

**MINUTES
SEMINOLE CITY COUNCIL
TUESDAY, MAY 22, 2007**

The Regular Meeting of the Seminole City Council was held on Tuesday, May 22, 2007, in the City Hall, City Council Chambers, 9199 113th 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 Patricia Hartstein, Dan Hester, 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 Counts asked to be excused.

INTRODUCTIONS AND PRESENTATIONS:

Mayor Johnson presented a proclamation to Patrick Johnson recognizing his accomplishment of Eagle Scout.

Presentation: Mayor Johnson welcomed Chairman Ronnie Duncan, Pinellas County Board of County Commissioners; Peter Yauch, Assistant County Administrator, and Ken Jacobs, Signal Operations Manager. Mr. Jacobs presented a PowerPoint presentation on the Countywide Intelligence Transportation System, and answered questions from Council.

Chairman Duncan spoke on the Brooker Creek issues which were discussed during the Board of County Commission Meeting today. He stated one issue the Board heard today focused on the Blending Plant issue. Tampa Bay Water is putting \$15 million of Tampa Bay Water Board money into the project, and the Board gave staff direction today to continue down the road with the building of a Blending Plant on the very northern part of the Brooker Creek area which the land has already been cleared for but, not at the scope and the size of construction that was initially planned by the Utilities Department.

As it relates to recreational needs in the north part of the County, Chairman Duncan advised Council that the Board asked staff to uncover every possible stone there was to uncover as it relates to alternatives from expanding the current soccer fields in the Preserve. Chairman Duncan stated he was pleased to tell Council they came up with a number of other options and the Board asked staff today to go back and find out the pros and cons, and what the costs are. The Board is doing everything they possibly can to not do anything else to injure, impair or impact the future of the Brooker Creek Preserve. Chairman Duncan stated he thought the Board made some good decisions today, and their next Brooker Creek Work Session will be June 21.

1. PUBLIC COMMENT:

None.

2. APPROVAL OF MINUTES – REGULAR MEETING MAY 8, 2007.

Motion by Councilor Hartstein, second by Councilor Hester to approve the minutes of May 8, 2007.

UNANIMOUS APPROVAL BY ACCLAMATION

3. CONSIDER RESOLUTION NO. 05-2007 CONFIRMING THE SUNCOAST LEAGUE OF CITIES POSITION TO OPPOSE TWO PINELLAS COUNTY ORDINANCES.

City Manager Edmunds stated as requested by the City Council, he placed this item on the agenda for their consideration. This Resolution was transmitted to the City by the Suncoast League with a request that communities consider adopting local Resolutions in opposition to the anticipated county action on this matter. As Council heard from Chairman Duncan, this issue is actively being discussed at the County level. City Manager Edmunds pointed out this property was purchased by Pinellas County Utilities for an anticipated utility use, and one of the proposed uses is a utility use. The Resolution as presented for Council consideration would oppose the construction of a Blending Plant which would be contrary to the purpose of the property purchase.

Vice Mayor Barnhorn stated the Resolution is in protest of opening Brooker Creek up to recreational use. He thought as far as the utilities using it, they already have the rights of usage.

Mark Ely, Community Development Director, stated he watched the County Commission Work Session this afternoon and Commissioner Welsh specifically asked the President of the Suncoast League if that was the fact, that they were just against the ball fields. The Suncoast League of Cities President admitted the verbatim language in the Resolution is in opposition to any development in the Preserve and that would include the Tampa Bay Water Blending Facility, although their intent was in opposition to the Recreation/Open Space Land Use Change.

Vice Mayor Barnhorn asked if the Council could amend the Resolution asking that land not be cleared for recreational space but, to allow it for water usages.

Mr. Ely stated the City Manager would have to clarify this but, Council would have to strike the prohibition in the Resolution saying they are against any development.

Councilor Hester stated Section Two say City Council hereby opposes any future development of the Brooker Creek Preserve. Councilor Hester felt this may be interpretation but, it has already been designated for Pinellas County Utilities and Water.

