

**CITY OF TREASURE ISLAND**  
**BOARD OF COMMISSIONERS SPECIAL MEETING & WORKSHOP**  
**March 16, 2004**  
**7:00 p.m.**

**A. ROLL CALL:**

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

**B. PUBLIC COMMENTS:**

None.

**C. ITEMS OF BUSINESS:**

**1. Approval of Minutes from the meetings of February 17<sup>th</sup> and February 24<sup>th</sup> –**

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the minutes from the meeting of February 17<sup>th</sup> as written. Commissioner Kraus noted a correction to page 5 of the minutes. Upon roll call, the vote to approve was unanimous.

Motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the minutes from the meeting of February 24<sup>th</sup> as written. Commissioner Kraus made noted corrections to pages 3 and 6 of the minutes. Upon roll call, the vote to approve was unanimous.

**2. Audit and GSBY 34 Report for Fiscal Year 2002/03 –**

Auditor John Hangartner reviewed the results of the 2003 audit and stated that the City's financial statements for the twelve month period ending September 30, 2003 are in accordance with generally accepted accounting principles.

Auditor Tammy Evans reported that the Commission was provided with copies of the Comprehensive Annual Financial Report (CAFR) and a single audit relating to the TOPS grant receipts.

She also reported that the City has now adopted the GSBY34 accounting standard for financial reporting.

After hearing the reading of the resolution accepting the Comprehensive Annual

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Financial Report; Independent Auditors Report on Internal Control Structure on an Audit of Basic Financial Statements performed in accordance with Government Auditing Standards and the Report of Independent Certified Public Accountants on Compliance with Laws and Regulations based on and Audit of Financial Statements performed in accordance with Government Auditing Standards for the fiscal year ended September 30, 2003, motion was made by Commissioner Blush and seconded by Commissioner Ellsworth to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**3. Contract Ratification with Seacoast Metals for Bascule Beach Trunion Repairs –**

The City Manager stated that staff is recommending that the Commission ratify the contract with Seacoast, Inc. for repairs to the bascule bridge in the amount of \$149,250.

Motion was made by Commissioner Ellsworth and seconded by Commissioner Blush to approve the contract with Seacoast, Inc. in the amount of \$149,250. Upon roll call, the vote to approve was unanimous.

**4. Motion – Election Canvassing Report –**

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to accept the report of the Canvassing Board for the March 9, 2004 Municipal Election. Upon roll call, the vote to approve was unanimous.

Mayor Maloof presented Commissioner Ellsworth and Commissioner Blush with plaques for serving the Commission for three terms and two terms respectively.

**E. SPECIAL MEETING ADJOURNMENT: Sine Die**

**F. INSTALLATION OF NEWLY ELECTED OFFICIALS: By City Attorney –**

Mr. Ed Gayton was sworn in as Commissioner of District 2 and Mr. Alan Bildz was sworn in as Commissioner of District 4 by City Attorney Jim Denhardt.

**G. ROLL CALL – NEW COMMISSION:**

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

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**H. ITEMS OF BUSINESS:**

**1. Motion – Appointment of Vice-Mayor –**

Motion was made by Commissioner Gayton and seconded by Commissioner Bildz to appoint Commissioner Kraus as Vice-Mayor. Upon roll call, the vote to approve was unanimous.

**2. Resolution – Signature Authority for Bank –**

After hearing the reading of the resolution relative to signature authority to draw upon funds on deposit in the name of the City of Treasure Island, Florida and the access to safety deposit boxes rented in the name of the City of Treasure Island; authorizing the use of a signature facsimile; providing an effective date, motion was made by Commissioner Collins and seconded by Commissioner Gayton to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**I. DISCUSSION ITEMS:**

**1. Request for Free Use of Community Center by Pasadena Fundamental Elementary School –**

Ms. Sharon Morrow, a volunteer parent at Pasadena Fundamental Elementary School, requested the free use of the Community Center to hold a 5<sup>th</sup> grade awards ceremony breakfast on Tuesday, May 18<sup>th</sup> at 9:00 a.m.

The Commission will consider a resolution granting the free use of the Community Center by Pasadena Fundamental Elementary School at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

**2. Special Event Request – Sunrise/Sunset Beach Spin –**

Mr. Tim Calhoun of Lifestyles Family Fitness requested approval for use of the Beach Pavilion to hold a sunrise/sunset beach spin charity event on Saturday, April 17<sup>th</sup>.

