

**MINUTES  
SEMINOLE CITY COUNCIL  
TUESDAY, NOVEMBER 13, 2007**

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The Regular Meeting of the Seminole City Council was held on Tuesday, November 13, 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 Councilor Patricia Hartstein followed by the Pledge of Allegiance.

**ROLL CALL:**

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

**INTRODUCTIONS AND PRESENTATIONS:** None.

**1. PUBLIC COMMENT:**

Mike Masem, 8950 Park Boulevard, asked if the proceeds from the alcohol sales at Pow Wow go to the City or the not-for-profit organization, and with the recent Council discussions regarding the alcohol issue with minors, he felt it would be just as easy for minors to obtain alcohol at this City sponsored event. City Manager Edmunds stated the majority of the proceeds go to the not-for-profit organization. However, there is a percentage that goes to the Pow Wow Festival Special Events Fund.

**2. APPROVAL OF MINUTES – REGULAR MEETING OCTOBER 23, 2007.**

Motion by Councilor Hofstra, second by Councilor Hartstein to approve the minutes of October 23, 2007.

UNANIMOUS APPROVAL BY ACCLAMATION

**3. CONSIDER A FIRST READING OF ORDINANCE NO. 21-2007 REGARDING DRIVE AISLES.**

The City Clerk read Ordinance No. 21-2007 by title only.

Motion by Councilor Hartstein, second by Councilor Hofstra to approve Ordinance No. 21-2007 on First Reading.

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

MOTION CARRIED UNANIMOUSLY

**4. CONSIDER A FIRST READING OF ORDINANCE NO. 24-2007 AMENDING CHAPTER 42 OF THE MUNICIPAL CODE RELATED TO OCCUPATIONAL LICENSE NAME CHANGE.**

The City Clerk read Ordinance No. 24-2007 by title only.

Motion by Councilor Matthews, second by Councilor Hofstra to approve Ordinance No. 24-2007 on First Reading.

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

MOTION CARRIED UNANIMOUSLY

**5. CONSIDER A FIRST READING OF ORDINANCE NO. 25-2007 PERMITTING THE CONSTRUCTION OF DOCKS ON LAKE KERSEY, BLOSSOM LAKE AND FUTURE CITY OWNED SUBMERGED LANDS.**

The City Clerk read Ordinance No. 25-2007 by title only.

Motion by Vice Mayor Barnhorn, second by Councilor Hartstein to approve Ordinance No. 25-2007 on First Reading.

Councilor Hofstra stated it was his understanding when Council last work shopped this, the Ordinance was going to have provisions granting the City an easement to enter upon the lot for future inspections and it would provide for maintenance standards. Councilor Hofstra stated in his reading of the proposed Ordinance, it does not reveal either of those elements.

City Manager Edmunds stated the Municipal Code permits inspectors to enter upon private property for the purpose of inspection but, this language can be incorporated into the Ordinance. City Manager Edmunds stated the maintenance requirement was an omission and Staff will include this provision in the final draft.

ROLL CALL:	COUNCILOR COUNTS	AYE
	VICE MAYOR BARNHORN	AYE
	COUNCILOR HARTSTEIN	AYE
	COUNCILOR HOFSTRA	AYE (provided the changes are made)
	COUNCILOR MATTHEWS	AYE
	MAYOR JOHNSON	AYE

MOTION CARRIED UNANIMOUSLY

**6. CONSIDER RESOLUTION NO. 09-2007 REGARDING LIVABLE COMMUNITIES INITIATIVE.**

The City Clerk read Resolution No. 09-2007 by title only.

Motion by Councilor Matthews, second by Councilor Hofstra to approve Resolution No. 09-2007 to support the MPO’s Livable Communities concept.

In response to a request for an explanation on the Livable Communities concept by Councilor Matthews, Community Development Director Ely explained the MPO in 2004/2005 embarked on a process to come up with goals, objectives and policies of how to connect pedestrian walkways, mass transit, etc. into developments in Pinellas County to take pressure off the roadways. The MPO’s has asked all local governments to pass a resolution supporting these concepts to make development and redevelopment projects more livable and aesthetically pleasing.

