

**BUSINESS MINUTES  
SEMINOLE CITY COUNCIL  
October 27, 2015**

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The Business Meeting of Seminole City Council was held on Tuesday, October 27, 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.

Vice-Mayor Barnhorn provided the invocation and Pledge of Allegiance.

**ROLL CALL:**

Present were: Mayor Leslie Waters, Vice-Mayor Thom Barnhorn, Councilor Chris Burke, Councilor Roger Edelman, Councilor Bob Matthews, Councilor Jim Quinn, City Manager Ann Toney-Deal, City Attorney Jay Daigneault and City Clerk Patty Beliveau.

Not Present - Councilor Patricia Plantamura.

**INTRODUCTIONS AND PRESENTATIONS:**

- Special Presentation to Councilor Patricia Plantamura  
Council Plantamura was not present. Councilor Plantamura submitted her council report by email.
- GFOA Certificate of Achievement for Excellent in Financial Reporting  
Administration Director Kyne presented the Mayor and Council with the GFOA Certificate of Achievement plaque. Director Kyne recognized Mr. Peter Schatzel from Wells, Houser & Schatzel, P.A., and Senior Accountant, Sandra Scott for their contributions and dedication.

**1. PUBLIC COMMENTS:**

- Mr. Wayne McKenney from the Kiwanis Breakfast Club of Seminole Breakfast presented an update of the Field of Honors program. On November 1, 2015, 24 flags will be placed in a designated location in front of City Hall for a period of one month to honor veterans.
- Mr. Stephen Hummer – address 7626 Dartmouth Avenue N., St. Petersburg, FL. Mr. Hummer, a student at St. Petersburg College, presented the feasibility and practicality of integrating food trucks on the St. Petersburg College's Seminole Campus.

- Mr. Joseph Lyons – address 12891 74<sup>th</sup> Avenue N. Seminole, FL. Mr. Lyons, a student at St. Petersburg College, Seminole Campus, presented the possibilities and concerns for opening the rear entrance road to the St. Petersburg Seminole College’s Campus. Mr. Lyons inquired if Council felt it would be better to pursue traffic calming initiatives for Ridge Road first or if they foresee any traffic calming initiatives in the future for Ridge Road. Mr. Lyons asked Council for suggestions on this project.

**2. APPROVAL OF MINUTES – MEETING MINUTES OF OCTOBER 13, 2015.**

Motion made by Councilor Burke seconded by Councilor Quinn to approve the Business Meeting Minutes of October 13, 2015.

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

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**3. CONDUCT A PUBLIC HEARING. CONSIDER APPROVAL OF THE PROPOSED DEVELOPMENT AGREEMENT REGARDING PROPERTY LOCATED AT 7398 SEMINOLE BLVD. (STARBUCKS) ON SECOND AND FINAL READING.**

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal introduced Community Development Director Ely to provide an overview of the project.

Director Ely reviewed the proposed site plan. Director Ely explained the former Mobil gas station located on the southwest corner of Park Blvd. and Seminole Blvd. will be redeveloped with a Starbucks. The developer has provided a cross access and parking agreement between Auto Zone, Dairy Queen and Chick-fil-A with the proposed Starbucks. Director Ely requested Council’s approval to move forward with the proposal.

Mayor Waters opened the public hearing. Receiving no other public comments, Mayor Waters closed the public hearing.

Motion made by Councilor Burke seconded by Councilor Quinn to approve the proposed Development Agreement on second and final reading.

Roll Call

|                     |     |
|---------------------|-----|
| Councilor Edelman   | AYE |
| Vice-Mayor Barnhorn | AYE |
| Councilor Burke     | AYE |
| Councilor Quinn     | AYE |
| Councilor Matthews  | AYE |
| Mayor Waters        | AYE |

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

**4. CONSIDER APPOINTMENT AS A VOTING DELEGATE FOR THE NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING.**

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained the National League of Cities (NLC) will be hosting its annual meeting scheduled for November and has requested a voting delegate be appointed. Vice-Mayor Barnhorn will be attending the NLC conference and it was recommended that Vice-Mayor Barnhorn be appointed as Seminole's voting delegate at the NLC conference.

Motion made by Councilor Burke seconded by Councilor Quinn to appoint Vice-Mayor Barnhorn as the City of Seminole's voting delegate for the 2015 NLC Business Meeting.

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

**5. CITY COUNCIL REPORTS:**

Councilor Edelman – submitted his Council report to the City Clerk.

Vice-Mayor Barnhorn – hosted the Suncoast League of Cities Business/Luncheon meeting at the Community Building, attended the Comic-Con event, CERT meeting, Chamber of Commerce Golf Tournament, Lights After School, Field of Screams and the 2015 Times Festival of Reading.

Councilor Burke – noted he would like to remain part of Council and continue to lead the City. He thanked Council for appointing him to be part of the Council.

Councilor Quinn – attended the Frank Edmunds Retirement gathering and the Suncoast League of Cities Meeting/Luncheon events held in the Community Building.

Councilor Matthews – attended the Frank Edmunds Retirement gathering.

Mayor Waters – submitted her report to the City Clerk. She visited two new businesses in Seminole – Tim Tran, State Farm agent and Waffle House on Park Blvd. and Starkey Road.

**6. CITY MANAGER REPORT:**

- November Calendar of Events
  - Noted upcoming events for the November timeframe.
  
- Update on Seminole City Center
  - The Developer has received the County right-of-way permits for improvements along Park Blvd. and 113<sup>th</sup> Street.

