

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS MEETING MINUTES
September 3, 2008
6:00 PM**

The meeting was called to order at 6:00 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 – Vice Mayor	District 3	Present
Commissioner Alan Bildz	District 4	Present

Mayor Maloof gave an explanation of a new card system that we are trying that would allow residents to voice their support or opposition without having to speak.

C. PUBLIC COMMENTS:

Barbara Stayer spoke in support of the Veteran's Day Boat Parade and asked for Commission support for funding.

D. APPROVAL OF MINUTES:

The minutes of the workshop of August 5, 2008, and meeting and workshop of August 19, 2008 are available for approval.

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

E. BUDGET PUBLIC HEARING:

1. Consideration of Res. 08-87 Setting the Tentative Millage Rate (Public Hearing)

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

Mr. Silverboard suggested that the Commission take public comment regarding the library at this time, as the Commission's decision would have impact on the tentative millage rate.

Carmen (unable to read the last name) spoke in support of the library. She and her family use it and she requested that the Commission fund the library.

Lee Holmes, former Vice-Mayor of Redington Shores, spoke in support of the library. The cost per resident for the citizens of Treasure Island is approximately \$14. This provides the residents to access to all public libraries in Pinellas County. He requested that the Commission give funding the library their consideration. The loss of one community's support would have a detrimental affect on the whole.

Art Thomas, former Commissioner from Madeira Beach, spoke in favor of funding the library. He expressed his surprise that the Commission voted against funding the library. He researched how many children use the library. There are 276 students in Treasure Island. It would be putting a burden on the parents. His children and grandchildren are successful because of the library. If he were sitting on the Commission he would cut his own salary rather than cut the library.

Martha Boos, former Commissioner from Madeira Beach, spoke in favor of funding the library. She stated that she was an ex member of the library board before she became a Commissioner. The library is well used and very highly regarded. The Commission is making this decision in September, but there are property owners who are here in the winter. They pay taxes here and they are not here to protest this. This came out of the blue. She read about it in the newspaper. Her Commission didn't know anything about this. To do this now in September when budgets have been worked over for months, if they pull out now and endanger the funding they will not have friends to the north. They should have discussed this with the other cities.

Lynetta Hammell stated that she has a doctorate in Educational Leadership and has worked in schools for a great deal of time. The library is easy to use and has a particularly helpful staff. In America, one of the first things proposed were libraries. There are children in school that do not have access to computers other than at the library. This decision has to be based on some kind of value system, and she doesn't know what that value system is. She doesn't know what that system was. There are 5,000 people who have library cards here. That is a lot of people who use the library. Where do you want to invest? According to the newspaper you want to invest in the tennis courts and the recreational facilities. Maybe increasing the cost of playing tennis or golf would provide some of the funding for the library. Maybe Treasure Island should negotiate a more equitable payment for the library. In other communities the residents pay the \$100 and get partially reimbursed from their city. She doesn't have a sense that 5,000 are giving them \$100. That would take care of numerous problems. She thinks that the community is aware of a number of activities and programs that are offered there. This is a time in the life of a large number of people who are retired here and they now have the time to use the library. There may be some bitterness because Treasure Island pays more than the other communities. She offered her help to come up with another solution.

Dolores Hayney asked what non-essential items were being eliminated from the budget besides the library. We still have the tennis courts and the golf course. She read where the tennis courts are being refurbished for \$417,000. Couldn't we take some of the money from the tennis courts and shift it to the library? She wondered how many people who use the tennis courts and golf course are residents of Treasure Island. We have a summer recreation program for children. It is a nice program for children, but if you don't live here you can pay the difference. Are we

subsidizing other communities for day care? We are losing the pick up and delivery. The gasoline has gone sky high. We have people in the community who are housebound and can't get to the library. We have lost the trolley that goes to the pier. She asked them to reconsider funding the library.

