



**CITY OF TREASURE ISLAND, FLORIDA
BOARD OF COMMISSIONERS REGULAR WORKSHOP
MINUTES
CITY HALL AUDITORIUM, 120 108TH AVE,
TREASURE ISLAND, FL 33706
JULY 18, 2017**

The meeting was called to order at 7:02 PM by Mayor Robert Minning

I. CITY MANAGER AND CITY ATTORNEY REPORT

Attorney Cowan advised she did not have anything at this time.

Ms. Davis announced there were board member openings. She also reminded the budget workshop was scheduled for Wednesday, July 19, 2017 beginning at 12PM.

Mayor Minning inquired about the beach trail and Ms. Davis provided the update information.

Commissioner Kennedy asked for an update on municipal facilities. Ms. Davis responded that Harvard Jolly would be presenting more details during the 2nd meeting in August. Commissioner Kennedy asked about phases of this project and Ms. Davis noted there would be several stages, the first was space needs, which would be the topic for the presentation in August.

II. DISCUSSION

1. Consideration of Res. 17-70, Wheelchair Beach Access

Mr. Tramble introduced this item as noting the City's commitment to accessibility. He asked for Commission's direction of the three options provided by staff. He reviewed each of the three options in detail, as well as funding and grant potential.

Commissioner Lunn inquired if the beach access mat was limited to wheelchair access only. Mr. Tramble responded it could be utilized by strollers, walkers, and other methods.

Mayor Minning asked if staff had any discussions with Pinellas County. Mr. Tramble stated they discussed a block grant that comes up next year, which would be available two years from now. Mayor Minning asked about the CVB and Mr. Tramble stated they seem somewhat receptive, however Commission guidance will assist staff narrowing down the process of pursuing funding.

Commissioner Kennedy was in favor to advance this so that the City could provide open access to water.

Commissioner Toth inquired about using a mat for special events, such as Sanding Ovatons.

Mayor Minning opened the floor for public comments.

Colleen and Samantha Hernandez, 8560 W. Gulf Blvd.

Colleen Hernandez thanked staff for responding and taking this issue seriously so that families can take their loved ones to the beach. She likes the mobi-mat idea because it provides access for everyone. Samantha Hernandez thanked the Commission then shared she is a native Floridian and these are her hometown beaches. She said she always carried her son, Jimmy, to the beaches but as 15 year old young man, that is not an easy option any longer.

Mayor Minning inquired about the reclining wheelchair. Ms. Hernandez shared her son's specific needs and why the wheelchair with a lap belt is not sufficient for her son.

Lisette Lopez, Pinellas Park resident

Ms. Lopez introduced her 6 year old son, Aidan, who has cerebral palsy. She said they go to the beach often and that it is difficult to manage. She demonstrated how she has to maneuver to get her son to the water at the beach. She said they want to go to the beach and enjoy their time. Ms. Lopez said she had to prepare all day to make it to this evening's meeting and she would really appreciate the relief of easier accessibility.

Jackie Grimes, ESE Teacher, St. Petersburg resident

Ms. Grimes mentioned that the two boys sitting with the Commission are students of hers. She mentioned her brother is paralyzed and the difficulty of the beach wheelchair because her brother weighs 180 lbs. She sees the benefit of Treasure Island to obtain the mobi-mat. Ms. Grimes said it would also benefit young mothers with strollers and it would also provide field trip opportunities for children in her programs. She mentioned Surfers for Autism and Fishing for a Purpose. Ms. Grimes believed a mobi-mat would encourage special events and make the City unique for attracting events like Special Olympics.

Stephanie Porch, Clearwater resident

Ms. Porch thanked the Commission for allowing their group to speak before them today. She is a teacher at Nina Harris and noted why she is in favor of mobi-mat. She thinks of one student in particular and the challenges when she has to take him out of his wheelchair. She mentioned that a wheelchair is the only means of mobility for some children and that a mobi-mat allows them to remain in their personal wheelchairs without a transfer. Ms. Porch believes that Treasure Island would be the first in Pinellas County and that it would give the City an opportunity to be a pioneer for this cause.

Kelly Krohel and her mom, Helen Krohel

Ms. Kelly Krohel wrote a note and her mom, Helen, read it to the Commission. Helen Krohel shared that she grew up in Indian Rocks Beach and moved to St. Petersburg. She said her husband is now in a wheelchair and since a big part of their life was fishing, he can no longer go with Kelly. She hoped the Commission considers this.

Ed King, 8560 W. Gulf Blvd.