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

MOTION CARRIED UNANIMOUSLY

**7. CONSIDER AUTHORIZATION TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE LEALMAN SPECIAL FIRE CONTROL DISTRICT.**

Mayor Johnson introduced the Chairperson of the Lealman Special Fire Control District, Commissioner Rebecca Harriman. Members of Boy Scout Troop 321, Dens 2 and 9, were also introduced.

Motion by Councilor Hartstein, second by Vice Mayor Barnhorn to authorize the City Manager to execute the Non-Annexation and Non-Contract Interlocal Agreement with the Lealman Special Fire Control District.

City Manager Edmunds explained the Agreement before Council is the result of a number of meetings Staff had with the Lealman Fire District. This agreement provides that the City agrees not to annex further into the Lealman Fire District and in return the Lealman Fire District agrees not to contract for fire related services in the Seminole District.

UNANIMOUS APPROVAL BY ACCLAMATION

**8. CONSIDER AUTHORIZATION OF THE SALE OF ALCOHOL BEVERAGES BY A SEMINOLE NON-PROFIT ORGANIZATION AT THE 2008 POW WOW FESTIVAL.**

Motion by Vice Mayor Barnhorn, second by Councilor Hartstein to authorize the sale of beer and/or wine by a Seminole based non-profit organization at the 2008 Pow Wow Festival.

Councilor Hofstra asked how it is decided which non-profit organization gets the sales.

City Manager Edmunds explained the Pow Wow Festival Committee welcomes applications to be considered, and then reviews them to see that they meet the criteria originally established by the Council. If there are equal candidates, then there is a draw. City Manager Edmunds stated he would like to speak on the comments made during Public Comment. He felt the point is well taken but, there are some very distinct differences. City Manager Edmunds stated in the twelve years he has been City Manager, he did not recall an alcohol related incident at Pow Wow that had to be enforced by the Deputies. The Pow Wow Festival is well staffed with Pinellas County Sheriff Deputies unlike the businesses the City has had some difficulties with. City Manager Edmunds felt that history demonstrates this is a well managed and a very safe event, and the City has not experienced underage drinking as a result of the sale that Council is about to consider.

Recreation Director Jim Sheets advised Council that the organization selling the beer at Pow Wow will use arm bands, and does go to great strides to make sure those under age are not served.

Vice Mayor Barnhorn stated he has been avid about his belief that underage youths do not have a place in a bar. The definition of a bar is an established business that derives the majority of its money from alcohol sales. In restaurants and large events like this, the predominate source of revenue is not the alcohol sales.

UNANIMOUS APPROVAL BY ACCLAMATION

**9. CONSIDER AUTHORIZATION TO EXECUTE A CONTRACT IN THE AMOUNT OF \$275 FOR MUSICAL SERVICES WITH ENTERTAINER ROGER KRAFT FOR THE ANNUAL HOLIDAY VOLUNTEER RECOGNITION DINNER ON DECEMBER 9, 2007.**

Motion by Councilor Hartstein, second by Councilor Hofstra to authorize the City Manager to execute a contract in the amount of \$275.00 with Roger H. Kraft, Entertainer, for musical services during the December 9, 2007, Annual Holiday Volunteer Recognition Dinner.

UNANIMOUS APPROVAL BY ACCLAMATION

**10. CONSIDER AN APPOINTMENT TO THE RECREATION ADVISORY BOARD TO SERVE A REMAINING TERM EXPIRING DECEMBER 2008.**

Motion by Councilor Hofstra, second by Councilor Matthews to appoint Mr. Mike Masem to the Recreation Advisory Board to fill the remainder of the unexpired term to December 2008.

