

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS MEETING
June 8, 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:

Mr. John Burke spoke on behalf of the Gulf Beaches Rotary and asked the Commission for permission to hold the annual kayak and wacky raft races from 8:00 am until 12:00 pm on July 4th.

The Commission will consider a resolution authorizing the Gulf Beaches Rotary to hold the 4th annual Gulf Beaches Ocean Challenge on July 4th at the Commission meeting on Tuesday, June 22nd.

Mr. Chris Hearn stated that a Sunset Beach cleanup will take place on Saturday, June 12th and anyone interested should meet at the Beach Pavilion at 9:00 am.

Mr. Rick Taylor stated that the previous Planning & Zoning Board meeting had no quorum and both the City Manager and the City Attorney were not present. He suggested reducing the number of members on the board from 15 to 9 members. Mr. Taylor also commented on the issue of condo/hotels and said that the City is issuing permits for these without having first established regulations for their operation.

City Attorney Maura Kiefer stated that the Planning & Zoning Board met as the Local Planning Agency (LPA) for a special meeting to begin discussion regarding a definition for condo/hotels.. She said she had a scheduling conflict with that particular meeting but she will make sure that future meetings are attended.

Mr. Scott Barone stated that qualifications should be the focus for appointing Planning & Zoning Board members rather than the number of terms served and whether an individual contributed to a Commissioner's campaign fund.

Ms. Olivia Cox thanked the Commission for allowing the consensus builders to

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address the community as part of the meeting hosted by the Treasure Island Citizens for Responsible Progress (TIP) on June 7th. She requested permission from the Commission to have the meeting replayed on TITV channel 15.

Mr. Ben Hetrick asked who is proofreading the Commission minutes prepared by the Deputy City Clerk. The City Attorney stated that the procedure remains the same and that minutes are submitted to the Commission for its review and approval.

D. APPROVAL OF MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the minutes from the meetings of May 7, 11 & 12, 2004 as written. Corrections were made to the minutes of May 11th and May 12th. Upon roll call, the vote to approve was unanimous.

E. ITEMS OF BUSINESS:

1. Res. – Extending Authorization for Farmers Market –

After hearing the reading of the resolution authorizing the Treasure Island Business Association to hold a Farmers Market in downtown Treasure Island, 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.

2. Res. – Authorizing Treasure Island Annual Parade on December 3, 2004 –

After hearing the reading of the resolution granting a special events permit for the Treasure Island Holiday Parade on Saturday, December 3, 2004, 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. – Authorizing Additional Payment to Seacoast Metals –

After hearing the reading of the resolution authorizing additional payment to Seacoast Metals, 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.

4. Res. – Appointing Ruth Philipon to the Beach Stewardship Committee –

After hearing the reading of the resolution appointing Ruth Philipon to serve on the Beach Stewardship Committee of the City of Treasure Island; setting forth terms and conditions, motion was made by Commissioner Gayton and seconded by

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Commissioner Kraus to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

F. CITY MANAGER/CITY ATTORNEY REPORTS:

Acting City Manager Fred Turner stated that the Army Corps of Engineers will hold a preconstruction conference regarding beach renourishment at St. Pete Beach City Hall on Thursday, June 17th at 10:00 am.

The City Attorney stated that former City Attorney Jim Denhardt has made requests to receive severance pay and benefits from the City. She said it is her legal opinion that he is not entitled to severance pay or benefits under his contract or according to the City Charter. The City Attorney recommended that the Commission allow her to follow up on the issue with Attorney Denhardt via a letter or telephone call.

Mayor Maloof asked if it would be prudent to have the Acting City Manager Fred Turner, Commissioner Collins and the City Attorney meet to discuss the issue further before proceeding and the City Attorney concurred.