City Manager Edmunds stated there is a conflict with the use. His concern by raising the issue to Council was to make sure they understood the potential significance of the Resolution. If it is Council's intent not to permit such things as a Blending Plant, then this Resolution is fine to go forward. If it is Council's intent to send a signal to the Board of County Commissioners that they prefer it not to be used for any activities, other than associated with a utility project then this is not what the Resolution says.

Mayor Johnson asked how many people the Blending Facility will serve.

Mr. Ely stated from one-half million to one million people.

Councilor Hartstein stated the Resolution probably is not the way Council thinks it. Council needs to may be vote this Resolution down and send it back to the Suncoast League asking them to take another look at it.

Councilor Matthew asked if Council could table the Resolution and have it modified.

Vice Mayor Barnhorn stated he would like to see the Resolution modified to what he believed to be Council's opinion that they do not mind the property being used for utility purposes, but did mind it being cleared to put in ball parks, a recreation center, things like this.

Councilor Hofstra felt the Council should vote on the Resolution and if it is the inclination of this body to turn it down then so be it. In his opinion, he thought Council needed to look at another Resolution if all we are opposed to is the use of the property for recreation. Councilor Hofstra stated he cannot vote in favor of the Resolution with Section Two, and in fact would be opposed to anything that says Council is in favor of anything the Utilities Department wants to do.

Motion by Councilor Matthews, second by Vice Mayor Barnhorn to deny this Resolution and modify it to the proper wording.

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

MOTION CARRIED 5 TO 1.

4. CONSIDER AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS IN THE AMOUNT OF \$1,641 FOR IMPROVEMENTS TO CITY HALL AND TO CLOSE THE LIBRARY/CITY HALL CONVERSION ACCOUNT.

Motion by Councilor Hester, second by Councilor Hartstein to authorize the expenditure of up to \$1,641 from the Administration Capital Improvement Fund for City Hall improvements and to close the Library/City Hall Conversion Account.

UNANIMOUS APPROVAL BY ACCLAMATION

5. CONSIDER AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS IN THE AMOUNT OF \$1,156.60 FOR A COMPUTER FOR THE LIBRARY DIVISION'S TECHNOLOGICAL SERVICES SECTION.

Motion by Councilor Hartstein, second by Councilor Hester to authorize the expenditure of Capital Improvement Funds in the amount of \$1,156.60 for a computer for the Library Division's Technical Services Section.

UNANIMOUS APPROVAL BY ACCLAMATION

6. CONSIDER AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS IN THE AMOUNT OF \$40,000 ASSOCIATED WITH THE CONSTRUCTION OF RESTROOM FACILITIES AT BLOSSOM LAKE PARK.

Motion by Councilor Hester, second by Vice Mayor Barnhorn to authorize the expenditure of \$40,000 from the FY 07 Capital Improvement Project Fund for the construction cost of the installation of a WalCon, prefab concrete restroom facility at Blossom Lake Park.

UNANIMOUS APPROVAL BY ACCLAMATION

7. CONSIDER AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS IN THE AMOUNT OF \$6,000 FOR ADDITIONAL WORK ASSOCIATED WITH THE 2007 ROADWAY PAVING PROJECT.

Motion by Councilor Hartstein, second by Councilor Hofstra to authorize the expenditure of up to \$6,000 from the Capital Improvement Fund for the additional cost of the 2007 Roadway Resurfacing Project.

UNANIMOUS APPROVAL BY ACCLAMATION

8. CONSIDER AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR HURRICANE PREPAREDNESS IN THE AMOUNT OF \$24,800 FOR THE PURCHASE OF A VERMEER BC1000 XL BRUSH CHIPPER.

Motion by Councilor Hester, second by Councilor Hartstein to authorize the expenditure of \$24,800 from the Hurricane Preparedness Fund for the purchase of a Vermeer BC1000 XL Brush Chipper for the Public Works Department.

