

CITY OF TREASURE ISLAND, FLORIDA
CITY COMMISSION WORKSHOP
February 6, 2007

The workshop was called to order by Mayor Maloof at 6:47 p.m.

I. DISCUSSION ITEMS:

1. City Manager Recruitment Schedule

Personnel Director Fred Turner gave a brief update on the City Manager search. Out of the eleven semi-finalists, three have accepted other positions. The eight remaining candidates have answered the questionnaire, and their answers have been provided to the City Commission. The next step would be to schedule a meeting to narrow it down to the finalists that would be interviewed. Commissioner Gayton feels that it should be done as soon as possible. Commissioner Bildz reminded the Commission about the meeting on Friday, and said that Fred's suggestion on Tuesday would work. Commissioner Collins stated that he would rather have the background information before meeting. The Commissioner agreed to meet on Tuesday the 13th at 5:00 p.m. Commissioner Bildz asked how many we were looking to interview. Commissioners Kraus and Collins suggested that we wait and see how it came out when the Commission came to the meeting after their review of the questionnaires. Commissioner Gayton feels that we need a specific number. Commissioner Bildz thinks there should be a target number. Commissioner Collins stated that we should not limit ourselves. It was agreed that four would be a manageable number, with the possibility of a fifth if need be. Commissioner Bildz asked if the City would be paying travel expenses. Mr. Turner stated that it has been done in the past.

2. Community Appearance Codes

City Planner, Lynn Rosetti, was present to discuss the proposed changes to the language that had been made since the last meeting. Commissioner Gayton asked which draft we would be discussing tonight. There was a draft in the agenda packet, and a newer draft given to them tonight. Mr. Fant explained that there were only three sections that had changes to the language, and there were items that were redundant and were cleaned up in the new draft. Ms. Rosetti explained that since the last meeting there was also a Code Board meeting, and some issues were pointed out at that meeting. Mayor Maloof suggested that they go through the highlighted items in the newer draft. The gray highlighted items are changes from the last meeting. The yellow highlighted items are changes made since the packets went out last week.

Ms. Rosetti reviewed the changes. Commissioner Gayton asked for clarification regarding the number of sheds allowed on the property, and whether they were permitted or unpermitted. Commissioner Bildz asked how you could regulate an unpermitted structure. Mr. Fant stated that the proposed language should cover it, as it does not specify whether the sheds would have to be permitted or unpermitted. It would limit the number to two of any kind. Ms. Rosetti suggested that we may want to include an administrative explanation of what this covers. City Attorney Maura Kiefer stated that she

agrees with Ms. Rosetti that the City Manager's office is a good place to go for interpretation of the rules. She suggests that the proposed language is fine. Commissioner Gayton asked about the language regarding shielding a fence from view by a hedge or fence. He suggests that a hedge could not shield a seven foot tall shed, and that he thinks it should be shielded by a fence. Commissioner Bildz agreed. Commissioner Bildz stated that he thought three sheds should be allowed – one on each side and the rear. Commissioner Kraus stated that he thinks two is plenty. Ms. Kiefer stated that if a hedge was not tall enough to shield the shed from view then they would not be in compliance. Commissioner Gayton stated that it should be a fence. Mayor Maloof asked if a fence needed a permit, and what the height limitations were. Ms. Rosetti answered in the affirmative, and explained the height limitations for fences. Commissioner Gayton stated again that he was not in favor of the hedges. Commissioner Bildz stated that it would become a Code Enforcement issue if it didn't shield the shed from view. Commissioner Kraus agreed with Commissioner Gayton. Commissioner Bildz also stated that if the sheds were in a buildable area of the lot then he didn't feel that we could limit them. If they are in the set back area, we could. Commissioner Kraus stated that he didn't think that sheds were attractive, and didn't want to see more than two allowed. Mayor Maloof agreed with Commissioner Kraus. Commissioner Bildz stated that not everyone had a garage, or the lot size, or a water view, and that two sheds might not be enough for some areas of the city. Commissioner Collins stated that he didn't think we should mandate people to spend money for a fence if a hedge worked as a proper shield. He suggested two sheds, and the option of either a hedge or fence. Commissioner Gayton suggested two sheds and a fence. Commissioner Bildz suggested three sheds and either, Commissioner Kraus suggested two sheds and a fence. Mayor Maloof suggested two sheds and a fence or hedge. Commissioner Bildz changed his suggestion to two sheds and either a fence or hedge.

