

**BUSINESS MINUTES
SEMINOLE CITY COUNCIL
August 8, 2017**

The Business Meeting of the Seminole City Council was held on Tuesday, August 8, 2017, at 6:00 p.m., in City Hall, City Council Chambers, 9199 - 113th Street North, Seminole, Florida.

Mayor Waters called the meeting to order at 6:00 p.m.

Councilor Matthews provided the invocation and the Pledge of Allegiance.

ROLL CALL:

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

INTRODUCTIONS AND PRESENTATIONS:

- Home Town Patriot Proclamation: "Captain Stanley J. Beach Day."
Council presented Retired Captain Stanley J. Beach United States Navy Chaplain Retired, with the Home Town Patriot Proclamation.

1. PUBLIC COMMENTS:

Tom Gajentian - address 11714 106th Court, Seminole, Florida, 33778, spoke about Medical Marijuana Treatment Center Dispensing Facilities.

2. CONSENT AGENDA

Mayor Waters stated the Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council. The items are not discussed, and may all be approved in a single motion. A Council Member may ask that an item be removed from the Consent Agenda for discussion. Items removed will be discussed and action taken following the adoption of the Consent Agenda.

- A. MINUTES FROM JULY 25, 2017, BUSINESS MEETING.
- B. CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2017 EMERGENCY MEDICAL SERVICES ALS FIRST RESPONDER AGREEMENT WITH PINELLAS COUNTY EMERGENCY MEDICAL SERVICES AUTHORITY BY AND THROUGH THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS FOR A TERM OF TWO (2) YEARS.

- C. CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE FIRE PROTECTION SERVICES AGREEMENT EXTENSION WITH PINELLAS COUNTY FOR THE PERIOD OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2019.
- D. CONSIDER AUTHORIZING THE CITY MANAGER TO EXPEND CAPITAL IMPROVEMENT (CIP) PROJECT FUNDS IN THE AMOUNT OF \$301,975 FOR THE PURCHASE OF A REPLACEMENT SQUAD VEHICLE.

Motion made by Councilor Matthews seconded by Vice Mayor Burke to approve the consent agenda.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

3. ACTION ITEMS

A. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 19-2017 REGARDING A PROHIBITION OF MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES.

City Clerk Beliveau read Ordinance No. 19-2017 by title only. Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained on July 11, 2017, Ordinance No. 19-2017 was presented to Council and adopted on first reading. No changes since the last reading have occurred to Ordinance No. 19-2017.

Motion made by Councilor Quinn seconded by Vice Mayor Burke to approve Ordinance No. 19-2017 on second and final reading.

Mayor Waters opened the Public Hearing.

Tom Gajentian - address 11714 106th Court, Seminole, Florida, 33778, proposed allowing medical marijuana treatment center dispensing facilities in the City of Seminole.

Barbara Salazar stated her spouse, a medical profession, has never encountered anyone being admitted to the hospital with a marijuana issue as opposed to alcohol or opioids.

Mayor Waters closed the Public Hearing.

Roll Call

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

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

B. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 21-2017 REGARDING THE GRANDFATHERING OF A NON-RESIDENTIAL BUILDING AND SITE LOCATED AT 8281 SEMINOLE BOULEVARD (FORMER EXPRESS JEWELRY STORE).

City Clerk Beliveau read Ordinance No. 21-2017 by title only. Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained on July 11, 2017, Ordinance No. 21-2017 was presented to Council and adopted on first reading. The Ordinance allows the grandfathering of a non-residential building formerly the Express Jewelry store building and site located in the Lake Seminole Estates mobile home park.

Motion made by Vice Mayor Burke seconded by Councilor Springer to approve Ordinance No. 21-2017 on second and final reading.

Mayor Waters opened the Public Hearing.

Judith Fowler - address 118 Gordon Drive, Seminole, Florida, 33772, stated that she supports the grandfathering of the non-residential building and site.

Mayor Waters closed the Public Hearing.

Roll Call

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

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

C. CONSIDER A FIRST READING OF ORDINANCE NO. 22-2017 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 10115 130TH LANE.

City Clerk Beliveau read Ordinance No. 22-2017 by title only. Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained that Staff received a petition from the property at 10115 130th Lane voluntarily annex into the City. The petitioner has complied with the requirements for voluntary annexation as outlined in Chapter 171.044, Florida Statutes.

Motion made by Councilor Springer seconded by Councilor Quinn to approve Ordinance No. 22-2017 on first reading.

Roll Call

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

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

D. CONSIDER A FIRST READING OF ORDINANCE NO. 24-2017 REGARDING A VOLUNTARY ANNEXATION OF THE WEST RIDGE SUBDIVISION LOCATED AT KAYMAK LANE AND KIERKEL LANE.

City Clerk Beliveau read Ordinance No. 24-2017 by title only. Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained the property owners for the fourteen (14) homes located in the West Ridge Subdivision have petitioned to voluntarily annex into the City of Seminole.

Motion made by Councilor Barnhorn seconded by Councilor Quinn to approve Ordinance No. 24-2017 on first reading.

Roll Call

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

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

E. CONSIDER AUTHORIZING THE CITY MANAGER TO EXPEND CAPITAL IMPROVEMENT PROJECT FUNDS IN THE AMOUNT OF \$127,309 FOR THE REMOVAL AND DISPOSAL OF ADDITIONAL UNSUITABLE SOIL FROM WATERFRONT PARK.

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained that Staff received a change order request from MTM Contractors Inc. for additional removal and disposal costs associated with the additional unsuitable soils during the construction of Waterfront Park Phase I. The change order from MTM contracting is for \$209,557 for the handling associated with the removal and disposal of unsuitable soil to a class I landfill.

