

CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING MINUTES
March 18, 2008
6:00 PM

The meeting was called to order at 6:03 p.m. by Mayor Maloof.

A. PLEDGE OF ALLEGIANCE: Led by Mayor Maloof

B. ROLL CALL:

Mayor Mary Maloof		Present
Commissioner Phil Collins	District 1	Present
Commissioner Ed Gayton	District 2	Present
Commissioner Bob Minning	District 3	Present
Commissioner Alan Bildz – Vice Mayor	District 4	Present

C. PUBLIC COMMENTS:

Dominique Reiter reported on activities for the Chamber of Commerce. The Ikebana event went very well. The silent auction for Ricky T was a success. They made enough money to purchase a defibulator for Treasure Bay. The Open Air Market now has 65 vendors. It has gone very well. There are two weeks left, and it will resume in January. Sun, Sand & Swing is coming along well. Tables can now be reserved.

Pam MacIntyre read an e-mail that she had sent to the Mayor and Commission. She expressed concern regarding the City Attorney. She stated that at first she only had a couple of people address her about this issue. She is having more people ask her about it. She feels that the Commission is condoning the situation by not taking action. Ms. MacIntyre asked to speak on a workshop agenda item. City Attorney Kiefer stated that agenda items are not to be addressed during the public comment section of the agenda.

Carol Coward made an announcement regarding the Easter Egg Hunt this Saturday at 10:00 a.m. at the Community Center. This is being sponsored by the Rotary Club.

Commissioners Gayton and Bildz stated that they felt that Ms. MacIntyre should be allowed to speak on a workshop item at this time. Ms. MacIntyre was invited back to the podium to make her comments. She stated that she hoped that the Downtown Redevelopment item did not involve another consultant.

Ms. Kiefer reminded the Commission that their rules do not allow public comment on agenda items during the Public Comments section of the meeting.

Noel Johnson offered congratulations to the two Commissioners that were re-elected. She commented that she does not think that they should support the fireworks. She feels the money could be put to better use. She is also concerned about the multi-family use of properties in certain areas of the city. Her neighbors are having events and leaving garbage on the sidewalk. There are currently ten people and a dog at that property now. They also brought a boat, boat trailer, and motorcycles. The property is being rented

illegally, as it is homesteaded property. This is a single family property being used as rental property. It is not being regulated by the owner.

D. INSTALLATION OF NEWLY ELECTED COMMISSIONERS: by City Clerk

District 2: Ed Gayton
District 4: Alan Bildz

Commissioners Gayton and Bildz were sworn in by the City Clerk.

E. APPROVAL OF MINUTES:

The minutes of the February 19, 2008 and March 4, 2008 meetings and workshops are available for approval. It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the minutes as corrected. Upon roll call, the vote to approve was unanimous.

F. ITEMS OF BUSINESS:

1. Motion- Acceptance of Election Canvassing Report

It was moved by Commissioner Minning and seconded by Commissioner Collins to accept the report of the Election Canvassing Board. The report was read by the City Clerk. Upon roll call, the vote to approve was unanimous.

2. Motion- Appointment of Vice-Mayor

Commissioner Minning stated that there has been considerable interest in the office. He stated that he is also interested in serving as Vice-Mayor.

Mayor Maloof stated that they have interest from Commissioners Collins, Bildz, and Minning. She asked what the Commission wanted to do.

Commissioner Gayton stated that it has been unspoken that they appoint a Vice-Mayor on a rotating basis. Commissioner Bildz has done a good job this year, as did Commissioner Collins when he served. He suggested that they continue on the rotating basis.

It was moved by Commissioner Gayton and seconded by Commissioner Minning to nominate Commissioner Minning as Vice-Mayor. Upon roll call, the vote to approve was unanimous.

3. Res. 08-23 Signature Authority

It was moved by Commissioner Bildz and seconded by Commissioner Gayton to approve the resolution as read, inserting Commissioner Minning's name as Vice-Mayor. Upon roll call the vote to approve was unanimous.

4. Res. 08-17 Final Plat Approval, Bella Casa Townhomes– 119 99th Avenue (Quasi-Judicial Hearing)

Staff was sworn in by City Attorney, Maura Kiefer.

City Planner, Lynn Rosetti, gave a presentation on this item. Ms. Rosetti gave the conditions of staff approval, and reported on the recommendations of the Planning & Zoning Board. Staff recommends the approval of the resolution subject to the recommendations of the Planning and Zoning board, with one exception. Staff recommends that the developer be required to pave and maintain the alley behind the property to reduce the costs to the City.

It was moved by Commissioner Collins and seconded by Commissioner Bildz to approve the resolution as read.

Commissioner Collins asked for some clarification on the drainage plan. Ms. Rosetti gave a brief explanation and stated that SWFMD has approved the plan. Commissioner Collins suggested that they be allowed to do the pavers and the condominium association be required to maintain the alley as a compromise. Commissioner Gayton stated that they were recommending that it be paved with asphalt, not pavers. Ms. Rosetti answered in the affirmative. Ms. Rosetti stated that it is not normally required of owners to maintain streets and alleys that abut their properties.

City Manager, Reid Silverboard, was sworn in by the City Attorney. Mr. Silverboard stated that it is difficult to make the owners responsible in the future. The simplest solution is to have the developers, and their expense, pave the alley. They are willing to do that. As some point they will need maintenance on the alley. Paving with asphalt is the easiest to maintain.

Commissioner Minning stated that he felt the permeable surface was the best solution. There are permeable asphalts that can be used. This would satisfy both the maintenance and the permeability issues.

