

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS MEETING
September 10, 2003
7:00 p.m.**

A. PLEDGE OF ALLEGIANCE: Led by Mayor Maloof

B. ROLL CALL:

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

C. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the minutes from the meetings of August 22nd and 26th as written. Mayor Maloof stated that the last paragraph on page 1 of the minutes from August 22nd should read 43% instead of 45%. Upon roll call, the vote to approve was unanimous.

Mayor Maloof announced that Section E. #1 *Res - Tentative Mill Levy for FY03-04* and #2 *Ord - Budget & Appropriations Ordinance for FY03-04* would be discussed prior to public comments and other business in order to meet TRIM budgeting requirements.

E. ACTION ITEMS:

1. Res. - Tentative Mill Levy for FY03-04 (Public Hearing) -

After hearing the reading of the resolution setting forth the tentative millage of 2.6272 for the City of Treasure Island for the Fiscal Year 2003-04, motion was made by Commissioner Ellsworth and seconded by Commissioner Kraus to approve the resolution as read.

Mayor Maloof read the following excerpt from the Tentative Mill Levy Resolution for FY 03-04:

The City Commission does hereby set the tentative ad valorem tax millage rate for the City of Treasure Island for the fiscal year commencing October 1, 2003 and ending September 30, 2004 at 2.6272 which is an increase of 13.16% over the rolled back rate of 2.3216.

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Upon roll call, the vote to approve was unanimous.

2. Ord. – Budget & Appropriations Ordinance for FY03-04 (First Reading & Public Hearing) –

After hearing the 1st reading of the ordinance making appropriations for the payment of the operating expenses of the City of Treasure Island, Florida, for the payment of principal and interest on the bonds, revenue certificates and other indebtedness of the City from various funds for the fiscal year ending September 30, 2004, motion was made by Commissioner Blush and seconded by Commissioner Kraus to approve the ordinance as read. Mayor Maloof opened the public hearing. No one from the public spoke regarding the ordinance and the public hearing was closed. Upon roll call, the vote to approve was unanimous.

D. PUBLIC COMMENTS:

Ms. Christine Jalbert stated that she is the original organizer and a member of the Drum Circle. She said that the Drum Circle is a sunset event and that if they are required to stop playing at 9:00 p.m. that it would be too far for some people to travel to play for one hour. Ms. Jalbert stated that she would be meeting with Commissioner Blush and City Manager Chuck Coward on Friday, September 12th to discuss the matter.

Ms. Olivia Cox requested that the City replace the bike route signs that were removed from the East Causeway Bridge.

Ms. Lynn Barber from Largo expressed her appreciation of the Drum Circle and asked the Commission to keep an open mind when deciding on the matter.

Mr. Malcom Johnson stated that Treasure Island's Drum Circle was listed in *Drum Magazine* which has attracted tourists to the area. He said that 6:30 p.m. until 9:30 p.m. is the peak time period for the Drum Circle and that they are willing to work with the City to come to a compromise.

Mr. Jim Marvin expressed his support for the Drum Circle and asked the Commission leave the schedule unchanged.

A former resident stated that the Drum Circle is a peaceful, family event that takes place on public property (the beach).

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E ACTION ITEMS CONTINUED:

3. Ord – Salary and Classification Plan for FY03-04 (First Reading) –

After hearing the 1st reading of the ordinance amending appendices I, II and III of the Career Service System Manual of Personnel Rules and Regulations, motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

4. Res. – Setting Minimum Fund Balance in Beach Fund –

After hearing the reading of the resolution establishing a policy that a minimum fund balance in the Beach Improvement Fund be set at \$500,000, motion was made by Commissioner Blush and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Collins asked how the figure of \$500,000 was arrived at. The City Manager stated that the Commission established the amount at the Budget Workshop in July and that the funds come from parking fines and revenue generated from the 6 metered parking lots.

5. Ord. - Supplemental Appropriation for FY02-03 (First Reading) –

After hearing the 1st reading of the ordinance making supplemental appropriations for the FY2002-03 fiscal year, motion was made by Commissioner Ellsworth and seconded by Commissioner Collins to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

**6. Ord. – Restricting Aircraft-Type Devices on Public Beaches
(Second Reading & Public Hearing)-**

After hearing the 2nd reading of the ordinance pertaining to the operation of aircraft-type devices over parks, swim zones and public beach areas of the City; restricting the operation of such devices in or over such areas; providing for the inclusion of such ordinance in the "Code of Ordinances of the City of Treasure Island, Florida"; providing an effective date, motion was made by Commissioner Ellsworth and seconded by Commissioner Kraus to approve the ordinance as read.

Mr. James Goodman expressed his support for backpack powered parachutes and asked the Commission to designate an area for people to use for takeoff and landings rather than restricting them altogether.

