

**MINUTES
SEMINOLE CITY COUNCIL
TUESDAY, JULY 24, 2007**

The Regular Meeting of the Seminole City Council was held on Tuesday, July 24, 2007, in the City Hall, City Council Chambers, 9199 113th Street North, Seminole, Florida.

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

ROLL CALL:

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

INTRODUCTIONS AND PRESENTATIONS:

None.

1. PUBLIC COMMENT:

Cindy Butler, 10143 52nd Avenue North, presented a request to City Council for their support, in the way of a Resolution to the Pinellas County School Board, to keep Orange Grove Elementary School open.

Michael Cheer, 5923 Blossom Lake Drive, requested Council favorably consider the land lease issue in order for him and his wife to get a dock permit.

2. APPROVAL OF MINUTES – REGULAR MEETING JULY 10, 2007.

Motion by Councilor Hartstein, second by Councilor Hester to approve the minutes of July 10, 2007.

UNANIMOUS APPROVAL BY ACCLAMATION

3. CITY COUNCIL TO ESTABLISH THE FIRST PUBLIC HEARING DATE FOR THE PROPOSED FISCAL YEAR 2008 BUDGET AND THE TENTATIVE MILLAGE RATE FOR THE TRIM NOTICE.

Motion by Councilor Hester, second by Councilor Matthews to establish September 11, 2007 as the date of the first Public Hearing for the proposed FY08 Budget, and set a tentative Millage Rate of 2.4793 for the Trim Notice.

UNANIMOUS APPROVAL BY ACCLAMATION

4. CONSIDER A FIRST READING OF ORDINANCE NO. 06-2007 AMENDING THE MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND.

The City Clerk read Ordinance No. 06-2007 by title only.

Motion by Councilor Matthews, second by Councilor Hartstein to approve Ordinance No. 06-2007 on First Reading.

City Manager Edmunds mentioned, as a point of procedure, the City Charter provision which requires four positive votes on an ordinance in order for it to move forward.

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

MOTION CARRIED UNANIMOUSLY

5. CONSIDER A FIRST READING OF ORDINANCE NO. 16-2007 ESTABLISHING AN EMERGENCY PREPAREDNESS DESIGNATION IN THE CITY'S FUND BALANCE.

The City Clerk read Ordinance No. 16-2007 by title only.

Motion by Councilor Hartstein, second by Councilor Hester to approve Ordinance No. 16-2007 on First Reading.

Councilor Hester asked whether this designation is something that must be approved on an annual basis or will it be in place until an elected body determines they may want to undesignated this fund.

City Manager Edmunds stated unless the Ordinance is repealed at some future date, this is an Ordinance of the City. If the Ordinance is adopted at second reading, the City will place \$3 million into the fund, and it will accrue its own interest. City Manager Edmunds stated this action is compliant with City Council's direction to limit the use of these funds for emergency preparedness purposes only. The way the Ordinance is structured, the only time funds could be used would be at the direction of the City Council or at a declaration of emergency where the City Manager would be authorized to expend funds during that emergency.

In response to a question from Councilor Matthews on the fund title and its use, City Manager Edmunds stated the fund itself is in preparation of an emergency, and is being set aside to prepare the City to be able to respond to emergencies in the future. These emergencies will be determined by the City Council but, the ordinance does require a super majority vote of the City Council to expend funds unless there is a declared emergency.

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| ROLL CALL: | COUNCILOR HARTSTEIN | AYE |
| | COUNCILOR HESTER | AYE |
| | COUNCILOR MATTHEWS | AYE |

VICE MAYOR BARNHORN AYE

MOTION CARRIED UNANIMOUSLY

6. CONSIDER A FIRST READING OF ORDINANCE NO. 17-2007 REGARDING DOCK PERMITS.

The City Clerk read Ordinance No. 17-2007 by title only.

Motion by Councilor Hartstein, second by Councilor Matthews to approve Ordinance No. 17-2007 on First Reading.

Councilor Hester stated for the record he will be voting no on the Ordinance, and philosophically he has an issue with the use of public land for private purpose. Councilor Hester stated when asking himself what the true public purpose of this action is; as he does when making his decisions on Council, he could find no public purpose in Council moving forward.