Hugh Ruckdeschel stated that it was nice to see two former Madeira Beach Commissioners trying to get them to raise our taxes. He was a former St. Petersburg Commissioner. He asked them why they didn't put more into the library while they were in office. He has not been in favor of the library for a long time. He read excerpts from the library budget. After the Commission voted to fund the library last year he joined the library. After he joined he asked if they would tell him a few residents around him so that they could carpool. He is definitely opposed to funding anything for the library. The lady asked what they were cutting that was non-essential. What they need is a police officer and a boat. He doesn't know who owns the building. Who tells them how much their pay is? He drove through Madeira Beach. They have a bigger business district than us, and more condos. Indian Rocks and Indian Shores have more buildings. Why are we paying more than they are? He again asked the former Commissioners why they didn't pay more. He is totally opposed to it. He will not believe that there are 5,000 people with library cards. If he sees a list signed by every person in Treasure Island then he might believe that figure. As far as us increasing our taxes to pick up this library, we better increase our taxes to pay for a police officer and our bridge. They voted it down before. He hopes that they don't vote for it, because he might run against one of you.

Carol Malkin stated that she uses the library regularly. She doesn't use it for research work, but she borrows books all the time. She feels like her liberty is taken away from her. If Treasure Island would subsidize some of it she could afford the \$25. She feels sorry for the little kids that use the library. She doesn't feel that the Little League should be penalized for using Roselli Field, and she doesn't feel that they should hang Tony Amico.

Don McGarigle stated that he has noticed the number of kids. Since he has been on Paradise Island there are many more kids in the neighborhood. His grandchildren go to the library at least twice a month. The library is a core service that a town should provide. We have good garbage collection, good police and fire protection, and clean streets. Libraries and the services that they offer should be blended in with those other services. He noticed in the Beach Beacon that they were saying something about the amount of revenue. It seems that from 2001 to the present that Treasure Island's revenue has increased a great deal. He hopes that we can come up with enough money to fund the library.

Robert Fedor spoke in support of funding the library. This is not the Madeira Beach Library. This is the Gulf Beaches Library. What you need to do is look at the larger issue. If that library was across the street you would be asking the other communities to support it. The funds that were shifted from libraries at the state level are the direct cause of this issue. If you require the citizens to pay that \$100 they should spread it out among all the citizens. He urged the Commission to have the courage to fund the library.

Andi Ames stated that she has used the library almost three times a week since she moved here. In the past year she has lost her good paying job, so the \$100 fee would be difficult for her. Her entertainment is the library. She can watch tapes and read books. She asked what services have been increased. She doesn't have children so doesn't participate in all the community experiences. It is unconscionable to not have a library. She has never lived in a place without a library. We have a bad economy. She doesn't think the budget of the library couldn't be explained if people took the time to do it. Membership in the library is probably a public record and they could get the information. If you divide it out over the 5,000 people it is \$20 per person to belong to the library. It is inconsequential. Our library is worth all the effort. She asked them to reconsider.

Janie Hermann stated that in the past five years alone her taxes have gone up 155%. She read Mr. Silverboard's statements regarding the millage rate. She read excerpts from his statement. She has a library card, and does not support funding the library. We are in a recession and things are going poorly. We are out of money and must cut programs. We must make sacrifices. She is not looking for the same services for less money. She understands that they must make cuts. The community can no longer support the extreme tax increases that we have. It is not pleasant to give these things up. She is in favor of a user tax system. If she wants to use a service she will pay for it. That is what we have to do here in Treasure Island. That is the point that we have to be at now. She urged the Commission to take an extreme look at the budget and cut items out. It is not pleasant, but it must be done. This is not down the road, it is now. There are things they will have to be extreme about.

James Goostree spoke with his tenants about whether they use the library. None of them do. This is Treasure Island, not Madeira Beach or Redington Shores. For them to waste the people's time while we are sitting here is insulting. He thinks the library is a beautiful thing, but if you want to use it then you should pay to use the library. It is a matter of economics. The City of Treasure Island can no longer just give things away. We have to run this city like a business. His taxes last year were \$17,900. He doesn't know how many people here want free services. He started out here paying \$3,600. The library is part of the reason that he is now paying \$17,900. If you want the services pay for it. If these people want the library, let them volunteer. Many of these people here tonight are retired. If they are there anyway they might as well volunteer a little. The Commission should address this now.

Mayor Maloof then asked for further comment on the millage rate. There being none she closed the public hearing at 6:50.

