

**CITY OF TREASURE ISLAND  
BOARD OF COMMISSIONERS WORKSHOP  
September 16, 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. Ken Brown, President of the Treasure Island Business Association, stated that a farmers' market will be held in downtown Treasure Island every Saturday starting October 18<sup>th</sup>. He said that anyone that is interested should contact Ms. Elizabeth Barone of Caribbean Way for more information.

Mr. Brown announced that 18 tickets are available at \$3.00 each for the "Creepy Pub Crawl" that will take place on Halloween night.

Mr. Brown stated that a pirate invasion will take place at the Welcome Center every Friday at 6:00 p.m. He said that there will be a total of 4 krewes and that 2 krewes are already full. Commissioner Kraus asked when the first invasion would take place and Mr. Brown said that the invasion will begin in December.

Mr. Frank McConnell stated that Voters Watch would be hosting Ms. Deborah Clark, Supervisor of Elections, as a guest speaker on Wednesday, September 24<sup>th</sup> at 7:00 p.m. in the City Hall Auditorium.

Mr. Ed Gayton stated that the Commission is circumventing the Rules of Procedure by adding the words, "Commission Workshop & Special Meeting" to the agenda.

Ms. Ruth Bartlett expressed her appreciation to Public Works Director Don Hambidge for the flowers that were planted in Paradise Island as well as the raccoon cages that were provided. She also stated that she supported Commissioner Collins and Commissioner Kraus for their attempts to save \$3,000 by voting against the resolution for Mayor/Commissioners' workstation furniture.

**III. MINUTES:**

Motion was made by Commissioner Kraus and seconded by Commissioner Collins

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to approve the minutes as written. Commissioner Blush noted that page 2, item #4 should read Beach Fund rather than Beach Renourishment Plan and pg 5, Item #8 should read Chief Joe Pelkington rather than Chief Joe. Upon roll call, the vote to approve was unanimous.

#### **IV. ACTION ITEMS:**

##### **1. Gulf Beaches Library Agreement –**

Mayor Maloof stated that the library partners requested that the Commission consider paying the full amount for FY 02-03 with the understanding that the library partners will work with Treasure Island to come up with a new formula.

City Manager Chuck Coward stated that the figures for the revised library formula were derived from FY 2001-02 data from the County's library system.

Commissioner Kraus suggested that the Commission authorize a contribution of \$80,833 based on the revised formula.

Mayor Maloof stated that the other Cities involved in the library system have gone through their budget cycles and allocated based on Treasure Island's contribution of \$95,790 for FY 2003-04. She said that the library partners have asked the Commission to discuss the issue and report back to them with a decision by Wednesday, September 17<sup>th</sup>.

Commissioner Collins asked if there is a binding contract. City Attorney Jim Denhardt stated that Treasure Island is not aware of a contract and that there is only a funding formula. Commissioner Collins asked if there is an implied contract and the City Attorney said that he could not advise the Commission on the matter because he also represents Redington Shores.

Mayor Maloof stated that Treasure Island would need to go back to the table and negotiate to go back to the old formula that was based on usage.

Commissioner Kraus stated that he was in favor of paying \$80,833 rather than the full amount that the library partners are requesting.

Commissioner Ellsworth asked what the repercussions would be if Treasure Island does not sign a contract for FY 2000-04. The City Manager stated that the City would need to begin legal action to discontinue being part of the Gulf Beaches Library. He indicated that citizens would no longer have free access to Pinellas County libraries unless Treasure Island joined another library or the district directly.

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Commissioner Ellsworth asked how much it would cost to join the St. Pete Beach Library and the City Manager stated that he could find out what the cost would be if the Commission directs him to do so.

Mayor Maloof stated that the Commission must be careful not to jeopardize the City's relationship with the BIG-C and Commissioner Blush concurred.

Commissioner Ellsworth asked what the Commission's options are. The City Manager stated that the Commission could; refuse to pay and begin litigation, pay \$95,790 in good faith, or make a counteroffer. He suggested that the Commission consider obtaining legal counsel as well so that some of the contractual issues would be addressed.

Commissioner Collins stated that the Commission should pursue negotiations with the library partners but also obtain legal counsel to find out where the City stands.

