

**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
March 26, 2009**

The meeting was called to order at 6:00 p.m. by Mayor Minning.

A. PLEDGE OF ALLEGIANCE – Led by Mayor Minning

B. ROLL CALL

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

C. Consideration of Emergency Ordinance 09-04 of the City Commission of the City of Treasure Island, Florida, Declaring a Public Emergency Regarding the Drinking of Alcohol on the Public Beaches in Sunset Beach in Conjunction with Extensive Spring Break and Other Tourist Crowds; Expressing Concern for the Public Health, Safety and Welfare, and Implementing an Immediate, Ban on all Alcohol Consumption and Possession at the City's Public Beach Located at Sunset Beach; Providing for Severability; and Providing for an Effective Date.

It was moved by Commissioner Bildz and seconded by Commissioner Coward to adopt Ordinance 09-04 as read.

Mayor Minning gave a brief explanation of the procedure that will be followed for the public comment portion of the meeting. Each speaker will be allowed to speak for three minutes.

Commissioner Bildz thanked Mayor Minning for calling this meeting. To many in District 4 this is an emergency. They do not believe that this is strictly a spring break issue. Many of the cars are local cars. We know that to ban alcohol permanently it will take a referendum, and if this is passed he will ask that a referendum go forward. Before alcohol was banned at Clearwater Beach they had problems with spring break. Now that they have banned alcohol the problem has moved. People have said that the solution is more enforcement. We don't have a large enough police force for more enforcement.

Commissioner Gayton stated that it is up to the Commission to make a determination of what is an emergency and what is not. He read an excerpt from the proposed ordinance. He stated that residents of Sunset Beach have been complaining about their driveways being blocked since he arrived here in 1973. The complaints about ingress and egress are still the same. People have always complained about littering. We are working on the complaints about public urination. He stated that he does not believe that that portion of the ordinance is an emergency. It is the normal course of business.

He then read another excerpt from the ordinance regarding the crowd size in a particular area. The police are telling them specifically where there is a problem. He asked why everyone else was being singled out if the problem is in one specific area.

He read an excerpt regarding the inability of the Treasure Island Police Department to police a crowd of that size due to lack of resources. He then went back to the first excerpt that he read. He does not see "unfettered" use, and stated that the police should be there. He does not see this as an emergency.

Commissioner Collins stated that he is in his seventh year as a Commissioner. They are elected to reflect the wishes of the majority of people that live in their district and their town. When this initially came out he was somewhat in favor of it. Of the e-mails that he has received since March 24th from people that signed their name and address, 46 were not in favor of a ban, and 7 were. He has to reflect what the majority of the constituents want, regardless of personal feelings. Based on this he does not feel that it is an emergency, and feels that the problem is spring break and not a problem year round. He does not see how the police would enforce it. Unless his mind gets changed this evening he is also opposed to the ban.

Commissioner Coward commended the police department for the hard work that they have done to assist in the area. The city is doing what they can. Tony Amico and the city installed portable toilets, and that has helped a lot. She has received numerous e-mails, and they are not in favor of the ban. They want more police enforcement.

Police Chief Casey stated that the police department remains neutral on this issue. They are the enforcement body of the city for the laws that are passed. He does not want the public's ire expressed at the officers. It is not their doing.

Chief Casey explained that he has been involved in a number of meetings. Two things have been heard time and again. The first is the parking issue, and the second is the public urination issue. The city and the owner of Caddy's have responded to this issue. Since the portable toilets have been installed he has received zero calls regarding that issue. We inundated the area around Caddy's with police officers. He is confident that that presence had an effect. We will be there again this weekend to do the same thing. When he reads the numbers of the enforcement action that they took there are issues to be resolved, but when you put a lot of police in one area you have the effect that people will not do certain things. He is confident that putting in the portable toilets was the most effective thing that they could have done. They started this detail around March 7th, and have gotten more aggressive. The amount of money that the City of Treasure Island has spent to provide police officers, including this weekend is about \$3,200. The amount paid by Caddy's is \$3,794. There has been roughly \$7,000 paid to have that number of officers on the property. In terms of the swim zone violations, the swim zone has been extended south to blind pass. To date there have only been twelve citations written. The first day the marine officer went out and there were 35 or 40 boats in the zone. They needed to learn the zone. The area was cleared out. Given the number of boats in that area, twelve citations is a very low number. The marine officer is there and has had a very positive affect. It has been received well. In terms of vehicular citations, there has only been three issued. When we get into parking citations, they are well over 500. On one Sunday alone we issued 104. We are addressing the issues of people parking in prohibited areas. We have towed two vehicles that were blocking driveways. A third was about to be towed when the owner arrived and received a ticket. Since the increased detail there have been only three violations for public urination. Officers have issued citations for glass on the beach. Notice to appear, which is an arrest, is given when the offense is not that serious, but the person must appear in court. We have issued three of those. Officers have been told to check identification on people who appear under age.