Commissioner Gayton stated that there are two problems here – a money issue, and a legal issue. We have several different contracts. When we started back in July of last year we talked about the new contract. At our July 17th meeting we had a contract attached to our agenda. We have been trying to determine which contract we have signed. One of the conditions in the contract that we approved was that it was contingent upon funding each year. When we went to the Director of the library we asked for information about how many people were members. Reid wrote several letters and got no response. All of a sudden the letter came out that there were 5,000 people who were members of the library. Reid has asked for some sort

of proof that this is true. We really don't know how many people belong to the library. This is something that we have to take into consideration when we are cutting. Going back to the contract that was signed by our Mayor on May 22, 2007, it does not have that provision for the City of Treasure Island to opt out. He is sure that because of the situation with the library they probably will not be able to operate unless they get funding somewhere else, they will probably take action against the City of Treasure Island. We have asked the Director to give us a signed contract. He asked the City Attorney if we had a legal right to opt out. If we are going to get involved in lawsuits, then that is something that we don't want to do.

Mayor Maloof stated that that contract was signed when she went to a meeting of all participants. It was not brought to the Commission for approval, so is not valid. Mr. Silverboard stated that the May 22nd contract was not signed by all parties. When that contract was brought back to Madeira Beach their attorney advised them that it was not a legal contract. At that point they adopted a second contract that was identical to the one that this city approved. Mayor Shontz signed that contract last week. We have been asking Jan Horah for a fully executed contract. We have gotten neither. We have gotten a faxed contract that was signed by some of the parties on May 22nd. We have not gotten a signed contract of the version that this city, and the City of Madeira Beach approved. That version was supposed to be circulated among all the communities for signature, and that was not done. Commissioner Gayton asked if Jan Horah had been invited here. Mr. Silverboard stated that he has spoken with her and she says that there are no other versions of the contract. The contract that the Madeira Beach Mayor signed last week has the opt out condition. It further clarifies the 180 day provision. It does not apply to the funding provision. How would we know six months ahead that we would have the funding? Further, there is a service agreement that is approved on an annual basis which establishes the funding each year. We have not received a service agreement for this upcoming year. Mayor Maloof stated that the 5,000 figure probably came from the Pinellas County board. Those are probably names that have been on the books since the Pinellas County Library system was incorporated. Mr. Silverboard stated that Jan Horah told him that those names are from cards that have Treasure Island as their residence. She was not able to tell him if that was per family or address, or each person. Commissioner Gayton stated that it was important for the members of the Gulf Beach Library Cooperative to know that we have been after information for at least three months and have been given no cooperation. This is a tough year and we need the information to make a decision, and we are not getting it. Mr. Silverboard stated that she told us last year that she could tell us how many cards have a T.I. address, but no information as to how current that is, if they are still residents, or anything else. We were just given circulation information yesterday. Mayor Maloof pointed out that Treasure Island gives the largest amount of funding for the library. When the biggest chunk of support is withdrawn that affects the other communities, and that is why they are here to ask us not to come out. Commissioner Collins stated that he enjoys the library, and would love to see Treasure Island stay in the library, but there is a question of accountability here. He feels that we are doing our community a disservice by buying something that we don't know how many people will enjoy. He doesn't feel that the figures are accurate. If they are, it is \$21.40 per person. If we go ahead and fund the library it will raise each parcel's taxes by about \$21. The bottom line is, we are responsible to be accountable to the residents of Treasure Island. In order to do that the library has

to be accountable to tell us how many people enjoy the library. He would hate to see us not fund it, but it boils down to accountability.

Mayor Maloof stated that it doesn't mean that all those cardholders are using the Madeira Beach branch. Commissioner Collins stated that we need to know what it is we are paying for. If you go to the store and buy a box of cookies you know how many cookies are in there, and it is important to know that we need to know how many people use the library.

Commissioner Minning stated that he has two children that use the library. What came out in the newspaper is that we are looking for this to be a user based system. He agrees with Commissioner Collins about accountability. Not one person that got up here tonight said that they would be willing to pay more in taxes to support the library. He has gotten a number of calls and e-mails who have voiced their opinion opposed to funding who feel that it should be a user based approach. We are sitting here in front of you trying to make a decision that is the best for the citizens and the residents. It is not easy. He is still yet to hear from anyone with a suggestion as to how they could come up with the money for the library.

Commissioner Bildz stated that he saw this on Fox 13 news. The Director of the library stated on TV that they have enough in reserves to stay open for another year. That may give us time to come up with real answers. They need to study their budget, like we are. We have to cut our budget and they probably have to as well. Our biggest problem is the bridge. We are never going to recover from the loss of the tolls. It is a tough call. Everybody likes the library, but \$107,000 is a lot of money and he thinks they should cut it.

