

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS MEETING
April 27, 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:

Ms. Olivia Cox spoke on behalf of the Treasure Island Citizens for Responsible Progress and stated that she has tentatively set the dates of June 2nd or June 7th for City Manager Chuck Coward and Traffic Engineer Jerry Dabkowski to make a presentation on the Downtown Master Plan. She requested approval from the Commission for the free use of the Community Center to hold this meeting.

Mayor Maloof stated that this item will be placed on the agenda for the Commission workshop meeting on Tuesday, May 4th.

D. APPROVAL OF MINUTES:

None.

E. ITEMS OF BUSINESS:

1. Res. – St. Petersburg Wastewater Treatment Agreement –

After hearing the reading of the resolution authorizing the Mayor to execute an interlocal agreement with the City of St. Petersburg for the pretreatment of wastewater, motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the resolution as read. Upon roll call, the motion to approve was unanimous.

2. Res. – Release of Beach Stewardship Committee Volunteers –

After hearing the reading of the resolution releasing the appointed volunteer facilitators for the Beach Stewardship Committee's "Plant our Beach" program in order to pursue other interests, motion was made by Commissioner Kraus and

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seconded by Commissioner Gayton to approve the resolution as read.

The City Manager stated that, with the Commission's approval, reference to the previous resolution 02-100 establishing the Beach stewardship Committee volunteers would be inserted into this resolution.

Commissioner Bildz asked for clarification as to whether the City would continue with the "Plant our Beach" program and the City Manager responded affirmatively.

Upon roll call, the vote to approve was unanimous.

3. Res. – Elnor Island Cleanup – May 15th –

After hearing the reading of the resolution authorizing a cleanup expedition at the Elnor Island Wildlife and Bird Sanctuary, motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Bildz asked if the Commission's permission is necessary in order for persons to enter onto Elnor Island. The City Manager responded affirmatively and stated that the island is a bird sanctuary controlled by the City. He said the Commission could authorize a blanket resolution allowing certain persons to enter onto the island rather than approving individual resolutions.

Upon roll call, the vote to approve was unanimous.

4. Res. – Directing P&Z Board to Study and Draft Proposed Condo/Hotel Regulations –

After hearing the reading of the resolution pertaining to Planning, requesting and directing that the Planning & Zoning Board study and recommend to the City Commission proposed regulations pertaining to condo hotels, motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

5. Res. – Flag Half Staff Policy –

After hearing the reading of the resolution adopting a policy for the flag of the United States of America to be lowered at half staff within the City of Treasure Island, 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.

6. Res. – Appointment to Code Enforcement –

After hearing the reading of the resolution appointing Olivia Cox to serve on the Code Enforcement Board of the City of Treasure Island, setting forth terms and Conditions, 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.

7. Res. – Appointment to Marina Committee –

After hearing the reading of the resolution appointing Michael Daughtry to serve on the Marina Committee of the City of Treasure Island, setting forth terms and conditions, 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.

8. Res. – Appointment to Personnel Advisory Board –

After hearing the reading of the resolution appointing Clara Lee Selby to serve on the Personnel Advisory Board of the City of Treasure Island, setting forth terms and conditions, motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Bildz asked what the purpose is of this board. The City Manager stated that the board has two major functions:

1. Assist and oversee the Civil Service System. City staff will recommend Civil Service System changes to the Personnel Advisory Board prior to referring the proposed changes to the City Commission for consideration.
2. Employees can appear before the Personnel Advisory Board regarding disciplinary actions and the board will then make a recommendation to the City Manager.

Upon roll call, the vote to approve was unanimous.

9. Res. – Appointment to Planning & Zoning Board (Dist. 2) –

Commissioner Gayton requested that this appointment be moved to the Commission workshop meeting on Tuesday, May 4th and the Commission concurred.

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10a. Res. – Appointment to Planning & Zoning Board (Dist. 3) –

After hearing the reading of the resolution appointing Martin Heinrich to serve on the Planning & Zoning Board of the City of Treasure Island, setting forth terms and conditions, motion was made by Commissioner Collins and seconded by Commissioner Gayton to approve the resolution as read.

Commissioner Bildz asked what background Mr. Heinrich has. Commissioner Kraus stated that Mr. Heinrich is a retired fire Chief, has worked in construction since 1959 and he is a long-term resident living on Paradise Island.

Commissioner Kraus stated that Mr. Heinrich submitted a resignation from the Code Enforcement Board in order to qualify for this appointment.

Upon roll call, the vote to approve was unanimous.

10b. Res. – Appointment to Code Enforcement Board –

After hearing the reading of the resolution appointing Robert Stambaugh to serve on the Code Enforcement Board of the City of Treasure Island, setting forth terms and conditions, 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.

