

**CITY OF TREASURE ISLAND  
BOARD OF COMMISSIONERS MEETING  
April 26, 2005  
7:00 p.m.**

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

**B. ROLL CALL:**

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

**C. PUBLIC COMMENTS:**

Ms. Barbara Blush, President of the Treasure Islettes, presented the City with two checks, one in the amount of \$1,000 for the 50<sup>th</sup> anniversary banners and the other in the amount of \$1,000 as a salty dog sponsor for the 50<sup>th</sup> anniversary events.

Mayor Maloof thanked the Treasure Islettes for its generosity and for the group's 50 years of support to the City.

Ms. Carol Coward stated that Woodroffe Corporation Architects has drawings that incorporate the historical elements of the bascule bridge for use at the Dolphin Drive Park in Paradise Island. She stated that ½ of the bridge has been demolished and that the City could save the other half of the bridge to be incorporated into the City parks to provide pleasant seating areas. Ms. Coward stated that she would like to donate the remaining \$700 in her campaign fund for use in improvements to the Dolphin Drive Park such as benches, landscaping and receptacles.

Mayor Maloof asked if Ms. Coward had any figures regarding the cost for the proposed improvements to the Dolphin Drive Park. Ms. Coward stated that she thought the costs for the park's improvements were included in the previous budget. She said she would like the costs to be included in the next fiscal year's budget. Mayor Maloof stated that she would discuss the matter with the City Manager.

**D. MINUTES:**

Motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the minutes from the meeting of January 18<sup>th</sup> as written. Upon roll call, the vote to approve was unanimous.

**E. ITEMS OF BUSINESS:**

**1. Proclamation – Municipal Clerks Week –**

Mayor Maloof read the proclamation recognizing the week of May 1 through May 7, 2005, as Municipal Clerks Week for the vital services they perform and their exemplary dedication to the communities they represent.

**2. Ord. – Vacation of Utility Easement at 290 107<sup>th</sup> Avenue (1<sup>st</sup> Reading) –**

After hearing the first reading of the ordinance vacating two utility easements on private property located at 290 107<sup>th</sup> Avenue within the City of Treasure Island, providing 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.

**3. Res. – Acceptance of CAFR Report for Fiscal Year 2003/04 –**

After hearing the reading of the resolution accepting the Comprehensive Annual Financial Report: Independence 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 an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for the fiscal year ended September 30, 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.

**4. Res. – Engineer of Record –**

After hearing the reading of the resolution approving the selection of the firm of Advanced Engineering & Design as the Engineer of Record for WPC Activities, 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. – Updating Fees for Copying and Retrieval of Public Records -**

After hearing the reading of the resolution amending fees charged for the duplication and retrieval of public records; providing an effective date, motion was made by Commissioner Collins and seconded by Commissioner Gayton to approve the resolution as read.

4/26/05

Motion was made by Commissioner Kraus and seconded by Commissioner Bildz to amend the main motion by requiring that the City will begin to charge for extensive use information technology services or extensive clerical or supervisory assistance, or both, after one hour.

Upon roll call, the vote to approve the amending motion was unanimous.  
Upon roll call, the vote to approve the amended main motion was unanimous.

**6. Res. – Directing City attorney to Accept Chad McMonigal’s Offer –**

After hearing the reading of the resolution directing the City Attorney to enter into a settlement agreement with Chad McMonigal, motion was made by Commissioner Gayton and seconded by Commissioner Kraus to approve the resolution as read.

Commissioner Kraus stated that the hard costs to the City were \$1,975 and that the City would be taking a loss of \$975 by accepting the \$1,000 settlement. He said if the City pursues a judgment the court costs could easily cost more than \$1,500. Commissioner Kraus suggested that the City cut its losses by accepting the \$1,000 offer.

City Attorney Maura Kiefer recommended the City accept the \$1,000 settlement offer and Commissioner Gayton concurred.

Commissioner Bildz stated that if the \$1,000 settlement offer is not still on the table that he would like the City to pursue litigation. The City Attorney stated that she would charge a flat fee not to exceed \$500 to litigate.

Commissioner Bildz suggested that the City Attorney indicate in the settlement letter that the City will pursue litigation if the \$1,000 offer is no longer on the table.

The Commission directed the City attorney only to accept the settlement offer of \$1,000 and report back to the Commission the response from Mr. McMonigal before indicating that the City’s position regarding litigation.

Upon roll call, the vote to approve was unanimous.

**7. Res. – Opposing HB477/SB976 – Coastal Redevelopment/Mitigation –**

After hearing the reading of the resolution opposing HB477/SB976 titled “The Coastal Redevelopment/Mitigation Act”, motion was made by Commissioner Kraus and seconded by Commissioner Gayton to approve the resolution as read. Upon roll call, the vote to approve was unanimous.

**8. Motion – Accept Donation from treasure Islettes for the Recreation Department -**

Motion was made by Commissioner Kraus and seconded by Commissioner Bildz to Accept the generous donation of \$100 from the Treasure Islettes for use by the Recreation Department for its summer program scholarship fund. Upon roll call, the vote to accept the donation was unanimous.

**9. Nominations for Appointment to the Pinellas Public Library Co-Op Board of Directors –**

Commissioner Kraus indicated that he may have a person that is interested in serving on the Board.