Ms. Kiefer stated that the agreement that was approved in July of 2007 is governed by the State law for interlocal agreements. A fully executed contract is supposed to be on file with the Clerk of the Circuit Court. If the Commission did not approve of the contract by resolution it is not valid. What we have is an expired service agreement, so the terms are up for negotiation. Mayor Maloof stated that she was called to the library to sign the new contract. Ms. Kiefer stated that the new one is not exactly what they approved. They are entitled to know what has been executed, and they have not executed a new service agreement, therefore they are not obligated to go forward with a new one.

Commissioner Gayton asked what happened if residents went to St. Pete Beach and purchased a card. Mr. Silverboard stated that St. Pete Beach library would get the revenue. Commissioner Gayton asked Mr. Silverboard to explain what they had received today. Mr. Silverboard read the e-mail that was sent to him by Jan Horah.

Ms. Sherman, the Children's Librarian at Gulf Beaches explained that the library card was swiped when materials were checked out. They are still learning to use the software. The 5,000 number is an old one. The number for the past three years for Treasure Island is 2,502. Commissioner Collins stated that it would be \$42.80 per card holder. He then asked if it was correct that the library had the funding to operate for another year. She stated that they would have to dip into their endowment. The city is paying for tennis courts. Commissioner Collins stated that they are not spending money on tennis courts, and the summer program is funded

by the people who use it. Ms. Sherman stated that the people who have to pay for the card are the people who can afford to pay for it the least. These are the people who cannot afford to spend \$100 to buy a library card. Commissioner Bildz stated that this was like the public transportation that we had to cut out in the past. Sometimes we have to make these decisions.

Mayor Maloof stated that we have had the public hearing, and now we have to proceed with the motion according to the Department of Revenue. Mr. Silverboard stated that the millage rate would be 2.5775 to fund the library. This would reduce the fund balance to approximately 15%. Mayor Maloof stated that in order to fund the library we would have to amend that resolution. Commissioner Bildz stated that we are in different times now. When we are talking about tax increases of 150% over a few years we cannot pay for this. Maybe if things are better next year we could join again, or subsidize part of it. Ms. Kiefer read the resolution again.

Upon roll call the vote to approve the resolution as read was 4-1 with Mayor Maloof being the dissenting vote. Mayor Maloof read a statement as required by law regarding the millage rate. The tentative millage rate is 2.4999.

2. Consideration of Ord. 08-12 Budget and Appropriations (First Reading & Public Hearing)

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

Commissioner Gayton stated that last week they passed three utility tax increases by a 3-2 margin. He voted against all three of those taxes. Because those tax increases are included in this budget he will not be voting in favor of the budget.

Commissioner Collins asked for Mr. Silverboard to explain the increases. Mr. Silverboard stated that one of the funding sources for municipalities is a Communication Services tax which is a tax on telecommunication service providers. Treasure Island has charged 2.32% since the early 90's. We are allowed, by State statute, to charge up to 5.2%. State law allows us to charge up to 10% for water and a portion of the electric bill, as well as several forms of gas. It excludes several portions of the electric bill. The City of Treasure Island was charging 6% and we increased the rate to 10% on water and electricity. One of the reasons is that we have looked at the survey that is prepared each year by the Town of Bellair. We are the only city in Pinellas County with a full service Police and Fire Department that doesn't charge the maximums allowed. There are a couple of small cities that do not charge the full rates, but they are not full service cities. We have among the lowest millage rates of any full service community in Pinellas County. Commissioner Gayton clarified that we are increasing our rate from 6% to 10%. Progress Energy collects the money and sends it back to the city. We are increasing the water utility 57%. The City is receiving 100% benefit of the three increases in the taxes. Commissioner Collins asked what the city did with the money received. Mr. Silverboard stated that it is used to fund the General Fund expenses. It is a revenue in the General Fund. Commissioner Collins asked what condition the General Fund would be in without those taxes. Mr. Silverboard stated that our fund balance would decrease by \$300,000. It would bring our fund balance down to about a million