They have also asked people to return to Caddy's with their drinks. They have disbursed a crowd of people watching two women simulating a sexual act in a small wading pool on the beach. Twelve hundred to sixteen hundred people is an estimate. We are accustomed to large numbers of people on our beach for special events. We count on whatever event is drawing the crowd to assist with monitoring the crowds and assist with traffic. If they are there to assist with that we can focus on our duties. There is no way to stop the number of cars coming into Sunset Beach, so all we can do is devise the best plan to manage them. The best thing we can hope for is to eliminate or significantly reduce the standstill. We are also conducting volume studies in the road. There are counters tracking how many people are coming in and leaving. We will do it again in May. That will help us to determine whether there is a spring break element to this. That will help us to determine whether there is a difference in the April traffic and the May traffic. On Monday afternoon he met with two investigators from the ABC Board. They went over what they saw to be some issues. Whether they are proper depends on the type of license that is held. There are no prior complaints against Caddy's or Tony Amico. There is some concern about setting up a mini-bar on the beach. Mr. Amico felt that he could, based on his license. It was determined that he can't under his current license, but can apply for a different type of license to accommodate that. We will know within a couple of weeks what impact spring break has on this.

Commissioner Gayton stated that a lot of people are concerned with people driving drunk. That is a serious problem and we don't want anyone getting hurt. What would we have to do to set up check points coming off of Sunset Beach? Chief Casey stated that it would be an effort between our department and neighboring departments. He is confident that the officers that are there intervene and prevent people from entering their vehicles who were obviously intoxicated. We are not looking to make arrests; we are looking to prevent it. The officers watch as they exit the parking lot. In terms of a road block or sobriety check point it is a matter of making requests of other agencies. He has had limited discussions regarding that with the County, but they are also stretched with budget and having to provide staffing for their events. It may be a little harder to schedule that now. Commissioner Gayton asked if we had the man power to set up a checkpoint. Chief Casey responded that it takes about ten people to set up a check point on Gulf Blvd. Commissioner Gayton suggested that it be set up on West Gulf Blvd with two officers. He feels that if they pull a few cars over people will realize that they can't get away with it.

Commissioner Coward asked if either Caddy's or other bar owners have an arrangement with a cab service or someone else to take people that are intoxicated home. Chief Casey said it has been done in the past but he doesn't know what the situation is at this time. He will discuss this with the business owners.

Commissioner Collins clarified that a sobriety checkpoint would require more resources than what we had. Chief Casey answered in the affirmative. Commissioner Collins then clarified that if we did it on West Gulf Blvd. we could handle it ourselves. He then asked if fines that we received for this would cover the additional cost of running the checkpoint. Chief Casey explained that the city doesn't get as much from fines as it did in the past. Commissioner Collins stated that he didn't think any of the business owners in the city wanted us to get a bad reputation for allowing drunk driving. He suggested that the business owners put up a sign offering to call a cab for drivers that are unable to drive.

Commissioner Bildz asked if the City Attorney could give her opinion on whether this constituted an emergency, and whether doing this in just one area was legal. Ms. Kiefer read a statement stating that it was her opinion that an emergency existed and the City Commission was within its rights to pass this ordinance to address the situation. It was her opinion that if it was found that the problem was in one particular area then that's where the ban should be.

Mayor Minning then opened the public hearing portion of the meeting at 6:48 p.m. He asked to keep decorum and to limit comments to three minutes. He also asked people to limit their comments to the issue at hand.