11. Res. – Appointments to the Suncoast League of Cities –

After hearing the reading of the resolution designating Mayor Mary H. Maloof as the City of Treasure Island's voting delegate and Commissioner Phil Collins as alternate to the Suncoast League of Cities for the year 2004-2005, motion was made by Commissioner Gayton and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Bildz asked what the purpose is of the Suncoast League. Mayor Maloof stated that it is structured very much like the Florida League of Cities and serves cities in southwest Florida. She said that the Suncoast League meets monthly and addresses local problems and issues. Mayor Maloof stated that the annual conference is at Howie-in-the-Hills in June.

Upon roll call, the vote to approve was unanimous.

12. Res. – TIBA Request for Use of Pirate Ship on Christmas Eve –

After hearing the reading of the resolution approving the use of the pirate ship by the

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Treasure Island Business Association (TIBA) to escort Mr. & Mrs. Claus throughout Treasure Island on Christmas Eve, motion was made by Commissioner Collins and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Bildz asked what would happen to the requests from the civic associations for the use of the City's sleighs. Commissioner Collins stated that the civic associations will have the option of using the pirate ship or one of the sleighs on Christmas Eve.

Commissioner Gayton stated that the Isle of Palms Civic Association historically has hosted its own parade on Christmas Eve.

The City Manager stated that the civic associations for the Isle of Palms and the Isle of Capri have made specific requests for the use of the City's sleighs. He asked the Commission how the City should respond to these requests. Commissioner Collins stated that the decision to use the sleighs should be left up to the civic associations. The City Manager stated that he would advise the two civic associations that they may use the City's sleighs or have TIBA use the pirate ship.

Upon roll call, the vote to approve was unanimous.

13. Final Plat – Smojver Subdivision (6 lots reduced to 2 lots) –

Motion was made by Commissioner Bildz and seconded by Commissioner Gayton to approve Case #PZ-2003-34-SD Smojver Final Plat with a stipulation requirement that sidewalks be continued along Bayshore Drive for lot #1.

Commissioner Bildz asked if the sidewalk would be required to be made of concrete and the City Planner stated that concrete would be required to be ADA compliant.

The City Planner stated that an ADA compliant sidewalk on Bayshore Drive is included as part of the site plan for lot #2.

Upon roll call, the vote to approve was unanimous.

14. Ord. – Term Limits for Mayor and Commissioners (1st Reading) –

The Commission discussed the ordinance pertaining to term limits for the Mayor and City Commissioners; proposing a Charter Amendment to the Charter of the City of Treasure Island, Florida, adding language to provide term limits for the offices of Mayor and Commissioners; providing for a vote of the electorate as to the approval of this ordinance; scheduling the date of such referendum election; providing for the inclusion of such amendment in the Charter of the City of Treasure Island, Florida;

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Motion was made by Commissioner Collins and seconded by Commissioner Kraus to table the ordinance setting term limits for the offices of Mayor and Commissioner to be addressed by the Charter Review Committee.

Commissioner Kraus stated that he did not feel the ordinance achieved the goal of term limits. He suggested that the following wording be added to the ordinance; "No person shall be elected to Mayor more than twice in a person's lifetime and no person shall be elected to Commissioner more than three times in a person's lifetime.

Commissioner Collins asked if the City's last Charter Review was in 1995 and the City Manager responded, "1998". Commissioner Collins asked how often Charter Reviews are conducted by the City and the City Attorney stated that they are usually considered every five years.

Commissioner Collins suggested drafting an ordinance setting term limits for boards and committees to meet the August deadline for the ballot language.

Commissioner Kraus stated that he was in favor of Commissioner Collins suggestions.

Commissioner Kraus stated that the Commission addressed changing the resolutions and ordinances for committees and boards so that they all have three year terms at the previous workshop meeting. The Commission will discuss three year terms for boards and committees at the Commission workshop meeting on Tuesday, May 4th.

Upon roll call, the vote to table the ordinance was as follows:

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

15. Ord. – Term Limits for Board and Committees (1st Reading) –

After hearing the reading of the ordinance pertaining to term limits for all boards and committees of the City of Treasure Island, Florida, proposing a referendum to determine whether the electorate desires for the City Commission to enact term limits on all boards and committees of the City of Treasure Island, Florida; providing for a vote of the electorate as to such measure; scheduling the date of such referendum election; providing an effective date, motion was made by

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Commissioner Collins and seconded by Commissioner Kraus to table the ordinance and place it on the agenda for the Commission workshop meeting on May 4th. Upon roll call, the vote to table the ordinance was unanimous.

F. DISCUSSION ITEMS:

1. Code Enforcement Procedures –

The City Manager reported that he met with Commissioner Gayton and Community Improvement Director Mike Wichman regarding a proposed course of action for code enforcement procedures. He outlined the three step process that the City uses for handling code enforcement violations. The City Manager stated that the City has no “tickler system” to monitor the status of code violations and that the City would be upgrading the computer system to provide a monthly status report of all violations.

Commissioner Gayton thanked the Community Improvement Director and the City Manager for their prompt response to this matter.

