

**CITY OF TREASURE ISLAND
BOARD OF COMMISSIONERS WORKSHOP
January 18, 2005
7:00 p.m.**

I. SILENT ROLL CALL BY DEPUTY CITY CLERK:

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

II. PUBLIC COMMENTS:

Mr. Hugh Ruckdeschel commented on the proposed Charter amendment regarding voting percentages. He said that Section 68-126 has been on the books for two years and that it requires approval by the voters for any changes made to height and density. He asked who pays the costs associated with filing.

III. MINUTES:

Motion was made by Commissioner Kraus and seconded by Commissioner Collins to approve the minutes from the meeting of November 23, 2004 as written.

Commissioner Kraus noted a correction to the adjournment section.

Upon roll call, the vote to approve was unanimous.

IV. DISCUSSION ITEMS:

1. Ord. – Condo/Hotel Regulations (2nd Reading & Public Hearing 1/25) –

The Commission will consider this ordinance for second reading and public hearing at the Commission meeting on Tuesday, January 25th.

2. Planters on South Parking Lot at 107th Avenue –

City Planner Lynn Rosetti reported that no site plan agreements have been located and that there are no code violations that warrant action by the City at this time.

Commissioner Gayton stated that the planters are impeding people from getting in and out of the parking lot during the farmer's Market.

Commissioner Collins asked if there is anything that can be done to work with the

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owner regarding the planters. The City Manager stated that he would follow up on the matter.

Commissioner Gayton suggested having the planters moved so they face east and west. The City Manager stated that they would then be in violation of the Code.

Mr. David Punzak, attorney for Bill Edwards, stated that Mr. Edwards and he would be happy to work with the City Manager on the issue.

3. Height/Parking Variance Request – TITYC (No Discussion) –

The City Planner read the public notice at the request of Commissioner Gayton.

Commissioner Collins asked how belonging to the Treasure Island Tennis & Yacht Club (TITYC) would affect a Commissioner's ability to vote on this item. City Attorney Maura Kiefer stated that Commissioners that are shareholders would have to recuse themselves from voting.

The Commission will consider this multiple variance request at the Commission meeting on January 25th.

4. Term Limits for boards and Committees –

Commissioner Collins suggested that the Commission proceed with passing legislation imposing term limits on boards and committees.

Commissioner Kraus stated that the Commission should decide how and when to implement term limits and how it will affect current board and committee members.

Commissioner Gayton stated that the Commission should pass this on for a vote next week since the public voted overwhelmingly in favor of term limits for board and committees.

The City Attorney stated that the Commission could pass an ordinance making term limits effective henceforth.

Mayor Maloof stated that she felt the Commission is adding a draconian requirement since there are already procedures in place to appoint and remove board and committee members. She said there is a significant amount of training and a learning curve involved each time a new board or committee member is appointed.

The City Attorney suggested that the Commission direct her to include language that

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provides for an exception in the case that the Commission is unable to fill a vacancy.

The City Manager suggested that the Commission consider imposing a six-year term limit that becomes effective at the expiration of the board and committee members current terms.

The City Attorney stated that this ordinance would only apply to appointed board and committee members and not to the Commission.

The Commission directed the City Attorney to proceed with drafting an ordinance imposing term limits for boards and committees.

5. Election Board Appointments –

The Commission will consider a resolution appointing an election board at the Commission meeting on Tuesday, January 25th.

6. 24-hr/7-day Bascule Bridge Surveillance –

The City Manager reported that 112 vehicles crossed the bascule bridge that were in violation of the weight/axle restriction and that 108 drivers received citations. He said just one overweight truck could compromise the deck of the bridge.

Public Works Director Don Hambidge reviewed three (3) alternatives that were considered for bridge surveillance including; closing the bridge, toll booth surveillance or hiring a private security firm.

The Public Works Director reviewed the concepts included in the agenda packet and he stated that staff recommended that the Commission select option #2.

Commissioner Kraus asked if the City would continue to use on and off duty officers in the future. The City Manager stated that the City is currently paying officers for overtime and that in the future the City would be paying off duty rates. He said the City is currently being reimbursed through a grant for the payments to off duty officers.

Commissioner Kraus stated that there is \$850,850 in the contract with Johnson Brothers for optional services. He asked if the bridge surveillance costs could be addressed by this amount. Mr. Jim Phillips of E.C. Driver stated that this line item gives the City the power to either use or delete items.

Commissioner Collins stated that option #2 is the only option that provides full bridge surveillance.

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Commissioner Collins asked stated that the cost of \$437,000 for option #2 for bridge surveillance could be higher if it takes longer than 15 months to complete the first half of the bridge.

The Public Works Director stated that the City will dip into the Causeway fund when the grant funds have been exhausted.