The change order also includes a “credit” of \$82,248.40 that was not used for Class 3 Landfill Disposal costs. The net cost for soils removal that exceeds the previously approved funding amount is \$127,308.60.

Motion made by Councilor Quinn seconded by Councilor Matthews to authorize the City Manager to expend Capital Improvement Project (CIP) Funds in the amount of \$127,309 for the additional material handling of unsuitable soil at Waterfront Park.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

F. CONSIDER AUTHORIZING THE CITY MANAGER TO EXPEND \$43,145.25 FROM THE CONTINGENCY FUND FOR THE NATIONAL ENVIRONMENTAL PROTECTION ACT (NEPA) ENVIRONMENTAL ASSESSMENT TO BE CONDUCTED BY CARDNO.

Mayor Waters recognized City Manager Toney-Deal to explain. City Manager Toney-Deal explained that the City was advised by the Florida Department of Environmental Protection (FDEP) that the National Park Service (NPS) is requiring that the City prepare an Environmental Assessment of the Waterfront Park property. The National Park Service (NPS) was not aware that when the City applied for the Land and Water Conservation Land Acquisition Grant in 2012, that the land had previously been used as a landfill. The National Environmental Protection Act (NEPA) indicates that before any NPS funds are granted by a governmental entity, an Environmental Assessment needs to be completed on the said land.

Cardno, an engineering firm that is on contract with the City of Seminole has presented the scope of service to conduct the Environmental Assessment for an amount not to exceed \$43,145.25 with an estimated completion date of early November 2017. Staff is recommending Council approve the expenditure of \$43,145.25 from the Contingency Fund for the Environmental Assessment.

Motion made by Councilor Matthews seconded by Councilor Barnhorn to authorize the City Manager to expend \$43,145.25 from the Contingency Fund for a NEPA Environmental Assessment to be conducted by Cardno.

City Manager Toney-Deal explained Phase I of the Land and Water Conservation Grant includes the purchase of the property, development of the kayak/canoe launch area, placement of a picnic element and a playground element.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

4. CITY COUNCIL REPORTS

Councilor Springer attended the Grand Opening of BurgerFi and Verizon.

Councilor Quinn – no report.

Vice Mayor Burke – no report.

Councilor Edelman – no report.

Councilor Barnhorn attended the “Meet and Greet” at Lake Seminole Square, the farewell gathering for CERT member Dr. Prakash, BurgerFi and Verizon Grand Opening and Diane Vandiver Retirement Party.

Councilor Matthews – no report.

Mayor Waters – no report.

5. CITY MANAGER REPORT

A. Community Policing Report

Deputy Festa explained policing activity in the City and noted Thursday, August 10th will be the first day back to school and citizens should be alert of pedestrians and school zones. Texas Roadhouse will be hosting another Rib-Eating Contest between the Sheriff’s office and the Seminole Fire Rescue Department.

Vice Mayor Burke suggested the citizen that assisted in capturing the suspect that injured several people at Publix on 113th Street/Park Boulevard be invited and recognized at a future Council Meeting.

B. Seminole City Center Update

The Certificate of Occupancy for Pearle Vision has been issued, the temporary Certificate of Occupancy for ABC Liquor is ready for issuance and the building permit has been issued for Lucky Dill.

C. Proposed Changes to Personnel Rules and Regulations

City Manager Toney-Deal proposed three (3) changes to the Personnel Rules and Regulations. Any changes made to the Personnel Rules and Regulations need to be adopted by Council through a Resolution. City Manger Toney-Deal suggested the following:

- 1) The City not be required to advertise job openings in the newspaper. The cost to advertise ranges from \$35 to \$300. Many applicants view job openings via the internet.
- 2) Allow city employees to be considered for any internal positions without the need to post externally.
- 3) Dissolve the Personnel Advisory Board. The Personnel Advisory Board consists of three Board Members, one is appointed by the City Manager, the other appointed by the City Council and the third is appointed by the two appointees. The Personnel Advisory Board has been utilized once in the last twenty years and any personnel issues may be addressed by the City Manager, Human Resources Director and the Labor Attorney.

It was Council consensus for the City Manager and City Attorney to compose a resolution to make the noted changes to the Personnel Rules and Regulations for Council approval.

D. City Appointment to Fire Pension Board of Trustees

City Manager Toney-Deal explained the Fire Pension Board of Trustees appointee process. The City is responsible to select two city residents, the Fire employees select two Fire Department employees and those four (4) board members select the fifth board member. On September 30, 2017, two board member's term will expire. City Manager Toney-Deal inquired if the new appointees should have a financial/investment background to serve on the Board.

Councilor Matthews inquired if there were any restrictions on how many can serve on the Fire Pension Board? Also, inquired if Attorney Daigneault can do research of the make-up of other Fire Pension Board Memberships in the community.

6. OLD BUSINESS

Councilor Matthews inquired the status of the time clock. City Manager Toney-Deal explained that she will provide an update and the cost at the next council meeting.

7. NEW BUSINESS

Mayor Waters stated that the Interfaith Food Pantry is in need of donations.

Vice Mayor Burke and Councilor Matthews inquired if the phone system at city hall can be reviewed.


Councilor Matthews reminded Council of the VIP Opening of the Studio Movie Grill scheduled for October 12, 2017.

8. CONSIDER A MOTION FOR ADJOURNMENT

Motion made by Councilor Barnhorn seconded by Vice Mayor Burke to adjourn the meeting at 8:05 p.m.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

Date Approved: August 22, 2017


Minutes prepared by City Clerk
Patricia Beliveau


Leslie Waters, Mayor