

**MINUTES  
SEMINOLE CITY COUNCIL  
TUESDAY, MARCH 25, 2008**

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The Regular Meeting of the Seminole City Council was held on Tuesday, March 25, 2008, in the City Hall, City Council Chambers, 9199 113<sup>th</sup> 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.

City Attorney John Elias administered the Oath of Office to newly elected Councilors John Counts and Bob Matthews.

**ROLL CALL:**

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

**INTRODUCTIONS AND PRESENTATIONS:** None

**1. PUBLIC COMMENT:** None

**2. APPROVAL OF MINUTES – REGULAR MEETING MARCH 11, 2008.**

Motion by Councilor Matthews, second by Councilor Hofstra to approve the minutes of March 11, 2008.

UNANIMOUS APPROVAL BY ACCLAMATION

**3. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 02-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 9401 117th STREET NORTH.**

The City Clerk read Ordinance No. 02-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Counts, second by Councilor Hofstra to adopt Ordinance No. 02-2008 on Second and Final Reading.

ROLL CALL:	COUNCILOR COUNTS	AYE
	COUNCILOR HARTSTEIN	AYE
	COUNCILOR HESTER	AYE
	COUNCILOR HOFSTRA	AYE
	COUNCILOR MATTHEWS	AYE

VICE MAYOR BARNHORN            AYE

MOTION CARRIED UNANIMOUSLY

**4. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 03-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 9368 117th STREET NORTH.**

The City Clerk read Ordinance No. 03-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hartstein, second by Councilor Counts to adopt Ordinance No. 03-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**5. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 04-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 4871 100th WAY NORTH.**

The City Clerk read Ordinance No. 04-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hofstra, second by Councilor Matthews to adopt Ordinance No. 04-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**6. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 05-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 11203 GOLDEN RIDGE DRIVE.**

The City Clerk read Ordinance No. 05-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hofstra, second by Councilor Hartstein to adopt Ordinance No. 05-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**7. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 06-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 10738 111th STREET NORTH.**

The City Clerk read Ordinance No. 06-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Counts, second by Councilor Hofstra to adopt Ordinance No. 06-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**8. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 07-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 10866 111th STREET NORTH.**

The City Clerk read Ordinance No. 07-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hartstein, second by Councilor Hofstra to adopt Ordinance No. 07-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**9. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 08-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 10845 VILLAGE GREEN DRIVE.**

The City Clerk read Ordinance No. 08-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hartstein, second by Councilor Matthews to adopt Ordinance No. 08-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**10. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 09-2008 REGARDING A VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 11276 FREEDOM COURT.**

The City Clerk read Ordinance No. 09-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely stated this is a voluntary annexation and described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hofstra, second by Councilor Counts to adopt Ordinance No. 09-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**11. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 12-2008 REGARDING A VOLUNTARY ANNEXATION OF APPROXIMATELY 2.51 ACRES OF OLD RIDGE ROAD RIGHT OF WAY LYING BETWEEN THE CENTER OF 102nd AVENUE NORTH RIGHT OF WAY AND 213.58 FEET SOUTH OF THE SOUTHSIDE OF THE MARLA LANE RIGHT OF WAY.**

The City Clerk read Ordinance No. 12-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely described the location of the property. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Hartstein, second by Councilor Matthews to adopt Ordinance No. 12-2008 on Second and Final Reading.

In response to a question by Councilor Counts, City Manager Edmunds stated the City plans to install street lights and construct sidewalks in this area.

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

MOTION CARRIED UNANIMOUSLY

**12. CONDUCT A PUBLIC HEARING: CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 14-2008 REQUIRING THE ALLOCATION OF INTEREST EARNED ON THE EMERGENCY PREPAREDNESS DESIGNATION AND THE UNDESIGNATED FUND BALANCE TO THE EMERGENCY PREPAREDNESS DESIGNATION.**

The City Clerk read Ordinance No. 14-2008 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 Hester to adopt Ordinance No. 14-2008 on Second and Final Reading.