Commissioner Collins asked if a gate could be used to prevent trucks that do not meet the weight/axle restriction from crossing the bascule bridge. The Public Works Director stated that this idea was discussed but it still would not ensure that trucks that do not meet the weight/axle restriction would be prevented from crossing the bascule bridge. Mr. Jim Phillips stated that some drivers are ignoring the current signage. He said it poses too much of a high risk of accidents.

Commissioner Collins asked Police Chief Joe Pelkington if it would be possible to have one on-duty officer stationed at the bridge at all times. The Police Chief stated that he did not recommend this option because it would leave only one officer to patrol the city.

Commissioner Collins asked if it is possible to have a pass only lane at the bridge to alleviate some of the backups occurring. The Public Works Director stated that there are two lanes traveling eastbound. He said that when traveling westbound, there would not be enough room to merge the vehicles into one lane when approaching the bridge if there were two lanes at the toll booth.

Commissioner Kraus stated that he has received a lot of complaint regarding eastbound traffic turning onto Paradise Boulevard and the TITYC. He asked if it would be possible to have right turn only lanes at both these locations. The Public Works Director stated that he would look into the issue.

The Public Works Director stated that the bridge is too narrow to provide pedestrian and bicycle access during construction of the first half. He said he will provide the Commission with alternatives in the future but he said he felt there really is no viable solution.

The City Manager stated that staff would continue to look at the alternatives and costs and that he would report back to the Commission.

The City Attorney stated that she received a call from a person that stated bicyclists have the same rights as the drivers of vehicles. She asked people to work with the City through this temporary inconvenience. The City Attorney stated that safety overrides sharing the road at this time.

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Commissioner Bildz suggested that the City look into providing a passenger van to provide pedestrians and bicyclists with access to the bascule bridge.

Ms. Pam McIntyre asked if it is possible to have two lanes at the toll traveling westbound. Mr. Phillips stated that demolition is set to begin on the north side of the bridge very shortly and that a piece of the lane right after the toll will be removed and heavy equipment will be in the surrounding areas. He said it is not possible to provide two lanes traveling westbound at the toll.

7. Landscape Architect of Record – Statement of Qualifications –

The Commission will consider a resolution authorizing a statement of qualifications for a landscape architect of record at the Commission meeting on Tuesday, January 25th.

8. Appointment of City Clerk –

The City Manager reviewed the agenda cover memorandum he prepared for this agenda item. He recommended against a City Commission appointed City Clerk.

Commissioner Bildz stated that he would like Ms. Jennifer Nye to be appointed as City Clerk because she is performing the duties of the City Clerk.

Commissioner Gayton stated that the current chain of command calls for the City Clerk to serve the Commission. He said he would like to understand the ramifications of a City Clerk serving the Commission before making a decision on the matter.

Commissioner Bildz stated that there must be a specific reason that the position of City Clerk is a separate position addressed in the Charter. He recommended that Ms. Nye be appointed as City Clerk by the Commission now or that the Commission consider amending the Charter so that the City Clerk serves the City Manager.

The City Manager stated that if the City Clerk is Commission appointed another department would be created. He said that he would prefer that Ms. Nye continue reporting to him.

Mayor Maloof stated that the City Clerk for the City of St. Pete Beach is hired and fired by the Commission but the City Clerk serves the City Manager.

The City Attorney stated that a Charter change is necessary to accommodate Mr.

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Stone's preference.

Commissioner Collins asked if the City is operating within the Charter currently and the City Attorney responded affirmatively.

The City Attorney stated that Ms. Bonnie Williams was appointed as a City Clerk upon her impending retirement in gratitude of her years of service to the City.

Mr. John Hadsall stated that he was disappointed that the Commission decided to wait until the expiration of current terms for board and committee members before applying term limits.

Mr. Hadsall stated that the Charter Review Committee discussed the City Manager serving as City Clerk and that the Committee decided not to recommend any changes. He said the committee was given no direction on this item.

Mr. Hadsall stated that he called every City Clerk in the area regarding Ms. Nye. He said that Ms. Nye is well-respected among these communities. Mr. Hadsall stated that many of the City Clerks thought Ms. Nye held the position of City Clerk already.

Mr. Hadsall stated that Ms. Bonnie William waited 30 years to be appointed City Clerk. He also stated that if a City Clerk is appointed a Deputy City Clerk will need to be appointed.

Mr. Hugh Ruckdeschel stated that at the City of St. Petersburg, the City Clerk serves the Commission. He said the City Manager should not have the power to fire the City Clerk. He recommended that Ms. Nye be appointed as City Clerk.

The Commission will consider this issue further at the workshop meeting on Tuesday, February 15th.

9. Authorizing Voters Watch to Hold Candidate Debates at City Hall –

Mayor Maloof stated that Voters Watch has requested approval to hold the candidate debates in the City Hall Auditorium.