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Mr. Neil Stubbs asked the Commission to consider controlling paragliding but not to restrict it completely.

Ms. Olivia Cox stated that more people have spoken in favor of paramotors than against them at the Commission meetings and asked the Commission not to side with a minority of people who have made complaints.

Commissioner Kraus stated that the ordinance would allow the operation of paramotors for approved special events.

Commissioner Collins stated that Mr. Jackson of the Parastars has agreed with the wording of the ordinance. He asked how one would obtain a special event permit under the ordinance. City Attorney Jim Denhardt stated that the ordinance provides an exception for a special event permit to be granted by the City Manager in writing for an event which the Commission has approved.

7. Height Variance Request for 10058 South Yacht Club Drive (Public Hearing) –

All applicants, witnesses, members of staff or other persons wishing to address any item before the Commission of a quasi-judicial nature were duly sworn at this time.

Commissioner Ellsworth reported that he had exparte' communication with Mr. Doug Lampe, the applicant's representative and advised him that he could not discuss the case until the hearing.

City Planner Lynn Rosetti offered a verbal and video presentation and answered questions of the Board.

Ms. Diane Walsh, the applicant, and Mr. Lampe answered questions of the Board.

Mr. Dan Helton, the applicant's brother, stated that the applicant would either need to be allowed to build up or take up two lots in order to expand.

No abutting property owners were present.

ACTION:

Motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to deny the variance request. Upon roll call, the vote to deny the variance was unanimous.

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8. Res. – Purchase of Workstations for Mayor & Commission Office –

After hearing the reading of the resolution authorizing the purchase of workstations for the Mayor/Commissioners' office from Design Team Associates in an amount not to exceed \$5,787.05, motion was made by Commissioner Ellsworth and seconded by Commissioner Blush to approve the resolution as read.

Commissioner Kraus stated that the City could save 65% by purchasing workstations that are made of particle board and he suggested that the Commission consider changing the resolution to make the award to Crest Manufacturing.

Commissioner Collins stated that he did not understand why the Commission is considering spending \$3,000 more when Crest Manufacturing has provided a quote of \$1,950.

Mayor Maloof asked what the difference is in construction with the two proposals. Commissioner Kraus stated that Crest Manufacturing is proposing workstations made completely of particle board and Design Team Associates is proposing workstations made partly out of particle board.

Commissioner Blush asked if Crest Manufacturing met the specifications and the City Manager stated that the City had not developed revised specifications.

Mayor Maloof stated that she was not in favor of purchasing the particle board furniture because it could not be easily relocated to other areas.

Mr. Frank McConnell asked the Commission to consider the fact that the workstations proposed by Design Team Associates cost 3 times more than Crest Manufacturing.

Upon roll call, the resolution passed with a vote of 3 ayes and 2 nays as follows:

Mayor Maloof	Aye
Commissioner Collins	Nay
Commissioner Ellsworth	Aye
Commissioner Kraus	Nay
Commissioner Blush	Aye

9. Res. – Referring P & Z Term Limits Ordinance for LPA Review –

After hearing the reading of the resolution referring proposed amendments to Chapter 70 of the Land Development Regulations of the City of Treasure Island to the Treasure Island Planning & Zoning Board for review and recommendation;

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providing a time period for the Planning & Zoning Board to report to the City Commission; providing for the holding of advertised public hearings on such proposed ordinance; providing an effective date, motion was made by Commissioner Ellsworth and seconded by Commissioner Kraus to approve the resolution as read.

Mr. Paul Schiano stated that normal attrition addresses the issue of term limits and he asked the Commission to vote against the resolution.

Commissioner Ellsworth stated that he does not support term limits.

Commissioner Collins stated that he remains in favor of term limits.

Mayor Maloof stated that the Commission should have the responsibility of maintaining a flow of people on the boards and committees and that the Commission should not pull a person if he/she is performing well.

Commissioner Blush stated that the Commissioners appoint members to the Planning & Zoning Board for 3 years and at the end of that time it is incumbent on the Commissioners to find the best people from their respective districts. She said that the ballot box serves as term limits for Commissioners and the Mayor.

Upon roll call, the resolution failed with a vote of 3 nays and 2 ayes as follows:

Mayor Maloof	Nay
Commissioner Collins	Aye
Commissioner Ellsworth	Nay
Commissioner Kraus	Aye
Commissioner Blush	Nay

10. Res. - PSTA Contract Extension for Suncoast Beach Trolley –

After hearing the reading of the resolution authorizing an agreement between PSTA and the City of St. Pete Beach for the extension of the Suncoast Beach Trolley, motion was made by Commissioner Kraus and seconded by Commissioner Blush to approve the resolution as read.

Mayor Maloof thanked the City Manager for negotiating the contract and she said that it is an important service provided to the community.

