

**BUSINESS MINUTES
SEMINOLE CITY COUNCIL
January 26, 2016**

The Business Meeting of Seminole City Council was held on Tuesday, January 26, 2016, 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 the Pledge of Allegiance.

ROLL CALL:

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

INTRODUCTIONS AND PRESENTATIONS:

- Proclamation Presentation National 2-1-1 Day
Vice Mayor Quinn presented Ms. Micki Thompson and Ms. Bonnie Bollenback with the National 2-1-1 Day proclamation.

- Proclamation Presentation Fire Rescue Open House Day
Councilor Barnhorn presented Fire Chief Burford with the Fire Rescue Open House Day proclamation. The Seminole Fire Rescue Open House is scheduled for Sunday, January 31, 2016, from noon to 3 p.m. at Fire Station 29.

- Dementia Friendly City Update
Mayor Waters presented a video featuring Maria Winer from Florida Caregivers Network who discussed the Purple City Campaign regarding Dementia and educating the community of the disease.

Mayor Waters noted the Florida Caregivers Network will be hosting a training session at the Seminole Chamber of Commerce location on February 26th. Four representatives from the Department of Elder Affairs will be present. Ms. Maria Winer is requesting \$100 to assist with the refreshments. Councilor Edelman noted the Seminole Chamber of Commerce will assist with the refreshments.

1. **PUBLIC COMMENTS:**

none

2. **APPROVAL OF MINUTES – BUSINESS MEETING MINUTES OF JANUARY 12, 2016.**

Motion made by Vice-Mayor Quinn seconded by Councilor Matthews to approve Business Meeting Minutes of January 12, 2016.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

3. **CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING TO ADOPT A DEVELOPMENT AGREEMENT (WAWA) REGARDING PROPERTY LOCATED AT 8800 PARK BOULEVARD (FORMER OFFICE BUILDING SITE).**

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal noted this is the second and final reading of the proposed agreement and introduced Community Development Director Ely to provide an overview of the development agreement.

Mayor Waters opened the public hearing.

Community Development Director Ely presented a site plan of the property and submitted a CD of the prior presentation that was made on January 12, 2016, to the City Clerk. Director Ely briefly described the site and noted the development agreement is consistent with the comprehensive plan, development regulations for the approval of a development agreement and there are no concurrency issues. He also noted the County controls the roadway curb cuts and SWFWMD controls the drainage permitting. Administration is recommending Council approval of the Development Agreement.

Ms. Katie Cole, Esq., of Hill, Ward, Henderson Law Firm – 600 Cleveland Street, Suite 800, Clearwater, FL, representing the applicant. Ms. Cole noted there is a development order pending on the adoption of the development agreement for the site. Ms. Cole noted that their traffic engineer was also present to answer any questions.

Mr. Dan Hester – address 10050 Bayou Grand, Seminole, FL. noted that he endorsed the Wawa development on Park Boulevard. and continued development, particularly on Seminole Boulevard.

Mr. Nasser Irshaid – address 8850 Park Boulevard, Seminole, FL, explained that he forwarded an email to Council. He expressed concerns regarding the intersection traffic. Mr. Isthaid stated that he thought the traffic report was incomplete and inaccurate.

Mr. Farris Jaleel – address 3404 Briarwood Lane, Safety Harbor, FL, opposed the Wawa Development because of the traffic issues and the bus stop issue.

Director Ely explained Pinellas County controls and provides the access points under its traffic guidelines. Director Ely explained that the traffic study methodology and conclusions were supported by Pinellas County as part of the County’s right-of-way access permitting process, and that there will be intersection improvements to Park Boulevard and Starkey Road. He also noted the bus stop is 275 feet away from the intersection (which is about 18 cars in length) and is an adequate stacking distance and that the Florida Department of Environmental Protection oversees the gas tank installations and replacements.

Ms. Cole reiterated what Director Ely stated, that the traffic impact study is a negotiated methodology with the County, who establishes the standards and that Mr. Sean Cashen of Gulf Coast Consulting was involved in the traffic methodology meeting with the County.

Mayor Waters closed the public hearing.

