

**BUSINESS MINUTES
SEMINOLE CITY COUNCIL
JULY 14, 2015**

The Business Meeting of the Seminole City Council was held on Tuesday, July 14, 2015 at 7:00 p.m., in City Hall, City Council Chambers, 9199 – 113th Street North, Seminole, Florida.

Mayor Waters called the meeting to order at 7:00 p.m.

Mayor Waters provided the invocation and Pledge of Allegiance.

ROLL CALL:

Present were: Councilor Roger Edelman, Vice-Mayor Thom Barnhorn, Mayor Leslie Waters, Councilor Chris Burke, Councilor Patricia Plantamura, Councilor Jim Quinn, Councilor Bob Matthews, City Attorney John Elias, City Manager Frank Edmunds and City Clerk Patricia Beliveau.

INTRODUCTIONS AND PRESENTATIONS:

- Presentations: Mr. David Green on behalf of the Seminole Kiwanis Breakfast Club presented a Field of Honor 2015 proposal. Also presenting was Kristine Hartland and in attendance were club members Lee Walters, Wayne McKenney, Bob Hartland and another club member. A packet describing the proposal was distributed to the City Council. Council asked a number of questions.

Vice Mayor Barnhorn moved to establish a future workshop at the next available meeting, seconded by Councilor Quinn.

ALL IN FAVOR. MOTION APPROVED.

- Fire Chief Heather Burford presented the promotion of Chris Hengstenberg to the position of Assistant Fire Chief/EMS Coordinator.

1. PUBLIC COMMENTS:

- Mr. Leo Comtois, 6985 Seminole Blvd., Seminole, FL requested City Council to look at the intersection of 70th Avenue and Seminole Blvd. to include a west-bound right turn lane.
- Mr. Dale Griffen, 11028 – 65th Terrace, Seminole, FL representing The Go Agency offered his company's services to the City of Seminole.

- Ms. Trish Haynes, 10012 – 130th Lane, Seminole, FL addressed the Council. She complimented Council on their efforts to select the next city manager and to state that their efforts were a job well done.

2. APPROVAL OF MINUTES – BUSINESS MEETING MINUTES OF JUNE 23, 2015

Motion made by Councilor Burke seconded by Councilor Quinn to approve the Business Meeting Minutes of June 23, 2015.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES – WORKSHOP MEETING MINUTES OF JUNE 23, 2015

Motion made by Councilor Edelman seconded by Councilor Burke to approve the Workshop Meeting Minutes of June 23, 2015.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES – SPECIAL BUSINESS MEETING MINUTES OF JUNE 26, 2015

Motion made by Councilor Quinn seconded by Councilor Matthews to approve the Special Business Meeting Minutes of June 26, 2015.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES – SPECIAL BUSINESS MEETING MINUTES OF JUNE 30, 2015

Motion made by Councilor Burke seconded by Councilor Quinn to approve the Special Business Meeting Minutes of June 30, 2015.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

3. CONSIDER A FIRST READING OF ORDINANCE NO. 12-2015 REGARDING CHARTER AMENDMENT.

City Clerk Beliveau read Ordinance No. 12-2015 by title only. Motion made by Councilor Burke seconded by Councilor Quinn to approve Ordinance No. 12-2015 for a first reading.

Councilor Plantamura questioned the second “whereas” language that includes “public health, safety and welfare.” City Attorney Elias explained that it was standard language for such ordinances.

Roll Call

Councilor Edelman	AYE
Vice Mayor Barnhorn	AYE
Councilor Burke	AYE
Councilor Plantamura	NAY
Councilor Quinn	AYE
Councilor Matthews	AYE
Mayor Waters	AYE

MOTION PASSED 6-1.

4. CONSIDER FIRST PUBLIC HEARING DATE FOR THE PROPOSED FISCAL YEAR 2016 BUDGET AND THE TENTATIVE MILLAGE RATE FOR THE TRIM NOTICE.

Mayor Waters recognized Director Harry Kyne to explain. Director Kyne explained that this is an annual requirement. He explained that the established millage rate may be lowered but may not be increased during the budget approval process. He noted that the public hearing date will be Wednesday, September 9, 2015 so as to not conflict with the County and/or School Board budget meetings.

Motion made by Councilor Quinn seconded by Councilor Matthews to establish Wednesday, September 9, 2015 at 7:00 p.m. as the date and time for the first public hearing to be held in Council Chambers for the proposed FY’16 budget and set a tentative millage rate of 2.4793 for the TRIM notice.

