

**CITY OF TREASURE ISLAND, FLORIDA  
BOARD OF COMMISSIONERS WORKSHOP MINUTES  
October 21, 2008**

The workshop was called to order at 7:18 p.m. by Mayor Maloof.

**I. DISCUSSION ITEMS:**

1. Consideration of Res. 08-104, Lien Abatement, 10800 Gulf Blvd.

Mr. Silverboard stated that Al Cowan was here to represent the owners of the property. This is the old Buccaneer property. There was a lien of \$30,500 on the property from the prior owner. The prior owner had previously made a request to the Commission to forgive the lien. They were supposed to come back with ownership information, but we never heard from them again. The property has been sold, and Mr. Cowan is here to represent the new owners.

Mr. Cowen stated that the new owners took title to the property in December, 2007. They are offering to pay \$15,000, and the check has already been provided to the City. They have been a good steward to the property, and will continue to do so.

Commissioner Collins asked if they took possession of the property knowing about the lien. Mr. Cowen answered in the affirmative. Commissioner Collins asked that if they knew about the lien, what was their basis in asking for the lien to be reduced? Mr. Cowen stated that it was a deed in lieu of foreclosure. There was no money – it was a bankrupt entity.

Commissioner Gayton asked what Mr. Cowen's relationship was with the new owners. Mr. Cowen stated that he was the Director of Development and the authorized agent to represent the owners, and hopefully to develop the property. Commissioner Gayton asked if there was a letter on file stating that. Ms. Kiefer stated that it could be provided. Mr. Cowen stated that it could be provided tomorrow.

Commissioner Bildz asked what the time line was for developing the property. Mr. Cowen stated that it would depend on the market conditions. Commissioner Bildz stated that they bought the property knowing about the lien, and they were asking for it to be cut in half. It is a give and take situation, so they would like to see the property developed soon.

Commissioner Gayton stated that since the new owners took over they have kept the property in immaculate condition. He knows that they bought it knowing about the lien. He thinks the \$15,000 is acceptable to him. It is money in the bank, and something that we could use for other areas of code enforcement.

Commissioner Bildz stated that the bottom line was that this is a fine for tall grass and weeds, and this is a lot of money for that. Commissioner Minning stated that he agrees with Commissioner Gayton.

Mayor Maloof stated that this will move forward to the next meeting, and that they look forward to seeing the property developed.

2. Consideration of Res. 08-101, Kiwanis Club Mardi Gras Event

Kathleen McDowel spoke representing the Kiwanis Club of Gulf Beaches. She explained that they have created a ball field in St. Petersburg for children with special needs. They want to hold a function to help raise funds for this project. The Mardi Gras event is an all charity event. They are hoping to also work with the Tampa Bay Beaches Chamber of Commerce, and are offering to allow any non-profit organization to participate in their event on the beach to raise money for their organizations. She explained the various activities that they are proposing.

Commissioner Collins stated that this started a number of months back when he thought about having a Labor Day event on the beach. He spoke with Mr. Eddy Lee about an event. He is very much in favor of this and thinks it is a great event that the Kiwanis Club could do every February. It is good for Treasure Island and for the many charities that they raise money for. There are several things that have come up from the City Manager's conversations with the department heads. The Kiwanis Club will be absorbing all of the costs for the event. He asked if Chief Casey was suggesting five additional officers, and stated that the cost of providing the additional officers was going to be a deal breaker for Mr. Lee. Chief Casey stated that their proposal was only \$120 more for them to handle the entire event. Their services would include both runs, which the Sheriff's Department proposal did not. Ms. McDowel stated that she thinks that it is fair, and the Club would rather have Treasure Island there. Commissioner Collins then asked about the use of the Community Center, and that Mr. Lee would like for it to be free. Mr. Silverboard stated that we have a reduced rate for non-profits, and if we provide it free to one organization we would have to provide it free to all non-profits.