Julian Fant complimented Mayor Minning for his conduct of the large crowd, and for drawing the largest crowd since he was elected 44 years ago. He has been a resident for 48 years, and served for 25 years. He gave remarks about the past history of Treasure Island. In 1955 the State Legislature combined five cities into one city – the City of Treasure Island. In trying to correct a problem in one part of the city, he urged them to consider other alternatives. All establishments serving food and drink should be required to provide an adequate amount of seating and parking. There are beach bars at other areas of the beach. They serve liquor, but they don't allow their patrons to take containers out on the public beach. If we declare that this is a private beach, we are depriving the city of a right that it currently has – the beach renourishment program. Temple Corson made the statement recently that these are just kids having fun. Shortly after the earlier ban on drinking was overturned Officer Keith Reynolds was viciously beaten. He is still serving the city of Treasure Island, but has a permanent disability caused by alcohol consumption on the beach.

Temple Corson gave a brief history of the previous ban on drinking on the beach. He was happy to hear two of the Commissioners point out emergency. He prefers the word inconvenience. He lives directly across the street from the beach. He sees the crowds there and does not think it is bad. He likes the idea of enforcing the laws that we have in place. He doesn't think they will ever solve the parking problem. It is a very difficult one that has increased at this time of year when there is an influx of spring breakers. He enjoys sitting on the beach and having a beer. He asked that they not take that right away from them.

Randy Kah stated that he lives in the first house south of Caddy's. He does not feel that this is a Caddy's issue. He bought his house three years ago. It was pretty quiet the first year. Last year it was a little busier. This year magnified last year times two. He has a bird's eye view. The kids come out there. They start getting unruly in the late afternoon. It is alcohol. He likes to go out on the beach with a beer. Something needs to change. He stated that Chief Casey's approach this weekend made a tremendous change. He is concerned that they can't keep up that level of activity.

Mary Beth Becker stated that she pulled into her driveway at 5:20 tonight and there were two young men urinating in the bushes. They like to go out on the beach with a drink as much as anyone, but something has to be done. They don't want port-o-lets at the entrance of Sunset Beach forever. There needs to be a decision that will help everyone. She feels that they should try this on a temporary basis. Other cities enforce it. We are the last of two cities that don't enforce this.

Mickey Hobby stated that he was born and raised in this area and has been living in Treasure Island for ten years. Problems like this happen everywhere. If it is not enforced things happen. There are people that live here half the year, and vacation here. This city survives on vacationers and part time residents. Treasure Island has always been about being laid back and having a good time. Wouldn't the revenue from the parking tickets cover the cost of the enforcement out there? Panama City is busy and has the same problems. We should deal with the problems and not make up other rules.

Joseph Marra stated that he doesn't feel that this meeting was necessary and this doesn't constitute an emergency. He mentioned the other bars that were on Sunset Beach. The bars were there before the people bought their houses. Why buy a house there if they don't like the bars. The residents won't want to give up their walks with a drink on the beach. We tried this before and it didn't work. We have a great police department here. We gave them that credibility when we didn't take the Sheriff's office. You are using scare tactics when you say they are not capable of handling this issue. We have all the laws and rules in place to take care of the problems. This is Treasure Island, Florida. The various names of the neighborhoods are developer's names. Whatever rules you pass for Sunset Beach affect the City of Treasure Island. It is unnecessary and this does not constitute an emergency. He stated that Commissioner Bildz is a fantastic commissioner because he listens to what his constituents want.

Harry Black spoke representing the Island Inn. They are opposed to a law that bans alcohol on the beach. He asked how they would enforce it. Is this showing prejudice to the businesses on that end of the beach? Would it not be easier to enforce the existing rules than make new rules? Is all this hoopla necessary for the two or three weeks left of spring break? He suggested that they open up beach parking like they do at festivals. The money earned would pay for enforcement and port-o-lets. You just had an event that involved the entire island. Why can't you come up with a solution to this? Caddy's is the most successful business on the island. Why penalize a successful business. Everyone who lives here or is a visitor to our island has a favorite beverage that they enjoy on the beach while enjoying our beautiful sunsets. Do not take that privilege away.

Glenda Rice thanked the commission for allowing them to speak. She and her husband travel on business a lot and on the weekends they enjoy taking drinks to Sunset Beach to watch the sunset. She suggested that police visibility will help. Enforce the laws on the books; place fewer police officers at Caddy's and more patrolling the neighborhood streets.

Bob Lanza stated that he has lived on Sunset Beach since 1991 and lives within walking distance of Caddy's. He took the old Driftwood piece of garbage and put his own money in building the most successful beach bar in Pinellas County. He has done everything that you want. This is what we are built on. At the busiest time of year you want to do something to affect his livelihood. It sounds vindictive to him. These kids have to stay somewhere, they eat and buy t-shirts. You also have unintentional consequences. You will lose the extra business that the city gets from these visitors. He stated that Commissioner Bildz is out of touch with his constituents, and stated that he will be running for Commissioner in District 4 at the next election.