Vice Mayor Barnhorn moved to amend the motion that the City Council’s Business Meeting shall be changed from Tuesday, September 8th to Wednesday, September 9th, 2015 so that there will be one meeting, seconded by Councilor Burke.

ALL IN FAVOR. MOTION TO AMEND CARRIED UNANIMOUSLY.

Mayor Waters requested a roll call vote on the motion as amended.

Roll Call

Councilor Edelman	AYE
Vice Mayor Barnhorn	AYE
Councilor Burke	AYE
Councilor Plantamura	AYE
Councilor Quinn	AYE
Councilor Matthews	AYE
Mayor Waters	AYE

ALL IN FAVOR. MOTION AS AMENDED CARRIED UNANIMOUSLY.

5. CONSIDER APPROVAL AND AUTHORIZE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE PROPERTY APPRAISER AND TAX COLLECTOR TO PERFORM HOMESTEAD FRAUD AUDITS.

Mayor Waters recognized City Manager Edmunds to explain. City Manager Edmunds explained the proposal was received from the Property Appraiser/Tax Collector to request our support and cooperation in their efforts to identify homestead fraud violations. There is no expense to the City.

Motion made by Councilor Matthews seconded by Councilor Burke to approve the interlocal agreement with the Property Appraiser/Tax Collector.

Councilor Plantamura inquired as to how many properties in Seminole on average are fraudulently taking homestead exemptions and how much money this could mean to the City. City Manager Edmunds noted that there have only been three in recent years and they don't expect to receive a significant financial benefit.

Councilor Burke inquired that before the agreement was in place, if a fraud was discovered by the City, would the City then collect the taxes or would it go to the County. Mr. Edmunds explained that the property taxes collected always go to the County first and are then distributed as appropriate.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

6. CITY COUNCIL TO CONSIDER THE SELECTION OF A CITY ATTORNEY.

Mayor Waters recognized City Manager Edmunds to explain. City Manager Edmunds explained that earlier that evening during a Workshop, Council interviewed two firms who had expressed interest in becoming the next City Attorney. John Elias has announced his resignation effective August 3. In the event Council makes a selection this evening, the City would then proceed with a request for an engagement letter which will come back to Council for final approval. City Manager Edmunds then asked if there was an interest in doing a ballot vote. City Clerk Beliveau distributed ballots to each member of Council.

Councilor Edelman inquired as to an anticipated start date for the new City Attorney. City Manager Edmunds stated he would expect that to be immediately following the next Business Meeting once Council has approved the engagement letter.

Councilor Plantamura stated that since Council had just met the attorneys for the first time that evening, she would like time to now call over to the cities listed as references.

She motioned that Council postpone making a decision. The motion did not receive a second.

City Clerk Beliveau collected the signed ballots from each Councilor and tallied up the votes.

Mayor Waters stated the results of the vote:

Trask-Metz	4 votes
Unice-Salzman	3 votes

Motion made by Vice Mayor Barnhorn seconded by Councilor Edelman to authorize city administration to request a letter of engagement with the law firm of Trask, Metz & Daigneault.

Roll Call

Councilor Edelman	AYE
Vice Mayor Barnhorn	AYE
Councilor Burke	AYE
Councilor Plantamura	AYE
Councilor Quinn	AYE
Councilor Matthews	AYE
Mayor Waters	AYE

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

7. **CONSIDER APPROVAL AND AUTHORIZE THE CITY MANAGER TO EXPEND CIP FUNDS NOT TO EXCEED \$76,770.00 FOR THE PURCHASE OF A 2016 FORD F750 DUMP TRUCK,**

Mayor Waters recognized City Manager Edmunds to explain. City Manager Edmunds stated this is part of the normal CIP vehicle replacement. This particular vehicle has been retained longer than its projected lifecycle. The bids were obtained using the Florida Sheriff's Association bid process and funds are available for this purchase.

Motion made by Councilor Quinn seconded by Councilor Burke to authorize City Manager Edmunds to expend CIP funds not to exceed \$76,770.00 for the purchase of a 2016 Ford F750 dump truck.

Councilor Edelman inquired as to what other vehicles the City has scheduled for replacement. City Manager Edmunds stated he would have to get back to Council on that, but replacements would be included in the CIP budget.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

8. CONSIDER APPROVAL AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE 2015-2018 FIELD USE AGREEMENT WITH THE SEMINOLE SHOOTING STARS SOCCER ASSOCIATION.

Mayor Waters recognized City Manager Edmunds to explain. City Manager Edmunds stated the City has had a partnership with the Shooting Stars for a number of years whereby they conduct their program on the City's athletic fields. This agreement is essentially the same agreement Council approved three years ago, with some modifications made to the notification requirements (when they need to use the fields).