Commissioner Gayton asked if the Club has seen the resolution, and whether they agreed to the proposals in the resolution. Ms. McDowel stated that she does not see anything that is not do-able. She understands what the costs are for and has no problem with them. Commissioner Gayton asked if Mr. Lee would say that this resolution was a deal breaker. Ms. McDowel stated that he would not. Commissioner Gayton stated that they should understand that when they are having events on the beach at night there is limited electricity out there. Cathy Hayduke explained that they can run extra conduit, and suggested that they encourage their vendors to bring out their own generators. She has spoken to an electrician, and he made some suggestions on how to avoid some of the problems that they have had in the past. Commissioner Gayton stated that he feels this is going to be a great event, and he is glad that someone has finally come forward to make some decisions. Ms. McDowel stated that they have hired someone to do the arts and crafts and food vendors on the beach, and she will make sure that they have the generators that they need. Commissioner Gayton stated that it sounds like a fantastic event and he is looking forward to it.

Commissioner Minning agreed with Commissioner Gayton and stated that he felt that the Treasure Island Chamber of Commerce would be interested in participating.

This item will move forward to the next meeting agenda.

3. Consideration of Res. 08-100, Library Card Reimbursement

Mr. Silverboard stated that based on his understanding of Commissioner Collins' proposal and anticipating any problems that they might run into he has come up with a resolution to address this issue. It limits the funding to \$57,300, and if the amount is expended then the Commission would have to appropriate more funds if they wanted to continue the program. He explained the terms of the reimbursement, and that the money would come out of a general fund appropriation that would come later in the year. This is for this year only. If the Commission chooses to continue it after this year they would have to make an appropriation in next year's budget.

Commissioner Collins stated that he based it on their count of 3,600 people and dividing it by the average of a family. He asked why Mr. Silverboard changed his formula. Mr. Silverboard explained that in Commissioner Collins' proposal he recommended spending \$57,300, so that is the figure that he used. Commissioner Collins stated that his verification process was slightly different also.

Mayor Maloof stated that she had spoken with Jody Armstrong, the Mayor of Redington Shores. Mayor Armstrong has said that the library board is cutting the library hours down from 53 hours per week to 40 hours per week, and then will be presenting a new budget. Also, Dominique Reiter from the Chamber has agreed to accept donations towards the library funding until October 31<sup>st</sup>.

Commissioner Minning stated that we have tried many times to obtain information from the Gulf Beaches Library to assist in making our decisions. He has continued to try up until today to get this information. None of the e-mails have been responded to, and none of the information has been forthcoming. That response falls in line with what has been written up in the Beacon regarding what Madeira Beach has been experiencing as well. He has been approached by several people stating that they thought that people should be able to be reimbursed for purchasing cards at any library branch. Commissioner Collins stated that as members of the BIG-C we work in partnership with the five communities that also belong to the library. He would like to support the Gulf Beaches Library because it shows willingness on Treasure Island's part to work with them. It is no more an inconvenience to purchase a card in Madeira Beach than it is to purchase it at any other branch. Commissioner Bildz stated that he cannot support the resolution as written for the same reasons that Commissioner Minning stated. It may not be an inconvenience if you live in Capri, but could be if you live at Sunset Beach. The idea is to support the library, and reimbursement is the way to go. You should be able to go to whatever library that you go to. To support the Madeira Beach Library, when we have asked repeatedly for information that was not forthcoming, is not the way to go. He also feels that the \$57,000 is too much. He would like to start with \$25,000 and see if we need to change it in the future. He suggested that we limit it to \$25,000 and allow them to purchase their library card at any library. Commissioner Gayton stated that he agrees with Commissioner Collins that we should be supporting the Gulf Beaches Library. The other libraries have the money in their budgets. The Gulf Beach Library needs the money. It bothers him too that one person would not give us the information, but he

thinks we should support the Gulf Beach Library. Commissioner Bildz stated that at budget time we decided not to support the Gulf Beach Library, and a lot of the reason was that we couldn't get the information out of them. We should support our taxpayers, not the Gulf Beach Library. Commissioner Collins stated that he wants to support the other BIG-C communities by funding the library. We want their support in other projects and we should support them in this. It is a one time trip to the library. Mayor Maloof stated that she agrees with Commissioner Collins and Commissioner Gayton. She hopes that the library board can examine where the problem is and address it. She has received comments about the library staff there having an attitude, but they are probably upset with us for not receiving our payment. She supports purchasing the cards there. We are the only library in the county that is not funded by the city that it is located in. She feels that the money should go to Madeira Beach.