Director Ely’s response to an inquiry by Vice Mayor Quinn was that the project meets the zoning for the use, the County’s traffic concerns have been addressed, the PSTA has made no comments concerning the existing bus stop location, and the state Environmental Protection Agency has not identified an issue on the proposed side-by-side business location (Wawa and Shell) as it relates to gas tank installation.

Motion made by Vice Mayor Quinn seconded by Councilor Edelman to approve the proposed Development Agreement with MB Venture, Ltd. after second and final reading.

Roll Call

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

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

4. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 03-2016 REGARDING A BUDGET AMENDMENT TO INCREASE LIBRARY AND PUBLIC WORKS ACCOUNTS BY \$380,000 ALLOCATED FROM THE FY15 END OF YEAR FUND BALANCE.

City Clerk read Ordinance No. 03-2016 by title only. Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained Ordinance No. 03-2016 specifies funds be appropriated to the Library Division for Books/Library Materials in the amount of \$80,000 and the Public Works Department in the amount of \$300,000, \$200,000 of which is for Waterfront Park and \$100,000 for Storm Drainage.

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

Motion made by Councilor Burke seconded by Vice Mayor Quinn to approve Ordinance No. 03-2016 on second and final reading.

Roll Call

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

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

5. REQUEST APPROVAL AND AUTHORIZE THE CITY MANAGER TO EXPEND CAPITAL IMPROVEMENT PROJECT (CIP) FUNDS IN THE AMOUNT OF \$8,848 FOR AN "ALL TERRAIN" VEHICLE TO REPLACE THE TWO GOLF CARTS AT THE RECREATION CENTER.

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained that Council allocated Capital Improvement Project Funds for the replacement of the two golf carts at the Recreation Center. The "all terrain" vehicle will replace the two golf carts which will assist in moving the light tower, tables, chairs and other items at city event activities.

Motion made by Vice Mayor Quinn seconded by Councilor Burke to authorize the City Manager to expend CIP funds not to exceed \$8,848 for the purchase of a 2016 Kawasaki Mule utilizing the Florida Sheriffs Association contract #15-13-0904.

Councilor Barnhorn inquired why the Recreation Staff was asking for a two wheel drive vehicle. Recreation Director Gunter explained the usage of the "all terrain" vehicle is to assist staff in moving the light tower, tables, chairs and other items for city events. Councilor Barnhorn noted it would be beneficial to spend the extra \$200 for a four wheel drive vehicle so it may be utilized during an emergency.

The motion was restated by Councilor Burke and seconded by Councilor Barnhorn to amend the motion to change the value to \$9,048 to include the \$200 for the "all terrain" four wheel drive vehicle.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

6. REQUEST APPROVAL AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DEUEL & ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES.

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained this agreement is the second of the three agreements for Engineering Services. Attorney Daigneault has approved the agreement as to form and Staff is requesting Council's approval.

Motion made by Councilor Burke seconded by Councilor Matthews to authorize the City Manager to enter into a Professional Engineering Services Agreement with Deuel & Associates.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

7. DISCUSS A PROPOSED CHANGE IN CITY COUNCIL MEETING TIME.

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained at the January 16th Annual Workshop, Council suggested that the City Council Meetings be changed from 7:00 p.m. to 6:00 p.m. and Workshops be held after the regular Council Meetings.

Motion made by Councilor Barnhorn seconded by Vice Mayor Quinn to move the Council Meeting time from 7:00 p.m. to 6:00 p.m. beginning February 23, 2016.

Mayor Waters noted the 6:00 p.m. timeframe could be a trial basis and if there are any issues with the 6:00 p.m. timeframe, the meeting time can always be changed back to 7:00 p.m.

City Manager Toney-Deal explained Workshops are scheduled at the discretion of Council or the City Manager with public notice. A Workshop can be scheduled prior to the Council Meeting or afterwards.

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

8. CITY COUNCIL REPORTS:

Councilor Springer – explained she has visited Greater Seminole Area businesses and will be attending the 2016 Institute for Elected Municipal Officials Conference.

Vice-Mayor Quinn – attended the Chamber of Commerce Installation of Board Members event, the Suncoast League of Cities Meeting/Luncheon and the City Council Annual Workshop.