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

MOTION CARRIED UNANIMOUSLY

**13. CONDUCT A PUBLIC HEARING. CONSIDER A FIRST READING OF ORDINANCE NO. 15-2008 REGARDING PROPOSED AMENDMENTS TO THE PUBLIC SCHOOL FACILITIES ELEMENT (PSFE), INTERGOVERNMENTAL COORDINATION ELEMENT (ICE), AND CAPITAL IMPROVEMENTS ELEMENT (CIE).**

The City Clerk read Ordinance No. 15-2008 by title only. Vice Mayor Barnhorn opened the Public Hearing. Community Development Director Ely explained this is a required unfunded mandate from the State by an amendment to the Growth Management Act in 2005 which required Comprehensive Plans to include a Public Schools Element. The proposed ordinance is a work effort of Pinellas County Government and the other cities who worked together to try to satisfy the concerns of the Department of Community Affairs. This language was sent to DCA, and given their approval. Receiving no public comment, the Public Hearing was closed.

Motion by Councilor Matthews, second by Councilor Counts to adopt Ordinance No. 15-2008 on Second Reading.

In response to a question by Councilor Hester on this being an unfunded mandate, Community Development Director Ely stated this is unfunded in the sense that the City along with the other local governments had to expend staff energy putting this together to comply with the law.

Councilor Hofstra asked what was the cost to do this and why only eleven communities were involved. Community Development Director Ely stated he has not put a figure to this but, the costs would include the staff time for meetings over the last two years for all the planners who got together at least once or twice a month, copying, data and research, and advertising. Community Development Director Ely explained only cities with schools are required to adopt this element.

Councilor Hester asked if there are other unfunded mandates coming, and Community Development Director Ely stated the next one is the adoption of a 10 Year Water Supply Plan even though the City is not a water supplier.

ROLL CALL:	COUNCILOR COUNTS	AYE
	COUNCILOR HARTSTEIN	AYE
	COUNCILOR HESTER	AYE
	COUNCILOR HOFSTRA	AYE

COUNCILOR MATTHEWS            AYE  
VICE MAYOR BARNHORN        AYE

MOTION CARRIED UNANIMOUSLY

**14. CONSIDER NAME SELECTION FOR NEW NEIGHBORHOOD PARK.**

City Manager Edmunds stated Pinellas County Utilities invited the City to submit a name, for their consideration, for the new neighborhood park that is being constructed at 113<sup>th</sup> Street and 74<sup>th</sup> Avenue. He asked Council as well as staff to submit names for consideration, and those are listed in the agenda memorandum. City Manager Edmunds advised Council several years ago, an official action was taken to name the drive into City Park, Russ Stewart Drive.

Motion by Councilor Matthews, second by Councilor Hartstein to name the park Ridgewood Groves Park.

Motion by Councilor Counts, second by Councilor Hofstra to name the park Seminole Water Tower Park.

Motion by Councilor Hofstra to name the park The Russell Stewart Memorial Park. There was no second.

Vice Mayor Barnhorn stated there are two names for Council's consideration.

City Manager Edmunds suggested Council use the ballot that is in front of them to cast their vote and the City Clerk will tabulate the results.

City Clerk DeMuth advised Council there was a tie vote; three votes for Seminole Water Tower Park and three votes for Ridgewood Groves Park.

City Manager Edmunds recommended the item be tabled until the next meeting.

Motion by Councilor Matthews, second by Councilor Hartstein to table the item until the next meeting.

MOTION CARRIED UNANIMOUSLY

**15. CONSIDER SELECTION OF A VICE MAYOR FOR 2008-2009.**

Councilor Hester nominated Councilor Hofstra, and Councilor Matthews nominated Vice Mayor Barnhorn.

City Manager Edmunds suggested if there were no other nominations, the Vice Mayor ask for a motion to close the nominations.