- Update on Lurie Building Project

- A meeting was held with Dr. Lurie, Dr. Olliver and City staff to discuss the Community Building/Chamber of Commerce Building project. Administration is requesting for Council to authorize staff to proceed with a, not to exceed, \$8,000 Civil Engineering contract to determine drainage, onsite improvements, parking, SWFWMD permitting, etc. Dr. Lurie has agreed to advance up to \$8,000 from the total \$500,000 Grant to cover the noted expenses. City Manager Toney-Deal also requested Council authorize the City Manager and City Attorney to initiate the discussion of developing an agreement for the expenditure and the completion of the project.

Motion made by Councilor Matthews seconded by Councilor Burke to approve the \$8,000 for the civil project related to the Lurie Building construction.

Councilor Edelman abstained from voting on this item.

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

Motion made by Councilor Burke seconded by Council Quinn to amend the motion of the \$8,000 expenditure to be from the funds provided by from Dr. Lurie.

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

Motion made by Vice-Mayor Barnhorn seconded by Councilor Burke to authorize the City Manager to negotiate and define an definitive agreement on the expenditures and expenses going forward with respect to the project.

Councilor Matthews asked that Dr. Olliver be included in the negotiations.

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

- Employee Commendations

- Administration received a letter from Roger Rosenbaugh from the Pine Tree Village Neighborhood thanking Public Education Officer Brad Dykens for attending their meeting and providing pamphlets and safety program information sponsored by the Seminole Fire Department.

- City Manager Toney-Deal thanked the Recreation Department for the outstanding work done on the Halloween event.

- City Manager Toney-Deal noted the Seminole Library received \$17,500 from the Anna Ruth Johnson Trust.

- A letter was received from the Department of Revenue noting no violations were found and accepted the City certification regarding the Truth in Millage (TRIM).
- Waterfront Property – the City is being considered for a Florida Recreation Development Assistance Program (FRDAP) Grant. Department Environmental Protection staff is in the process of reviewing and ranking the City's submittals. Director Hockenbury submitted a project timeline.
- City Manager Toney-Deal explained Council meetings for the month of November are scheduled for November 10<sup>th</sup> and 24<sup>th</sup>. City Manager Toney-Deal suggested the November 10<sup>th</sup> Council Meeting begin at 6:00 P.M. to allow staff Council to attend the Veteran's Day activities being conducted that evening.

Motion made by Councilor Burke seconded by Council Matthews to begin the November 10<sup>th</sup> Council Meeting at 6:00 P.M.

**ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.**

**7. OLD BUSINESS:**

Councilor Burke inquired about the Development Agreement approval process options and the process if changes needed to be made to an already approved agreement. Director Ely explained once the agreement is adopted and recorded, the agreement is binding. Both parties would need to be in agreement to reopen the agreement to allow any changes.

**8. NEW BUSINESS:**

Councilor Quinn noted the Food Pantry is in need of food items. In March, 2016, he will be hosting the 2016 Shoe and Sock Drive.

Councilor Burke made the following motion:

Motion made by Councilor Burke seconded by Councilor Edelman to direct the City Manager to ask Deputy Festa to conduct an investigation regarding Councilor Plantamura use of the City vehicle and to see if the use violates Florida law.

Attorney Daigneault clarified that Councilor Burke is potentially authorizing an investigation of an Ethics Statute. He added the enforcement is the responsibility of the Commission on Ethics. Attorney Daigneault further added, Council could request the Commission of Ethics to investigate, but Council does not have independent power to do that. Attorney Daigneault asked Councilor Burke to be more specific on his motion.

Councilor Burke further clarified his motion noting there are some criminal statutes that may apply to the misuse and misappropriation of tax dollars and the outcome of a sheriff's office investigation could lead to a direction and if it should go to the Ethics Committee.

Motion to amend made by Councilor Burke to direct the City Manager to determine which type of investigation should take place regarding the incident and take appropriate action regarding the use of the City vehicle by Councilor Plantamura.

Mayor Waters asked Councilor Burke to explain. Councilor Burke noted Councilor Plantamura attended the Florida League of Cities Conference in Orlando during the summer and attended as a non-paying participant. She reserved a City vehicle for her trip to the FLC event in Orlando.

Attorney Daigneault noted as a whole, Council can initiate a complaint with the Ethics Committee and Chapter 112 carries some criminal penalties.

Motion to amend the amended motion by Councilor Burke to direct the City Manager on behalf of the City Council to file an Ethics complaint with the State on the misuse and misappropriation of taxpayers' funds and the City vehicle.

Councilor Matthews discouraged Council from filing an Ethics complaint. He noted the Council member will soon be out office and the public is aware of the circumstances.

Roll Call

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|---------------------|-----|-----|
| Councilor Edelman   | AYE |     |
| Vice-Mayor Barnhorn |     | NAY |
| Councilor Burke     | AYE |     |
| Councilor Quinn     | AYE |     |
| Councilor Matthews  |     | NAY |
| Mayor Waters        |     | NAY |

**3 – AYE AND 3 NAY – MOTION FAILED**

**CONSIDER A MOTION FOR ADJOURNMENT**

Motion made by Councilor Edelman seconded by Councilor Mathews to adjourned the meeting at 8:00 p.m.

Date Approved: 11.10.15

Patricia Beliveau  
Minutes prepared by City Clerk  
Patricia Beliveau

Leslie Waters  
Leslie Waters, Mayor