

**MINUTES  
SEMINOLE CITY COUNCIL  
TUESDAY, JANUARY 23, 2007**

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The Regular Meeting of the Seminole City Council was held on Tuesday, January 23, 2007, in the City Hall, City Council Chambers, 9199 113<sup>th</sup> Street North, Seminole, Florida.

James Johnson, Mayor, called the meeting to order at 7:00 p.m. The invocation was given by Vice Mayor Dan Hester, followed by the Pledge of Allegiance.

**ROLL CALL:**

Present were: Councilors Bob Matthews, Thomas Barnhorn, Patricia Hartstein, John Counts and Peter Hofstra; Vice Mayor Dan Hester; Mayor James Johnson; City Attorney John Elias; City Manager Frank Edmunds, and City Clerk Lesley DeMuth.

**INTRODUCTIONS AND PRESENTATIONS:**

None.

**1. PUBLIC COMMENT:**

Harriet Crozier, Vice Mayor - City of Largo, spoke on the Pinellas County Health Departments "Florida on the Move" event, and challenged the City Council to a walking competition with other elected officials, which they accepted.

**2. APPROVAL OF MINUTES – REGULAR MEETING JANUARY 9, 2007.**

Motion by Councilor Hartstein, second by Vice Mayor Hester, to approve the minutes of January 9, 2007.

UNANIMOUS APPROVAL BY ACCLAMATION

**3. CONSIDER A FIRST READING OF ORDINANCE NO. 01-2007 REGARDING ALLOCATION OF THE FISCAL YEAR 2006 FUND BALANCE.**

The City Clerk read Ordinance No. 01-2007 by title only. Motion by Councilor Barnhorn, second by Councilor Counts to approve Ordinance No. 01-2007 on First Reading.

In response to a question from Vice Mayor Hester regarding the \$50,000.00 in Community Development Professional Services, City Manager Edmunds explained this is for special services such as engineering, surveying, and other activities associated with development within the City. The City will expend the dollars, invoice the developer for the costs, and the monies will come back to the City in the form of revenue.

In response to a question from Mayor Johnson, City Manager Edmunds stated the funds identified under Public Works are for two additional fountains in City ponds, and minor electrical repairs in City parks.

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| ROLL CALL: | COUNCILOR MATTHEWS  | AYE |
|            | VICE MAYOR HESTER   | AYE |
|            | COUNCILOR COUNTS    | AYE |
|            | COUNCILOR BARNHORN  | AYE |
|            | COUNCILOR HARTSTEIN | AYE |
|            | COUNCILOR HOFSTRA   | AYE |
|            | MAYOR JOHNSON       | AYE |

MOTION CARRIED UNANIMOUSLY

**4. CONSIDER RESOLUTION NO. 01-2007 EXPRESSING OPPOSITION TO PINELLAS COUNTY'S WATER AND SEWER ENTERPRISE FLOW OF FUNDS.**

Motion by Councilor Matthews, second by Councilor Counts to approve Resolution No. 01-2007.

City Manager Edmunds gave an overview of the proposal by Pinellas County to change the water and sewer enterprise flow of funds from a closed to an open flow of funds. He stated in order for the County to make this change, the Board of County Commissioners will have to meet, and act upon the County Administrators recommendation. A date for this action has not been established.

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| ROLL CALL: | COUNCILOR MATTHEWS  | AYE |
|            | VICE MAYOR HESTER   | AYE |
|            | COUNCILOR COUNTS    | AYE |
|            | COUNCILOR BARNHORN  | AYE |
|            | COUNCILOR HARTSTEIN | AYE |
|            | COUNCILOR HOFSTRA   | AYE |
|            | MAYOR JOHNSON       | AYE |

MOTION CARRIED UNANIMOUSLY

**5. CONSIDER AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE WINE CELLAR FOR THE DECEMBER 9, 2007 VOLUNTEER BOARDS APPRECIATION DINNER.**

Motion by Councilor Counts, second by Councilor Hartstein to authorize the City Manager to execute an Agreement with the Wine Cellar for the 2007 Volunteer Boards Appreciation Dinner.