The Commission will consider a resolution granting the use of the beach Pavilion by Lifestyles Family Fitness at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

**3. Mayor’s Request to Use the Community Center –**

Mayor Maloof requested that the Commission authorize the free use of the Community Center to hold a community seminar on redevelopment and historic preservation on Monday, March 22<sup>nd</sup> at 7:00 p.m. She said the event would be

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sponsored by the Hotel/Motel Association, the Treasure Island Business Association and the Treasure Island Partnership.

Commissioner Gayton asked for information regarding the Treasure Island Partnership. Mayor Maloof stated that the Treasure Island Partnership is a 501 C3 non profit organization established by Mr. Ray Green, Mr. Bill Edwards, Mr. Benjamin Hetrick, Mr. Ken Brown, Ms. Lori Rice and herself with the purpose of promoting redevelopment in Treasure Island.

Commissioner Bildz encouraged everyone to attend the event.

Ms. Heidi Horak stated that she supported the approval of the request.

Mr. Frank McConnell requested that the City videotape and broadcast the meeting on TITV. Mayor Maloof stated that it is not a City-sponsored event and that individuals could videotape the meeting themselves.

Motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the Mayor's request for use of the Community Center.

Commissioner Gayton abstained from voting as the item was being voted on at a workshop meeting without prior public notice.

Upon roll call, the vote to approve was as follows:

Mayor Maloof	Aye
Commissioner Collins	Aye
Commissioner Gayton	Abstained
Commissioner Kraus	Aye
Commissioner Bildz	Aye

#### **4. Fourth of July Fireworks Bids –**

Recreation Director Cathy Hayduke recommended that the annual fireworks display be awarded to Bell's Fireworks Company in the amount of \$15,000.

Commissioner Bildz asked if the City provides a figure for firms to use when the bid is sent out and the Recreation Director responded affirmatively.

Commissioner Collins asked if Bell's has been used for the past three years and the Recreation Director stated that Bell's was used last year and Pyrotechnics was used prior to that.

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The Commission will consider a resolution approving the award of the fireworks bid to Bell's Fireworks in the amount of \$15,000 at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

**5. LDR Amendment to Permit Certain Banner Signs –**

City Planner Lynn Rosetti presented the Commission with a draft ordinance for temporary banner and signs. She reviewed the draft ordinance and answered questions of the Commission.

The City Manager stated that upon the Commission's approval of the ordinance, it would then be referred to the Planning & Zoning Board before final consideration by the Commission.

The Commission will discuss this ordinance further at the Commission workshop meeting on Tuesday April 6th.

**6. Interviews for City Attorney Position –**

The City Manager stated that he had arranged interviews with four of the five selected legal firms for Monday, March 22<sup>nd</sup>.

The City Manager stated that Mr. J.D. Hadsall submitted a letter to the City expressing his interest in submitting a proposal for the position of City Attorney.

Mayor Maloof suggested the Commission develop a list of questions and be prepared to go over those questions at 10:00 a.m. on Monday prior to the first interview.

The Commission discussed Mr. Hadsall's letter and the issue of considering proposals even though the RFP deadline has passed. The Commission decided to allow Mr. Hadsall to submit a proposal because it was in the best interest of the City to do so.

The City Manager stated that Mr. Hadsall could be interviewed on the same day that Mr. Morrison is scheduled to be interviewed in April and the Commission concurred.

Mayor Maloof asked the City Manager to contact Mr. Hadsall and provide him with the RFP and the City manager indicated that he would do so.

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**7. Appointments to Vacant Seats on the Code Enforcement Board –**

The City Manager stated that letters of resignation have been received from Mr. Gary Kilroy of the Code Enforcement Board as well as Mr. Tom Lee of the Planning & Zoning Board.

Commissioner Gayton stated that the Code Enforcement Board currently has six members but that the Code of Ordinances provides for seven members and two alternates. He said that means the Code Enforcement Board has three full-time and two part-time seats available. Commissioner Gayton further stated that there is currently only one application on file for the Code Enforcement Board. He also asked that City Staff update the applications by contacting applicants to determine if they are still interested in serving.

Commissioner Gayton requested that the Commission review the procedures for the Code Enforcement Officers and the Code Enforcement Board. He asked that the item be placed on the next workshop meeting for discussion.

Commissioner Collins asked if the application for boards and committees is available on the City's Web site and the City Manager stated that it is not at this time but that staff would place it on the Web site.

**8. Interlocal Agreement with St. Pete Beach for Building Inspection Services –**

The City Manager recommended that the Commission adopt an interlocal agreement with the City of St. Pete Beach to share building inspectors. He said that St. Pete Beach would provide the plumbing and mechanical inspections for the same cost that the County charges.