Councilor Burke – attended the City Council Annual Workshop.

Councilor Edelman – attended the Suncoast League of Cities Meeting/Luncheon.

Councilor Barnhorn – gave each council member an elected official manual, distributed a copy of the 2016 Legislative Advisors booklet. He attended the Pinellas County's Belleair Causeway Bait House Grand Opening, the Suncoast League of Cities Meeting/Luncheon and the City Council Annual Workshop. He visited Tallahassee and spoke to Legislators regarding defending taxpayers and their rights and participated in the Public Records legislative hearing.

Councilor Matthews – attended the City Council Annual Workshop.

Mayor Waters – attended the City Council Annual Workshop. She noted she advocated Legislation on Public Record Requests concerns via email and had discussions with Congressman Jolly and Congressman Bilirakis regarding issues from Washington that could impact the City.

CITY MANAGER REPORT:

- February Schedule – City Hall will be closed on February 15th, President's Day.
- Update on Seminole City Center – the 5 Below store has submitted plans for review.
- Chamber of Commerce – submitted its Quarterly Report.
- Jim Schnur will be presenting at the Library on February 28th at 3:00 p.m.
- Facebook Page – reminded Council if they are at an event and representing the City, to take a picture and forward to the City Clerk to be posted on the City Council Facebook page.

City Manager Toney-Deal will compile a list of stores that will be part of the Seminole Mall Center and distributed to the Mayor and Council.

City Manager Toney-Deal distributed a profile of Mr. James W. Linn, a Pension Attorney with the Lewis Longman & Walker law firm and a proposed Engagement Letter which was reviewed and approved as to form by City Attorney Daigneault. According to City Manager Toney-Deal, it is common to receive a letter from the Pension Attorney each year requesting the City consider some changes to the pension plan/ordinance. Attorney Linn will review the documentation and advise Administration on the matter. City Manager Toney-Deal is requesting Council's approval to execute an Engagement Letter with Attorney James W. Linn on Pension Fund matters.

Motion made by Vice Mayor Quinn seconded by Councilor Barnhorn to authorize the City Manager to hire Attorney James W. Linn for work on the Fire Pension Fund contract.

Councilor Burke inquired how the process is currently handled. City Manager Toney-Deal explained the City does not have a Pension attorney. Attorney Linn has expertise on Pension Funds and is located in Tallahassee.

Councilor Barnhorn inquired if the City would pay Attorney Linn on an as-needed basis and if the City will have to pay for his travel expenses when he visits the City. City Manager Toney-Deal explained it is unlikely that he would need to visit the City. Attorney Linn would consult and discuss matters through the City Manager and/or City Attorney.

Councilor Matthews inquired if his services would be for the City Manager, the Board or whatever is needed for the City. City Manger Toney-Deal noted it would be for the City and he will be reviewing pension information for the City.

Motion made by Councilor Edelman seconded by Councilor Burke to amend the original motion to include the wording "Engagement Letter."

ALL IN FAVOR. MOTION TO APPROVE CARRIED UNANIMOUSLY.

City Manager Toney-Deal requested Council bring their calendars to the next meeting so future Workshop sessions can be scheduled.

9. OLD BUSINESS:

Mayor Waters noted the Friends of the Library will be hosting Jim Schnur. His book is available for purchase at the Seminole Bookstore for \$23.50 and all the proceeds will go directly to the Seminole Historical Society.

10. NEW BUSINESS:

Councilor Matthews asked the City Manager would provide Council with the Pinellas County Charter Review meetings schedule.

Councilor Edelman inquired about the City's process on advertising on bus benches. Director Ely explained the Jaycees provide the bus benches; however, the City does not allow solicitation on the rights-of-way. He noted it's a code enforcement issue and he will forward letter to the Jaycees advising of the code requirements.

11. CONSIDER A MOTION FOR ADJOURNMENT:

Motion made by Councilor Edelman seconded by Council Matthews to adjourn the meeting at 8:55 p.m.

Date Approved: 02/09/16

Patricia Beliveau
Minutes prepared by City Clerk
Patricia Beliveau

Leslie Waters
Leslie Waters, Mayor