Rosemary O'Connor stated that our children need libraries and it doesn't matter which one. We may be the only city that charges \$100 up front. Mayor Maloof explained the procedure that other communities follow by paying the \$100 up front and receiving the reimbursement after. Ms. O'Connor stated that the \$50 reimbursement is a nice compromise, but she is in favor of something that will not deter children and seniors from using the library. She thinks that it is our duty. She doesn't know who funds the libraries. Mr. Silverboard explained that each city funds their own library from their own tax base. The residents of the unincorporated county areas pay a millage amount to allow them to be members of the library cooperative. Ms. O'Connor wants to be an advocate for the children in the community and in libraries in general. We should encourage people to use the library. She wants to impress upon the three Commissioners how important the library it is. She doesn't feel like \$25,000 is much money for the library. She thinks we should examine the budget and wants to know what we have cut other than the library. This year's budget is not online yet. Mayor Maloof explained that we have made major cuts in major areas across the board. Ms. O'Connor stated that the proposal is a good proposal.

Marie Barba stated that the cooperative is the one that sets the fee at \$100 and wants it made clear that it is no the City that sets that fee. Indian Rocks Beach charges \$10 for their library. They also reimburse their residents who purchase the \$100 library card. She suggested that they advertise that they will only give the reimbursement if the card is purchased at Madeira Beach. It isn't always convenient for people to go there with their limited hours. Mayor Maloof stated that the local libraries like Indian Rocks Beach are not considered full services libraries.

Hugh Ruckdeschel stated that he doesn't think the budget should be on TV because he paid \$45 for his. Some people consist on going on about a budget that is already approved. He knows about the BIG-C, and he doesn't feel that those communities will hold it against them, and if they do, then you should suggest that they come up with some extra money. The library payroll is over \$300,000 out of a \$500,000 budget. In addition to the payroll they have the best healthcare fund, and a pension plan. That is the main reason that he opposes the library. He thinks people should have to bring their cards to city hall for verification and to get an accurate count. They spent a lot of time discussing this issue at the budget hearings. You have already ended the budget process. You shouldn't have had this on at the last meeting, and you shouldn't have it on now. Get the figures of how many people have a card, then start working on it. Get this off the agenda and start doing our work.

Kevin Johnson stated that he believes in libraries and the right to read a book. This is an unknown number. He thinks we should ask people to come to City Hall and pay \$20. That should be enough for this year. Madeira Beach got rid of their Police Department and went to the Sheriff's Department. That's what we should do. This year the budget is passed. He thinks that \$20 would be enough.

Commissioner Bildz stated that for years we have spent money out of the reserve fund. This is October. Something is sure to come up later in the year. He would like to see this amount \$25,000, and he doesn't think that we should mandate where they go. We are here to support kids going to the library, and it shouldn't matter which one.

This item will move forward to the next meeting agenda.

4. Discussion of Planning & Zoning Board Items (Requested by Heidi Horak, Chairperson, P&ZB/LPA) (continued from 10-07-08 Workshop Meeting)

Ms. Horak spoke on behalf of the Planning & Zoning Board to discuss their priority list for the next two years. We don't have the authority to discuss or spend time on them without being given the authority. She asked if the Commission had any suggestions that they wanted the P&Z to work on. Some of the items are things that have come up already that they would like to continue to work on.

The first is the Downtown Redevelopment Special Area Plan. They would like to see the specs in draft form from HDR before they are finalized. They would like it made available to them as soon as it is available to the Commission.