The Commission will consider a resolution authorizing an interlocal agreement for inspection services with the City of St. Pete Beach at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

**9. Tentative Agreement on Library Cost Sharing Formula –**

Mayor Maloof stated that Treasure Island has attempted to obtain a new formula for the past two years. She said that the Madeira Beach Adhoc Library Committee representative has agreed to provide Treasure Island with a 10% discount retroactive for this year. Mayor Maloof stated that the Gulf Beaches Library Board will have a final meeting on this matter on Monday, March 29<sup>th</sup>.

The Commission agreed to accept the 10% discount offered by the Madeira Beach

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Adhoc Library Committee representative. The Commission will consider a resolution accepting a new Gulf Beaches Library cost sharing formula at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

**10. Proposal for Legal Opinion on Beach Issues –**

The City Attorney stated he is recommending Attorney Thomas Pelham be selected to provide an opinion on beach issues. He said that Attorney Pelham's fees are reasonable and that the attorney is familiar with land use and property rights issues. The City Attorney stated that a letter from Attorney Pelham was enclosed in the packet.

Ms. Heidi Horak stated that she feels that Mr. Pelham's firm is respectable and she agreed that the fees seem to be reasonable.

Ms. Horak asked why the City decided to obtain this legal opinion. The City Manager stated that there were four property owners that wanted to use land west of the Coastal Construction Control Line (CCCL) for density credit or private use. He stated that the city wanted to obtain a legal opinion to support its stance on the matter.

Ms. Horak suggested that the City hold off on making an agreement with Attorney Pelham's firm to determine if property owners have questions that also could be addressed by the legal opinion.

Commissioner Bildz asked if the Commission can enter into an agreement with Attorney Pelham's firm and add more questions to be addressed by the legal opinion at a later date.

The City Attorney stated that the City could enter into an agreement now but the fees would increase as the scope is expanded. He also stated that it would not be a proper use of public funds to have individual property owners' questions addressed by the legal opinion.

The Commission will consider a resolution authorizing the City Attorney to obtain a legal opinion from Attorney Thomas Pelham in an amount not to exceed \$10,000 at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

**11. Refund for Causeway Passes –**

The City Manager stated that the City should refund passholders that are no longer able to use their passes due to the 4 ton weight limit on the bascule bridge. He suggested that the Commission consider developing a policy for refunding these

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passholders.

The City Manager stated that staff also plans to recommend the use of a permit system to address some vehicles that are over the wheel and/or axle limit but under the 4 ton weight limit.

Mr. Chris Hearn asked if the City has considered how pass refunds will be addressed if the weight limit for the bascule bridge is reduced to 3 tons.

The Commission will consider a resolution authorizing a refund policy for Passes that were issued for vehicles that weight between 4 and 10 tons at the Commission meeting on Tuesday March 23<sup>rd</sup>.

## **12. Purchase of Replacement Police Cruiser –**

Police Chief Joe Pelkington stated that the Police Department is requesting approval to replace a 2000 Ford Expedition that was involved in an automobile accident.

Commissioner Kraus asked if Penny for Pinellas funds are available and the City Manager responded affirmatively.

Commissioner Collins asked if the Police Department will keep the vehicle for the duration of the 5 year extended warranty and the Police Chief stated that the Police Department may have the vehicle for five years.

Commissioner Collins requested a copy of the extended warranty be provided and the City Manager said that a copy of the warranty would be made available for next week's meeting.

The Commission will consider a resolution for the purchase of a replacement police cruiser at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

## **13. Easter Sunrise Service on Beach –**

Mayor Maloof stated that then Friendship Community Church is requesting approval to hold a sunrise Easter service on the public beach at 104<sup>th</sup> Avenue and Gulf Boulevard on Sunday, April 11th.

The Commission will consider a resolution authorizing the Friendship Community Church to hold a sunrise Easter service on the public beach at the Commission meeting on Tuesday, March 23<sup>rd</sup>.

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

The City Manager asked the Commission to set a date for a bridge workshop meeting.

The Commission agreed on Friday, March 19<sup>th</sup> at 10:00 a.m.

**K. REPORTS & COMMENTS BY COMMISSIONERS:**

Commissioner Collins asked that the City look at installing loudspeakers outside the City Hall auditorium and the City Manager stated that he would look into it.

Commissioner Collins stated that he felt the Community Improvement Director Mike Wichman should have an assistant to aid in permit approvals. The City Manager stated that funds were not budgeted to hire an assistant so it would require supplemental appropriation from the City's reserves. He said that 90% of the permits are issued within 3 days.

Commissioner Collins requested that the clock tower bubble and the issue of term limits on boards and committees be placed on the next workshop agenda for discussion.

