

**CITY OF TREASURE ISLAND  
BOARD OF COMMISSIONERS MEETING  
December 14, 2004  
7:00 p.m.**

**A. PLEDGE OF ALLEGIANCE:** Led by Mayor Maloof

**B. ROLL CALL:**

Mayor Mary Maloof		Present
Commissioner Phil Collins		Present
Commissioner Ed Gayton		Present
Commissioner Richard Kraus	Vice-Mayor	Present
Commissioner Alan Bildz		Present

**C. PUBLIC COMMENTS:**

Mayor Maloof recognized and thanked the people that participated in hurricane cleanup efforts. The participants introduced themselves.

Mayor Maloof stated that she delivered the CD players, gift cards, etc. received for the wounded servicemen to Congressman Young's office. She said she received a call from Mr. George Cretekos, local representative to Congressman Bill Young, where he stated that Mrs. Young wanted Treasure Island to know how grateful she is for the donations and that the donations will mean a lot to the wounded veterans.

Mr. Michael Daughtry stated that he cut down a tree from the hurricane that was not on his property. He urged others to provide help to people that have been affected by the recent hurricanes.

**D. MINUTES:**

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the minutes from the meeting of October 19, 2004 as written. Upon roll call, the vote to approve was unanimous.

**E. ITEMS OF BUSINESS:**

**1. Ord. – Proposed Charter Amendments (1<sup>st</sup> Reading on the Following) –**

**A. Article I, Section 1.02 – Extraterritorial Powers, Pertaining to City-owned Property) –**

After hearing the 1<sup>st</sup> reading of the ordinance proposing an amendment to the City Charter; providing an amendment to Article I, Section 1.02 pertaining to

12/14/04

the city commission's authority to alienate city-owned lands; providing that the proposed amendment will be considered by the electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

**B. Article III, Section 3.05 (f) – Prohibitions, Pertaining to Abolishment or Creation of Police or Fire Departments -**

After hearing the 1<sup>st</sup> reading of the ordinance proposing an amendment to the City Charter; providing an amendment to article III, Section 3.05 Prohibitions, regarding the abolishment or creation of the city's police or fire department; providing that the proposed amendment will be considered by the electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, City Attorney Maura Kiefer read the ballot language for Article I, Section 1.02 and Article III, Section 3.05 (f).

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

**C. Article III, Section 3.05 (g) – Prohibitions, Providing Protection for Pending Citizen Initiative or Referendum Measures –**

After hearing the 1<sup>st</sup> reading of the ordinance proposing an amendment to the City Charter; providing an amendment to Article III, Section 3.05 Prohibitions, regarding protection of pending citizen initiative or referendum measures; providing that the proposed amendment will be considered by the electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, the City Attorney read the ballot language for Article III, Section 3.05 (g).

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

12/14/04

**D. Article III, Section 3.09 – Ordinances in General, Providing a Definition of Resolution –**

After hearing the 1<sup>st</sup> reading of the ordinance proposing an amendment to the City Charter; providing an amendment to Article III, Section 3.09, Ordinances, providing a definition for resolution; providing that the proposed amendment will be considered by the electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election, the City Attorney read the ballot language for Article III, Section 3.09.

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

**E. Article VI, New Section 6.05 – Voting Percentages, Providing a Definition of Majority Vote of the electorate –**

After hearing the 1<sup>st</sup> reading of the ordinance providing an amendment to Article VI, General Provisions, providing a definition of voting percentages; providing that the proposed amendment will be considered by the electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, the City Attorney read the ballot language for Article VI, Section 6.05.

Commissioner Kraus asked if the Commission felt the ballot language for Section 6.05 needs further clarification.

The City Attorney stated that she had the feeling that people would like the ballot question to include the words “simple majority”.

Ms. Marie Barba agreed that the words “simple majority” need to be included in the ballot language and that the language should state that Section 6.05 applies retroactively to the Charter and ordinances.

Ms. Dominique Reiter spoke in favor of adding the wording suggested by Ms. Barba.

Commissioner Kraus suggested adding the wording, “a majority vote shall mean a simple majority of those actually voting, and not a majority of all who had the right to vote” and the wording, “this provision shall apply

12/14/04

retroactively” to the ballot language for Section 6.05.

