



CITY COUNCIL MINUTES

Oldsmar Council Chambers
100 State Street West
Oldsmar, Florida

Date: **Tuesday, August 5, 2008**

Time: **7:00 p.m.**

Mayor Jim Ronecker called the Tuesday, August 5, 2008 City Council meeting to order at 7:00 p.m. Council Members present: Greg Rublee, Suzanne Vale, Janice Miller and Eric Seidel. Also present were: Bruce Haddock, City Manager, Tom Trask, City Attorney and Lisa Lene, City Clerk. Trask gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

CITIZENS' OPEN FORUM:

Mike Monahan, Upper Tampa Bay Regional Chamber of Commerce – stated the Career Fair recently held at the Oldsmar Library was a huge success. There were 40 employers participating and over 400 job seekers attended. Work has already begun on another job fair to be held in six months. The next Business Education Seminar will be held on August 8th from 9:00 a.m. – 12:00 noon at the Hilton Garden Inn. The topic will be "Recession Proof your Business". The Annual Legislative Luncheon will be held on August 13th. The following legislators have confirmed their attendance: Congressman Gus Bilirakis, Senator Charlie Justice, Senator Mike Fasano, Representative Kevin Ambler, Representative Mike Scionti and Representative Peter Nehr. In addition, several candidates running for public office in both Hillsborough and Pinellas Counties have been invited to attend. Plans are also underway for the annual Oktoberfest which is held the last full weekend in October. Monahan announced that the Chamber has received \$20,000 in grant money from the Pinellas County Convention and Visitors Bureau to market this event. He also announced that the bicycle race portion of the Iron Man Competition held on November 8th will run from Clearwater to Pinellas Park to Oldsmar and then back to Clearwater.

Jerry Walters, 1108 Robinwood Drive – referred to recent newspaper articles regarding the possibility of annexing East Lake Woodlands and stated that it would double the size of the City. He expressed concern that this might result in a great number of people from East Lake Woodlands running for City Council and suggested changes be made so that 3 of the Council Seats represent specific areas, with 1 at-large member plus the Mayor. Ronecker replied that the Council has not taken any formal action on the annexation. The area consists of 6,000 people and 56 different Homeowner Associations. Walters asked what other communities besides East Lake Woodlands are being considered. Haddock replied they are Brookers Landing and El Pasado.

Jean Jorgenson, 104 Shore Drive Place – stated that she was representing the Cultural Affairs Advisory Board. They are gearing up for fall with dance classes and theater starting up again in September. She also reminded everyone to get out and vote in the Primary Election on August 26th. Jorgenson also announced that Precinct 630 has moved from the Council Chambers to the new library.

Claude Jean, 306 Fairfield Street – stated he was glad to be back from France. He takes exception to all those who say how bad everything is in the United States and how wonderful it is in Europe. He wishes they would go over there and spend some time. Then they would appreciate how good the United States is. Gas is \$9-10 per gallon. In France, 55% of the population works for less than the minimum wage, although the minimum wage is higher in France than in the U.S. Jean stated that Oldsmar has been an important part of his life. However, he will now be traveling much more than he used to so he has given his resignation from the Planning Board and the Fire Fighter's Pension Board. He stated he has been in Oldsmar for 43 years and raised his children here. He told the council to keep up the good work, and God Bless America! Miller told Claude that he has been a wonderful citizen and very appreciated in Oldsmar.

COMMUNITY REDEVELOPMENT AGENCY:

1. Schedule work session to review and discuss first draft of Town Center Architectural Standards – Seidel made a motion, seconded by Vale, to schedule a work session to discuss the first draft of the Town Center Architectural Standards on August 26, 2008 beginning at 4:00 p.m. **ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.** The location is still to be determined.

CONSENT DOCKET:

2. Approve minutes of July 15, 2008 City Council meeting
3. Authorize City Manager to purchase restroom for Veteran's Memorial Park off of Port St. Lucie Bid/Contract
4. Authorize City Manager to contract with Central Florida Contractors, Inc. off the City of Pinellas Park Bid for construction of sidewalks within and abutting Veteran's Memorial Park
5. Approve WO #2 with Jones Edmunds & Associates for Construction Management Services for General Underground Utilities Contract
6. Approve WO #3 with TBE Group for Engineering Design Services for Douglas Road and Commerce Boulevard Intersection Improvements
7. Accept resignation of Claude Jean from the Planning Board and Firefighters Pension Board

Seidel made a motion, seconded by Miller, to approve the Consent Docket. **ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.**

CITY OF OLDSMAR:

8. **Presentation of Business of the Month Award** – Miller presented the Business of the Month Award to Gasco Affiliates, LLC.