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| ROLL CALL: | COUNCILOR MATTHEWS | AYE |
|            | VICE MAYOR HESTER  | AYE |
|            | COUNCILOR COUNTS   | AYE |

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| COUNCILOR BARNHORN  | AYE |
| COUNCILOR HARTSTEIN | AYE |
| COUNCILOR HOFSTRA   | AYE |
| MAYOR JOHNSON       | AYE |

MOTION CARRIED UNANIMOUSLY

**6. CONSIDER AUTHORIZATION TO EXECUTE THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INTERLOCAL AGREEMENT.**

Motion by Councilor Hartstein, second by Councilor Matthews to authorize the City Manager to execute the National Pollutant Discharge Elimination System Interlocal Agreement.

In response to a question from Vice Mayor Hester on the monitoring process, City Manager Edmunds stated the agreement before Council is an Interlocal Agreement allowing all the agencies to work together in the monitoring process. In the City's case, conditions are monitored by the building inspection staff, and the public works staff. He reported as recently as last Friday, the City received an audit by the Federal Government. They reviewed the City's inspection procedures as well as City records regarding these procedures to make sure the City is compliant. City Manager Edmunds mentioned Lake Seminole is in the process of a very significant multi-jurisdictional clean-up which will include treatment facilities at the discharge point, prior to going into the lake, for further purification.

Councilor Matthews asked if the City had water filtering at Dog Lake Pond. City Manager Edmunds stated Dog Lake Pond is a result of a tri-party agreement. The pond was reconstructed several years ago, and certain plants were placed in the pond to help purify the water as it travels towards Lake Seminole.

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| ROLL CALL: | COUNCILOR MATTHEWS  | AYE |
|            | VICE MAYOR HESTER   | AYE |
|            | COUNCILOR COUNTS    | AYE |
|            | COUNCILOR BARNHORN  | AYE |
|            | COUNCILOR HARTSTEIN | AYE |
|            | COUNCILOR HOFSTRA   | AYE |
|            | MAYOR JOHNSON       | AYE |

MOTION CARRIED UNANIMOUSLY

**7. CONSIDER AUTHORIZATION FOR CO-SPONSORSHIP OF THE 2007 RELAY FOR LIFE EVENT.**

Motion by Vice Mayor Hester, second by Councilor Matthews to authorize the City Manager to execute a sponsorship proposal with the American Cancer Society for the Seminole Relay for Life event in the amount of \$800.00 from Budget Account Number 511-8200.

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| ROLL CALL: | COUNCILOR MATTHEWS | AYE |
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|---------------------|-----|
| VICE MAYOR HESTER   | AYE |
| COUNCILOR COUNTS    | AYE |
| COUNCILOR BARNHORN  | AYE |
| COUNCILOR HARTSTEIN | AYE |
| COUNCILOR HOFSTRA   | AYE |
| MAYOR JOHNSON       | AYE |

MOTION CARRIED UNANIMOUSLY

**8. CITY COUNCIL REPORTS:**

Councilor Barnhorn reported he attended the Pinellas County Health Departments Florida on the Move, Healthy Choice Restaurant Banquet, and the Suncoast League of Cities Meeting. Councilor Barnhorn spoke on the issued addressed by the speaker John Wayne Smith, Assistant Director of Legislative Affairs for the Florida League of Cities at the meeting, and on House Bill 363 which has been introduced by Representative Janet Long limiting municipal and county operating budgets. He urged everyone to contact Representative Long to oppose this bill. Copies of House Bill 363, and a list of phone numbers and addresses for all the State Representatives and Senators were provided to Council.

Councilor Counts reported Seminole High School girls’ soccer team won their district finals, and the only girl’s club soccer team at Seminole Shooting Stars had their first win last Saturday.

Councilor Hartstein reported she attended the Suncoast League of Cities Meeting, and spoke on the business meeting. She provided Council with information which was distributed from Congressman Bill Young, H.A.C., Florida, and the League. She also report the Suncoast League has money set aside to allow elected officials to go to Tallahassee to lobby, and a new website for the League is under construction. Council Hartstein advised Council she had the opportunity to tour the Gulfport Senior Center and Vice Mayor Phillips offered his assistance or the assistance of the Area Agency on Aging when the City is ready to start looking at our Senior Center. Councilor Hartstein encouraged Council to attend the March Suncoast League Meeting.