The City Attorney stated that the revised ballot language did not constitute a substantive change to the ordinance.

The City Attorney suggested the wording for the ballot language for Section 6.05 be revised to define voting percentages to mean “a simple majority of those actually voting and not a majority of all who had the right to vote” and “this provision shall apply retroactively to all Charter provisions and ordinances”.

Motion was made by Commissioner Bildz and seconded by Commissioner Gayton to approve the ordinance with the revised ballot language suggested by the City Attorney. Upon roll call, the vote to approve was unanimous.

**F. Article VII, Section 7.03 – Petitions, Pertaining to Percentages & Time for Filing for Referendum/Initiative Petitions -**

After hearing the 1<sup>st</sup> reading of the ordinance proposing an amendment to the City Charter; providing an amendment to Article VII, Initiative, Referendum and Recall, Section 7.03 “Same – Petitions” reducing the percentage signatures required for referendum petitions from 25% to 20%; increasing the time for filing referendum petitions from 30 days to 90 days from the commission’s failure to repeal the referred ordinance; providing that the proposed amendment will be considered by the electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, the City Attorney read the ballot language for Section 7.03.

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the ordinance as read. Upon roll call, the vote to approve was unanimous.

**G. Article VII – Section 7.07 – Results of Election, Providing New Language for Amending or Repealing Initiative or Referendum Laws –**

After hearing the 1<sup>st</sup> reading of the ordinance proposing an amendment to the City Charter; providing an amendment to Article VII, Initiative, Referendum and Recall, Section 7.07, Results of Election, providing that citizen enacted laws may only be amended or repealed by a vote of the electorate at the polls; providing that the proposed amendment will be considered by the

12/14/04

electorate at a referendum election concerning such proposed amendment; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, the City Attorney read the ballot language for Section 7.07.

Motion was made by Commissioner Gayton and seconded by Commissioner Bildz to approve the ordinance as read.

**2. Res. – Approving Ballot Language for 5-Foot Height Ordinance –**

After hearing the reading of the resolution referring Ordinance 04-02 amending Chapter 68, Section 68-431 of the City of Treasure Island's Land Development Regulations to a vote of the electorate at a referendum election; establishing the question to be presented to the electorate on such referendum question; providing for the date of such referendum election; providing for an effective date, the City attorney read the ballot language.

Motion was made by Commissioner Gayton and seconded by Commissioner Kraus to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**3. Res. – Friendship Community Church Lease Renewal –**

After hearing the reading of the resolution a resolution amending a lease agreement with Friendship Community Church for the rental of the City Hall Auditorium as its meeting place for Sunday services and other functions for a two year period to expire on December 31, 2006, motion was made by Commissioner Gayton and seconded by Commissioner Kraus to approve the resolution as read.

Pastor David E. Okerstrom thanked the Commission for allowing the Friendship Community Church to use the City Hall Auditorium to hold its services.

Upon roll call, the vote to approve was unanimous.

**4. Res. – Authorizing Rotary Annual Golf and Tennis Challenge –**

After hearing the reading of the resolution authorizing the Gulf Beaches Rotary Club to use the Treasure Island Recreation Center free of charge on Friday evening and Saturday, January 28, and 29, 2005 to host a golf and tennis tournament and a charitable function with the condition that one-half of the net proceeds be returned to the Treasure Island Recreation Department scholarship fund for children to attend

12/14/04

existing tennis and holiday camps sponsored by the City's Recreation Department; authorizing use of said facility on an annual basis for said event, motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**5. Res. – Contractor Selection (Bascule Bridge Construction) –**

After hearing the reading of the resolution awarding a contract to Johnson Brothers, Inc./Obayashi, inc., for construction of the bascule bridge, motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the resolution as read.

Public Works Director Don Hambidge reported that, during preliminary discussions, Johnson Brothers indicated that the firm is ready to begin work on the bascule bridge.

Upon roll call, the vote to approve was unanimous.

**6. Res. – Vehicle Replacement –**

After hearing the reading of the resolution authorizing the purchase of three (3) new City vehicles as approved in the 2004-2005 FY budget and one (1) Causeway van, motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the resolution as read.