The second item is something that is on the priority list. From the last six months of cases, we are in desperate need of design guidelines. Every time we have to negotiate with someone that comes before us we don't have anything concrete. We are not talking about the style or color of the paint. We are just talking about basic guidelines that help us get better designs in the buildings that we are seeing. The market is really down, and it will be for a while. The time to do this is now. At some point they will have to appropriate some money for this. They should consider it next year. Lynn will need help with this. Gulfport did a nice set of simple design guidelines that were not complicated. If you want to see better looking, better designed buildings, you have to start with the basic elements of design. She puts those way up on the list. She commended the people who built on Gulf Golf for the beautiful building that they put up. We need basic guidelines to start, and then we can go further later. She would like the Commission to ask the Planning and Zoning Board to come up with basic guidelines. Mayor Maloof asked what she would like to see included in the guidelines. Ms. Horak gave a list of items that she suggested be included that we don't see currently. You have to plan for the future. She will provide them with her "Building Blocks of Design" memo again. Commissioner Gayton stated that in March of 2005 the City Planner provided design guidelines to the Planning & Zoning Board. In May of 2005 we were presented with a resolution dealing with design guidelines. The summary indicated that the Planning & Zoning Board was in favor of exploring the design guidelines. The resolution was passed in 2005. Why hasn't this happened? Ms. Horak stated that she didn't think Ms. Rosetti had time to write those kinds of things with the other projects that she has. Commissioner Gayton stated that they were giving the authorization to the Planning and Zoning Board to do this. Ms. Horak stated that they don't have staff support to do this. Commissioner Gayton asked what they are asking for now that they didn't have three years ago. Ms. Horak stated that there are staffing limitations and there are other things that have

taken precedence. The Planning and Zoning Board cannot always depend on staff to move these things forward. There has been no process established. We want to give you a proposal, but you will have to appropriate money to develop these guidelines. Commissioner Gayton read an excerpt from the minutes from 2005 indicating that they were given authorization for them to break up into smaller groups to work on this. Ms. Horak stated that they would like to do both design guidelines and explore mid-century modern. Commissioner Gayton stated that she has put a lot of time in on this. He found memos from 2004. His frustration is that someone has to come before us and tell us what we can do to move this process along. Ms. Horak stated that it would help if they would tell them to have some workshops on this. She has a hard time getting them to come back once a month. Commissioner Gayton stated that the Commission doesn't have the authority to tell them what to do. Ms. Horak stated that they are the only ones with that authority. She asked that they tell the P&Z to have a workshop on this item.

The third item is the historic aspect. They had a good hour long meeting on this. There has been resistance to having sub-groups. As a practical matter they don't want to meet more than once a month, they won't stay past 5:00, and she can't get them there before 1:00. She asked that they be asked to do more work. There seems to be more interest in forward motion on this item because we have members who have more personal interest in that.

The fourth item is regarding stormwater runoff. They would like to revisit this for single family homes. She would like to see a requirement for them to have to provide a method to address runoff or pay into the stormwater fund. There are more cities that are approaching this now. We had ordinance language and were really close on this, and would like to approach it again.

The last item is that there is some interest in the Green Cities designation. As a first step she suggests that they adopt the Florida League of Cities resolution. This is easy, doesn't cost anything, and sets the direction. Then it comes down to figuring out what we can do without the expenditure of a lot of time or funds. They would establish guidelines that would have to be considered every time a purchase is made. Everyone is looking three or five years out, but the city should look 50 years out. There is not much that Planning and Zoning has to do on this. This is more a Commission issue, so she is turning that over to them. We are educated on it, but it is not for us to do at this point.

She would like to report back in six months on these four items.

Commissioner Gayton asked if she knew why Mayor Baker from St. Petersburg doesn't want to have recycling. It is free through a reimbursement from the County. Mr. Silverboard explained that it had to do with the method of recycling and how they would be reimbursed by the County. Depending on the method different communities would get different amounts of money. A better way to help people would be to help everyone by reducing the rates. Commissioner Gayton commented that Mayor Baker was not considering the Green City initiatives when he made the decision about curbside recycling. We should be thinking about this regarding the free recycling from the County. Mr. Silverboard stated that we do not have a concrete proposal from the County. Commissioner Gayton asked if we were in favor, and suggested that this would include the businesses.

Ms. Horak stated that Pinellas County passed a Historic Preservation ordinance in 2008, and unless we pass one people will not have the benefits of those reimbursements.

Commissioner Gayton asked Ms. Horak to bring back his thanks to the Planning & Zoning Board for their hard work.

5. Consideration of Ord. 08-15, Election Qualifying Requirements

Mayor Maloof explained that part of the reason for this ordinance is that she feels that getting more signatures shows more support for someone's candidacy. Commissioner Bildz likes the idea of 25 for the districts, and 100 for Mayor. The Commission agreed with this.