Upon roll call, the vote to approve was unanimous.

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11. Res. – Authorizing Sponsorship of Veterans Boat Parade –

After hearing the reading of the resolution authorizing the City of Treasure Island to donate \$300 as a co-sponsor of the Veteran's Day Boat Parade, motion was made by Commissioner Ellsworth and seconded by Commissioner Collins to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

12. Res. – Special Events Permit for Downtown Oktoberfest –

After hearing the reading of the resolution authorizing the Treasure Island Hotel/Motel and Hospitality Association to hold a special Oktoberfest fundraiser event in the Treasure Island Plaza shopping center from 5:00 p.m. to 10:00 p.m. on October 10 and 11, 2003, motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the resolution as read.

Mr. Bob Dowling requested approval to use the causeway sign and the City banner free of charge for the Oktoberfest event. He also asked for tables and chairs.

The City Attorney stated that the Commission consider including the language granting the free use of the sign and banner to the resolution and the Commission concurred.

Upon roll call, the vote to approve was unanimous.

13. Pigeon Extermination Permit for Key Capri –

After hearing the reading of the resolution granting permission to Key Capri Condominiums to remove numerous pigeons from the roofs of the buildings of Key Capri, motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the resolution as read.

Mr. Mike Johnson of the Professional Bayway Management Company stated that his organization is requesting this approval for a one-year period.

The City Attorney stated that the period of one year could be included in the resolution and the Commission concurred.

Commissioner Ellsworth stated that he obtained some information from Florida League of Cities regarding alternative methods to extermination.

Mr. Marvin expressed his concerns regarding the affects of this extermination on the environment and other wildlife in the area. Mr. Johnson stated that the process would follow state guidelines.

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Ms. Cox stated that she is a volunteer for the Suncoast Seabird Sanctuary and that she may be able to assist in relocating the birds.

Upon roll call, the vote to approve was unanimous.

14. Donation – Colette Birnbaum –

Mayor Maloof stated thanked Ms. Colette Birnbaum for her donation of 6 score posts for use by the Treasure Bay Golf and Recreation Center

F. DISCUSSION ITEMS:

1. Increase of Residential Height Limits by Five (5) Feet –

The City Manager stated that the City Planner would discuss the Commission's options regarding increasing the residential height limit by 5 feet. He said that an ordinance would be necessary to effect this change as well as a public vote.

The City Planner asked the Commissioners whether they wanted to look at increasing height by land use district or by type of use. Commissioner Collins proposed increasing height for all land use districts and all types of uses and the Commission concurred.

Mayor Maloof asked the City Manager for direction as to how to proceed. The City Manager stated that an ordinance could be drafted for the Commission to refer to the Planning & Zoning Board for review. He said that the Planning & Zoning Board would then refer the ordinance back to the Commission and the Commission would hold two public hearings. The City Manager stated that the ordinance would then go before the electorate.

Mr. Frank McConnell stated that if the Commission passes the ordinance, it would be subject to the approval of a majority of the voters.

Mr. Lampe stated that most height variance requests are for residential properties and that if the Commission includes commercial properties the electorate may not pass the ordinance.

The City Manager stated that an ordinance would be drafted increasing height by 5 feet for all structures and that it would come before the Commission with a resolution referring it to the Planning & Zoning Board at the October 7th Commission workshop.

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G. CITY MANAGER/CITY ATTORNEY REPORTS:

None.

H. REPORTS BY COMMISSIONERS:

Commissioner Ellsworth stated that repair work to the road at 119th is expected to be complete by Friday, September 12th.

Commissioner Kraus reported that he attended the Florida Shore & Beach Preservation Association annual meeting and that the complete process for a project was addressed including inception, dealing with the Army Corps of Engineers, funding, permitting and completing the project. He said that many of the funding ideas for beach preservation could be utilized with the bridge project.

Motion was made by Commissioner Blush and seconded by Mayor Maloof to nominate Mr. Mike Nadeau to serve on the PCCLB. Upon roll call, the vote to approve was unanimous.

Commissioner Blush reported that she received a copy of a draft funding resolution at the Florida Shore & Beach Preservation Association annual meeting. She stated that, upon approval, this resolution would be sent to the appropriate legislative departments in support of protecting funding for beach renourishment. She asked the Mayor for permission to put the item on a workshop agenda and the Mayor concurred.

Commissioner Blush reported that she attended a Beach Stewardship meeting on Wednesday, September 10th. She gave the status on the Sandsharing project and stated that the committee is preparing a response to the Florida Department of Environmental Protection (DEP) regarding some technicalities with the permitting process. Commissioner Blush stated that she hoped to have an update next month.