The next change was regarding light. Commissioner Bildz asked about light meters. Ms. Rosetti stated that light meters would be used to enforce this section of the code.

Section three was on minimum property standards. On page 4, (a), the words "or other acceptable ground cover" were added. Commissioner Collins asked about the 12 inch limit for grass height. Commissioner Bildz pointed out a minor change that should be made in the language to clarify a sentence. Ms. Rosetti explained an addition to the language regarding permeability. An inspection would be required.

Item number five addresses vacant land. She added language requiring stabilization of the lot using acceptable ground cover. The requirement would be waived if there was an active building permit. Commissioner Collins asked for clarification of what could be used as an effective ground cover, and how long a project would have to be vacant to be required to be stabilized. Ms. Rosetti stated that it would be approved materials for yards such as sod, gravel, or shell, and that it would be when a permit expired or was surrendered. Commissioner Bildz stated that he had received a call about a silt fence that was required to be removed because it obstructed visibility on West Gulf Boulevard. He wants to see something in the language. Ms. Rosetti stated that it is elsewhere in the code.

Item number four, regarding domestic equipment, addresses recreational equipment. She added a section that requires motor homes to be operable and licensed. Mayor Maloof asked what we would do about the elderly that would have difficulty getting those

items removed from their properties. Ms. Rosetti suggested that neighborhood associations could assist.

The next section addresses domestic and commercial equipment. She took them apart and dealt with each separately. She added language that limits the frequency of domestic equipment being kept on the property to approximately once a month. She suggested that the LPA take a look at this area of the code. Commissioner Bildz felt that once a month might not be enough for people that take a lot of vacations. All domestic equipment must be along the sides of the property, and shielded from view by a fence or vegetation. Commissioner Gayton wants to limit the equipment that can be stored there, and also limit the set backs. Commissioner Collins stated that the average lot size was not that large. Commissioner Gayton stated again that he wants to limit the number of pieces of equipment allowed to two – one per side, and shielded by a fence. Ms. Rosetti stated that she had researched the average height of motor homes and found that it is 12 feet. Commissioner Kraus stated that we should not be making allowances for people that are currently not in compliance with the code. He proposes that the height referred to be 7 feet, since it is the height allowed for a fence or a shed. Commissioner Gayton agrees. Commissioner Bildz likes the change to 12 feet. He stated that this is an RV world, and they are more and more popular, and can be nice looking. Mayor Maloof stated that if someone pays a large amount for an RV then they can afford to store it and should. Commissioners Kraus and Collins stated that they agreed. Commissioner Kraus stated that if we start allowing it we will start seeing a lot more of them, and they are eyesores. He thinks anything people store in their side setbacks should be no more than seven feet. Commissioner Bildz stated that we are living in a beachfront resort community, and he doesn't want to see it regulated to that extent. The consensus is 7 feet in height.

Item number six addresses commercial equipment. It does not prohibit loading and unloading, or require vehicles to be garaged. Vehicle signage was addressed. The Commission suggested a limit of six square feet. Ms. Kiefer suggested that this area be looked at, as it would also limit the signage on city vehicles. Mr. Fant suggested that they not make a decision on signage tonight. Commissioner Kraus suggested that law enforcement, fire, and emergency vehicles be exempt. Commissioner Collins suggested that city or government vehicles be exempt. Ms. Kiefer stated that if she were a citizen she would challenge it. It is her opinion that it would open it up to challenge. Ms. Rosetti suggested that they not have signage identified. It would then refer back to the definition of commercial equipment. Commissioner Bildz had a question about a vehicle with exterior storage. Ms. Rosetti suggested eliminating that language. Commissioner Bildz suggested that "operable and licensed" be added to the language. The Commission agreed.