Mayor Maloof asked for an estimate of the legal costs involved. The City Attorney stated that, if the case went into litigation, the costs could easily be in the \$20,000 to \$30,000 range with five parties involved.

Ms. Dabney McLean stated that the four other cities involved in the library would not agree to pay the figure of \$35,000 that Treasure Island is refusing to pay. She said that she did not understand how Treasure Island could make changes to the library formula without the support of the four other cities. Ms. McLean stated that it would cost Treasure Island \$35,000 in legal costs if the Commission chooses not to pay the full amount.

Ms. Tricia Boat-Sorbie stated that Treasure Island should honor the formula that the City has been paying since 1993 for FY 2003-04 and then negotiate.

Ms. Ruth Bartlett stated that she felt that residents are not using the Gulf Beaches Library and that the library surveys serve as useful negotiation tools.

The City Manager stated that the Commission could authorize payment of the full amount or make a counteroffer for \$80,833 based on the revised formula. He reiterated his suggestion that the Commission authorize staff to seek legal counsel and to pursue the option of joining the St. Pete Beach Library.

Mr. Frank McConnell stated that he was in favor of the Commission paying \$80,833 and authorizing legal counsel.

Motion was made by Commissioner Blush to authorize payment of \$80,833 to the Gulf Beaches Library, to obtain legal counsel and to authorize the City Manager to

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look into joining the St. Pete Beach Library.

Upon roll call, the vote to approve was unanimous.

**V. DISCUSSION ITEMS:**

**1. Mill Levy for FY 03-04 –**

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**2. Budget & Appropriations Ordinance for FY 03-04 –**

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**3. Salary & Classification Ordinance for FY 03-04 –**

The City Manager stated that he responded to Mr. Bill Laubach, attorney for the Police Benevolent Association, indicating that he did not recommend that the City provide for dependent health insurance coverage at this time.

**4. Supplemental Appropriations Ordinance for FY 02-03 –**

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**5. Fund Balance Designation for LOISS Public Safety Items –**

The City Manager stated that this resolution authorizes funds to be taken out of a sinking fund and to place them into appropriations.

**6. 2004 Municipal Election Dates –**

The City Manager reported that the Pinellas County Supervisor of Elections is requesting that all cities change their municipal election dates to the second Tuesday in March (March 9<sup>th</sup>). He also stated that the Supervisor of Elections has changed the deadline for submitting ballot language to January 2<sup>nd</sup>. The City Manager stated that the Commission has been provided with a timetable of 2004 election dates based on this information. He recommended that the City set Tuesday, December 16<sup>th</sup> through Tuesday, December 30<sup>th</sup> as the candidate qualifying period to avoid the New Year's holiday. He also advised that the runoff election date may be affected as well.

The City Manager advised the Commission that state law provides that qualification, election and runoff election dates can be changed by ordinance. The City Attorney

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will draft ordinances for the Commission to consider at the next workshop.

**7. Purchase of Roselli Park Replacement Fencing –**

Public Works Director Don Hambidge recommended that the Commission select the proposal from USA Steel Fence in the amount of \$12,509.00 because it includes 118 feet of 5-foot tall fence to be placed along the first baseline to the outfield fence.

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**8. Construction Contract for Bridge Crutch Bent Emergency Repairs –**

The Public Works Director recommended that the Commission authorize Johnson Brothers, Inc. to proceed with the emergency repairs to the bascule bridge, spans 1 and 17 for the lump sum of \$473,920.00

Commissioner Collins asked for a status on whether the Coast Guard has agreed to allow Treasure Island to limit the drawbridge openings. The Public Works Director stated that the Coast Guard has agreed to three drawbridge openings per hour on the weekends during the temporary repairs. He did not recommend implementing this change for such a short period of time. He stated that lab tests will be performed on the trunnions and, if the cracks are significant, he would ask the Coast Guard to limit the drawbridge openings to 2 times per hour on the weekends.

The City Manager stated that he wanted to advise the Commission of the needed repairs and get their approval to sign a contract on Wednesday and approve a ratification resolution next week.

The Commission concurred and will consider a ratifying resolution on Tuesday, September 23<sup>rd</sup>.