Angelo Campagna complimented the commission on the boating issue and sympathized with them on this issue. He and his wife have been coming here for 45 years. They did not have the problems in the past that we have now. They do not go to the beach anymore. He doesn't blame the kids for coming. It is a draw. Last weekend you could count the number of families on one hand. Do we want to turn this into a Daytona Beach and the problems that go along with that? He doesn't begrudge anyone making a living, but he has seen Caddy's extending his business out to the water. If they only have drinking inside Caddy's there would be legal restrictions on it. As it stands now, nobody knows. It isn't only Caddy's, it is kids bringing coolers. He doesn't know if a ban would solve the problem, but he feels there would be a great reduction in the problem. Spring breakers go there to drink. It is what spring breakers do. He has been coming here for 45 years and has never seen anything like it is now. He sympathizes with the people that want to take a glass of wine down to the beach, but would not go down there. It is primarily a residential area. If you had that close to your neighborhood how would you feel? He suggested that they try it and then decide about a referendum.

Art Munsone stated that every weekend he has cars backed up. In the evenings people drop beer cans. It is a little inconvenient, but he is happy that he lives in Treasure Island. This brings business to the other businesses in town. We are lucky we live here. Why hassle the people who come here. It is a great community with a great police force.

Bob Driscoll spoke against the ban. He doesn't support the loss of privileges, and doesn't feel that we can enforce it. The kids will walk another block towards Island Inn and party there, but will still park on Sunset Beach. He watched the police this weekend and they did a fantastic job.

Kim Driscoll stated that everyone has said what she had to say. If all of our laws were enforced and they watched the bottles on the beach, and maybe restricted kegs on the beach or the size of coolers, it might inconvenience people enough that they would drink less. A ban would take away the rights of our residents and take income away from our businesses.

Suzannah Ford, from Seminole, stated that she has raised her family here. She goes to Caddy's and has been going there for years. There is never a time in her life that she has not been able to take her children or grandchildren there. She has never been ashamed to take them there. People come to the beach to have fun. Caddy's has great music, chairs and great food. Why take it away.

Danielle Krom stated that she was surprised and upset with her Commissioner's comments tonight. She feels that they are cutting off Sunset Beach and taking away their rights. They are trying to stop Caddy's but KaTiki will also be affected, as will other nearby businesses. She feels that they have been listening to "squeaky wheels", and they applied oil to that last weekend and need to let it sit. Treasure Island is a tired little town. Allowing alcohol on the beach is one of the few things that bring people here. Sunset beach is part of this island and we are not going to float away.

Chris Sierra spoke in favor of the ban. When he first heard about it he was not in favor of it. After reading it he has changed his opinion of it. It is a temporary measure to address problems that are occurring now. We have never had people doing what they are doing now. The chief stated that most of their enforcement efforts were at Caddy's. They live on the side streets and nobody is there. He can't leave his doors unlocked anymore. It is not sanitary to have people urinating on the lawns. People are parking on the side streets, not at Caddy's. They block public beach accesses and drive on the beach access. Caddy's is imposing on the rest of Sunset Beach. He likes to have a drink, but is willing to give this up for two months. After 60 days this goes away on its own.

Eric Corson stated that to call this an emergency is ridiculous. Let's use words properly. There have been no fatalities or permanent damage. The emergency is that we are going to have to do something. Let the police do their job. He felt secure when the police were on the beach. There was a different mood. The sign that says parking one mile is not a solution. Enforcement is the solution. If we proceed the way we have the past two weekends this will go the opposite way. Everyone will benefit. There is no reason why we should lose privileges because someone is not fulfilling their obligations.

Richard McElroy stated that it is inconvenient to have the beer cans and difficulty getting around the streets, but there is no reason to impose more laws. We should just enforce what we have. Spring break is almost over. You have almost a year to be creative and come up with a good

solution. We have a good commission and Tony Amico is a good business owner. Work together and come up with a good solution.