Item number 8 addresses violations. The property owner would be required to permanently remove the vehicle within 24 hours or be cited for a Code Enforcement violation. The code addressing permitted construction addresses those vehicles that are being used on active construction sites.

Section seven, regarding xeriscape landscaping, was changed a little bit. Ms. Rosetti feels that this section will be difficult to enforce. Ms. Kiefer agreed, but stated that it was a start.

Commissioner Kraus stated that this has been a long time coming, and he is in favor of moving this forward for first reading at the next meeting. Commissioner Gayton would like to see a clean copy come forward at the next workshop for discussion. Commissioner Bildz would like to send section five back to the LPA. Commissioner Collins agrees with Commissioner Bildz. Commissioner Kraus stated that he could agree with Commissioner Gayton. Mayor Maloof agrees that the LPA should look at section five. Ms. Rosetti stated that she could bring a clean copy minus section five back to the next workshop. It may be possible for her to bring section five to the next workshop, but it will not be in time for the packet.

Julian Fant spoke in opposition of the proposed community appearance codes. He feels it is detrimental to the city. Regarding sheds, he stated that they are lethal in the event of a tornado or hurricane. He does not agree that a hedge should be considered proper screening as it can freeze. If you allow domestic equipment in the side setbacks you are defeating the purpose of making this an outstanding waterfront community. People do not know what is going on in Treasure Island. He asked the Commission to consider these actions very carefully.

Everything but section five will be in the next workshop packet. Section five will go back to the LPA on the 16th.

3. HMGP Grant

Fire Chief Fant explained that this will bring us up to date on a grant application that was started in 2005. The state and federal government have made grant funding available to mitigate damage from hurricanes. It was approved to go forward with a grant application, which requires a 25% match from the City. It took until June of 2006 to hear that it was favorably accepted. The response had several errors in it, so it was resubmitted. Since several items are significantly different he is asking for the Commission to reapprove the resolution approving the application and expenditure of the match. Commissioner Kraus had a question about the funding source. The "other" funds would be the grant funds. Commissioner Collins asked what would happen to the sixty foot antenna. Chief Fant explained that it will be dismantled and taken down. This item will move forward to the meeting agenda for the February 20th meeting.

4. Treasure Island Causeway Road Tax

Mr. Fant gave a brief explanation of the concern regarding the road tax. There have been several inquiries about the billing of the road tax after the removal of the toll booth. There were agreements from the 1950's and 1960's that he located at the Clerk of the Court's office. All three agreements stated that in the event that the road becomes a toll-free causeway the agreements would be null and void. His suggestion is that we cease collecting the road tax, and he asked for direction on whether we return the money that has been collected since the removal of the toll. Commissioner Kraus does not feel that we are bound to eliminate the tax. He wants to ask St. Petersburg to take over the causeway, or get back the St. Pete Municipal Beach. Mr. Fant explained some of the history of the causeway pass. Commissioner Kraus stated that the toll is eliminated for the use of the bridge, but not the use of the road, and does not agree that the agreement should be void. Ms. Kiefer's opinion is that Mr. Kraus has a valid question, but the spirit and intent of the agreement is that if the causeway becomes a free road then the tax should be eliminated. Mr. Fant has read all of the agreements, and consulted with Ms. Kiefer. He couldn't find two of the agreements in our city records. He thought it was clear

