and that the drumming disturbs her guests. Ms. Petit stated that she has made calls to the police about the noise but she stopped calling because there is nothing the police can do about it.

Police Chief Joe Pelkington stated that the police have received approximately 9 to 12 complaints about the Drum Circle.

Mr. Tom Petit stated that an hour of the Drum Circle from 5:00 p.m. until 6:00 p.m. would be fine and the problem is that they play until 11:00 p.m. which disturbs hotel guests along the beach where they play.

Mr. Frank Lepore, owner of the Shifting Sands Cottages, stated that the Drum Circle does not end at 11:00 p.m. but rather when the police break it up. He stated that the petition is not asking to stop the Drum Circle completely but to limit the drumming until 9:00 p.m.

Mr. Roman Czynszon stated that he made 8 or 9 complaints to the police about the drummers. He stated that his guests leave the windows to their rooms open in the spring, fall and winter and that they are disturbed by the Drum Circle.

Commissioner Kraus asked if chapter 12 of Section 18-73 of the Code of Ordinances applies. City Attorney Jim Denhardt stated that Section 18-72 of the Code of Ordinances addresses the loud and raucous noise standard. He stated that the ordinance could be enforced if the Commission chooses to control or restrict the hours that the Drum Circle take place but that residents in the area would need to support it.

Commissioner Blush stated that she has met with residents on the matter but not with members of the Drum Circle. She said that she has observed 125 -150 people assembled on the beach for the Drum Circle. She stated that when the group broke up at 11:00 p.m. people wandered onto private property as they were leaving.

Commissioner Ellsworth suggested that the City approach the leader of the Drum Circle and discuss having the drumming cease at 9:00 p.m.

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Commissioner Blush offered to attempt to contact the leaders of the group.

Chief Joe Pelkington stated that meeting with the leader of the group may work in the short term but that the problem might persist in the long run.

Mr. Frank McConnell stated that the group has the right of association. He stated that if the noise ordinance is enforced it must be done in a fair and equitable manner. He suggested that the casual presence of the police may be the easiest solution.

Commissioner Blush stated that the residents are not asking to prevent the Drum Circle altogether but rather to limit the hours of its duration.

Mr. Carl Ystrom stated that he would like the duration of the Drum Circle to be limited to 9:00 pm.

Commissioner Blush asked if the City could require the Drum Circle to obtain a permit. The City Attorney stated that a permit could be required but that no fees could be charged because the gathering is protected by freedom of expression or religion. He said that the Drum Circle is still subject to the noise ordinance.

Commissioner Blush stated that most of the people that attend the Drum Circle gatherings park at the County lot that is closed at dark. The City Manager stated that the lot used to be locked up but now the beach is open until 1:00 a.m.

The City Manager stated that he could attend a meeting with the organizers to request that the Drum Circle cease at 9:00 p.m. if Commissioner Blush sets it up and the Commission directed him to go ahead with the meeting.

12. Request for Amplified Music at Beach Pavilion --

The City Manager stated that Mr. David Fetter is requesting approval to have amplified music at the beach Pavilion for his scheduled for Friday, September 19th.

Mr. Fetter stated that he would like approval to have a battery operated radio at the event.

Commissioner Kraus stated that there was a resolution passed by the Commission that does not allow amplified music at the Beach Pavilion. He said that if an exception is made for this event that it opens the door to many more requests for amplified music which would undermine the resolution.

Mayor Maloof stated that a live guitar player would be allowed.

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Commissioner Blush explained that the reason amplified music is prohibited because the Pavilion is surrounded by a residential area.

Mr. Fetter indicated that he understood the Commission's reasoning for prohibiting amplified music.

13. Term Limits for Commissioners, Committees and Board Members –

The City Attorney stated that the various boards and committees exist by ordinance, resolution, or by motion and changes to the term limits would need to be made in the same manner.

Commissioner Blush stated that she is against term limits. She said that the Commission appoints people to serve on the various boards and committees and it is incumbent on the Commission to re-appoint those people or appoint new members. Commissioner Blush stated that she has only one application for Planning & Zoning on file from her district.

Commissioner Kraus stated that there are 42 people that serve on the boards and committees but many people have not submitted applications because openings do not come up often.

Commissioner Collins suggested that board and committee openings be advertised on the City's Web site to encourage people to get involved in government.

Commissioner Ellsworth stated that he was leaning in favor of term limits for boards and committees until he viewed a spreadsheet made up by Planning & Zoning Board member Paul Schiano that showed turnover of the board occurs though the normal attrition rate. He stated that the spreadsheet shows that 10 of the 15 Planning & Zoning members have changed in the past two years.

Mr. Paul Schiano stated that Commissioner Collins' comments about the President having term limits does not have a direct correlation with Treasure Island's boards and committees because they are non-partisan. Mr. Schiano reviewed with the Commission a spreadsheet he prepared that shows natural attrition occurring on the Planning & Zoning Board.

Commissioner Collins stated that he is still in favor of term limits.

The Commission will consider a resolution referring a Planning & Zoning Board Term Limits Ordinance to the Local Planning Agency for review on Wednesday, September 10th.

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14. City Attorney Request for Proposals –

Commissioner Collins pointed out two errors in the city attorney RFP he provided to the other Commissioners for review.

The City Manager stated that he gathered RFP's from the cities of St. Pete Beach, Redington Shores and Cocoa Beach as well as contracts for services from St. Pete Beach and Madeira Beach. He stated that he submitted the RFP's and contracts to the Mayor for the Commission's review.