Commissioner Gayton stated that he received a letter dated May 25, 2004 from Attorney Denhardt that says he believes he is entitled to severance pay for 12 months equivalent to his average monthly pay and benefits for 12 months. Commissioner Gayton said he also received a letter from Attorney Denhardt dated May 5, 2004 that is identical except that he is asking for 6 months severance pay and benefits for 6 months. He asked why Attorney Denhardt changed the period he is requesting for severance pay in the second letter. The City Attorney stated that she only received one letter and that she just learned of the 2nd letter this evening. She said her legal opinion is still the same regardless of the two letters.

The Commission, by consensus, directed the City Attorney to respond to the former City Attorney's requests for severance pay and benefits.

Mayor Maloof stated that she received both letters from the former City Attorney. She said Attorney Denhardt indicated the first letter was delivered in error and that he felt he is entitled to more than 6 months severance pay.

The City Attorney stated that Attorney Denhardt indicated that he turned down other business while serving Treasure Island due to potential conflicts of interest. She said the Florida Bar regulates how attorneys conduct themselves and how they represent their clients. The City attorney further stated that attorneys are obligated to avoid conflicts of interest in representing their clients.

The City Attorney recommended placing the issue of splitting the Planning & Zoning Board from the Local Planning Agency (LPA) on the agenda.

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The City Attorney stated that the City Planner and she will be meeting with a group of law firms and other companies to gather free information regarding the condo/hotel issue.

Commissioner Gayton stated that the Commission attempted to reduce the members of the Planning & Zoning Board back in 2002 and the Planning & Zoning Board voted unanimously against it.

The City Attorney stated that there are pros and cons to having 15 members on the board. She said the Commission could choose to reduce the number of members necessary to have a quorum. The City Attorney stated that the Commission may want to consider looking into splitting the LPA from the Planning & Zoning Board due to the current workload, length of meetings and deadlines that have to be met by the board. She said she would meet with the City Planner and ask that the issue be put on the agenda in the next two weeks. Mayor Maloof stated that former City Manager Chuck Coward said he expects redevelopment to be ongoing in Treasure Island for 10 years or longer.

The City Attorney stated that she has not yet drafted a noise ordinance. She said she wrote a memo to the Commission with some suggestions and that she spoke with Commissioner Kraus on the matter. The City Attorney stated that if the City's current noise ordinance is not revised; the Commission will need to specify which version of the County's noise ordinance that the City will operate under (the County's noise ordinance adopted by Treasure Island in 1985 or the County's overhauled noise ordinance of 2004).

G. REPORTS BY COMMISSIONERS:

Commissioner Phil Collins stated that he was in favor of replaying the June 7th TIP meeting on TITV.

Commissioner Gayton requested that Commissioner Bildz ask the Beach Stewardship Committee members (at their next meeting) if they would like the committee to be involved in the Sunset Vista Trailhead Park dune restoration project.

Commissioner Kraus stated that a beach cleanup for the northern section of the beach is scheduled for Saturday, June 12th and that anyone interested should meet at Robby's Pancake House at 7:45 am or between 8:30 am and 8:40 am behind the Waffle House.

Commissioner Bildz stated that the Gulf Boulevard roadwork was scheduled to begin on June 1st and he asked why construction has been delayed.

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Commissioner Bildz stated that he would like Treasure Island to erect a sand castle in honor of the Tampa Bay Lightning winning the Stanley Cup. He said this is a great opportunity to market Treasure Island and suggested that the Mayor write a letter to the National Hockey League and the Tampa Bay Lightning. He also said the Treasure Island Business Association may be interested in participating.

Commissioner Bildz suggested that the position of City Clerk be split from the position of City Manager. He said the timing would be right for the split while the City has an Interim City Manager. Commissioner Bildz recommended that Ms. Jennifer Nye be appointed as the City Clerk since she is already performing the duties of the City Clerk.

Commissioner Bildz stated that he observed a turtle nest on Sunset Beach.

The City Attorney stated that she would provide a memo to the Commission regarding the issue of splitting the position of City Clerk from the position of City Manager.

Mayor Maloof stated that she received a call from State lobbyist Louis Rotundo advising her that he expects Florida House Representative Leslie Waters to be re-appointed as the Chairperson of the Transportation Committee.