cut. The people in Causeway Isles have contacted their Commission in St. Pete. We really don't have a true mechanism to collect the money. We can file liens on the properties if they don't pay, but it costs more to place the lien than the amount of the tax. We collect around \$5,000 per year. The budgeted amount is approximately \$6,000 per year. We have collected approximately \$9,000 since January of 2006, when the tolls were removed. Commissioner Collins asked how it was paid. A billing card is sent out from Finance. Commissioner Bildz asked if we had names and addresses for the people who have paid and would receive a refund. Mr. Fant stated that it would be a tedious task to accomplish. The first thing we need to discuss and come to a decision on is whether to stop collecting it. Mayor Maloof asked Ms. Kiefer's opinion. Ms. Kiefer stated that it is her opinion that the city should cease collection of this tax. She thinks that if someone challenged it in court they would be successful. It is the spirit and intent of the agreement. We all know that the whole point of getting the federal grant was to do away with tolls. We could be open to a discrimination suit if they are the only ones paying the fees. Commissioner Gayton stated that we should be thankful that the bridge is open, and it is more of a headache to continue to collect. He feels we should send them all a letter that says in 2007/2008 there will no longer be a bill. Commissioner Collins feels that we should not collect any more of the money, and if the owner has paid and wants a refund they should have to come in with a cancelled check and request a refund. He feels that it is a waste of time to pursue this. Mayor Maloof stated that she thinks the big picture is that we will want to go to St. Petersburg and ask them for some kind of cooperation, and the more amicable way is the smartest thing to do at this point. Commissioner Kraus stated that that has not worked in the past. Commissioner Bildz stated that we should look to the future. Mr. Fant stated that it was less than \$6,000 a year, and asked if it is worth fighting over. It will end up being a relief and a nuisance off our Finance Department. The neighborhood representative was very complimentary about the way the causeway has been maintained by Treasure Island. Mayor Maloof stated that the money that the City of St. Petersburg got from the Tax Increment Financing District benefits us here in Treasure Island as well. Supporting St. Petersburg was an appropriate decision. We use those services and venues that St. Petersburg has. Commissioner Bildz stated that with a cancelled check they should get a refund.

Mr. Fant asked that they approve ceasing the collection of the road tax immediately, and if they approve the refunding of the money collected since 2006 he be allowed to work with the Finance Department to work out the best way to handle it.

This item will move forward to the next meeting agenda.

5. Southwest Little League

Commissioner Kraus stated that he had spoken with a St. Pete Beach Commissioner yesterday and asked him if he would be interested in a reciprocity agreement with us, and he was in favor of it. Commissioner Collins spoke with Mike Bonfield about it, and he indicated that the Commission would be in favor of it. Mr. Fant asked that this item be placed on the next workshop for further review. An official letter will be written to St. Pete Beach.

6. Beach Concession Service

Mr. Fant gave a brief explanation of this item. A letter was received a few months ago from a man asking to be allowed to operate a concession at Sunset Beach. It was

suggested that if this service were to be approved it should go to bid like other similar concessions. There are two questions – whether you want to allow the concession, and if so, if it should go to bid. Commissioner Collins agrees with Mr. Fant. Mayor Maloof asked Commissioner Bildz if he had received comments in his district. Most of his comments were that the service was not necessary. He would be against it, but if the Commission voted to allow it he would agree that it go to bid. Mr. Fant stated that if we agree, then we should develop what we want and ask for vendors to meet our requirements. There have not been requests for chairs at Sunset Beach. Commissioner Kraus stated that we have Taylor Beach Rentals on the main part of the beach, and if the service were available people may want it. Mr. Fant stated that the difference was that Sunset Beach was a more residential area than the main part of the beach. Commissioner Kraus stated that the only two city facilities were located at Sunset Beach, and there is more parking there than at other areas of the beach. Mr. Fant stated that since there was parking available and it was a residential area most people bring those items with them. The rest of the beach has more tourists who don't bring those items. If you want to provide the service we could have staff work with Maura to develop some sort of agreement and requirements. Commissioner Collins asked if the man proposing the service was an established business. It is unclear whether he is or not. Other proposals have not been favorably received. By consensus, this item will not move forward.