Hugh Ruckdeschel stated that Sunshine Beach has four one way roads. One leads to a boat ramp. Last Saturday so many people were trying to put their boats in the water that they got in an argument. He called the police and asked for an officer. He has been here for 77 years. He served on the St. Petersburg City Council. This is not an emergency. He would hate to see this go to court because we don't have the money for the bill. He thinks the City Attorney is wrong. He is tired of the minority in this city dragging the majority around. The Commission has a lot more to do than fiddle with Sunset Beach. It is time that they realized that they have more people than Sunset Beach. They should be voted by the majority instead of by district. This is not an emergency. He doesn't know why they aren't having special meetings to find out how we will pull out of deep debt.

Jeff Snell stated that he lives between Island Inn and the Bilmar on the beach. He hears a lot about Caddy's, but doesn't feel that it is a big deal. He has traffic too. He loves it here and thinks that the Police Department does a wonderful job and they should enforce what is in place.

Dominique Reiter, President of the Chamber of Commerce, stated that they sent an e-mail out to their members. 100% of her responses stated that they were not in favor of a ban of alcohol on Sunset Beach. She read an excerpt from an e-mail received from Craig Allen. She stated that she has family from Phoenix and Detroit, and the first place they want to go is to the beach. Her grandkids love going to Caddy's. She suggested that Tony Amico address the issue of glass bottles.

Bob Weber stated that he is against the ban. He enjoys having a cocktail on the beach. He thinks the police department is doing a wonderful job and commended Tony on the port-o-lets. He was out of town recently and had to Pine-Sol some bricks when he came home. His sister in law visited last week and enjoyed the atmosphere. He thinks the ban is a bad idea, this is not an emergency, and the proper steps have been taken. It is more a parking issue than anything, and he strongly advised the commissioners to vote with their constituents and vote against the ban. It is obvious that the majority of Sunset Beach and Treasure Island don't want it.

Joan Leak stated that she is a 27 year resident on Sunset Beach. She complimented the police department. She said they are doing a fabulous job and because of that her family and property are not in danger. This is not an emergency. She does feel that allowing Caddy's to allow people to leave with a drink and not other bars is selective enforcement. Caddy's now has six parking lots. She asked that the commission address that. Is this conforming to codes?

Walt Davis stated that he respectfully disagreed with Commissioner Bildz. He is against the ban. At first he wasn't concerned as it was a 60 day law, but hearing about a future referendum he had to come to the meeting. He feels that it is chipping away at people's rights. He doesn't live near Caddy's but feels that everyone would be penalized. He is a retired law enforcement officer, and one of his business concerns and interests is local law enforcement. He feels that our local police department does a wonderful job. He knows that it is difficult to enforce a temporary law. You almost get into 4th amendment rights when you have to see what's in people's coolers. Are you just going after people who are acting inebriated, or will it be enforced in such a way that coolers can be looked in? He hates to see the police burdened with trying to enforce that kind of law when they have so much else to do.

Barry Koicuda stated that he is a resident of St. Petersburg. He thanked the Commissioners for responding to his e-mail. Commissions seem to do knee jerk reactions rather than find solutions to problems. He asked that they not punish everyone for the problems of the few. There are hundreds of people who use the beach on the weekends and use alcohol and there is never a problem. Many spring breakers, bikers, and seniors take alcohol on the beach and there isn't a problem. The chief of police seems to have things under control. In these economic times it is not a good time to take away a source of enjoyment for people who are on fixed incomes as you would be doing if you don't allow people to take their own beer to the beach. Don't pass an ordinance that would punish everyone.

Sean Marra stated that she likes to have a drink on the beach like everyone else. She has been on the beach for 40 years and has never seen a problem like this. We have never had this problem until three weeks ago. We have people who disrespect our beach, our homes, and us. There are people that go there that love to hang out, have a cocktail and enjoy the beach, but now there are people that are trashing our beach. The police are doing a great job, but there are still problems going on. She thought a temporary ban might get rid of riff raff and the normal people can then go there. The people that disrespect have to stop.

Ron Saltzberg stated that he has been a resident on Sunset Beach for approximately ten years. Yes we have been invaded. The spring breakers have come and brought problems and inconvenience. You are talking about seven to ten days a month, five to six weeks. The biggest problem is on the weekend. What is the big deal? He understands that people are inconvenienced, however, what is the message that Treasure Island wants to give? He knows that people have appreciated this privilege and it hasn't been a problem. He thinks the police department is doing a fantastic job. The parking officer makes sure things are being done. What is the message that Treasure Island wants to give? Do you want to say that people are not welcome at our beach? What about the tourists? He is a frequent patron at KaTiki. He gets pleasure when a tourist tells him that it must be fantastic to live here. There is no need for an emergency meeting. All we have to do is deal with the problems that we have now. Why create another problem, deal with the problem that we have. Deal with parking. Banning drinking will solve nothing. Anybody that wants to drink is going to go to the beach, put anything that they want in any container that they want, and it will not be able to be enforced.