9. **Presentation of the Homer Brunson/Ward Schrecengost Governmental Award** – Ronecker presented the Homer Brunson/Ward Schrecengost Governmental Award covering the second quarter of 2008 to Kevin Shropshire, Environmental Technician.

CITY ATTORNEY:

10. **Second and final reading and public hearing of Ordinance 2008-15, amending the Land Use from County designation of Residential Urban to City Land Use designation of Residential Urban on recently annexed West Oldsmar properties** – Trask read Ordinance 2008-15 by title only. Vale made a motion, seconded by Miller, to approve the second and final reading of Ordinance 2008-15. **Public Hearing:** No public comments were received. **ALL IN FAVOR? ROLL CALL: Rublee: aye; Vale: yes; Miller: aye; Seidel: yes; Ronecker: aye. MOTION CARRIED: 5:0 VOTE.**

11. **Second and final reading and public hearing of Ordinance 2008-16, amending zoning from County zoning designation of R-4 (Single family, duplex and triplex) to City zoning designation of R-3 (Residential two and three family district) on recently annexed West Oldsmar properties** – Trask read Ordinance 2008-16 by title only. Seidel made a motion, seconded by Miller, to approve the second and final reading of Ordinance 2008-16. **Public Hearing:** No public comments were received. **ALL IN FAVOR? ROLL CALL: Rublee: aye; Vale: yes; Miller: aye; Seidel: yes; Ronecker: aye. MOTION CARRIED: 5:0 VOTE.**

12. Second and final reading and public hearing of Ordinance 2008-20, amending Section 6.06 of the Charter, Election; providing for appointment of Canvassing Board – Trask read Ordinance 2008-20 by title only. **Miller made a motion, seconded by Vale, to approve the second and final reading of Ordinance 2008-20. Public Hearing:** No public comments were received. **ALL IN FAVOR? ROLL CALL: Rublee: aye; Vale: yes; Miller: aye; Seidel: yes; Ronecker: aye. MOTION CARRIED: 5:0 VOTE.**

13. Approve Resolution 2008-18, establishing ballot language for appointment of Canvassing Board – Trask read Resolution 2008-18 by title only. **Miller made a motion, seconded by Seidel, to adopt Resolution 2008-18. ALL IN FAVOR? ROLL CALL: Rublee: aye; Vale: yes; Miller: aye; Seidel: yes; Ronecker: aye. MOTION CARRIED: 5:0 VOTE.**

14. First reading and public hearing of Ordinance 2008-17, annexing 3617 Meriden Avenue (Braiman) – Trask read Ordinance 2008-17 by title only. **Miller made a motion, seconded by Seidel, to approve the first reading of Ordinance 2008-17. Public Hearing:** No public comments were received. **ALL IN FAVOR? ROLL CALL: Rublee: aye; Vale: yes; Miller: aye; Seidel: yes; Ronecker: aye. MOTION CARRIED: 5:0 VOTE.**

15. First reading and public hearing of Ordinance 2008-19, authorizing the establishment of parking fees by resolution – Trask read Ordinance 2008-19 by title only. **Vale made a motion, seconded by Miller, to approve the first reading of Ordinance 2008-19. Public Hearing:** No public comments were received. **ALL IN FAVOR? ROLL CALL: Rublee: aye; Vale: yes; Miller: aye; Seidel: yes; Ronecker: aye. MOTION CARRIED: 5:0 VOTE.**

16. Consider Resolution 2008-17, authorizing the submittal of an application for City Manager of the Year Award and Council Member of the Year Award for the Florida Cities of Excellence Award Program – Trask read Resolution 2008-17 by title only. **Seidel made a motion, seconded by Vale, to adopt Resolution 2008-17. ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.**

Trask gave an update on the Complaint for Injunctive Relief on the Deli King Code Enforcement case. The injunction was heard that morning by Judge Baird. Trask stated that Code Enforcement Officer Bob Rehmer did an excellent job with his testimony. Judge Baird ordered that this property be brought into compliance within ten days. He ordered a mandatory injunction to clean up the property of all the trucks, garbage, etc. He also ordered a prohibitory injunction saying that this company cannot do this again. He also reserved jurisdiction to enforce the injunction and to award the City its attorney's fees and costs. The judge is not requiring a bond. Trask stated this property is also in foreclosure. Vale asked if this company owns the land and the building. Trask replied yes. Miller asked what happens if it doesn't come into compliance. Trask stated this is a non-homesteaded commercial property. Fines of \$150 per day are running on one code enforcement case and \$250 per day on another case. Once the property is brought into the compliance, the fines will stop accruing. The company has made a significant attempt to get the property cleaned up. There were approximately 30 wrecked, inoperable or unlicensed trucks and they are down to 13 or 14 trucks now. Seidel asked where they are putting these vehicles and suggested it would be worth finding out. He also asked about the amount of the mortgage on the property. Trask stated he has that amount at his office and estimated it to be about \$500,000. Vale stated this company has been polluting Tower Lake for a long time. The lake is part of the City's drainage system.