**9. Update on Bridge Activities –**

The City Manager stated that a fact sheet, project summary and a brochure have been established to be used as the basis for negotiations with all elected officials.

The City Manager stated that an agenda detailing the schedule for the FAST trip to Washington, D.C. has been included in their agenda packets. The City Manager stated that he and Commissioner Ellsworth would be meeting with, Congressman Bill Young, Mr. Sam Reid, FDOT, and Mr. Skip Bafalis, federal lobbyist.

The City Manager stated that the General Obligation Bond issue can be delayed until the November 2004 election ballot without affecting the schedule for the bridge

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replacement.

Mayor Maloof asked what the amount was for the dollar figure spent by the City for drawbridge repairs in the last two years. The City Manager stated that the City has paid \$550,000.

Commissioner Ellsworth asked to have a bridge activities update on each workshop agenda so that the residents and the Commission can be kept up to speed on any new developments.

**10. Emergency Sewer Repairs on Isle of Palms -**

The Public Works Director stated that he is recommending payment of \$21,845.00 to Westra Corporation for completed repairs to the force main from lift station 6 on the Isle of Palms.

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**11. Asphalt Overlay for FY 02-03 -**

The Public Works Director stated that he recommended that the Commission authorize payment to Westra Corporation in the amount of \$136,526.26 which will leave a balance of \$35,452.40.

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**12. Purchase of Exhaust System for Fire Department Equipment Bay -**

Fire Chief Charlie Fant recommended that the Commission authorize acceptance of the proposal from Tack & Warren Services, Inc. for the installation of an exhaust fan system in the amount of \$10,250.00.

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**13. RFP for City Attorney Services -**

The Commissioners discussed and made changes to the RFP for City Attorney.

Mayor Maloof stated that she would have the changes incorporated into the RFP to present back to the Commission in two weeks.

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**14. Proposal – Pinellas County Gas Tax Program –**

The City Manager informed the Commission that the County is considering adding 5 cents to the current gas tax.

Mayor Maloof stated that this topic was discussed at the Mayor's Council meeting and that there was some concern regarding the disbursement formula of Penny for Pinellas funds.

**15. 107<sup>th</sup> Avenue Clock Tower Roadway Issues –**

The City Manager stated that it would cost \$25,000 to \$35,000 to redesign the bubble at the clock tower. He said that the clock tower's purpose is to require people to slow down and to help to create a downtown area. The City Manager stated that an update to the Downtown Master Plan should be completed by November 1<sup>st</sup>. He suggested that the Commission review the updated plan before making any decisions because the plan may offer some alternatives. The Commission concurred.

Mr. Carson Munsey commented that he has observed several accidents at the clock tower bubble. He said that the exit out of the bubble is where the problem lies.

**16. Resolution in Support of Continual Beach Management Funding –**

The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

**V. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:**

The City Attorney reported that the Florida Supreme Court has recently ruled that private e-mails are not public records.

**1. Financial Report through August 31, 2003 –**

The City Manager reported that there are only two weeks left in the current fiscal year and that supplemental appropriations cover most of the items listed.

The City Manager stated that the City started a two week trial period with E-Civis (web search engine for grant funds) today.

The City Manager stated that 5,500 e-government surveys have been printed and that the survey is also available on the City's Web site. He stated that the surveys would be mailed out by early next week.

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The City Manager reported that 141 library surveys were received and that the results would be made available to the Commissioners by Thursday.

The City Manager reported that the 2004 calendars are almost complete and that they are scheduled to be printed by early October.

The City Manager reported that the RFP for Beach Pavilion restaurant services has been issued and that proposals will be accepted until November 5<sup>th</sup>.

Commissioner Collins asked what publications were used to advertise the RFP. The City Manager stated that the City advertised in TI Today and the Reporter.

Commissioner Collins asked if the City could advertise in the Tampa Tribune as well as periodicals and the City Manager stated that he would instruct staff to do so.

## **VI. REPORTS & COMMENTS BY COMMISSIONERS:**

Commissioner Collins stated that the Isle of Capri has a growing number of children and he asked if the City could put up "Slow – Children at Play" signs on every block on every street. The City Manager stated that those signs are no longer permissible because they encourage children to play in the street. He said that he would discuss the issue with Traffic Engineer Jerry Dabkowski and advise Commissioner Collins of his recommendation.