Commissioner Blush reported that she received a report from the University of South Florida (USF) regarding the monitoring of the benchmarks out at the beach and that there would be a formal evaluation of it at the next meeting.

Commissioner Blush reported that she would be attending a meeting with the City manager and representatives from the Drum Circle on Friday, September 12th.

Commissioner Ellsworth asked for a status on the renourishment of Sunset Beach in relation to St. Pete Beach and Commissioner Blush stated that Upham Beach and Sunset Beach are slated to receive 400,000 cubic yards of sand in the spring of 2004.

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Mayor Maloof reported that she also attended the Florida Shore & Beach Preservation Association annual meeting and that all of the Commissioners were able to speak with Senator Dennis Jones regarding ideas for lobbying.

Mayor Maloof reported that she met with the City Manager, state lobbyist Louis Rotundo and Mr. George Cretekos, local representative to Congressman Bill Young, on Monday, September 8th to discuss bridge funding. She stated that Mr. Cretekos has promised to do what he can to help Treasure Island lobby for funds.

Mayor Maloof asked if a meeting had been set with Congressman Young and Commissioner Ellsworth stated that a meeting is set for Wednesday, September 24th at 11:15 a.m.

Mayor Maloof reported that she and the City Manager attended a meeting with the 5 library partners on Wednesday, September 10th. She stated that the library partners are requesting that Treasure Island pay \$95,790 for FY 2003-04 with the understanding that good faith discussions will take place to establish a new funding formula before FY 2004-05. She said that the Commission has been asked to vote on this matter and to report back to the library members next week.

The City Manager stated that the Mayor's letter finally got the library partners' attention after approximately two years of attempting negotiations with them. He said that they are upset about the short notification of Treasure Island's intention to pay \$60,048 for FY2003-04 due to the fact that their budget season is almost over. The City Manager recommended that if the Commission is inclined to pay the full amount for the upcoming year; that the library be put on notice that Treasure Island would not accept the current funding formula thereafter. The City Manager recommended that if the Commission chooses to pay a lesser amount, that special legal counsel should be consulted.

The City Manager stated that the items could be placed on next week's agenda for vote so that the Commission could respond to the library partners by next Wednesday as they requested.

The City Attorney recommended that next week's meeting be a workshop and special meeting to allow the Commission to vote on the library matter and the Commission concurred.

I. PUBLIC COMMENTS:

Mr. Marvin asked when and where the Drum Circle meeting would be held and Commissioner Blush stated that the meeting would take place on Friday, September 12th at 10:00 a.m. in the City Manager's office.

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Mr. Marvin asked why the center lanes of the drawbridge are closed and the Mayor explained that the center lanes have become weakened by deterioration and that they have been closed to relieve the strain until crutch bents can be installed to support the beams.

Mr. Marvin asked what the time period is that the center lanes would be closed and the City Manager stated that they would be closed for an additional 2 to 3 months.

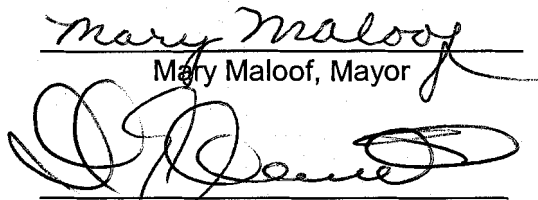
Mr. Marvin asked the Commission to find the least harmful way to alleviate the pigeon problem at Key Capri that would ensure the environment is protected.

Mr. Marvin requested that the Commission abide by the voters wishes regarding increasing height by 5 feet across the board.

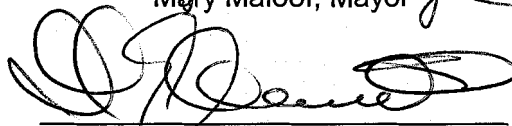
J. ADJOURNMENT:



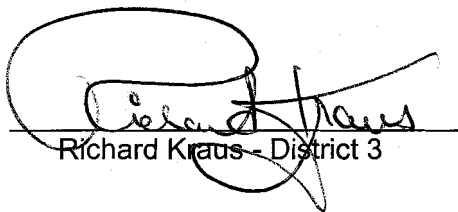
Phil Collins - District 1



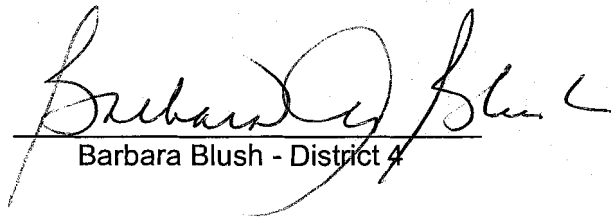
Mary Maloof, Mayor



Irving S. Ellsworth - District 2




Richard Kraus - District 3



Barbara Blush - District 4

ATTEST:



Charles S. Coward, City Clerk