In response to Councilor Matthews request for an explanation of the item for the public, City Manager Edmunds explained this matter is before the City Council as a result of a number of workshops and discussions that have been held regarding this issue, and is in response to a request the City received by a property owner to construct a dock on Lake Kersey which is owned by the City.

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| ROLL CALL: | COUNCILOR HARTSTEIN | NAY |
| | COUNCILOR HESTER | NAY |
| | COUNCILOR MATTHEWS | NAY |
| | VICE MAYOR BARNHORN | NAY |

MOTION FAILED UNANIMOUSLY

7. CONSIDER AUTHORIZATION TO EXECUTE AN EAP/FAP PROFESSIONAL SERVICE AGREEMENT WITH OPERATION PAR, INC.

Motion by Councilor Hester, second by Councilor Hartstein to authorize the City Manager to execute the EAP/FAP Professional Service Agreement with Operation PAR, Inc. for the provision of employee assistance services.

Vice Mayor Barnhorn asked if this is a continuation of the existing agreement, and City Manager Edmunds stated it is.

UNANIMOUS APPROVAL BY ACCLAMATION

8. CONSIDER AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT PROGRAM FUNDS FOR THE RE-LOCATION AND RENOVATION OF THE RECREATION CENTER'S FITNESS CENTER.

Motion by Councilor Hartstein, second by Councilor Hester to approve the expenditure not to exceed \$100,000 from the Capital Improvement Fund for the budgeted relocation and renovation of the Recreation Fitness Center.

City Manager Edmunds explained the expansion will reverse the uses of the current game room and fitness center which will allow for a greater use and a better area to facilitate the fitness center. City Manager Edmunds encouraged Council approval.

Councilor Matthews stated he felt this is a positive for the community.

UNANIMOUS APPROVAL BY ACCLAMATION.

9. CONSIDER APPOINTING A VOTING DELEGATE FOR THE FLORIDA LEAGUE OF CITIES ANNUAL BUSINESS MEETING TO BE HELD ON AUGUST 18, 2007.

Motion by Councilor Hester, second by Councilor Hartstein to appoint Mayor Johnson as the City's voting delegate during the Florida League of Cities Annual Business Meeting.

UNANIMOUS APPROVAL BY ACCLAMATION.

10. CITY COUNCIL REPORTS

Vice Mayor Barnhorn reported he attended the 75th Anniversary of the Panama Canal Society and the Lealman Special Fire Control District Task Force Meeting.

11. CITY MANAGER REPORTS

City Manager Edmunds reminded Council of the following meeting dates scheduled during the month of August:

- Tuesday, August 7 - Budget Workshop - 6:00 pm
- Tuesday, August 14 - Annual Performance Evaluation of the City Manager - 6:00 pm prior to the regularly scheduled business meeting.
- Tuesday, August 21 - Workshop to discuss the Public Purpose opinion - 7:00 pm.
- Wednesday, August 8 – Senior Activities Center Public Participation Workshop - 6:00 pm in the Recreation Center – to be conducted by City Staff and the Architects in preparation of pursuing a grant to help with the cost of the future Senior Activities Center.

City Manager Edmunds stated in anticipation of tonight's meeting, he sent a brief email request to the Superintendent of Schools to see if he would be inclined to either send staff or provide information on what may have prompted Orange Grove Elementary to be on the potential school closure list. He did receive an email today that he forwarded to the Council indicating no decision has been made with regard to the closure. City Manager Edmunds stated he will attempt to maintain communications with the Superintendent's Office, and should additional information become available, he will pass it on to Council.

City Manager Edmunds reported the City was successful in web-casting the City Council's last meeting and will continue to provide this service to the citizens. In response to a question from Councilor Hester as to whether the City can track hits to the web-casting, City Manager Edmunds stated the City can determine the number of hits to that portion of the website, and this will be monitored. City Manager Edmunds stated the City will be doing some advertising to let the public know this is another method available to view City Council Meetings.

City Manager Edmunds advised Council the City is preparing the semi-annual community newsletter and asked if there was a Councilor who wished to write the Council article. Councilor Hartstein volunteered.

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. CONSIDER A MOTION FOR ADJOURNMENT.

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

UNANIMOUS APPROVAL BY ACCLAMATION

Date Approved: _____

Lesley DeMuth, City Clerk

James Johnson, Mayor