

**MINUTES
SEMINOLE CITY COUNCIL
TUESDAY, DECEMBER 9, 2008**

The Regular Meeting of the Seminole City Council was held on Tuesday, December 9, 2008, 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 Councilor Patricia Hartstein followed by the Pledge of Allegiance.

ROLL CALL:

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

INTRODUCTIONS AND PRESENTATIONS: Introduction of Teen Board Officers.

Recreation Director Jim Sheets introduced Recreation Leaders Kacy Little and Tara McClintick the Staff Advisors to the Recreation Teen Board. Mr. Little spoke on the history of the Board, and introduced Ryan Melander, Chairperson. Ryan introduced the Board Officers, and spoke on the Teen Boards activities. Councilor Counts recommended the youth be encouraged to have a voice in identifying what attracts or what will attract them to the Recreation Center, and recommended the Teen Board Chair attend Council Meetings monthly or bi-monthly to provide updates.

Library Director Michael Bryan introduced the Staff Advisor to the Library Teen Board, Youth Services Supervisor Kim Goonis. Ms. Goonis introduced the Board Officers who explained their positions. Sky Roberts, Teen Board Chair, spoke on activities the Teen Board has planned. In response to a question by Councilor Counts on whether the initiatives of the Teen Board are their own; Ms. Goonis explained she tries to stay out of their discussions to let their ideas come forward.

1. PUBLIC COMMENT: None

2. APPROVAL OF MINUTES – REGULAR MEETING NOVEMBER 25, 2008.

Vice Mayor Barnhorn advised Council the approval of the minutes will be deferred until the next meeting.

3. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 27-2008 REGARDING SOLID WASTE.

The City Clerk read Ordinance No. 27-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hofstra, second by Councilor Hartstein to adopt Ordinance No. 27-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

4. CONSIDER AUTHORIZATION TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$5,000 WITH PREMIER PYROTECHNICS, INC., TO PROVIDE FIREWORKS AT THE 2009 POW WOW FESTIVAL.

Motion by Councilor Hartstein, second by Councilor Hofstra to authorize the City Manager to execute the agreement with Premier Pyrotechnics, Inc., to provide fireworks at the 2009 Pow Wow Festival in the amount of \$5,000.00.

In response to a question by Councilor Counts, Recreation Director Jim Sheets stated last year, in honor of the 40th Anniversary of the Pow Wow Festival, the City had a sponsor which allowed the fireworks show to be extended. This year the City has reverted back to the standard show, and the \$5,000.00 cost is budgeted.

UNANIMOUS APPROVAL BY ACCLAMATION

5. CONSIDER AUTHORIZATION TO EXECUTE AN AGREEMENT WITH DRIGGER ENGINEERING SERVICES, INC., AND TO EXPEND UP TO \$11,000 FROM THE INFRASTRUCTURE SURTAX FUND.

Motion by Councilor Matthews, second by Councilor Hartstein to authorize the City Manager to execute an Agreement with Drigger Engineering Services, Inc., for Geotechnical Engineering Services and to expend up to \$11,000 from the Infrastructure Surtax Fund pending the City Attorney's approval of the Agreement.

UNANIMOUS APPROVAL BY ACCLAMATION

6. CONSIDER AUTHORIZATION TO EXPEND \$100,000 FROM THE CAPITAL IMPROVEMENTS PROJECT FUND FOR THE ST. PETERSBURG COLLEGE HABITAT PARK PROJECT.

Motion by Councilor Counts, second by Councilor Matthews to authorize the City Manager to expend Capital Improvement Project Funds in the amount of \$100,000 in support of the St. Petersburg College Habitat Park Project.

Susan Reiter, St. Petersburg College, advised Council the college has been working on the park in the design phase for a few years. The college has about \$300,000 in Federal Grant Funding for the project and has had and is having discussions with Pinellas County about the use of Penny money for the project. If approved this evening, the college will send the \$100,000 to the State to be matched in a Facilities Enhancement Challenge Grant. Ms. Reiter explained the natural habitat walkway system the college is planning to put through their designated wetlands property; the site is about 103 acres with about 2/3 designated as wetlands, and the educational pieces that will be available for the public along with the students.