Gwenda Barnitz stated that she knows that the people at the north end of the beach are overwhelmed at the number of visitors, but this is the best time of the year for businesses. Treasure Island depends on the taxes from the businesses. We should do nothing to impede the businesses on Sunset Beach. A few years ago residents voted solidly for alcohol on the beach, and residents should not be banned from doing this. We have to enforce what we already have in place. Most of the spring breakers just want to have fun, and Sunset Beach is an excellent place to do it. A few rowdies should not prevent others from doing that. If there is a ban on alcohol where will they go? You will still have the parking problems that you have now. She suggests that they ban parking for sixty days on one side of the narrow streets so that the residents would have access to their streets and emergency vehicles could travel unfettered. She also suggested that the police have deputies that could help out with the parking problems.

BC Acton stated that she is against this. If you total all the people who are against, and all who are for it you will see that the people have spoken. She hopes that there will be at least three who will vote against it.

Noel Johnson stated that she lives a little south of the Island Inn, and a little north of Sunset Beach. They were some of the people that voted against drinking on the beach because they like

to sleep. Sunset Beach is basically only closed for four hours. They like a cocktail. If people went out there with a cocktail in a glass on the beach there wouldn't be a problem. Her husband took photographs this weekend of people with bottles of beer in the water, on the beach, and with cases and kegs of beer. There is nothing wrong with drinking alcohol or beach bars. Beach bars would make money if alcohol was banned on the beach. The city is losing money from the alcohol that the bars are not selling. She read an article online about Sunset Beach being the new "it" beach. We are one of the few beaches that allow alcohol on the beach.

Kevin Johnson stated that he has been on the beach for 34 years. He would like to see a temporary ban to see what would happen. He likes to drink, but would like to see what would happen. He bets a week's pay donated to the police department that Caddy's or KaTiki's would not lose any money and their water and sewer bills would go down. The port-a-potties are disgraceful. You will need another twelve because people know that Sunset Beach is the place to go to drink beer. The steering committee named the tourist traffic as one of the disadvantages of living in Treasure Island. He walks on the beach and sees people with bottles of beer.

Dan Helton stated that he has been a resident and property owner since 1985. He lives within a beer can's throw of Caddy's. He and his family enjoy bringing a cooler out to the beach. His sister parked the wrong way and got a ticket, and will not park the wrong way again. The tickets are working. He thanked the city for promoting this media event which will probably bring thousands of tourists to our city. He also thanked the non-residents for coming and urged them to stop at our restaurants, and to enjoy the sunset.

Fred Stern stated that he lives on the Isle of Palms and owns a tiki bar on Sunset Beach. He quoted several quotes from Benjamin Franklin. He stated that not all the people that park at Sunset beach go to Caddy's. Many come just to go to the beach. He complimented the chief for his enforcement. Bottles on the beach are illegal and should be enforced. He suggested that residents that are complaining about them bend down and pick them up. Palm Springs California was once a Mecca for spring breakers. They passed ordinances that caused the students to stop going there. This year, because of the economic conditions, Palm Springs has put up signs inviting them back. This will affect all of Treasure Island, not just Sunset Beach. You need to consider what the long term negative affect this will have, as well as the constitutional affect. Please consider what you are about to do and let it be.

Troy Carter stated that he and his wife bought a business on Treasure Island several months ago. He does not want to see anything to impede tourists or visitors no matter where they are coming from. He understands people's concerns, but the police can control it. People should call the police and report their tag numbers. He doesn't understand how the problem has become so big. Whenever he has called the police they have responded very quickly. If everyone will do this we can make the problem go away.

Mary K stated that her concern is to make the beaches safe for residents and tourists. She has experience in education and hospitality. What has happened in the past year has caused extreme damage to the environment, theft, and damage to property and injuries. She has suffered damage as have others. Last week on the third night of getting three hours of sleep because of the music from a bar, the boats going by, and the neighbors at 1:30 in the morning she called the police and they responded quickly. This has been a safe, desirable community to live in for many years. Just this past season people are running around drunk and crazy. She used to live in Sunset Beach and the behavior, the noise, and the lewd and lascivious behavior is a disruption. The traffic is a problem. The drinking has a long term affect on the community in all aspects. She has never seen the energy so poor, and the dolphins and fish are being affected.