### **1. Results of Drum Circle Negotiations –**

Commissioner Blush reported that she met with Ms. Christine Jalbert on Friday regarding the Drum Circle. She stated that Ms. Jalbert will be meeting with hotel owners along the beach to discuss the issue. Commissioner Blush said that Ms. Jalbert is also considering moving the Drum Circle to a wider part of the beach.

Commissioner Blush read a letter from the Treasure Islettes President Rosemary Thompson regarding four park benches that the Islettes would like to donate for use at each of the City's four playgrounds. The Islettes asked that plaques be erected to indicate that the benches were donated by the Islettes. The Commission will consider a resolution on Tuesday, September 23<sup>rd</sup>.

Mr. Carson Munsey asked if it is possible to establish a combined noise/nuisance ordinance similar to the one St. Pete Beach has in place.

Mayor Maloof stated that two residents expressed their appreciation for the renewal of the PSTA trolley contract.

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Mayor Maloof read a letter from a resident that wished to express her approval of the actions of the Commission and the City Manager that are guiding the community in the right direction.

Mayor Maloof stated that the EPA reported on the water from the Piney Point phosphate plant. She stated that it would take a large barge 12 trips at 74,000 gallons of water per trip to empty the stacks at a cost of \$5 million to \$6 million. She stated that studies that have been conducted and Bay areas have shown no environmental impact from the water.

Mayor Maloof stated that the Tampa Bay Regional Planning Council (TBRPC) has written a letter to the State opposing the State's proposal to combine DCA and the Arts & Culture Council as the TBRPC feels they are two unrelated agencies and the only purpose in combining them would be to cut costs.

Mayor Maloof stated that the Volunteer Recognition Reception would take place on Wednesday, September 17<sup>th</sup> at 5:30 p.m. in the Crystal Sands Room at the Bilmar.

#### **VII. PUBLIC COMMENTS:**

Fire Chief Charlie Fant stated that the new fire vehicle replacing the 4 wheel drive has been purchased for \$30,000 by the Volunteer Fire Department and donated to the City. He stated that the purchase of this vehicle was made possible by donations made by citizens and businesses totaling \$37,000.

Mr. Jim Marvin stated that the clock tower bubble is a problem and that there is evidence that accidents have occurred there.

Mr. Jim Marvin commented on the phosphate dumping ad stated that DEP is denying phosphate mining permits.

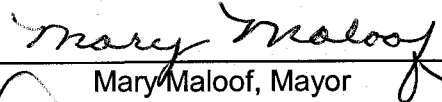
Mr. Marvin stated that the Commission should stand behind the library because it does serve the residents of Treasure Island. He said that the library does stock current books and offers Internet access. Mr. Marvin asked if the library surveys are still being accepted and the City Manager responded affirmatively.

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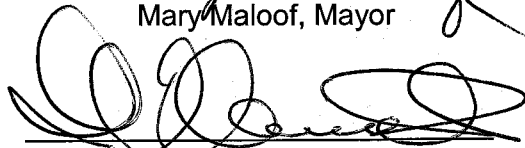
**VIII. ADJOURNMENT:**



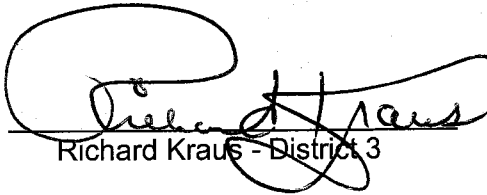
Phil Collins - District 1



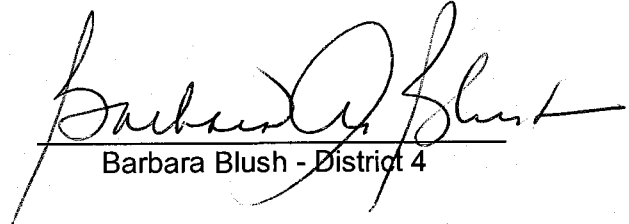
Mary Maloof, Mayor



Irving S. Ellsworth - District 2



Richard Kraus - District 3



Barbara Blush - District 4

**ATTEST:**



Charles S. Coward, City Clerk