Commissioner Gayton asked how much traffic this development would generate. Ms. Rosetti stated that it was six units, but the two end units would most likely use the alley. Commissioner Gayton asked about the Planning and Zoning Board vote on this item. It was unanimous that the alley be constructed with a permeable surface.

Commissioner Bildz stated that he would like to see it remain a sand surface. Asphalt requires maintenance also. He stated that if the P & Z Board recommends it, then they should go with their recommendation.

Commissioner Minning stated that their recommendation was for a permeable surface. There are many materials that can be used that would satisfy all concerned. This will not be a heavily trafficked road. A brief discussion ensued between Commissioners Minning and Bildz about the type of surface that should be used.

Mayor Maloof clarified that the developer would pay for the surface. Ms. Rosetti stated that it was not specified what the surface would be, and it would be subject to the approval of the Public Works Director. Ms. Kiefer read from the statute which states that the developer can be required to pay for the surfacing.

Commissioner Minning stated that he would like to incorporate the P&Z recommendation of a permeable surface, and also that the approval of the Public Works Director is

required. Mr. Silverboard stated that you needed to make clear what surface was acceptable. Commissioner Minning stated that he didn't want to give an opinion on the grade of the asphalt. He feels it should be subject to the approval of the DPW.

Commissioner Gayton stated that the P&Z recommended that it be shell. Mr. Silverboard stated that it only required that it be permeable.

Commissioner Minning made a motion to amend the resolution to require a hard permeable surface. The motion was seconded by Commissioner Gayton. Commissioner Bildz stated that he didn't want to limit it, and recommended it read permeable only. Commissioner Minning stated that his motion is for a hard permeable surface. Commissioner Gayton then withdrew his second of the motion.

Commissioner Collins asked questions regarding the different materials that could be used.

There being no second to Commissioner Minning's motion, it was moved by Commissioner Bildz to amend the motion to approve the motion subject to the Planning & Zoning Board's recommendations. The motion was seconded by Commissioner Gayton.

Upon roll call, the vote to approve was unanimous.

The public hearing was opened by Mayor Maloof. There were no public comments. The public hearing was closed by Mayor Maloof.

5. Ord. 07-14 Emergency Housing (Second Reading & Public Hearing)

It was moved by Commissioner Collins and seconded by Commissioner Bildz to approve the ordinance as read. The Public Hearing was opened by Mayor Maloof at 6:47 p.m. The Public Hearing was closed by Mayor Maloof at 6:48 p.m. Upon roll call, the vote to approve the ordinance was unanimous.

6. Res. 08-15 Appointment of a Library Board member

It was moved by Commissioner Minning and seconded by Commissioner Bildz to approve the resolution as read. Upon roll call the vote to approve was unanimous.

7. Res. 08-16 Appointment of a Code Enforcement Board member

It was moved by Commissioner Bildz and seconded by Commissioner Minning to approve the resolution as read. There was discussion about the term of the appointment for the full board member. Commissioner Bildz didn't feel that Mr. Watters' term should be shorter than the term that he is currently serving as alternate. It was explained that he was fulfilling a specific term that expired in 2009. Upon roll call the vote to approve was unanimous.

8. Res. 08-24 Mediation with the City of St. Petersburg on Wastewater Treatment pursuant to the requirements of F.S. Chapter 164

Mr. Silverboard explained that they were not being asked to approve this resolution tonight. This was left on the agenda so that they could discuss this. A meeting was held last week with representatives from St. Petersburg. It is agreed at the staff level that we will not come to agreement on the surcharge. There are other areas of the agreement that we can resolve. If we have to go to mediation or litigate we will only go on the issues that we are unable to come to an agreement on. It was felt by both sides that at this time asking the Commissioner to go to mediation isn't timely. They are asking that they not take action on this tonight. We will come back to the Commission with a resolution to institute the mediation process at the appropriate time.

Commissioner Bildz asked if they would need a motion to table this to a future meeting. Ms. Kiefer recommended that they put this back on a workshop agenda and allow them to report back with any new information. When those issues are refined the resolution would have more detail.

Commissioner Gayton stated that at the last meeting they asked for comments from Mr. Ori regarding the 4.5% increase, and asked if we had heard back from them. Ms. Kiefer stated that we have not heard back from him. Commissioner Gayton asked if he was under contract for \$10,000. Ms. Kiefer stated that there are two different portions of his contract. One was a rate study, and one was on the wholesale bulk rate. Commissioner Gayton asked if we had a contract, and why he had not provided the answers. He would like to have the answers to these questions within the next two weeks.

Commissioner Collins confirmed that Mr. Ori has had this for about five months. Mr. Silverboard stated that he was engaged to provide assistance to Ms. Kiefer on the bulk rate issue. We have been developing our strategy and the case, and there were a variety of issues that he was consulted on. We have used him for what we thought that we would use him for. In terms of a statement on the bulk rate, we really don't know if we have an issue with it, and don't want to spend a lot of money on it until we know that we need to. He has been answering questions as needed. He is waiting for us to give him further directions as to what we need from him. We are still building our case and exploring the parameters of what we have to look into, and whether the bulk rate is going to fit into this process. Commissioner Collins asked if it is unreasonable to ask for periodic updates. Ms. Kiefer stated that she didn't feel we should do that as we are contemplating litigation.

Commissioner Gayton asked if we had a signed contract with Mr. Ori. There are specific goals to meet in the unsigned copy that he has. Ms. Kiefer stated that we are using him, and he is only billing us for his actual time.

Commissioner Minning asked if it made sense to split the issues. Ms. Kiefer stated that it may come to that, and it was discussed to do that. We are trying to proceed in good faith. We are at the negotiation table and looking at everything.

G. ADJOURNMENT

The meeting was adjourned by Mayor Maloof at 7:07 p.m.