dollars. We would be broke in about three years. Commissioner Gayton stated that everyone has seen that Progress Energy is trying to get a 31% rate increase. Besides the rates here, we pay a 6% franchise fee that the residents pay. This money goes into the General Fund. If Progress Energy gets the rate increase there will be additional franchise fees and utility taxes that we would receive. Commissioner Collins asked if Commissioner Gayton's figures were correct. Mr. Silverboard reviewed the figures with Commissioner Gayton. Commissioner Gayton stated that he doesn't think that it is necessary to increase taxes when we have a fund balance. Commissioner Collins stated that he is concerned when he hears that we could be broke in two years. Mr. Silverboard stated that if we don't pass this budget, including those taxes, we would be using \$364,000 out of fund balance instead of \$64,000. Commissioner Gayton stated that he was expressing his opinion that he is not voting for it. Commissioner Minning asked Commissioner Gayton if it is his intention that the difference comes out of fund balance. Commissioner Gayton stated that there is a combination of a lot of things that we could do. The budget process is over. He is not voting for it because of these taxes. Commissioner Minning stated that all of us would be in favor of \$300,000 less in the budget and taxes if we had a clear cut idea of where the money would be. Commissioner Gayton stated that one of his suggestions was to sell the Causeway House. If they want to go over the entire budget he can do it. It is an unnecessary tax at this time. Commissioner Bildz stated that this tax is passed. It is part of the budget. Commissioner Gayton stated that this is more of a burden to the people that we are trying to help because they will see it on a month to month basis. Everyone did a fantastic job in getting the millage down. We are in a recession, and people don't want to pay \$20 for a library, and now they will be having a \$20 increase in their electric bill because of taxes. Wait until the shock hits. Mayor Maloof stated that the shock has hit us, and that is why we are doing these things. Commissioner Bildz stated that it will hit them when they open their first electric bill.

Mayor Maloof opened the public hearing at 7:50 p.m.

Hugh Ruckdeschel stated that franchise fees are the most obnoxious and out of date fees that they can have. You make easements on our properties and then charge them a franchise fee which they collect from us. These utilities are allowed to make a profit. Have you ever stopped to think that there will be people like me that will put up solar panels and tell them to get the lines off my properties? With a cell phone, why do I have to pay a franchise fee for the telephone. If you need the money let us see it. He cannot declare franchise fees as a tax deductible item, but he can declare property tax. Let's do something a little more sensible. If you raise the taxes he understands that, but the utility fees, franchise fees, and others are ridiculous. He doesn't like the idea that they are taxing his five feet of setback with a franchise fee, not allowing him to use it, but allowing Progress Energy to use it. They are not doing maintenance on their equipment. All these rate increases are killing us, but you have to get to the point where you are spending the money more wisely. If you need another \$500,000 it would be better to put it on the taxes.

Mayor Maloof stated that we all wish that the Legislature would get the property tax structure straightened out. This is a result of what they have done, and what they refuse to do in Tallahassee.

The public hearing was closed at 7:55 p.m. by Mayor Maloof. Upon roll call the vote to approve was 4-1 with Commissioner Gayton being the dissenting vote.

F. ITEMS OF BUSINESS:

3. Consideration of Ord. 08-06, Amending the Sunset Beach Swim Zone (Second Reading & Public Hearing)

It was moved by Commissioner Bildz and seconded by Commissioner Gayton to approve the ordinance as read.

Mr. Silverboard pointed out that the Commission had asked for the section on non-motorized vessels to be clarified. He gave a brief explanation on the change.

The public hearing was opened at 8:00 p.m.

Janie Hermann stated that she wasn't certain what the reading was, and asked for it to be described, using points of reference that the community would know. She wants to anchor her boat on Sunset Beach. She stated that she has not seen people out of line there. It is an open beach. There are swim zones there and everyone knows where they are. Mr. Silverboard explained the swim zone that the ordinance creates. Ms. Hermann commented that 200 feet was a narrow area to have boats coming and going, in reference to the reduced swim zone to the north of Caddy's. She suggested that they consider that, and that it is a multi-use area and not just one person who bought beachfront property.

James Goostree stated that he is a boater as well, and likes to access the beach areas. 200 feet wide is a little narrow for that area. He has no problem with the swim zone, but doesn't want to create an issue where people are getting tied up with their anchors. He suggested a little more leeway on the 200 feet.

Commissioner Gayton commented that we looked at different widths. We will revisit this in six months, and if there are problems they will make adjustments.

The public hearing was closed at 8:05 p.m.

Upon roll call the vote to approve was unanimous.

The Mayor called a ten minute recess at 8:06 p.m. The meeting was reconvened at 8:22 p.m.

4. Consideration of Ord. 08-04, Establishing the Sunset Beach Parking District (First Reading)

It was moved by Commissioner Bildz and seconded by Commissioner Gayton to approve the ordinance as read.