Commissioner Collins asked for a status on the inclusion of power locks and windows. The Public Works Director stated that the power package is included in the specifications for the State bid the City is using.

Upon roll call, the vote to approve was unanimous.

**7. Res. – Dumpster Purchase –**

After hearing the reading of the resolution accepting the bid for purchase of dumpsters, motion was made by Commissioner Gayton and seconded by Commissioner Bildz to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**8. Res. – Mast Arm Traffic Signal Design (Paradise Blvd & TI Causeway & Intersection of 104<sup>th</sup>, 107<sup>th</sup> & 108<sup>th</sup> Aves.) –**

12/14/04

After hearing the reading of the resolution approving the engineering scope of services for traffic signal design at Paradise Boulevard & TI Causeway, motion was made by Commissioner Gayton and seconded by Commissioner Kraus to approve the resolution as read.

After hearing the reading of the resolution approving the engineering scope of services for traffic signal design at 104<sup>th</sup>, 107<sup>th</sup> & 108<sup>th</sup> Avenues, motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the resolution as read.

Commissioner Collins asked if the City is planning to obtain other bids for the design engineering of the mast arm traffic signals. The City Manager stated that the City is not required to go out to bid and that the Public Works Director is comfortable with the contractor that was selected.

Commissioner Gayton asked what the threshold is before the City goes out to bid on a project. The City Manager stated that the threshold is \$25,000.

Commissioner Bildz asked who has the final say as to whether a traffic signal is warranted at the intersection of 104<sup>th</sup>, 107<sup>th</sup> & 108<sup>th</sup> Avenues. The Public Works Director stated that a warrant study was conducted at this intersection and that the study based on projected traffic did find that a traffic signal is needed. He said that he is also recommending a traffic signal for this intersection due to the configuration of the median and the increase in pedestrian traffic.

Commissioner Collins asked for statistics on the number of traffic accidents at the intersection of 104<sup>th</sup>, 107<sup>th</sup>, 108<sup>th</sup> Avenues. The City Manager stated that in the last four years, twelve (12) accidents occurred. Of the twelve (12) accidents, one involved a pedestrian, one involved a bicyclist and the others involved only vehicles.

Commissioner Gayton asked if there is a location in Florida where state-of-the-art crosswalks are used. The Public Works Director stated that Fort Myers has installed this type of crosswalks and that they were designed by Mr. Jerry Dabkowski.

Upon roll call, the vote to approve was unanimous.

## **9. Res. – Facilitated Civic Leaders' Meeting –**

After hearing the reading of the resolution authorizing the City Manager to contract with the Tampa Bay Regional Planning Council (TBRPC) to facilitate Civic Leaders

12/14/04

meetings, motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the resolution as read.

Commissioner Bildz stated that the Civic Leaders group is lacking representation from the residents living in the downtown area. The City Manager stated that he would relay this concern to the members of the group.

The City Manager stated that the Civic Leaders group is scheduled to meet on Wednesday, December 15<sup>th</sup> at the Community Center at 5:30 p.m.

Mr. Buddy Castiglia stated that he thought the public was to be given advance notice of these meetings.

Commissioner Gayton asked if the City Manager planned to notice the public regarding the Civic Leaders meeting at the City manager Reports section of the Commission meeting and the City Manager responded affirmatively.

Mr. Castiglia suggested that the Civic Leaders meetings be televised so the public can watch the meetings. The City Manager stated that the group came together at its own initiative and that it has been very public about its activities.

Commissioner Collins stated that public comments should be part of the Civic Leaders meetings.

Mr. Frank McConnell stated that the group is comprised of a cross-section of the community and that its purpose is to develop a consensus on some major issues facing the City. He said that while public input is encouraged, people should not be allowed to interject at any time.

Ms. Marie Barba stated that she felt it should be mandated that public comments be allowed since these meetings are of great interest to the Treasure Island community.

Commissioner Kraus stated that he felt the public should be able to make comments at appropriate times during these meetings.

Commissioner Gayton asked Mr. McConnell to let the Civic Leaders group know that the Commission would prefer that the group allow public comments at its meetings and Mr. McConnell stated that he would do so.