Mr. King spoke in support of mobi-mat. He thought it was a progressive, innovative move and believed it would service Pinellas, Hillsborough, and Manatee. Mr. King asked Mr. Tramble about the mobi-mats in Miami Beach and Sarasota; how long they've been installed and how much use. Mr. Tramble said he has received positive feedback from all users. Mr. Tramble added that in Sarasota, there is a mat that takes users to the water and then an intersecting mat that runs parallel with the water.

Daniel Hernandez,

Mr. Hernandez mentioned he is a nurse in Florida and that mobi-mat is not just an item for the children, that it is versatile and can be used by geriatrics.

Mayor Minning inquired about various access points in the City. He mentioned it narrows by the north and south and asked if it would be acceptable to consider those access points. Mr. Tramble said staff did consider those shorter areas, however needed to be mindful of Florida Fish and Wildlife Commission's 175 ft. rule; that there must be 175 feet of sandy beach between the end of the mat and the water.

Mayor Minning stated it would be a great feature to advertise for Treasure Island, however he would like to see other entities participate in the funding.

Commissioner Toth shared the mobi-mats are great and suggested another product she was familiar with that uses interlocking mats.

Commissioner Lunn believes the mobi-mat is the most practical solution to the population. He said this makes him think about a ferry system that would provide access; however, out of the three options presented, the mobi-mat is the most practical. Commissioner Lunn stated a new wheelchair would not

address the needs.

Commission consensus was to pursue this, funding sources, and access locations. Mayor Minning noted that if Gulf Front Park is the selected as the place for the mat, then to take the amount of handicapped parking into consideration. He asked Mr. Tramble to report back at the next meeting.

Commissioner Toth suggested to pursue a second wheelchair and obtain a safety belt. Commission consensus supported Commissioner Toth's recommendation.

RESULT:

MOVED FOWARD

Next: 8/1/2017 6:05 PM

2. Settlement Agreement and Release of Claims – Workshop Stipulation

Ms. Cohen introduced this item and provided the details from the staff memo.

Ken Weiss spoke at the podium and began by stating he hoped this discussion would be easy. He observed changes since the referendum; specifically changes in administration and changes in the Commission. He said this workshop only has to deal with one of his cases. He shared that the challenge was with the two Comprehensive Plan elements: Future Land Use (FLU) and Coastal.

Mr. Weiss said the FLU was rejected by the electorate. He added that by not withdrawing the amendments, then this Commission would allow a future Commission to implement changes that were rejected. He confirmed with Paula Cohen that although the electorate rejected tall buildings, it had no effect on the Comprehensive Plan elements.

Mr. Weiss mentioned the Coastal element and discussed a statewide study taking place to account for sea level rise and what is being done. He contends the purpose of the legislation he referenced was to reduce flood insurance and provide an environment more inviting to insurers.

Mr. Weiss suggested for the City Attorney to advise the Commission of the process to repeal the plan amendments; such as a settlement agreement to withdraw the amendments. He stated the voters did not reject the Coastal element but did reject the FLU.

Mr. Weiss discussed the settlement agreement required him to settle this matter within 48 - 72 hours. He said he would settle the case but the decision is with the Commission on how to proceed with reconsidering the plan amendments. He requested to have an extended time to dismiss the case.

Mr. Weiss introduced Heidi Horak. She spoke regarding height and density. Ms. Horak discussed intensity limiters and explained they are not there anymore and demonstrated her point with blocks. She commented there is good writing and good information in the ordinance and recommended taking the great parts of it and using them.

Ms. Horak did not believe that constituents' intent when they voted was that this item could be brought forth again with a future Commission. She offered to answer a few questions because she had a few minutes left to speak.

Commissioner Kennedy asked Ms. Horak her vision for development. She replied that the ordinance does not serve the purpose it was intended to so it should be withdrawn. She said she believes in careful development.

Mr. Weiss also asked if the Commission had questions. Mayor Minning asked Mr. Weiss if the Coastal element was part of this discussion and Mr. Weiss confirmed it was. Mr. Weiss explained it was because it was part of the FLU element. He agreed with Ms. Horak regarding good language in the Ordinance and would like to keep it.

Mayor Minning commented that the Coastal element is not due until 2020 and to say the City is not in compliance was not correct. Mr. Weiss noted that the Florida Department of Economic Opportunity's (DEO) instructions are to ignore the legislature and do what they instruct to do. He said there were other complicated issues involved. Mayor Minning expressed he was not happy with the characterization. Mr. Weiss said that was not his intent and withdrew the remark and agreed the City has until 2020.

Mayor Minning addressed Mr. Weiss' request to extend his time to settle and reminded that the terms of the agreement was for the City to hold this workshop discussion and Mr. Weiss' obligation was to settle within two days. Mr. Weiss explained two of the three cases have been dismissed. He requested an extension because the adopted ordinance is in effect once he settles; it was suspended and unenforceable because of his challenge. Mr. Weiss stated he had to have an extension granted that evening.