**9. CITY MANAGER REPORTS:**

City Manager Edmunds reported:

- Jim Sheets, Recreation Director, spoke on the Step up Florida activities being held within in the City on Saturday, February 24. He invited City Council to welcome the walkers at City Hall Park, and attend the Grand Celebration at Taylor Park.
- The Recreation Center will be closed February 16 -19, for maintenance.
- Provided a copy of the Penny for Pinellas informational campaign handout.
- Advised Council that sixteen of the City’s Firefighters will participate in the Second Annual “Bounding up the Bank of America Plaza” in Tampa. In keeping with the City’s encouragement for the Firefighters to remain physically fit, the City will be supporting them by allowing the use of their bunker gear, providing air packs, and assisting with registration fees.

- Received a request from the Miss Seminole Scholarship Pageant for a contribution to this year's pageant, and recommended the City Council consider making a donation of \$1,000.00 to be drawn from the contingency account. Motion by Councilor Matthews, second by Councilor Hartstein to contribute \$1,000.00 to the Miss Seminole Scholarship Pageant. UNANIMOUS APPROVAL BY ACCLAMATION
- The first court ordered mediation regarding the litigation with various agencies of Pinellas County Government will be held on Monday, January 29, in St. Petersburg. City Manager Edmunds stated he would like to report back to the City Council in a non-public Attorney/Client meeting sometime before the City Council's Chapter 164 Mediation Meeting on February 9. City Attorney Elias requested the Council hold an Attorney/Client "shade" meeting sometime before February 9, to discuss the litigation, the strategies pertaining to settlement, and the furtherance of the litigation. City Council discussed dates, and an email will be sent to Council to consider establishing Tuesday, January 30, 2007, at 2 p.m. as the meeting date. City Manager Edmunds mentioned a quorum of the Council is mandatory for the meeting of February 9. Vice Mayor Hester suggested in the future, when there are other meetings which need to be scheduled, the request go out prior to the business meeting.

#### **10. OLD BUSINESS:**

In response to Councilor Counts request for an update on the School Partnership Program, City Manager Edmunds stated the City is still seeking a Chair for the Committee. Once a Chair has been identified, the Committee will be presented to the City Council for confirmation.

Vice Mayor Hester asked for an update on the drainage issue in Seminole Lakes Country Club. City Manager Edmunds stated late last year, there was a meeting with the golf course ownership, their legal representative, and the City's engineers and they came to what is hoped to be an agreement on the solution to the drainage condition. The City has authorized its engineers to complete the design of that solution, and it is hoped that will be completed by the end of February. The next step in the process will be to present this final solution to the golf course ownership and attempt to reach an agreement on the schedule of construction. City Manager Edmunds stated it is his and the City Attorneys opinion that this is a private property issue and the City is trying to facilitate a solution because the result is an occasional flooding of a City street. The City is trying to work through the process with all the parties to try to come to a reasonable conclusion.

#### **11. NEW BUSINESS:**

Vice Mayor Hester advised Council it was brought to his attention by a residents in Blossom Lake that they have on occasion witnessed people coming in and taking turtles out of the lake. He asked Council if there was support to look into an ordinance/resolution at a workshop that would prevent wildlife from being removed from the City owned parks, lakes and ponds.

City Council had no objection to scheduling a Workshop to discuss this matter.

Councilor Counts questioned whether the item scheduled for the Workshop, following the Council Meeting, could be considered under New Business.

Mayor Johnson felt the Workshop had been scheduled, and Council needed to continue with this meeting as planned. Council was in agreement to proceed with the Workshop.

**12. CONSIDER A MOTION FOR ADJOURNMENT.**

Motion by Vice Mayor Hester, second by Councilor Hartstein to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION

Mayor Johnson announced the Workshop following the meeting will begin in five minutes.

Date Approved: \_\_\_\_\_

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Lesley DeMuth, City Clerk

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James Johnson, Mayor