Mayor Maloof stated that the Commission has until May 24<sup>th</sup> to make an appointment to the Board.

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

None.

**G. REPORTS BY COMMISSIONERS:**

Commissioner Collins stated that a rock hit the windshield of a resident's car while the resident was traveling across the bascule bridge. He said the rock was thrown up from the pile driver being used for construction on the bridge. Commissioner Collins stated that while the windshield was paid for, he was concerned regarding the safety of motorists crossing the bridge during construction.

The City Manger stated that he has regular meetings with the contractor and that he would speak to the contractor regarding the matter.

Commissioner Collins stated that he would like the Police Department to verify the addresses of sexual offenders/predators every three months instead of once per year and that he would like the phone number of the Florida Department of Law Enforcement (FDLE) placed on the wastewater bills.

The City Manager outlined the areas he has addressed regarding the City's procedures for sexual offenders/predators as follows:

1. Pictures on TITV 15: The City Manager stated that the pictures of sexual offenders/predators were placed on TITV 15 and he said that the pictures are being shown once in every cycle.

4/26/05

2. Pictures on Utility Bills: The City Manager stated that there is not enough room on the utility bills to include the pictures of sexual offenders/predators.
3. The City Manager stated that the Police Chief is looking into the possibility of including sexual offenders/predators from neighboring cities.
4. The City Manager indicated that The State Department of Corrections checks on sexual offenders/predators on a quarterly basis.
5. The City Manager stated that the FDLE's Website is posted on the City's Website.

Commissioner Collins stated that he would like the City's Police Department to conduct quarterly checks as well. The City Manager stated that he would look into the matter.

Commissioner Gayton stated that the neighbors residing in a two block radius of sexual offenders/predators should be notified once per year since some people may have moved away and new people may have moved in. The City Manager stated that he would follow up on the matter with the Police Chief.

Commissioner Gayton stated that the Gulf Brisas has been granted site plan approval for a condo/hotel and now a request is being made to the Planning & Zoning board to switch to fractional ownership. He said he asked the City Manager to look into the issue and that it needs to be addressed now.

The City Manager stated that he asked City Planner Lynn Rosetti to ask the owner what the plans are for this property. He said he also asked her to look into how other communities are addressing fractional ownership.

Commissioner Gayton stated his concern that fractional ownership may be used as a way to circumvent the condo/hotel regulations.

Commissioner Kraus asked if fractional ownership is considered residential and if it would need to meet the regulations for residential units.

The City Manager stated that fractional ownership is not usually residential and that the units are usually transient but that the units are occupied longer than time shares.

The City Attorney stated that timeshares and fractional ownership are allowed in

4/26/05

Treasure Island as long as the requirements are met.

Commissioner Kraus asked if these types of ownership are considered residential. The City Attorney responded negatively and stated that the units are transient and could not fulfill the residency requirements.

The City Attorney state that fractional ownership involves a number of owners that own a particular unit together whereas timeshare ownership allows the owner to occupy a unit for a period of time.

Commissioner Gayton stated that he did not speak to anyone that was interested in changing the City Charter so that Commissioner candidates would be voted on by the whole community.

Commissioner Kraus stated that he spoke to several residents regarding the issue of Commissioner candidates being voted on by the community and he said that the residents overwhelmingly supported not changing the Charter to allow this.

Mayor Maloof stated that she received a lot of telephone calls and e-mails from residents that support Commissioner candidates being voted on at large by the community.

Mayor Maloof stated that she was in favor of allowing the community vote on 100 percent of their representation instead of 25 percent.

Commissioner Collins stated that he spoke to seven or eight people that were opposed to Commissioner candidates being voted on at large by the community and he said that they felt when they elect someone from their district their needs will be addressed.

Commissioner Gayton stated that this would require a Charter change and that if there is not enough support from the community, there is no point in pursuing the matter.

Commissioner Bildz stated that the playground equipment at the Sunset Beach Pavilion needs to be replaced and that it has been roped off for replacement under the warranty.

Commissioner Bildz stated that a past president of the Sunset Beach Civic Association passed away and that Sunset Beach has no place for a memorial.

Commissioner Bildz indicated that the residents he spoke to were adamantly opposed to Commissioner candidates being voted on City-wide.

4/26/05

Mayor Maloof stated that the authorization to change the local option gas tax split of 60/40 (60 percent to the County and 40 percent to the cities) should be received by July 1<sup>st</sup> and that it would go into effect in 2007.

Commissioner Gayton stated that he thought the Metropolitan Planning Organization (MPO) indicated that the 60/40 split would be effective in 2006.

Mayor Maloof stated that the MPO would like to unify the name of streets that are major corridors in Pinellas County and has asked for the cities to provide input on the issue.

Commissioner Kraus stated that some of the street names have a lot of history for long-term Pinellas County residents.

Commissioner Bildz stated that he was in favor of unifying the street names.

**H. PUBLIC COMMENTS:**

Mr. Carl Ystrom spoke in favor of Commissioner candidates being voted on City-wide. He said that currently the Commissioners that were voted on by 25 percent of the voters are voting on issues that affect the whole City. He said he felt the Commissioner candidates should reside in their respective districts but that everyone should be able vote on them. Mr. Ystrom stated that there are others who feel the same way and that he would like the issue to be discussed further.

4/26/05

**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