This will move forward for first reading on November 3<sup>rd</sup>, and second reading and public hearing on November 18<sup>th</sup>.

**II. OLD BUSINESS:**

Commissioner Collins asked if we had made a decision on getting the Causeway House appraised. Mr. Silverboard stated that there will be an item on the next meeting agenda with strategy on how to proceed. Commissioner Minning asked if it was the same for the visioning item. Mr. Silverboard answered in the affirmative.

**III. CITY MANAGER/CITY ATTORNEY REPORTS AND COMMENTS:**

Ms. Kiefer stated that we have received a letter from the City of St. Petersburg starting the conflict resolution process. They are not willing to waive the Chapter 164 mediation. There will be a conflict assessment meeting on November 7<sup>th</sup>. Within 50 days of the letter we are supposed to have a joint public meeting. The entire Commission has to be there. We need dates, and the sooner the better. We would like to schedule the mediation directly after the meeting. We would split the cost of the mediation. They have offered their facility for the joint public meeting. She will send a response letter stating that they will do the conflict assessment meeting on November 7<sup>th</sup>. Commissioner Bildz asked for clarification on the joint public meeting being held after the conflict assessment meeting. Ms. Kiefer confirmed that and that they have agreed to have the mediation the same day as the joint public meeting. Commissioner Bildz suggested that we have the mediation here. Ms. Kiefer asked them to get dates to her as soon as possible. Mayor Maloof asked the Commission what day of the week would be better for the Commission. Commissioner Bildz stated that Tuesdays are a good day for him. Commissioner Minning asked if they can have an evening meeting. Ms. Kiefer answered in the affirmative. Mr. Silverboard suggested the week of November 17<sup>th</sup> or Monday the 10<sup>th</sup>. Ms. Kiefer stated that if they were agreeable we could have all three meetings on the same day, but she didn't think they would agree. The Commission agreed that the 19<sup>th</sup> was a good date. Monday the 17<sup>th</sup> was also a possibility. Ms. Kiefer could also do it after 2:00 p.m. on the 20<sup>th</sup>.

Ms. Kiefer stated that we have received another demand from Mr. Loeb in the Schwarz matter. He is demanding that we revise our code so that his client can open a residential treatment facility in the RM15 area. The 11<sup>th</sup> Circuit Court upheld in our favor that there was no discrimination, so she will be responding to this demand. Since we are still in litigation she doesn't want to say too much. Commissioner Gayton asked if we would be having an executive session with Attorney Yakavone regarding this. Ms. Kiefer stated that we can. She would be agreeable to having one at any time. We are back in District Court on the accommodation issue and whether an accommodation is necessary. We got a summary

judgement in our favor. It is not a jury verdict. The judge stated that it is a matter of law. The one issue was sent back for further findings because there was not enough information. It is very limited. Commissioner Gayton clarified that the decision regarding these facilities in the RU75 area was upheld. He asked if Judge Moody would have to send it back to the 11<sup>th</sup> Circuit Court after his finding of fact. Ms. Kiefer stated that it would only go back there upon appeal. She is trying to map out a strategy before their status conference on the 11<sup>th</sup>.

Ms. Kiefer stated that she has been drafting ordinances. They are all designed to deal with complaints that have come in. One deals with the maintenance of the abandoned or foreclosed properties. She would like to get this on the next agenda for consideration. She has also drafted an ordinance that would allow the police to "trespass" any individual that commits a crime on city property for one year. She also did one banning camping on city property, and also banning open containers.

Ms. Kiefer stated that she wanted to clear one thing up. At the last meeting she was asked about tabling an item. She did not know that someone had seconded the motion to table. If a motion is seconded then you have to follow through and vote on it. If it is not seconded then you do not have to follow through and vote.

Mr. Silverboard gave a reminder that the annual Spooktacular is scheduled for this Friday from 6:00 to 9:00 p.m. It is supposed to be really great this year.

Mr. Silverboard gave an update on the Sunset Beach Swim Zone issue. We need to get a permit to implement the swim zones and set the buoys. The last time we had a permit is 1994, so they are requiring that we make a full permit submittal. We are in the process of putting that application together. This package then goes to the Fish & Wildlife Department, the Army Corps of Engineers, and the DEP. This should be mailed out by sometime next week. It will take several months to get that permit.