Mr. Silverboard stated that he left a sentence out that needs to be inserted. He will insert the hours that parking will be restricted. This will be corrected for the 2nd reading.

Mayor Maloof commented that in Pass-A-Grill it is only the evening hours that are restricted. Commissioner Bildz stated that when the survey went out the majority wanted restrictions from 8 a.m. to 8 p.m.

Commissioner Collins stated that he is in favor of Sunset Beach having parking permits, but doesn't feel that Sunset Beach is a gated community. He feels that the permits should be available to any resident on Treasure Island. He doesn't think there will be an influx of people from all over the city purchasing parking permits. He feels it is doing a disservice to the rest of the residents of the city to restrict their ability to buy a pass. Commissioner Bildz stated that any resident can buy the pass that allows them to park free in metered spaces, and Sunset Beach has the most metered parking in the city. Commissioner Collins stated that he realizes that, but still feels that they should be open to any resident. Commissioner Bildz stated that he would rather pass this as is, and if they find there is a lot of available space they could open it up to others. Mayor Maloof stated that she got an e-mail from an upset resident who felt excluded by this. Commissioner Collins stated that he wants to see it go through, but he can't vote for it with it excluding the rest of Treasure Island taxpayers.

Ms. Kiefer asked to comment for the record. It is her opinion that there could be a severe legal challenge, because opening it up to all is not related to the issues of relieving congestion and improving the quality of life for the residents in the area. Commissioner Gayton read an excerpt from another case and asked if it was relevant. He felt that it might open it up to challenge by non-residents. Ms. Kiefer stated that she did not feel that it would. Commissioner Gayton stated that he is voting for this ordinance because of the safety issues. Commissioner Collins commented that it would still be a safety issue regardless of whether it was Sunset Beach residents parking there, or residents from other neighborhoods. Commissioner Bildz stated that the residents are not going to park in such a way that emergency vehicles cannot get through. Non-residents are there to enjoy the beach for the day and aren't going to care about that. Residents know that on garbage day they can't park on the streets. They will know that they can't park in such a way that emergency vehicles can't get through. Commissioner Collins stated that we are all residents of the same community. Commissioner Bildz stated again that there are more metered spots there than anywhere in the city.

Commissioner Minning stated that he hopes the residents will remember the reason for this is the safety issue and will park accordingly. He agrees with Commissioner Collins, but feels that residents from other neighborhoods are there for the beach and can park in the parking lots.

Fred Stern stated that there are 7 meters across the street from KaTiki. There are not more meters in the area where the two businesses are. He is concerned about restraining trade here. He lives in Isle of Palms, but owns property on Sunset Beach. Can he buy a pass to park there? The ordinance states that he can not. He feels that they are opening up a can of worms here. He has spoken to a trolley driver. There is nobody riding the trolley in Treasure Island. You are telling the public that we don't want you on Sunset Beach. Nobody from anywhere will be able to come to Sunset Beach. You have issues about dollars and cents, and it makes no sense

what you're doing here. We don't have a problem with parking on Sunset Beach. What if an emergency vehicle can't get through on 8:03 p.m.? People have always been able to get down the streets. If they want to do something on Sunset Beach, get rid of the indigents living in the Sunset Vista Park. They are living under the grape leaves in front of the parking lot. Put some toilet paper in the pavilion. Keep the beach access cleared of vehicles. The garbage cans are overflowing. You can do a lot aside from telling the public that you don't want them on Sunset Beach. You are singling out my business and Tony Amico's business. We will see about the constitutionality of this. You need to start running this city like a business. There have to be other ways to generate income. This is not the shock – this is the aftershock.

Kim Driscoll stated that they love the businesses in Sunset Beach. This is not about the businesses. It is not up to the residents to provide parking for the businesses. It is up to the businesses to provide their own parking. The people that are parking on her streets are not using the businesses; they are going to the beach. There is a safety issue here. We don't want to hurt our tourism or businesses. She agrees with Fred as far as the Sunset Vista Park. She went there the other day and was afraid because of the people there. She suggested that they bulldoze the park and make it a parking lot. She doesn't think the Civic Association should be asked to pay for the signage. There are County Gas Tax funds of \$72,000 to cover signage for the area. Why not use some of that money to pay for the signage. She hopes they pass the ordinance.