Commissioner Bildz stated that he understood that the City hired a new Code Enforcement Officer and the City Manager responded affirmatively.

G. CITY MANAGER/CITY ATTORNEY REPORTS:

The City Attorney stated that there will be a Code Enforcement Board meeting on Friday, April 30th at 3:00 p.m.

The City Attorney stated that there was a question regarding the validity of the ordinance placing weight restrictions on the bascule bridge. He said that, after researching the matter, he determined that the ordinance is appropriate. The City Attorney also stated that Florida Statute 316.074 deals with the violation of traffic control devices and provides for a uniform traffic citation of \$60 plus costs.

Commissioner Bildz stated that \$60 seems like it is on the low end for a penalty. The City Attorney stated that Florida Statutes provide different penalties for different classes of traffic violations. He said that \$60 is the penalty for this class of offense. Commissioner Bildz stated that the most cost effective way to handle the issue is to restrict all heavy trucks from using the bridge.

The City Manager stated that Mr. Frank McConnell was given incorrect information by a police dispatcher. He said that the weight restriction signs are enforceable even though they are in St. Petersburg. The City Manager stated that the staff is working to improve the communications between the toll collectors and the police officers.

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Commissioner Collins asked if the police dispatchers have been educated to prevent future misinformation. The City Manager stated that the issue has been addressed with the entire police force.

Commissioner Collins asked if the violation is considered a moving violation and the City Attorney responded affirmatively and said that violators will receive a fine of \$60 and 3 points on their licenses.

Commissioner Bildz asked if any special permits have been issued to date. The City Manager stated that he would report the number of permits issued at next week's Commission meeting.

The City Manager stated that there are two parking lots that do not have metered parking; Parking Lot #6 with 23 spaces and West Gulf Boulevard at the Beach Pavilion with 6 spaces.

The City Manager responded to a question regarding the removal of the fence at 12301 Lagoon Lane and stated that the fence is required to be removed when construction starts after a permit is issued.

The City Manager reported that the State passed its budget today and he said that the full \$50 million for Treasure Island's bridge project remains in tact. He stated that the Federal Highway Administration (FHWA) approved our environmental assessment and our 4F documents for the bridge. The City Manager stated that the Coast Guard is prepared to issue a 60 day notice for public comment that will begin the permit period.

The City Manager asked people to thank Senator Dennis Jones and Representative Leslie Waters for all their efforts in getting the state to take over the operation of the bridge upon its completion. He said that while the State may not take over the bridge, they may help the City to obtain the funds necessary to operate and maintain it.

Commissioner Gayton asked how the LAP certification process is progressing and the City Manager stated that a draft agreement has been through two reviews with FDOT and that he would be reporting on it at the Commission workshop meeting on Tuesday, May 4th.

The City Manager read a letter he prepared tendering his resignation effective Wednesday, June 2nd.

Commissioner Gayton asked if there was any reason why Mr. Coward would not stay on to ease the transition to a new City Manager. The City Manager stated that

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his contract calls for four weeks notice and that he did not feel it would be purposeful for him to stay on for an extended period of time past the five weeks notice he gave.

Commissioner Gayton asked if Mr. Coward would help with the transition with the new City Manager if the Commission requested him to. The City Manager stated that he would be happy to assist the Commission over the next five weeks. He said the Commission must first decide how it wishes to go through the process of selecting a City Manager, for instance, in-house or through a head hunter.

The City Manager stated that he would be taking a six month sabbatical after his resignation becomes effective but that he would be happy to work with the new City Manager in any way he can.

The Commission will discuss the City Manager selection process at the special workshop meeting on Wednesday, April 28th at noon.

H. REPORTS BY COMMISSIONERS:

Commissioner Kraus reported that he was contacted by a resident regarding serving on a Citizen's Finance Committee. He asked anyone else interested to contact his/her Commissioner.

Commissioner Kraus stated that a BIG-C meeting will be held on Wednesday, April 28th at 9:00 a.m. in Madeira Beach. He reviewed the agenda for the meeting with the Commission.

Commissioner Bildz requested a workshop meeting be scheduled to discuss installing parking meters for the unmetered City-owned parking spaces in order to inform residents that these spaces are City-owned.

I. PUBLIC COMMENTS:

Ms. Gail Byrne addressed the parking spaces at Sunset Vistas/Ramada Inn and said that she respected that Commission's decision not to trade the parking spaces for the 580 feet of land necessary to extend the beach trail. She said the condition of the parking spaces is deplorable and asked for City support and a promise that the parking lot will be beautified when her development is complete. Commissioner Kraus stated that he would follow up on it. Commissioner Gayton said that Ms. Byrne has his support.

Ms. Byrne stated that she was shocked at the City Manager's resignation and that it is a huge loss for the community.

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J. ADJOURNMENT:

Mary Maloof, Mayor

Phil Collins - District 1

Ed Gayton - District 2

Richard Kraus - District 3

Alan Bildz - District 4

ATTEST:

Charles S. Coward, City Clerk