Mr. Silverboard has had a discussion with Commissioner Minning regarding revising the areas between the beach walk and the private properties. He has suggested giving the property owners a model license agreement that they can use as a base when they want a license agreement to use the city property between their property and the beach walk. He would like to ask the City Attorney to draft a model license agreement. Commissioner Gayton stated that none of the old agreements address structures, and he would not like to see structures back there. We are looking for beautification more than allowing them to use the beach to put structures on. Mr. Silverboard stated that they would come up with a model agreement and run it past the Commission.

Mr. Silverboard reported on the meeting that was held at Redington Shores regarding the utility undergrounding. The Mayor from Indian Shores passed out a sheet showing their costs for doing 2.6 miles along Gulf Boulevard. Their costs so far are about six million dollars. Redington Shores' price was over seven million for 1.2 miles. We need to think about whether or not we want to ask Progress Energy to do a non-binding estimate for us. It doesn't cost anything, and it doesn't include the costs for Verizon or Brighthouse, or a variety of other costs. It gives us some of the information. Bob Brotherton has been hired by other communities to give estimates. He comes up with good estimates of those other items that the Progress Energy estimates do not include, but there is a fee for his services.

Mr. Silverboard stated that staff has met with Jerry Dabkowski about the bike trail. The discussion involved the conceptual plan that they had done before showing the route for the

trail. We have asked him to come up with three or four alternates. Once he has done that we will hold a community meeting to get the public's input on the route. Once we have that we would ask for an engineering design. The cost for doing the four alternatives and the charrette is \$5,500, which is in his authority to approve. He would like to get started on this. This would be one of our green efforts to try to provide the linkage between the Pinellas Trail and the beach trail.

Mr. Silverboard thanked the Mayor and Commission for his salary increase.

#### **IV. REPORTS & COMMENTS BY COMMISSIONERS:**

Commissioner Collins stated that he spoke with Commissioner Queen, who told him that their estimate came in at over three million for less than one mile. These figures just have to do with Progress Energy. For Verizon and Brighthouse, each is about another 30% added onto that. It seems prohibitively expensive, and it has probably tripled since we started talking about this. It is a great thing to have, but he doesn't foresee us doing it. Commissioner Bildz suggested that we get the non-binding estimate. Mr. Silverboard will draft a letter for the Mayor's signature requesting the non-binding estimate.

Commissioner Collins offered to go out to condo association meetings.

Commissioner Gayton asked Commissioner Collins if anyone at the BIG-C has discussed the County recycling program. Commissioner Collins stated that they have not. Mr. Silverboard stated that the County has not offered a proposal yet.

Commissioner Minning asked when the Mayors' Council meeting on offshore drilling would be held. Mayor Maloof stated that it has not come up yet.

Commissioner Minning asked about the status of the dune walkovers. Mr. Silverboard stated that they are having another preconstruction meeting. They are planning on doing six at a time. It will be starting within the next few weeks. Commissioner Bildz suggested that they start down by Land's End because they are in very poor shape.

Commissioner Minning commented that all the medallions have been installed on the bridge.

Commissioner Bildz reported on the first Sunset Beach Civic Association meeting.

Mr. Silverboard reported on the crosswalk crews that are working along Gulf Boulevard.

Mayor Maloof stated that she has received an invitation to attend a reception at the Courthouse downtown. The judges wanted to invite elected officials to discuss common problems.

Mayor Maloof reported on the Taxation Committee meeting that she attended in Orlando last week. The main topic was the Save Our Homes cap and the recapture rule. The committee wants to promote equality in taxation. They discussed ad valorem versus no property taxes and an increase in sales taxes. Mayor Yakes asked them to consider a one cent tax on alcohol to dedicate to the court system. That got lukewarm response. The next meeting is in November.

Commissioner Bildz stated that he went to the memorial for former Mayor Walter Stubbs. He doesn't feel that he will be forgotten in this community. It was well attended.

**IV. PUBLIC COMMENTS:**

None

**VI. ADJOURNMENT:**

The meeting was adjourned at 9:44 p.m. by Mayor Maloof.