CITY MANAGER:

Haddock thanked the Council for nominating him for the City Manager of the Year award. He stated he appreciates their support. He also offered congratulations to Council Member Miller on her nomination for Council Member of the Year.

17. Approve short list and schedule a work session to select a preferred firm for architectural services Oldsmar Bank Building – interior renovations – Haddock stated this project is for the interior renovations of the Oldsmar Bank Building (former library). The Council approved the short list consisting of the following three firms: Hoffman Architects of Tarpon Springs, FL, Atelier Architecture Engineering Construction of Tampa and Woodroffe Corporation Architects of Tampa. A work session was scheduled for Tuesday, August 26, 2008 at 5:30 p.m. in the Council Chambers. Each firm will be invited to make a presentation to the Council.

18. Approve plans and authorize City Manager to advertise for bids for construction of Canal Park entrance at Curlew Road – Haddock stated this project has been in the master plan for over ten years. The park continues to enjoy significant usage and providing an additional method of ingress/egress will be a big improvement. **Miller made a motion, seconded by Vale, to approve the construction plans for the Canal Park entrance at Curlew Road and authorize the City Manager to advertise for bids. ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.**

19. Authorize the City Attorney to prepare a resolution authorizing participation in the Interlocal Service Boundary Agreement process – Haddock explained that this process was initiated by the Pinellas County Commission. They have invited all 24 Pinellas County municipalities and 10 special districts, including the four independent fire districts, to participate in the process. The objective is to establish a procedure for local annexations within Pinellas County. It would replace County ordinance 00-63, adopted in 2000, which was found to be improper and no longer a legal and valid method for annexation within Pinellas County. The City's primary point for participation is the potential annexation of East Lake Woodlands and establishing service boundaries. The City's response will clearly state to the County that the primary issue is adjusting the service area to include the proposed annexation area. The City has 60 days to respond. **Miller made a motion, seconded by Seidel, to authorize the City Attorney to prepare a resolution authorizing participation in the Interlocal Service Boundary Agreement process. ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.**

20. Discuss revising temporary use fees – Haddock stated the current temporary use permit fee schedule has been in place since 1989 and needs to be more current. Staff has included information from other jurisdictions along with the current and proposed fee schedule. Rublee objected to the proposed fee increase to \$30 for birthday parties at the park for 1-50 attendees. He also questioned who determines if a security fee is required. Haddock replied that the Planning and Redevelopment Director usually determines the fee, but the final decision would be his. Vale asked if the birthday party fees would be in addition to the cost of the shelter rental. Haddock replied yes and suggested the temporary use fee be re-examined for up to 20-25 people. Vale stated that the parks are one of the City's biggest assets and people should be encouraged to enjoy them. Ronecker asked if a fee would be charged for someone putting up an inflatable in their back yard. Dauphinais replied the fee is only for the parks. Seidel asked how these changes would affect traditional events such as Oldsmar Days and Relay for Life, etc. Haddock replied that there are separate agreements for these events and historically the City has waived the permit fees. A resolution will be drafted, adjusting the fees based upon this discussion.

CITY CLERK:

CITY COUNCIL:

21. Consider reappointments to the Planning Board – Miller made a motion, seconded by Vale to reappoint Bob Harvey and Bernie Carnevale to the Planning Board. Seidel stated it was previously discussed that the people being appointed and reappointed to the Advisory Boards should attend the council meeting, allowing the Council Members the opportunity to talk with them and ask them questions. He feels that it is irresponsible of the Council to appoint people they do not know. He requested that the City Clerk's office inform each appointee/reappointee that they are expected to attend the meeting. **ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.**

Miller made a motion, seconded by Seidel, that the City Clerk notify any appointee or reappointee that their attendance is respectfully requested at the Council Meeting when their appointment/reappointment is being considered. Ronecker asked what happens if the person does not attend. Seidel suggested that they do not vote on them. He would like to see the Council adopt a policy and establish a formal process. It doesn't mean that an exception could not be made if necessary. Vale stated this would allow the Council to put a face with a name. Seidel stated this would also give the Council an opportunity to ask questions, have dialogue and gather feedback from Board members. **ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.**