Motion made by Councilor Edelman seconded by Councilor Quinn to authorize City Manager Edmunds to execute the 2015-2018 Field Use Agreement with the Seminole Shooting Stars Soccer Association.

Councilor Burke asked Director Gunter if there were any plans in place to address the issues with drainage on the fields. Director Gunter explained the measures taken to address the drainage issues as well as alternating fields for use to allow for improvement in the overall quality of the fields.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

9. CONSIDER APPROVAL AND AUTHORIZE THE USE OF CITY PARK AND THE SALE OF BEER BY THE ROTARY CLUB OF SEMINOLE AT THE THIRD ANNUAL CRAFT BREW FEST.

Mayor Waters recognized City Manager Edmunds to explain. City Manager Edmunds stated this is similar to the agreement Council approved last year. The Rotary Club is requesting approval for the sale of alcoholic beverages which does require City Council approval.

Motion made by Vice Mayor Barnhorn seconded by Councilor Quinn to approve and authorize the sale of beer by the Rotary Club of Seminole at Seminole City Park for the Craft Brew Fest.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

10. CONSIDER APPROVAL OF TERMS OF EMPLOYMENT FOR MS. ANN TONEY-DEAL FOR THE POSITION OF CITY MANAGER.

Mayor Waters stated that Council all received the terms of employment that were negotiated with Ms. Ann Toney-Deal.

Motion made by Councilor Matthews seconded by Councilor Burke to approve the employment agreement and authorize Mayor Waters to execute the agreement on behalf of the City of Seminole.

Councilor Plantamura stated for the benefit of the public, at a recent Council meeting, Mayor Waters volunteered to negotiate the employment agreement for the next city manager. Because of the Sunshine Law, no other Council members could speak about the details of this outside of public view. The details of the employment offer are a product of Mayor Waters, Director Harry Kyne and Human Resources Administrator Erica Ottman. The agreement is publicly available.

Councilor Plantamura asked Mayor Waters to explain the proposed pay amount.

Councilor Plantamura noted several similarities between Ms. Deal's contract and City Manager Edmunds' contract and asked if contracts from nearby cities were looked at when arriving at the offer or was City Manager Edmunds' contract used as a template. Mayor Waters stated they looked at City Manager Edmund's contract as well as contracts from other cities. Councilor Plantamura asked which other cities contracts were looked at and requested copies of those other contracts.

Councilor Plantamura noted the contract contains no benchmarks and the contract seems to contain very generous benefits. Specifically, Councilor Plantamura asked about the City's contribution of 21% of base salary into the FRS retirement system. Mayor Waters recognized Director Kyne to explain. Director Kyne stated that 21% is the rate for senior level management mandated by the State of Florida. This was not a negotiated benefit.

Councilor Plantamura asked about the additional 5% paid by the City into the IMCA retirement plan. City Manager Edmunds explained that ICMA offers a 401(a) as well as a 457 plan. Ms. Deal elected the 457 plan. This additional 5% is not mandated by the State but was rather a negotiated item in the contract.

Vice Mayor Barnhorn stated he has no issues with the proposed contract and thanked Mayor Waters for her efforts to negotiate on Council's behalf.

Councilor Quinn clarified that the salary range that was presented to all of the city manager applicants was between \$110,000 and \$150,000. He also stated that the agreed-upon terms are not out of line for a city of Seminole's size.

Councilor Plantamura asked about the health, dental, life and disability insurance premiums paid. The agreement states that the City will pay 100% of the cost of coverage for both the employee and their dependents for health, dental and vision insurance. Councilor Plantamura asked if the City currently pays 100% for all employees or is this an exception made for the city manager position. City Manager Edmunds stated it is an exception made for the city manager.

Councilor Burke asked about the renewal period, stating that it is every two years, and asking if the contract is to be renegotiated every two years. Mayor Waters stated that every two years the contract is up for review. Councilor Burke asked about the termination clause, specifically asking what recourse the Council has if the Council is unhappy with the performance of the city manager. Councilor Burke asked if Charter had

any information. City Manager Edmunds noted for the record that he took no part in the negotiation of the contract but is trying to help Council through the process. He also stated that failing something very definitive, cause for termination would fall back to the personnel policies and procedures since such is referenced within the agreement. If there is dissatisfaction with performance, there are steps to be taken per the policies to remedy the dissatisfaction.

Councilor Edelman stated his surprise that consultants Colin Baenziger & Associates did not take part in the negotiation process since that is part of what the City paid them to do. Mayor Waters clarified that Colin Baenziger & Associates were available had they been needed.