Vice Mayor Barnhorn asked if this item will be used for the City's regular tree trimming.

City Manager Edmunds explained the City Council has set aside up to \$100,000 for the purchase of equipment or items Staff views necessary in order to prepare for hurricane season. Recently, the Council authorized the purchase of tractor equipment that will be purchased from this fund but, will occasionally be used as the department demands may necessitate. City Manager Edmunds advised Council this is also a piece of equipment the City will use several times a year as part of the annual roadway maintenance program. City Manager Edmunds felt it makes little sense to expend the capital costs and have the equipment sit in the public works garage in the event there is a hurricane. He felt what is important is that public works staff will know how to properly use this equipment, they will become familiar with it, train on it, and be accustomed to using it. He felt as important will be to make sure the equipment is properly maintained so in times of emergency it is there to be used. City Manager

Edmunds stated if the purchase is approved, it will be programmed for periodic replacement like all other equipment.

Councilor Matthews stated he knows maintenance on a chipper is high, and has known a number of people who do tree work that have discontinued owning them, and rent them because of the maintenance factor.

City Manager Edmunds stated speaking from experience several years ago when the City experienced the heavy storms and had significant landscape damage, an attempt was made to lease a piece of equipment similar to this and it was not available. The City had to take a lesser quality piece of equipment that failed in the field several times, and caused the City to revert to pushing the materials to the roadway side. Staff sees this as a valuable piece of equipment that they would like to have in possession when the City needs to have it. The equipment will be no different from the City's other specialized pieces of equipment, it will be regularly maintained.

UNANIMOUS APPROVAL BY ACCLAMATION

9. CITY COUNCIL REPORTS:

Councilor Hofstra reported he attended the forum on taxation issues, and felt it very informative.

Councilor Matthews reported he attended the forum on taxation, and felt it was commendable that this was offered to the community.

Councilor Hartstein reported she attended her last graduation with her high school program, and sent out congratulations to all the 2007 Graduates. Councilor Hartstein advised Council that June is Homeownership Month, and on the 23rd there will be a Homeownership Expo at the Harbor View Center. She brought this up because the City will be engulfing on our own project with Bay Pines and she wants to make sure the City holds the builder accountable for affordable housing. Councilor Hartstein reported she also attended the tax forum and commended Representative Long for organizing the event.

Vice Mayor Barnhorn reported he attended several meetings including the Town Hall Meeting, the Fallen Heroes Ceremony, the Law Enforcement Awards, and Osceola High Schools Graduation Ceremony. He congratulated all 2007 Graduates.

Mayor Johnson reported he attended the Law Enforcement Memorial Service, the National Tourism Luncheon, the Town Hall Meeting, the Sheriff's Department Awards Ceremony, the Volunteer Breakfast at Starkey Elementary School, a function at Neighborly Senior Services, and Seminole High Schools Graduation.

10. CITY MANAGER REPORTS:

City Manager Edmunds congratulated the City's team of Firefighters who competed in the Suncoast Extrication Competition and received: Best Incident Commander, First Place in Unlimited, and First Place Overall.

11. OLD BUSINESS:

Vice Mayor Barnhorn asked if he is correct in his understanding that a roll-back of spending could be done through statutory legislation, and does not require a vote.

City Manager Edmunds stated a fundamental change in the local property taxing structure would require a statewide vote. Roll-back direction by the Legislature would be a legislative act that all cities would be bound to adhere to.

12. NEW BUSINESS:

Councilor Matthews suggested the Resolution previously discussed on Brooker Creek be changed to something along the lines to allow the utility to use it as how they have suggested but, strongly oppose any further expansion of the use of Brooker Creek by the utility without details supporting the benefit to Pinellas County.

13. CONSIDER A MOTION FOR ADJOURNMENT.

On a motion by Councilor Matthews, the meeting was adjourned by a unanimous approval by acclamation.

Date Approved: _____

Lesley DeMuth, City Clerk

James Johnson, Mayor