The Mayor stated that the Commission would go over the RFP's and the scope of services at the next Commission workshop meeting.

**15. Ordinance Restricting Aircraft Type Devices on Public Beaches –
Second Reading –**

The City Manager stated that the ordinance was published on Wednesday, August 27th and that the second reading and public hearing is scheduled to take place on Wednesday, September 10th.

Mr. Greg Weikal stated that the aircraft devices are certified and that training is required before people can operate them. Mr. Weikal stated that *Ultralight Magazine* has a story regarding the "Beach Guardian Angels" that use para-motors to patrol the beach areas in Rio de Janeiro.

Mr. Carl Ystrom stated that he supports safe aviation activity and that he feels para-motors are safe.

Mayor Maloof stated that the ordinance does allow the operation of para-motors for approved special events.

The City Attorney stated that he received a letter from Mr. Jack Turnstill regarding the federal law pre-empting municipal law regarding para-motors taking off and landing on the beaches. He reported that he prepared a severability amendment to the ordinance that would not be considered a substantive change.

16. Height Variance @ 10058 South Yacht Club Drive – No Discussion –

Mayor Maloof stated that a public hearing on this application would be held on Wednesday, September 10th.

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17. Key Capri – Request for Pigeon Extermination Permit –

The City Manager stated that, by ordinance, birds can be destroyed if they are a nuisance or causing damage. He said that pigeons are causing damage at Key Capri and that the Professional Bayway Management Company is seeking authorization to have the pigeons destroyed.

Commissioner Kraus asked if there is a term limit for the authorization and the City Manager stated that the request is for one event.

The Commission will consider this resolution on Wednesday, September 10th.

V. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

The City Manager reminded the Commission that a resolution for the purchase of workstations for the Mayor/Commission workstations would be on the agenda for the Commission meeting on Wednesday, September 10th.

The City Manager reported that he and City Planner Lynn Rosetti approved the annual kite festival for January 16 thru January 18, 2004.

The City Attorney stated that he submitted a draft letter requesting an attorney general's opinion (AGO) for the Commission's approval. He said that Mr. Ed Gayton approved the document.

VI. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Collins stated that he would like the Commissioners to be provided with an itinerary for the FAST trip to Washington, D.C.

Commissioner Collins asked if Traffic Engineer Jerry Dabkowski has provided information regarding improving the bubble at the clock tower. The City Manager stated that Mr. Dabkowski provided the City with schematic designs approximately one year ago and said that he is currently working on the Downtown Master Plan that should be ready for Commission review in October.

Commissioner Collins asked if the City is pursuing E-Civis as a resource for obtaining grant funds and the City Manager stated that the City would be addressing it.

The City Manager stated that he is putting together a list of people that Treasure Island will attempt to meet with while in Washington, D.C. as well as a fact sheet for distribution purposes. He said that an itinerary could be provided to the

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Commission on Tuesday, September 16th.

Commissioner Blush stated that she was a guest speaker at the Republican Women's Federated Group meeting on Wednesday, August 29th. She said that she was able to show the group the bridge renderings and explain the importance of obtaining causeway bridge funding.

Commissioner Blush stated that Florida League of Cities' President Dottie Reeder and Mayor J.J. Beyrouti have pledged their full support to the bridge project and they offered to help Treasure Island lobby for bridge funding during the FAST trip to Washington, D.C.

Commissioner Blush stated that she attended the Gulf Beaches Chamber of Commerce Board Meeting last week. She said that she spoke to Mr. Don Sullivan, candidate for House Representative, and he indicated that his area of interest would be appropriations if elected.

Commissioner Blush stated that she would be attending the Beaches & Shores Conference September 3rd thru September 5th.

Mayor Maloof reported that she and Commissioner Kraus would also be attending the Beaches & Shores Conference.

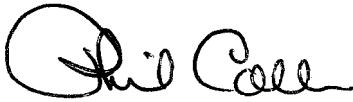
Mayor Maloof stated that she would attend the Florida Redevelopment Conference October 23rd thru October 25th and she encouraged the other Commissioners to attend the conference.

VII. PUBLIC COMMENTS:

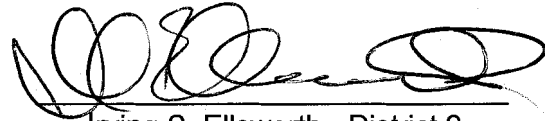
Mr. Carl Ystrom spoke against term limits for boards and committees and said that these people should be honored and not limited.

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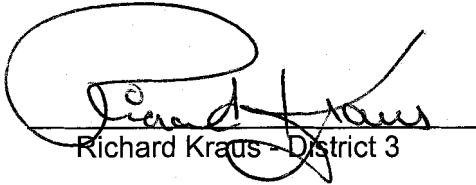
VIII. ADJOURNMENT:



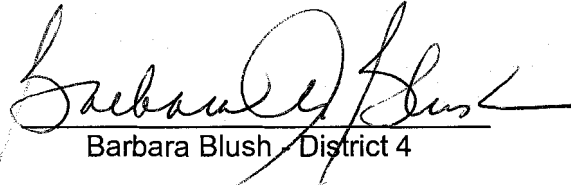
Phil Collins - District 1


Mary Maloof, Mayor

Irving S. Ellsworth - District 2



Richard Kraus - District 3



Barbara Blush - District 4

ATTEST:



Charles S. Coward, City Clerk