Commissioner Gayton thanked everyone that supported him in his campaign. He said that he was given a mandate and that the residents will not be disappointed.

Commissioner Kraus reported that 30 people participated in the beach cleanup on Saturday, March 13<sup>th</sup>.

Commissioner Kraus publicly congratulated newly elected Commissioners' Ed Gayton and Bildz.

Commissioner Bildz stated that he supports and suggested that the City establish a citizens' finance committee as part of his campaign.

Commissioner Bildz stated his concern regarding pedestrian safety at the crosswalk in front of Sloppy Joe's and said that the City needs to address the issue further. He stated that this particular crosswalk appears to be the only one that has signs informing pedestrians that they must yield to vehicular traffic.

The City Manager stated that the signs advise pedestrians that they do not have the right-of-way to step into the middle of traffic. He said that once the pedestrians are in the crosswalk, traffic must yield to them.

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Mayor Maloof asked how many presentations have been conducted for the Downtown Master Plan. The City Manager stated that a presentation has been made to the Downtown Merchant Association and that another presentation is scheduled for the Sunset Beach Civic Association.

Mayor Maloof stated that the Suncoast League of Municipalities offers classes to municipal officials twice a year. Commissioner Kraus asked if there is an agenda of topics and the City Manager indicated that the Commissioners should receive an agenda as part of a packet of materials from the Florida League of Cities.

Mayor Maloof encouraged the Commissioners to attend the classes offered by the Florida League of Cities.

Mayor Maloof stated that the Florida Conflict Resolution Consortium is offering leadership training on building consensus and conflict resolution on March 23<sup>rd</sup> and 24<sup>th</sup> and on April 27<sup>th</sup> and 28<sup>th</sup> in Tampa.

**1. Annual Performance Review of City Manager –**

Mayor Maloof asked the Commissioners to fill out the evaluation forms and submit them to her prior to Tuesday, March 23<sup>rd</sup>.

Commissioner Gayton stated that because he was not sitting on the Commission this past year, he would not be willing to evaluate the City Manager but he would go along with the evaluations of the three Commissioners that were part of the Commission during that period.

Mayor Maloof stated that Boy Scout Troop #301 will be holding a spaghetti dinner and silent auction on Saturday, April 3<sup>rd</sup> at the Pasadena Presbyterian Church from 6:00 p.m. until 10:00 p.m. She said that tickets are \$4.00 and the proceeds will benefit the Boy Scout troop #301.

Mayor Maloof congratulated the newly elected Commissioners and said that she looks forward to working with them.

**L. PUBLIC COMMENTS:**

Mr. Chris Hearn stated that this is his second annual request to have special exception land use cases handled by the Commission instead of the Planning & Zoning Board.

Commissioner Bildz asked how Mr. Hearn's request could be addressed and Mayor Maloof stated that the item would need to be placed on an agenda for discussion.

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Commissioner Bildz asked what the time limit is to for the Commission to place a Charter amendment regarding height and density on the November ballot. The City Manager stated that the deadline for submitting ballot language is August 20<sup>th</sup> for the November election.

Mr. Bob Nixon stated that there is a special exception case coming before the Planning & Zoning Board on Thursday, March 18<sup>th</sup> at 2:00 p.m. He said this request involves changing a previously granted special exception from 5 single family homes to 11 condominium units where the old Beach Nutts and Nick's Seabreeze were located. Mr. Nixon urged Sunset Beach residents to attend the meeting and oppose this request.

Mr. Walter Herring expressed his opposition to the granting of the special exception request and urged residents to attend the March 18<sup>th</sup> Planning & Zoning Board meeting.

Mr. Herring urged the Commission to place a Charter amendment regarding height and density as separate items with a requirement of a simple majority of the voters on the November ballot.

Mr. Herring asked the Commission to review the appointments to the Planning & Zoning Board.

Ms. Rhonda Anderson encouraged people to attend the upcoming Planning & Zoning Board meeting and asked the Commission to consider moving all committee meetings to later times so that people that work may attend the meetings.

Mr. Jim Marvin requested that the bathroom facilities at the municipal park area at 104<sup>th</sup> Avenue and Gulf Boulevard be kept open until 9:00 p.m. or 10:00 p.m. on Sunday nights.

Mr. Marvin commented that a police cruiser entered a gathering at the beach recently and he said that the cruiser came very close to people at a high speed with a spotlight on them. He felt this was alarming and disruptive to the group.

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**M. ADJOURNMENT:**

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Mary Maloof, Mayor

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Phil Collins - District 1

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Ed Gayton - District 2

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Richard Kraus - District 3

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Alan Bildz - District 4

**ATTEST:**

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Charles S. Coward, City Clerk