Motion by Councilor Counts, second by Councilor Hartstein to close the nominations.

Council Hester stated he felt Councilor Hofstra is capable of performing the functions of Vice Mayor and asked City Manager Edmunds to clarify if this appointment is in keeping with the protocol, and the historical selection of a Vice Mayor.

City Manager Edmunds stated there has been an occasion where Council has acted out of that practice but, generally speaking the practice of Council has been to consider the Councilor who has not yet served in the capacity of Vice Mayor.

Vice Mayor Barnhorn asked Councilor Hofstra if he will have a problem being able to attend functions during the course of the month, and Councilor Hofstra stated he did not envision this being a problem. He may not be able to attend them all but, will give it the best he has.

Councilor Hester asked if anyone is available to attend those functions, and Vice Mayor Barnhorn stated several are Mayor only.

City Manager Edmunds asked if there is a consensus from Council to close the nominations, Council use the ballot in front of them to cast their vote.

#### UNANIMOUS APPROVAL BY ACCLAMATION

City Clerk DeMuth announced the vote; four votes for Vice Mayor Barnhorn and two votes for Councilor Hofstra.

In response to a request by Councilor Hester, City Clerk DeMuth read the vote as cast by each Councilor: Councilor Matthews, Vice Mayor Barnhorn; Councilor Hester, Councilor Hofstra; Vice Mayor Barnhorn, Vice Mayor Barnhorn; Councilor Hartstein, Vice Mayor Barnhorn; Councilor Counts, Vice Mayor Barnhorn; and Councilor Hofstra, Councilor Hofstra.

### **16. CITY COUNCIL REPORTS.**

Councilor Hofstra reported he attended the 40<sup>th</sup> Anniversary Pow Wow Dinner and the Architectural Standards Meeting.

Councilor Matthews reported he attended the 40<sup>th</sup> Anniversary Pow Wow Dinner.

Vice Mayor Barnhorn reported he attended/participated in the following events: Pow Wow Dinner and Parade, Seminole Sings, reception at PTEC, reception for outgoing St. Pete Beach Mayor Ward Friszolowski, 75<sup>th</sup> Anniversary of the Bay Pines VA, Chamber Luncheon, the Suncoast League of Cities Meeting, delivered Meals on Wheels, and judged an Easter Bonnet Contest at the Neighborly Center. Vice Mayor Barnhorn spoke on HB 991, and reminded Council of the Suncoast League of Cities Annual Conference in May.

### **17. CITY MANAGER REPORTS.**

Recreation Director Jim Sheet gave a report on the 40<sup>th</sup> Anniversary Pow Wow Festival and Parade. City Manager Edmunds expressed his appreciation to Director Sheets and his Staff for their work in making this event successful.

City Manager Edmunds advised Council the next Community Newsletter is scheduled to go out in July, and asked for a Council volunteer to write the Council's article. Councilor Matthews offered to prepare the article.

City Manager Edmunds asked Council if they preferred to schedule the annual workshop retreat on a Saturday morning or an off Tuesday evening. It was the consensus of Council to schedule the workshop on an off Tuesday evening. City Manager Edmunds stated discussion of the Mission Statement as requested by Councilor Hartstein will be on the agenda, and asked Councilor Hartstein to submit the list of other items she would like discussed.

In response to a question by Vice Mayor Barnhorn on scheduling a workshop to report on the NLC Conference he attended, City Manager Edmunds stated he will schedule this discussion on a regular business meeting agenda.

**18. OLD BUSINESS:** None

**19. NEW BUSINESS:**

Vice Mayor Barnhorn mentioned the Every Childs a Swimmer Program which is being offered April 14 – May 1, at the Recreation Center.

**20. CONSIDER A MOTION FOR ADJOURNMENT.**

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

UNANIMOUS APPROVAL BY ACCLAMATION

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

\_\_\_\_\_  
Lesley DeMuth, City Clerk

\_\_\_\_\_  
Thomas Barnhorn, Vice Mayor