Mayor Minning suggested to let the settlement go through, then the Commission could take up the issue outside of the settlement agreement. Mayor Minning said he wanted to get this matter done.

Attorney Cowan observed that Mr. Weiss was permitted his 20 minutes of discussion and it was time to find out the will of the Commission. She provided a summary regarding the three ordinances adopted, two of which affected the Comprehensive Plan, and addressed Mr. Weiss' comments regarding FLU. She explained that there was no way to implement the changes because the regulations were rejected by the electorate. Ms. Cohen added that there are no properties in the City with a Planned Development zoning designation. Attorney Cowan provided options presented to the Commission: give direction to repeal or amend the Ordinances, or take no action.

Mayor Minning stated he understood from Ms. Cohen that currently there are not any properties in the City with a designation of Planned Development zoning.

Commissioner Lunn inquired about the damage of settling within 48 hours. Attorney Cowan responded that the City had already entered into a settlement agreement and this discussion met the settlement criteria. Commissioner Lunn stated he believed there was no damage to settling now.

Ms. Cohen reminded it takes months to go through the process.

Public Comment

Mel Lenehan, Sunset Beach

Ms. Lenehan stated that Mr. Weiss said he would settle, so he should. She mentioned there is no way of knowing who or who is not in compliance and there should be closure on this. Ms. Lenehan thinks the roof top should be reevaluated, shared a scenario of a real estate issue and stated the Commission needed to determine a happy medium.

Mayor Minning asked Attorney Cowan if the Commission could decide to take no action but direct staff to meet with Mr. Weiss and Ms. Horak to review their concerns and then report back to the Commission.

Mr. Weiss suggested that the City Attorney's firm should write a legal opinion letter supporting her claim. Attorney Cowan responded that no one has a vested right in or has been granted Planned Development zoning.

Mayor Minning asked the Commission how they would like to proceed. Commissioner Lunn stated it would be in City's best interests to work with Mr. Weiss and Ms. Horak and that he did not see any issue with delaying the settlement.

Attorney Cowan advised that the Commission can provide direction but not take a formal action at a workshop. She reminded that the agreement had already been signed and should be settled within 48 hours. She explained that in order to amend the settlement agreement, there would have to be an emergency meeting sooner than 48 hours.

Ms. Horak suggested an easy fix would be remove the height and density. Attorney Cowan replied that would be repealing Ordinance 16-05 and that Commission could provide direction on this.

Commissioner Toth agree with repealing Ordinance 16-05.

Commission consensus was to direct staff to come back to the Commission with a revision of Ordinance 16-05 outside of the settlement agreement.

3. Consideration of Ord. 17-15, Amendment to the Leave No Trace Ordinance

Chief Boudreau introduced this item and provided details from the cover memo. He asked for two small changes in the ordinance: change in time and allowing an employee to remove tagged items.

Commissioner Toth asked if the additional hour would be adequate or would staff want to collect items later in the day. Chief Boudreau responded that one hour should be enough time, however would like the flexibility to return later if necessary.

Ms. Boyles noted there are times when staff cannot drive on beaches until they are cleared during turtle nesting season.

Commissioner Lunn inquired if it was possible for staff to pick up the tagged items after 9:00 AM. Ms. Boyles stated that during turtle nesting season they are not allowed on the beach.

Commission consensus was unanimous to move this item forward.

RESULT:	MOVED FORWARD	Next: 8/1/2017 6:00 PM
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4. Consideration of Res. 17-84, Acceptance of Chair Bid from Edward Don & Company

Ms. Hayduke shared that the chairs currently used are 34 years old and provided additional details from the cover memo.

Public Comment

Mel Lenehan, Sunset Beach

Ms. Lenehan mentioned the silver chair is versatile and can be used with a lot of colors for weddings. She noted both chair types offer lumbar support. She provided the detailed process of selection.

Commissioner Toth asked about the fabric and how they can be cleaned. Ms. Hayduke mentioned they have fabric protection and for the auditorium use there is limited opportunity for the fabric to be damaged.

Commissioner Toth asked if the chairs would be interchangeable between facilities and Ms. Hayduke said they were not.

Commissioner Kennedy asked about the plan for City Hall and Ms. Davis responded that would be discussed further during the second meeting in August.

Commission consensus was unanimous to move this item forward.

RESULT:	MOVED FOWARD	Next: 8/1/2017 6:00 PM
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5. Consideration of Res. 17-85, Acceptance of Quote for Mity-Lite Tables for Facilities Tables

Ms. Hayduke stated the current tables are 19 years old and provided additional details from the cover

memo.