Paul Starr stated that 25 years ago the city had a referendum and the voters decided to allow drinking on Treasure Island beaches. If you believe that people have changed their minds you should have another referendum. The emergency ordinance will have a detrimental affect on visitors. They should take 30 days to educate people. Sunset Beach is not a gated community and should be treated like the rest of the community. He urged them to reject this emergency ordinance.

Doug Hensel stated that he feels bad for the mayor having to call this meeting after a week. He is 28 years old and has grown up in this community. He is one of the DJ's providing entertainment out at Caddy's. They are throwing footballs with kids; grandparents are there requesting Rolling Stones. They are trying to provide a nice beach going atmosphere. He is sure that some people have bad neighbors. The police are there to keep people safe. He agreed with the President of the Chamber of Commerce, and with Temple Corson. He works on many events. He has been to other places for spring break. This is not a long lived thing. He saw the police enforcing the laws. You live on the beach. This is paradise. Let's just relax and have a good time. He will provide his contact information and will help with anything that he can. We have had Bucs players and Rays players out there enjoying the beach. He asked to submit signatures of over 1500 people. 600 people in the last four days have signed up on a Facebook group in opposition of banning alcohol.

Roseanne Petit stated that she has been in business here for over 25 years, and it has not changed much in those years. She sees this as spot zoning. She finds it offensive that we would zone just one section. She is against this moratorium. The tourists will be gone in a few weeks. All of us pay taxes for the beach whether we live on Sunset Beach, Paradise Island, or Capri. She has subcontracted with the Lion's Club for an event in May, which is within this zone. You would be banning alcohol at that facility. It would kill that business. The majority of the people that use that facility will spend their money on Treasure Island. She is also concerned that residents paid to have the building on the south end of sunset beach built. It is something that everyone on Treasure Island can use. She is afraid that the zoning will go there too. This is not an emergency. Our police and fire department react very quickly to emergencies. This is not an emergency.

Bob Lowder has been living in Sunset Beach since 1993. He thanked the fire department, police department for their fast response to their emergency. He does not feel that this is an emergency. He has never seen anything like this. He is seeing a great increase in his business this year. This is a happy problem. It is an opportunity to introduce the next generation to our beaches. We have seen over the years regulations passed all over Florida that have resulted in stale communities. There will be many unintended consequences. We can solve many problems right here and get ready for next year. He suggested that they put in trash facilities between Trailhead Park and Caddy's.

Atul Shah stated that he has a liquor store and lives on Paradise. We are busy for eight days of the month. That is when we make our living. Other communities would love to have our problem. The problem is parking. Open the community center parking lot or city hall parking lot. Charge them and get them a courtesy transit. There are plenty of volunteers. We can make money, reduce vehicles here and there, and the parking problem will be reduced. The only disappointment that he has is one – why can't we have two Caddy's on the water?

Bob Maher stated that he is a manager at Caddy's. He has a petition with 1500 to 2000 signatures from all over the country. Banning alcohol on the beach is not going to solve anything.

It is just going to move north or south from Caddy's. The real solution is to get rid of the kegs and the coolers. That would solve our problems.

Dawn Fader stated that she agrees that this is a parking issue. They need to figure out how to make it work. She doesn't feel that it is a drinking issue, it is a parking issue. Commissioner Bildz stated that Dawn is the President of the Sunset Beach Civic Association.

AJ Audet, Commander of the American Legion stated that the biggest problem in Treasure Island is parking. We have to think out of the box, and should look at a parking garage. He doesn't know where it would be but should look towards it. There is not enough parking for all the facilities around here.

Dan Beauchesne stated that he is with the St. Petersburg Lion's Club that is located out there. They have a parking lot that is available that they will be making open to the public when they do not have a function at their facility. They used to have an access to the beach that they have closed because they were having a lot of cars pulling into their parking lot and unloading kegs and coolers. His manager has had the same problem with people urinating on their property. That is a problem that the city needs to address. He has talked to the owner of Caddy's who will be putting some port-o-lets near their property. He thinks it would be a good idea to eliminate kegs on the beach.