Roll Call

Councilor Edelman	AYE
Vice Mayor Barnhorn	AYE
Councilor Burke	AYE
Councilor Plantamura	AYE
Councilor Quinn	AYE
Councilor Matthews	AYE
Mayor Waters	AYE

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

11. CITY COUNCIL REPORTS:

Councilor Edelman – submitted to the Clerk

Vice Mayor Barnhorn attended All Points Travel grand opening, Seminole Days with the Rays baseball game, and the flag topping ceremony at the new Village Inn at Bay Pines.

Councilor Burke – no report

Councilor Plantamura – no report

Councilor Quinn read a statement regarding the hiring of the new city manager and welcomed Ms. Ann Toney-Deal. He attended Seminole Days with the Rays baseball game and the flag topping ceremony at the new Village Inn at Bay Pines.

Councilor Matthews commented that last month's efforts were worth it and he is glad to have our new city manager.

Mayor Waters attended Seminole Days with the Rays baseball game and the flag topping ceremony at the new Village Inn at Bay Pines. She noted the gentleman who owns the Village Inn at Bay Pines is the same man that owns the one in Largo, and that he was once a bus boy there. She noted that he is very excited to bring Village Inn to Seminole and to be involved with the POW-WOW.

12. CITY MANAGER REPORTS:

- Community Policing – Deputy Festa presented activity in the City.
- Qualifying for the November 3, 2015 City election will begin Tuesday, July 28 at 9:00 a.m. and end on August 10 at 4:00 p.m. for those interested in running for Council seats.
- An informal reception will be held Tuesday, July 28 at 6:00 p.m. at City Hall for City Attorney John Elias.
- A proposed development agreement was provided to Council. A workshop is scheduled for Tuesday, July 21 at 6:00 p.m. in order for staff to brief Council on the contents of the agreement. There will not be a vote that night, rather it is strictly to provide information from City administration to City Council in order to prepare Council to act upon the proposal presented at the July 28 Business Meeting. It will be open to the public.
- As part of the Red, White & Blue Initiative, two bids were received for the placement of a number of flagpoles on City property. Only one bid qualified and was compliant with the bid requirements. All American Flag and Pennant in Pinellas Park was the low and qualifying bid at \$12,800.00. Public Works is reviewing the bids and will be making a selection in the near future.

13. OLD BUSINESS:

Councilor Burke asked to follow-up on Councilor Edelman’s comments with respect to the services provided by Colin Baenziger & Associates and suggested we give them some follow-up on how Council feels about their performance.

14. NEW BUSINESS:

- Mayor Waters noted now that a new city manager has been selected, it is time to recognize City Manager Edmunds’ years of service to the City of Seminole. She would like Council to give some thought to this and meet in a Workshop to discuss how to recognize 20 years of distinguished service.

Motion made by Councilor Matthews seconded by Councilor Quinn to schedule a Workshop to discuss how to recognize City Manager Edmunds’ 20 years of service.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.


- Councilor Plantamura noted that as part of the employment agreement with the new city manager, she is to begin work on August 7, 2015. She assumes city manager responsibilities on August 15 and City Manager Edmunds’ last day is August 14.

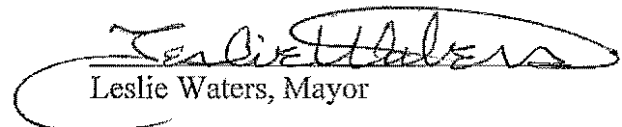
- Councilor Edelman has had the opportunity to talk with the project manager for the mall project who expressed how proud he was of the City and the people he has dealt with in the City. He has done work all over the county and finds Seminole to be the best group of people to work with – informative, helpful and courteous.
- Councilor Edelman asked about the new City of Seminole signage and if it would be beneficial to have those signs lighted. Mayor Waters noted those signs are specially made to be reflective of headlights. City Manager Edmunds concurred that the signs are highly reflective; however, he will explore having solar lights placed at the signs and report back to Council.
- Mayor Waters asked Council to give some thought to providing some type of economic development grants or programs in the future, including some updating of facades on some of the strip shopping centers in the community. She stated she is not asking for any action now, but rather wants this to be considered for future budgeting.

15. **CONSIDER A MOTION FOR ADJOURNMENT:**

Motion made by Councilor Edelman seconded by Councilor Quinn to adjourn the meeting at 8:34 p.m.

Date Approved: July 28, 2015


 Minutes prepared by Exec. Assistant
 Mary Shealy


 Leslie Waters, Mayor