Commissioner Bildz stated that two factors should be considered when authorizing the free use of City facilities. The first is that the public is invited and the second is that the public be invited. He said he is in favor of authorizing Voters Watch to use the City Hall Auditorium because this event meets both factors.

The Commission will consider a resolution authorizing Voters Watch to hold the candidate debates at City Hall at the Commission meeting on Tuesday, January 25th.

10. Donation to the Recreation Department for Use by Treasure Bay Facility

–

The Commission will consider a motion to accept the donation in the amount of \$100 to the Recreation Department for use by Treasure Bay at the Commission meeting on Tuesday, January 25th.

11. Donations to the Police Department –

The Commission will consider a motion accepting the combined donations in the amount of \$275 for use by the Police Department at the Commission meeting on Tuesday, January 25th.

V. OLD BUSINESS:

Commissioner Gayton read into the record an e-mail he sent to the City Manager and the City Attorney requesting that the Commissioners receive any correspondence the City receives pertaining to the condo/hotel issue.

The City Manager stated that the interpretation of the LDR's is the responsibility of Administration. He said the City Attorney and he are meeting to discuss the considerations that are coming into play with the addition of condo/hotel regulations. The City manager stated that staff is not ready to present the Commission with the decisions regarding the considerations yet.

The City Attorney stated that she has no objection on working with the Commission before sending anything out regarding the condo/hotel issue. She said there are three categories to be considered as follows:

1. Existing condo/hotels.
2. Projects in place previous to the regulations being adopted.
3. Projects that occur after the regulations are passed.

She said policies will have to be developed to address categories 1 and 2.

The City Manager stated that Administration administers the LDR's. He said the Commission has the responsibility to create laws and Administration has the responsibility to implement them. The City Manager stated that he was willing to work with the Commission to be sure the Commission's wishes are met.

Commissioner Gayton stated that it is the responsibility of the Commission to address developers' issues regarding condo/hotels since the regulations are not in

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place yet.

Commissioner Gayton stated that there is no definition currently in the Code for transient use. The City Attorney stated that transient means temporary. She said the Planning & Zoning Board will look at defining transient.

The City Attorney stated that the new regulations make it clear that an owner can occupy a unit for a maximum of 90 days. She said that developers want an answer regarding how long owners can occupy units of condo/hotels that were approved prior to the adoption of the regulations.

The City Attorney stated that she will have to look at how retroactivity may apply to the regulations.

Mr. Hugh Ruckdeschel asked where the "no thru street" signs are for 123rd Avenue. Commissioner Gayton stated that Public Works has the signs ready to be installed.

Mr. Ruckdeschel asked for a status regarding the use of grant funds for the boat ramps. Commissioner Gayton stated that the issue of boat ramps will be included on the agenda for the workshop meeting on Tuesday, March 1st.

He suggested the Commission consider selling the street ends that are problematic and use that money for the streets that are in disrepair.

VI. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

1. Ballot Language Titles -

The City Manager stated that the wording for three of the ballot language titles has been changed in order to meet the fifteen word maximum imposed by the Pinellas County Supervisor of Elections.

VII. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Kraus reported that all of the Commissioners attended the ribbon cutting ceremony for the Treasure Island Chamber of Commerce last Thursday.

Commissioner Bildz stated that the paving of Gulf Boulevard has begun again as of today's date.

Commissioner Bildz reported that he attended a Beach Stewardship Committee meeting on Wednesday, January 12th. He said Coastal Tech is requesting \$20,000 for the sandsharing project.

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Mayor Maloof announced that the Gulf Coast Jewish Family Services is recognizing Congressman Bill Young as a celebrity this year. She said the event will take place at the Vinoy on Saturday, April 9th. She encouraged Treasure Island residents to attend.

Mayor Maloof reported that Pinellas County Economic Development will present the results of a study on *what it means to communities when mom and pop hotels are replaced with condos* on Tuesday, April 8th at St. Petersburg College, Seminole campus at 3:30 p.m.

Mayor Maloof stated that *it's your market on the beaches* hosted by the Pinellas Realtors on February 23rd at the St. Pete Beach Recreation Center at 8:30 a.m.

Mayor Maloof stated that the Economic Development Draft Plan will be presented by Pinellas County at four workshops that will be held at the following locations; Ruth Eckerd Hall, USF campus Activities Center in St. Petersburg, Largo Cultural Center, St. Nicholas Greek Orthodox Church.

Mayor Maloof reported that she attended the Suncoast League of Municipalities meeting held at the Tampa Aquarium on Saturday. She said Mayor Pam Iorio was the guest speaker.

Mayor Maloof stated that the Suncoast League of Municipalities annual conference will take place in May at Howie-in-the-Hills.

VII. PUBLIC COMMENTS:

None.

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VIII. 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