**10. Res. – Appointment to Beautification Committee –**

After hearing the reading of the resolution appointing Ms. Phyllis Swift to serve on the Beautification Committee of the City of Treasure Island, setting forth terms and

12/14/04

conditions, motion was made by Commissioner Gayton and seconded by Commissioner Bildz to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**11. Motion – Discontinue Further Action on the Zip Code –**

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to discontinue any further action to obtain a zip code for the city of Treasure Island. Upon roll call, the vote to approve was unanimous.

**12. Informational Brochure – Proposed Charter Amendments –**

Mayor Maloof stated that the purpose of the informational brochure is to provide residents with more information regarding the proposed Charter Amendments.

The City Manager stated that the City Attorney prepared one version and City Staff prepared another version for the Commission's consideration.

The City Attorney stated that the brochures submitted are intended as drafts. She said the brochure will give the voters a guide and that it does encourage people to look at the ordinances and the ballot language.

The Commissioners addressed some inconsistencies in the wording of the draft brochures. Commissioner Kraus indicated that he would make copies of his corrections to the brochure and provide them to the rest of the Commissioners.

Ms. Dominique Reiter stated that she would provide the Commissioners with her comments regarding the draft brochures.

The Commission will consider the revised Informational Brochure for proposed Charter Amendments at the Commission workshop meeting on Tuesday, January 4, 2005.

**F. CITY MANAGER/CITY ATTORNEY REPORTS:**

The City Manager reported that he met with City Planner Lynn Rosetti regarding the planters at the Pirate Square parking lot. He said she is investigating any site plans that may exist. The City Manager stated that he plans to address the Commission again on the matter at the Commission workshop meeting on Tuesday, January 18, 2005.

The City Manager stated that the Civic Leaders will meet at the Community Center on Wednesday, December 15<sup>th</sup> at 5:30 p.m.

12/14/04

The City Manager stated that Verizon will be changing the City's transmission line and that E-mail would be affected for several hours on Thursday, December 16<sup>th</sup>.

The City Manager reported that the St. Petersburg Municipal Beach in Treasure Island was open to the public as of 4:00 p.m. He said the source of the bacteria that caused the beach to be closed is unknown.

**G. REPORTS BY COMMISSIONERS:**

Commissioner Collins reported that Ms. Nancy Loehr from Progress Energy is looking into Ms. Ruth Bartlett's request for the removal of tree limbs that are too close to power lines.

**1. Rosselli Park Maintenance – Commissioner Collins –**

Commissioner Collins reported that he met with the City Manager and the Public Works Director regarding the maintenance of Rosselli Park and he asked the City manager to elaborate on their discussion.

The City Manager stated that he provided the Commission with a report regarding the maintenance issues at Rosselli Park as well as Staff's recommendations to address these issues.

Commissioner Gayton asked that the owner of the planters at the Pirate's Square parking lot consider removing them during the holiday season. He asked if the City Attorney could address the issue of the planters prior to January. The City Manager stated that the City Attorney will be involved in the issue.

Commissioner Kraus wished everyone a Merry Christmas.

Commissioner Kraus stated that the recent beach cleanup was an overwhelming success and he thanked all those that participated.

Commissioner Bildz stated that volunteers are needed to assist with the holiday luminaries for Sunset beach.

Commissioner Bildz stated that the newly planted sea oats need to be watered. Commissioner Gayton stated that the Isle of Palms luminaries will be held on December 24<sup>th</sup>.

Mayor Maloof stated that the Boat Parade was wonderful and she thanked the Treasure Island Tennis & Yacht Club for organizing the event.

12/14/04

Mayor Maloof reported that she attended the Mayor's Council's holiday luncheon.

Mayor Maloof stated that she received an invitation from County Commissioner John Morrone to attend the annual Gold Shield dinner on January 28<sup>th</sup> at the Belleview Biltmore.

Mayor Maloof wished everyone a joyous holiday season.

**H. PUBLIC COMMENTS:**

None.

**I. ADJOURNMENT:**

\_\_\_\_\_  
Mary Maloof, Mayor

\_\_\_\_\_  
Phil Collins - District 1

\_\_\_\_\_  
Ed Gayton - District 2

\_\_\_\_\_  
Richard Kraus - District 3

\_\_\_\_\_  
Alan Bildz - District 4

**ATTEST:**

\_\_\_\_\_  
Ralph Stone, City Clerk