Michael Carter, Director of Construction and Design Services for St. Petersburg College, spoke on the first phase of the park project which will consist of a boardwalk system, a covered entry area, and an educational component. In response to a question from Councilor Counts, Mr. Carter stated they did plan on this being open to the public.

Dr. James Olliver, Provost - St. Petersburg College Seminole Campus, stated this will be an area for passive recreation, open to the community, and a tremendous community resource from an educational perspective. Dr. Olliver advised Council the college is hoping to launch a full program in Environmental Science Technology this fall that will be complemented by these facilities.

City Manager Edmunds stated this project is in keeping with the Council's desire for open space and having passive recreation activities, but more importantly it is a true partnership with the college. City Manager Edmunds stated the City does intend to incorporate accessibility into the habitat park in the City's summer library and recreation programs.

Councilor Hofstra asked if the funds are in the Capital Improvements Budget, and City Manager Edmunds stated they are.

UNANIMOUS APPROVAL BY ACCLAMATION

7. CITY COUNCIL REPORTS.

Councilor Matthews reported on a presentation made at the TBRPC Meeting by the Director of the Tampa Airport Authority. The presentation is available on the TBRPC website.

Vice Mayor Barnhorn reported he attended the Suncoast League of Cities Meeting and the Mayors' Council Meeting.

8. CITY MANAGER REPORTS.

- Deputy Dave DiSano gave an update on the activities of the Community Policing Officers.
- The City Council is invited to attend the Firefighters Annual Holiday Dinner on Sunday, December 14, from 1:00 pm – 5:00 pm at Station 29.
- The date of the Second Public Hearing of the Legislative Delegation has been changed to January 9, 2009.

9. OLD BUSINESS. None.

10. NEW BUSINESS.

City Manager Edmunds stated over the years the City has had a number of conversations with the owner of the property at the corner of 70th Avenue and 113th Street regarding a possible sale to the City. During the previous discussions, Council was of the opinion that the value was still higher than what they wished to consider. In response to an inquiry, initiation by the property owner, he authorized an update of the appraisal which occurred this fall that established the value, at that time, at \$380,000. The City has recently had communications with Southern Commerce Bank, the mortgage holder, and he received an email that the property owner is willing to sell the property for that price with the bank's concurrence. City Manager Edmunds stated the reason he is bringing this to Council this evening is there is a strong desire to close before their next business meeting. City Manager Edmunds stated he did speak to each Council Member individually to advise them that he would be bringing this item in under New Business. City Manager Edmunds stated this purchase can be made using Penny for Pinellas Funds, and respectfully requested Council consideration to purchase the property for \$380,000.

Motion by Councilor Hartstein, second by Councilor Matthews to authorize the City Manager to negotiate and purchase the property at the asking price of \$380,000.

In response to a question by Councilor Counts, City Manager Edmunds stated he did not know the mortgage amount on the property, but the acquisition price of the property several years ago was \$550,000.

In response to a question by Councilor Hofstra if the cost is a net to the City or are there closing costs they are looking to the City to pick up, City Manager Edmunds stated this was not communicated. If there is some incidental closing costs, he anticipates taking those from contingency funds and advising Council after the closing.

City Manager Edmunds advised Council he felt it incumbent to explain that Councilor Hester is opposed to the purchase primarily because of the timing and the economic climate and Mayor Johnson is supportive of the purchase.

Vice Mayor Barnhorn asked if this purchase is considered a short sale, and City Manager Edmunds stated the arrangements between the bank and the existing property owner will have to be resolved before the City makes payment.

In response to question by Vice Mayor Barnhorn, City Manager Edmunds explained the City has approximately \$2 million of the existing Penny money yet to be assigned. It is anticipated that a portion of those funds will be assigned to the development of the plans and specifications for the Public Works Project, but there will still be sufficient funds remaining for other projects as the Council may direct. City Manager Edmunds pointed out the Penny money can only be used for capital expenditures, as being proposed this evening, not operating expenditures.

Councilor Hofstra asked the record reflect that his law firm represented Mr. Ogorek when he purchased the property. They have not represented him since, and he did not believe he has a conflict of interest.

UNANIMOUS APPROVAL BY ACCLAMATION.

11. CONSIDER A MOTION FOR ADJOURNMENT.

On a motion by Councilor Hofstra, the meeting was adjourned.

Date Approved: _____

Lesley DeMuth, City Clerk

James Johnson, Mayor