Bob Burkhardt stated that we have a parking problem. The major problem that we have is that there are not enough port-o-lets. The only bathrooms are at Caddy's, KaTiki's, and at the beach pavilion. That will be a problem. We are in an economic time where if we ban alcohol where are people going to get their alcohol? They will have to pay for beer at a bar instead of bringing their own. People are stressed out enough without being concerned with this. We need more port-o-lets. When people bought their homes they knew there were no alcohol limitations and now they try to change our way of life. We have people from other areas trashing our beach. That is not us. That is spring break. We need tourists or our businesses are going to suffer.

Elizabeth Saunders stated that the issue has been pretty much exhausted. There is a problem that everyone acknowledges. It should not be Caddy's against the residents. The problem is parking. Our community can't sustain that many people on the beach at one time. There is a safety issue. There seems to be some resistance for the check points. We are spending extra money for the port-o-lets and the extra police as it is. We should look at that.

Joe Gayton stated that he did not hear the Florida constitution mentioned tonight. It says that the beaches of the state of Florida belong to the people of the state of Florida. The beaches belong to the public. We may not usurp that. A huge legal battle will ensue if this passes. People bought near a bar, and need to deal with that. As far as the problem of urination, the same problem arises when people drink large amounts of water.

JoAnn Diaz stated that she has one issue that hasn't been brought up. Older people from up north come down for the winter months. They are not partiers or young people. They are saying that they may not want to come back to Sunset Beach next year because of all the partying and inconvenience. She has had cushions stolen from her property. They took them out to the beach and used them. Older people wouldn't do that. Older people drink, but they know how to behave. She says that we can't look at one factor and one issue. We have to look at other age groups as well.

Randy Davis thanked all the spring breakers and older people who come here and spend their money because he has a job.

The public hearing was closed at 8:55 p.m.

Commissioner Gayton asked for clarification regarding the procedure for passage of the emergency ordinance. Chapter 164 requires a two thirds vote, which would be four members.

Ms. Kiefer stated that they are allowed to modify this ordinance in any manner that they choose. Nothing in this proposed ordinance confiscates any property rights and has nothing to do with hotels or bars serving alcohol. It is only concerned with the public beach area. Mr. Amico has stated to her that he is in favor of a ban on kegs and coolers.

Commissioner Gayton stated that he is not in favor of a change in the ordinance. People have spoken for three hours on the ordinance as written. He called for a vote on the ordinance as written.

Commissioner Collins stated that of the speakers, 39 were residents, and 31 of them were opposed to the ban. Regardless of our personal opinion, we have to vote for what our residents want. He feels that this is an ill-conceived idea and is opposed to putting a ban on. He clarified the statement that Mayor Maloof called him to convince him not to run for Mayor. That is untrue – he chose not to run because he felt that Mayor Minning was an excellent choice.

Commissioner Coward stated that she is not in favor of the ban and agrees that the police are doing an excellent idea. She urged people to call the police when they see a problem. She doesn't want to act in haste.

Commissioner Bildz stated that the people have spoken and are not in favor. He asked the owner of Caddy's if he would remove the trash from the entire neighborhood. He requested that DUI checkpoints be established. He suggested undercover officers. Keep up with the underage carding. It is a lot of police effort, but that is what the people are asking for. Keep up the towing and parking enforcement. He thanked the Lion's Club for opening up their parking lot. He urged Caddy's to get the trailer in as quickly as possible. He then discussed the liquor license at Caddy's, and asked who would be signing off on that. He asked the Police Chief to look to make the arrests. The fines don't make up for it anymore. He commented that the bars were there before people bought, but it has never been this bad. He also does not feel that kegs and coolers are an emergency. He stated that this was obviously not going to pass, and he withdrew his motion. Commissioner Coward then withdrew her second.

Mayor Minning stated that the reason that he called for this meeting was to allow everybody an opportunity to express their opinion on the situation that has arisen. He is very satisfied with the result that they have had with people voicing their opinion, and thanked everyone for taking their time to voice their opinion. He received a large amount of response, and it was overwhelmingly against the ban. Because of that he would not have voted for this ban. He thanked the police department for their efforts in increased enforcement. He thanked Caddy's for their willingness to try to find ways to resolve this in the best interests of all parties.

D. ADJOURNMENT

The meeting was adjourned at 9:08 p.m. by Mayor Minning.