Commissioner Collins asked Mr. Silverboard to explain how the signage would be paid for. Mr. Silverboard stated that the \$15 fee per vehicle would cover all the expenses of the parking district.

Upon roll call the vote to approve was 4-1 with Commissioner Collins being the dissenting vote.

5. Consideration of Ord. 08-11, Revision of Parking Fines (First Reading)

It was moved by Commissioner Bildz and seconded by Commissioner Gayton to approve the ordinance as read.

Commissioner Gayton asked for clarification on the amount of revenue. It is \$30 per ticket, as the County keeps \$10 for each ticket. He has spoken with Ms. Kiefer about the surcharge, and has a difference of opinion from her. He has received a list of fees from the Clerk of the Court. Largo charges \$35. He was told that the Cities have the power to collect whatever they want for a parking fee, and the County will not charge a surcharge. He asked that they let this go for another meeting and have Ms. Kiefer do some research. We could charge a certain amount for parking meters, and a different amount for parking in restricted areas. He would rather look at each individual infraction and decide what it should be. Ms. Kiefer stated that a municipality has home rule powers as long as it is not pre-empted by the State. The State law changed on July 1st. She is fairly confident that the issue of parking fines has been pre-empted by the State. The second issue raised is the issue of the surcharge. We are having a huge dispute right now with the Clerk of the Court. We have hired a firm to do collections. The City of St. Petersburg has drafted proposed

legislation to allow other entities to collect these fines. She doesn't know that they can refuse to collect a surcharge. The judge can't even waive the surcharge when someone contests a ticket. She needs to do more research on this. She will look into this and report back.

Commissioner Gayton asked that they not go forward with this ordinance until they get clarification. Mr. Silverboard suggested that they continue this item until the next meeting. Commissioner Gayton will provide everyone with a list of the offenses and the fines charged by other cities.

6. Consideration of Res. 08-79, Approval of Turtle Fest

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

Commissioner Bildz asked if Treasure Island should appear on the poster. Commissioner Collins agreed.

Ms. Reiter stated that they would change the poster.

Upon roll call the vote to approve was unanimous.

7. Consideration of Motion – Accepting Donation to Recreation Department Children's Programs

Mayor Maloof corrected the report stating that the donation was not in memory of Mrs., Sembler, but in honor of her birthday, which was 08-08-08.

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

8. Consideration of Res. 08-85, Ratifying the Labor Contract Between the PBA and City of Treasure Island

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

Commissioner Bildz commented that this contract includes the same 4% increase that the rest of the employees are going to receive. If the additional taxes were not passed then the increase might have been an item that they would have to cut.

Upon roll call the vote to approve was unanimous.

9. Consideration of Res. 08-89, Extension of Engagement of City's Audit Firm

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

Commissioner Bildz asked if the option years should be one at a time. Mr. Silverboard stated that they can be one or more years. Commissioner Gayton stated

that he would prefer to extend one year at a time to see how they work with the new Finance Director. Commissioner Bildz stated that they didn't notify us when they were here at our meetings. Commissioner Minning reminded everyone that the increase was a one time expenditure. Commissioner Gayton stated that they should have told us if they were having problems, and prefers to go with one year and let them know that we are watching them.

It was moved by Commissioner Bildz to amend the resolution to make it a one year extension. It was seconded by Commissioner Gayton. Upon roll call the vote to approve the amendment was unanimous.

Mr. Silverboard introduced Jim Keranen, the new Finance Director.

Upon roll call the vote to approve the resolution as amended was unanimous.

10. Consideration of Res. 08-80, Adjustment of Recreation Fees

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

11. Consideration of Res. 08-77, Adjustment of Planning & Zoning Fees

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

Commissioner Collins commented that he felt that a lot of the fees were high, and it was unfortunate that we have to do it. Commissioner Bildz stated that they were not raising a lot of them.

Upon roll call the vote to approve was unanimous.

12. Consideration of Res. 08-82, Setting of City Clerk's Salary

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

Commissioner Bildz commented that this was one area that could have been cut, but the increase should be across the board.

Upon roll call the vote to approve was unanimous.

G. ADJOURNMENT

The meeting was adjourned at 9:15 p.m. by Mayor Maloof.

Mary Maloof, Mayor

Phil Collins – District 1

Ed Gayton – District 2

Bob Minning – District 3

Alan Bildz – District 4

ATTEST:

Dawn M. Foss, City Clerk