UNANIMOUS APPROVAL BY ACCLAMATION

**11. CONSIDER APPOINTMENTS TO THE SCHOOL PARTNERSHIP COMMITTEE.**

Motion by Councilor Hofstra, second by Councilor Counts to appoint Mary Russell, Donna McMann, Stacey Russo, April Ellison and Tim Hollaway to the School Partnership Committee, each serving a two year term which will expire on November 13, 2009.

Councilor Counts stated he was excited this Committee was finally going to be staffed, and felt the Committee will give the businesses in the area the opportunity and privilege to create a positive change in our Seminole school system. He recognized Mary Russell and April Ellison who were present.

UNANIMOUS APPROVAL BY ACCLAMATION

**12. CITY COUNCIL REPORTS:**

Vice Mayor Barnhorn reported he attended the Library Volunteer Luncheon.

Councilor Hartstein reported she attended the St. Pete College Community Advisory Board Meeting. One of the items discussed at the meeting and one she will push for, for the City, was banners. The College is looking to put up banners along 113<sup>th</sup> Street, and she would like to encourage the City to get into some type of partnership where the City has a similar thing happening. Councilor Hartstein stated it is a privilege to serve on the Committee and thanked Dr. Olliver for the work he does, and his leadership in the community.

Mayor Johnson reported he attended the Mayors Council Meeting, the Library Volunteer Luncheon, a Flag Retirement Ceremony at Seminole Lake Presbyterian Church, and the Veterans Day Program at Bay Pines. Mayor Johnson complemented City Manager Edmunds and Staff on the installation of the Flags along Bay Pines Boulevard.

**13. CITY MANAGER REPORTS:**

City Manager Edmunds advised Council he originally scheduled a workshop following the business meeting to have a general discussion on employee compensation practices. He stated he would rather have this discussion with the entire Council present, and has decided to postpone the workshop. In looking ahead at the meeting schedules, the earliest the Council would be able to have a reasonable discussion on this topic would be January. City Manager Edmunds recommended, in light of the January 29 referendum, this discussion be deferred until February. City Manager Edmunds stated he is authorized during the current budget year to seek professional services to do a Pay and Classification Study and advised Council he will hold that effort until he has had an opportunity to have this discussion with the Council.

City Manager Edmunds advised Council they were provided with an opinion from the City Attorney regarding Dual Office Holding. This opinion is a result of a question regarding the appointment of a Council Member to the Seminole Recreation District Board. It is the City Attorney's opinion that this is possible, and if a Council Member is interested in serving it will require an appointment by Council.

Motion by Vice Mayor Barnhorn, second by Councilor Hartstein to appoint Councilor John Counts to fill the vacancy on the Seminole Recreation District Board.

UNANIMOUS APPROVAL BY ACCLAMATION

City Manager Edmunds reported:

- The Bright Before Your Eyes Holiday Night Parade is scheduled for November 18. If Council wishes to participate, please meet at 6:00 pm on Johnson Boulevard.

- Pinellas County is moving forward with a unified Bryan Dairy name designation for 102<sup>nd</sup> Avenue.
- Pinellas County will be holding a Public Information Meeting on Thursday, November 15, from 4:00 pm to 7:00 pm at Seminole High School on the improvement proposal for 102<sup>nd</sup> Avenue.
- A copy of the 2007-2008 Budget document was provided to each Councilor.
- Deputy Dave DiSano gave an update on the activities of the Community Policing Officers.

**14. OLD BUSINESS:**

Councilor Counts stated he would like to see the City Council revisit the idea of a skateboard park.

**15. NEW BUSINESS:**

Councilor Counts encouraged Council, as in the past, to invite local schools Student Councils to visit City Hall and attend a Council Meeting. He will be doing so to Seminole Elementary, and encouraged Ms. Russell to invite the other schools as one of the School Partnership Committees first orders of business. Mayor Johnson asked that tours be coordinated through the City Clerk’s Office.

**16. CONSIDER A MOTION FOR ADJOURNMENT.**

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

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

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Lesley DeMuth, City Clerk

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James Johnson, Mayor