Commission consensus was unanimous to move this item forward.

RESULT:	MOVED FOWARD	Next: 8/1/2017 6:00 PM
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6. Consideration of Res. 17-86, Request to Host 5K Run to Benefit Elizabeth M. Vasti Memorial Fund

RESULT:	RETURN AT A FUTURE MEETING	Next: 8/1/2017 6:05 PM
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7. Consideration of Res. 17-89, Creation of Fire Inspector / Firefighter Position and the Purchase of New Fire Inspection Vehicle

Chief Fernandez introduced this item to the Commission and provided details from the cover memo.

Commissioner Lunn said he was in favor of this. Chief Fernandez added he felt this was long overdue and the City needs this.

Mel Lenehan, District 4

Ms. Lenehan said it was discriminatory to only inspect businesses. She felt there should be inspections on the residences. Regarding the vehicle, she stated Chief Fernandez should get funding for it like truck the County donated to St. Pete Beach. She said she spoke with the Fire Chief about this previously and expected him to address additional funding sources.

Chief Fernandez stated that he and Ms. Lenehan were talking about apples and oranges. Ms. Davis added a point of clarification, which was that the County contributes funding because EMS services are required to be provided.

Commission consensus was unanimous to move this item forward.

RESULT:	MOVED FOWARD	Next: 8/1/2017 6:00 PM
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8. Consideration of Res. 17-90, New Recycling Rate Effective October 2, 2017

Ms. Boyles presented this item and provided details from the cover memo and presented the four options brought before the Commission. Discussion regarding the drop sites ensued.

Commissioner Kennedy inquired about an outside firm establishing multifamily recycling program and whether it would be an additional expense. Ms. Boyles stated it would not be an increase to the City as the families receiving the services would be billed. Ms. Davis clarified it would be new user fees.

Commissioner Toth commented when she goes to Rosselli Park to recycle it is usually full of non-recyclable garbage. She was in favor of option 1 and that condos should provide the recycling services. Mayor Minning clarified that option 1 would remove the community drop sites. There was further discussion on the conditions of community drop sites.

Commissioner Kennedy suggested going forth with options 2, 3, and 4. Ms. Boyles confirmed that those options would be in line with the consulting firm.

Commission consensus was unanimous to go forward with options 2, 3, and 4.

RESULT:

MOVED FOWARD

Next: 8/1/2017 6:00 PM

9. Consideration of Res. 17-91, American Legion's Smoker

Ms. Cohen introduced this item and provided details from staff's cover memo.

Commander Cooper spoke before the Commission and stated the American Legion's kitchen renovations are irrelevant to this item. He stated he is not interested in a temporary agreement as they are looking for a long term solution.

Commissioner Kennedy inquired about parking in the alley and Ms. Cohen responded it was City property, not an alley. Commissioner Kennedy stated he had no issue with the Legion having a smoker. Ms. Cohen responded the issue is the regulation of non-conforming uses; that allowing the smoker outside extended the use area because the Legion could cook inside and outside.

Commissioner Lunn inquired if this would be allowed until a kitchen facility would be constructed. Ms. Cohen responded it was her understanding that the kitchen was still in the design phase. Commissioner Kennedy stated that it was not Commander Cooper's intent to resolve this with a temporary solution.

Commissioner Toth suggested to move forward with the grill in the kitchen and smoker outside.

Commissioner Kennedy suggested to move forward to allow them to lease it.

Public Comment

Mel Lenehan, District 4

Ms. Lenehan stated this is nonconforming, which created a handicap for the American Legion. She said the City has leased parking space to hotels. She also believes it was similar to restaurants that have been providing extended outdoor seating.

Mayor Minning asked Ms. Cohen to address conforming/nonconforming requirements. Ms. Cohen read the code. There was additional discussion regarding possible solutions such as a lease or easement.

Attorney Cowan stated she will do additional research and then bring this item back and present her suggestions to the Commission. There was Commission consensus on Attorney Cowan's offer.

RESULT:

RETURN AT A FUTURE MEETING

10. East Causeway Discussion

Withdrawn from agenda.

III. OLD BUSINESS

None

IV. CITY COMMISSION REPORTS

Commissioner Toth thanked Ms. Makras for the school supply donations provided to the VA hospital as part of the Clerk's certification project. She announced volunteers planted 5000 sea oats the previous weekend and noted the majority of the volunteers were city employees. She thanked the Fire Department and Police Department personnel for attending the American Legion swearing in ceremony.

V. PUBLIC COMMENT

None

VI. ADJOURN

Mayor Minning adjourned the workshop at 10:13 PM.