Mayor Maloof stated that she provided the Commission with copies of a letter the City sent to Mr. Lawrence Taylor of FDOT regarding LAP certification. Mayor Maloof asked the Public Works Director to address the Commission regarding LAP certification.

The Public Works Director stated that the letter provided Mr. Taylor with the last 2 pieces of data (1. statement that City is in accordance with Florida Statutes 2. schedule of events) that he requested. He said he received an e-mail from Mr. Taylor last Friday indicating that the package from the City was forwarded to the LAP Certification Committee for its review. The Public Works Director stated that he expects the City to be LAP certified by the end of the month. He said once the LAP agreement for the project is received, the City can accept the federal grant funds and go to bid.

The Public Works Director provided the Commission with a status on the east and west fixed bridges. He said the final pour of the west bridge is complete and construction will focus on the approach work for drainage, approach slabs, trellises and guardrails for the next two months. The Public Works Director stated that the first pour for the east bridge will take place in mid July. He said another inspection of the bascule bridge will take place in two weeks.

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Commissioner Gayton requested that the Public Works Director provide the Commission with a monthly report on the bridge project and the Public Works Director responded affirmatively.

Mayor Maloof asked if FDOT would hold the funds after the City of Treasure Island accepts the federal grant. The Public Works Director stated that the grant funds will remain in Washington, DC. He said FDOT will approve and pay bills submitted by the City and then be reimbursed by the federal government. The Public Works Director indicated that Treasure Island will not receive the grant funds up front and that a "true-up" will occur at the end of the project.

H. PUBLIC COMMENTS:

Mr. Frank McConnell stated that a letter addressed to the Commission was initially received by the Mayor only and not distributed to the rest of the Commissioners. He suggested that the Commission set up a procedure to ensure that all correspondence is received by all Commissioners.

Mayor Maloof stated that when she received the letters dated May 5th and May 25th from Attorney Denhardt, she was unaware that the other Commissioners had not received both letters.

Mr. Chris Hearn stated that he is in favor of splitting the LPA from the Planning and Zoning Board. He suggested that Planning & Zoning Board meetings be held in late afternoon or in the evening to allow people that work to attend and serve on the board.

Mr. Rick Taylor said that it would be short-sighted for the Commissioners to choose not to appoint people to serve on boards and committees because they took an opposing stand in a previous election.

Mr. Taylor suggested that the Commission authorize a banner to be placed over TI causeway in honor of the Tampa Bay Lightning winning the Stanley Cup.

Ms. Ruth Philipon thanked the Commission for appointing her to the Beach Stewardship Committee.

Ms. Philipon stated that she was part of the planning process for the farmers' market in St. Petersburg. She said she hopes the City and the residents support the farmers market in Treasure Island and thanked Elizabeth and Scott Barone for their efforts in putting it together.

Mr. Glenn Kaisner stated that people should not volunteer to serve on a board or

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committee if they are not able to attend the meetings.

Ms. Kathy McCreary asked how long development would be delayed while the City establishes guidelines for condo/hotels.

Ms. McCreary stated that she thinks it is a wonderful idea to have a sand castle in honor of the Tampa Bay Lightning. She asked if the Commission has received any feedback from the residents regarding sand castles. Ms. McCreary said an annual sand castle event was planned in the past but the community did not support it.

Commissioner Bildz stated that he suggested constructing a sand castle because Treasure Island is designated as the *Sand Castle Capital of Florida*.

Ms. Olivia Cox suggested that the Commission consider getting a sponsor to help fund the cost of erecting a sand sculpture.

Mr. Les Byrne asked why the City Attorney is looking outside Treasure Island to get information from companies on condo/hotels. He said there are several condo/hotels right here in Treasure Island.

I. ADJOURNMENT:

Mary Maloof, Mayor

Phil Collins - District 1

Ed Gayton - District 2

Richard Kraus - District 3

Alan Bildz - District 4

ATTEST:

Jennifer Nye, Deputy City Clerk