II. OLD BUSINESS:

Commissioner Collins asked if the canine officer and/or the antique fire truck can be used at the Isle of Capri yard sale. Mr. Fant stated that the fire truck is not operable at this time. There is only one canine officer, and he is scheduled for midnight shifts this weekend. The police schedule would have to be redone in order to allow him to participate.

Commissioner Gayton asked for an update on the beach trail. There has been a response to Ralph's letter requesting that the NOAA money be reallocated for the beach trail received last week. They are asking for answers to four questions. The questions have been given to Lynn Rosetti and Don Hambidge for answers. If we need further assistance with that we will involve Phil Graham in the process. We will answer as best we can and then wait for another response.

Commissioner Gayton asked about the meeting this Friday. There must be a quorum of the Commission there. It is court ordered. Commissioner Gayton, Mayor Maloof, and Commissioner Collins agreed to attend. It will be held at 9:00 a.m. at the Harborview Center in Clearwater. Each community will have a table. The Interim City Manager will be in attendance, and the City Clerk will be there to take minutes on any local discussion that is held.

Commissioner Bildz asked if anyone had gotten a price on the empty lot that was offered to the City in December. Mr. Fant spoke with him last week. Mr. Loncarski stated that he would like to offer it to the city at a good price, and would think about it and get back to Mr. Fant when he's decided on the price.

III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:

Ms. Kiefer reported that she was in court today on the federal case. She is waiting for the judge's order. There are deadlines to comply with, and there are expert witnesses left.

She is still pushing to have no continuances. We are still on board. The last thing is that she filed a motion for the US District Judge Moody to return back to us the Code Enforcement Board action. The motion was granted, so we can get that going again. She will be working with our special master on that case.

Mr. Fant has put a draft letter in the Commissioners' boxes. It is the funding request letter. There are no new suggestions for funding. Commissioner Collins asked if they could be provided with the amount of grant money that Alcalde and Fay has obtained for the city. The Commission's consensus is that the letter is fine.

There are many projects that have been funded by the Penny for Pinellas fund. It is important for all residents to get out and vote to continue this program.

IV. REPORTS & COMMENTS BY COMMISSIONERS:

Commissioner Collins reminded everyone that the Isle of Capri yard sale is this Saturday. He reminded residents that it is against the code to sell food outside your house. People that live in condos or townhomes that are unable to sell in front of their house can rent a table at Roselli Park.

Commissioner Gayton announced that the Suncoast League of Cities will be meeting in Kenneth City on Saturday, February 17th.

Commissioner Kraus gave a reminder of this Saturday's beach cleanup.

Commissioner Kraus gave an update on the BIG-C meeting. There was a Penny for Pinellas program. Senator Jones distributed a proposed bill for hurricane preparedness and insurance. Nick Friche was there. There is a new Beach Facts brochure. These two items will be left with the City Clerk.

Commissioner Bildz urged people to check out the new plants that were planted on the beach last week. He thanked all the volunteers and the Beach Stewardship Committee. The Sunset Beach Civic Association held their annual Italian Night Spaghetti Dinner. It was the most successful ever.

Mayor Maloof reported on the appreciation dinner given by John Morroni, which honored Police and Fire personnel. The Fire Chief, Police Chief, and their wives attended.

The Mayor's Council met with the delegation. The big issues were taxes and insurance.

Mayor Maloof went to a reception for the constitutional officers at the Court House. They have compiled a book on the history of Pinellas County. She will leave the book in the Commission Office.

V. PUBLIC COMMENTS:

None

VI. ADJOURNMENT:

The meeting was adjourned by Mayor Maloof at 9:33 p.m.

Mary Maloof, Mayor

Phil Collins – District 1

Ed Gayton – District 2

Richard Kraus – District 3

Alan Bildz – District 4

ATTEST:

Dawn M. Foss, City Clerk