22. Discuss school crossing guards – Ronecker gave an update on this issue which began back in June when Oldsmar Elementary School became concerned that 42 students would have to cross several very busy intersections in the City. The Council opened dialogue with the School Board and attended the July 29th School Board Meeting. The meeting was very disappointing as the School Board members discarded everything the Council had to say. Ronecker stated he met with School Board member Jane Gallucci this past Friday and made a proposal that the City use the money they would be paying for the crossing guards to pay for bussing these children. The number of children involved has now risen to 58. There are four stops: Tampa Road and Emerald Bay; Old Village Way and Forest Lakes Blvd., Arch Avenue and St. Clair; and Shore Blvd. and Joanne Avenue in West Oldsmar. The total amount needed to bus these children is \$4,124.25. Crossing Guards at those four locations would cost \$30,000. Seidel stated that in the response received, it stated that bussing would not relieve the City's duty of putting crossing guards there. Trask replied that the e-mail says that if Oldsmar elected to go with paid stops for these students, it does not relieve them necessarily of providing crossing guards at key intersections. Trask stated his response would be to tell them the City is not going to put crossing guards at any location other than where they already do and will pay \$4,124.25 for bussing. After discussion, **Seidel made a motion, seconded by Vale, to pay \$4,124.25 to provide bussing. ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.** Seidel also mentioned the notices that had been sent to Bay Arbor residents advising them that their bus stop location would entail crossing Tampa Road. Ronecker announced that an error had been made and then corrected by the School Transportation Department and the Bay Arbor children will not have to cross six lanes of traffic.

23. Comments by Council Members:

Rublee – No comments.

Vale – stated that the rains have created a mosquito problem again and urged anyone having a problem to call Mosquito Control.

Miller – discussed the proposed resolutions that she will be voting on as the delegate to the Florida League of Cities Annual Conference. After much discussion, the Council's decision was to vote no on Resolution 2008-04 and yes on Resolutions 2008-05, 2008-06, 2008-07, 2008-08, 2008-09, 2008-10 and 2008-11. Miller asked the City Attorney if it is possible to stop frivolous lawsuits that come in. Trask replied that anybody can file anything. He referred to a recent letter from Randy Mears and Attorney Hightower and stated his partner, Jim Yacavone, will respond in writing based upon the investigation that has been done and the background provided by City Staff. Miller also announced that the second Citizen's Academy begins September 18, 2008 and encouraged everyone to enroll now.

Seidel – congratulated Haddock and Miller on their nominations for City Manager and Council Member of the Year awards. He commented that it was very heartwarming to see all the parents attend the July 29th School Board meeting and he was proud to be a member of the City Council.

Ronecker – stated he received a letter from the Pinellas Suncoast Transit Authority (PSTA) regarding the rotating board membership every two years with Oldsmar, Safety Harbor and Tarpon Springs. They are asking for an Oldsmar Council Member to serve the term beginning October 1, 2008

and running through October 1, 2010. The board meets on the 4th Wednesday of each month, beginning at 9:00 a.m. at the PSTA Headquarters. Vice-Mayor Seidel volunteered to be the PSTA representative. Ronecker announced that the City Council, City Manager and Director of Planning and Redevelopment will be taking a trip on August 11, 2008 to Sugarland, Texas. They will be meeting with their Mayor and Council and discussing the development and phases of the plan to give them a better idea of what Dr. Weiland is proposing for the Olds Square project. The trip will be paid for with Community Redevelopment Agency (CRA) funds. This is a one day trip, meeting at City Hall at 5:15 a.m., flying out on Southwest Flight 10, and returning at 6:00 p.m. Ronecker thanked the City Manager, Assistant City Manager, Department Heads and staff involved in the budget preparation and stated it was the best budget meeting he has ever been involved with. The millage rate was able to be lowered, and the budget includes \$10 million for the water supply project. No services are being cut, no employees are being laid off, and all employees will receive pay raises during the next fiscal year. Ronecker stated this speaks volumes for the job the staff has done. Haddock thanked the Council for their support and stated the City is in a better financial position than some other local governments in Florida. Past practices have paid off. Ronecker stated that the Board of County Commissioners are having two public hearings regarding their inclusionary housing ordinance; one on August 19, 2008 at 6:30 p.m. and one on October 7, 2008 at 9:30 a.m.. Ronecker also congratulated everyone who participated in the July 26th Charity Softball Game at Brighthouse Field. This was a great family event and was well attended.

24. Approve tentative agenda for August 19, 2008 – Rublee made a motion, seconded by Vale, to approve the tentative agenda. ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE.

Rublee made a motion to adjourn, seconded by Miller. ALL IN FAVOR? MOTION CARRIED: 5:0 VOTE. The meeting was adjourned at 8:44 p.m.

Prepared by Kathy Horvath, Assistant City Clerk

Respectfully submitted by:

**Lisa A. Lene
City Clerk
City of Oldsmar**