

**MINUTES
SEMINOLE CITY COUNCIL
TUESDAY, MAY 12, 2009**

The Regular Meeting of the Seminole City Council was held on Tuesday, May 12, 2009, in the City Hall, City Council Chambers, 9199 - 113th Street North, Seminole, Florida.

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

ROLL CALL:

Present were: Councilors Patricia Plantamura, Leslie Waters, Dan Hester, John Counts; Vice Mayor Bob Matthews; Mayor James Johnson; City Attorney John Elias; City Manager Frank Edmunds and City Clerk Ginger Stilton present.

INTRODUCTIONS AND PRESENTATIONS:

Vice Mayor Matthews presented a proclamation to Public Works Foreman Rod Wolf in honor of National Public Works Week.

1. PUBLIC COMMENT:

- Robin Fancher, Awards Committee Coordinator of the West Coast Anglers. Mr. Fancher provided a brief history of the club and explained the relationship of the youth who were involved in the club with regard to the recent tragedy involving a fatal car accident. Mr. and Mrs. Richardson, parents of Nate Richardson (one of the boys involved in the fatal accident, and a member of the West Coast Anglers), were present in the audience. Mr. Fancher requested sponsorship from the City of Seminole for a “perpetual” Tarpon Tournament Trophy, in honor of Nate Richardson, which would annually be presented to the winners of the tournament, inscribed with their information and each year the new winner’s information would be added to the trophy, and then handed on to the next year’s recipient. This would be a one time monetary sponsorship in the vicinity of \$500 to create the trophy, and the sponsor’s name would be inscribed on the trophy forever.
- Richard J. Steffins of 9902 111th Street North in Seminole. Mr. Steffins explained he was concerned to read about parking issues in the City with regard to night time parking. He stated he is a professional bus driver, and some bus drivers’ park in front of their homes, if there is room, which has been approved by the District. Mr. Steffins explained that he has parked his bus on 111th Street for sixteen years, and there has never been a problem with trash trucks, etc. getting by, and according to the Beacon, now there is a problem, after reading one Councilor had an issue with a neighbor’s bus parked on the street. He stated he does not know of any school bus parked at overnight on the street, because they are not allowed to take them home at night. Councilor Plantamura clarified that she was referring to a bus that had been converted into a party bus for a college team, and that the ordinance under consideration is not about school buses per say-it is about a specific bus.

Mr. Steffins added, the paper listed it as a school bus, and he is not aware of any school buses allowed to park overnight on the street.

- Mr. Ed Sommer of 9832 111th Street North in Seminole. Mr. Sommer added he is also speaking on behalf of Bryan Bowers, a Pinellas County Deputy, who lives on his street and was not able to make it tonight. Mr. Sommer explained they both own a fifth wheel and motor home, respectively, and they want to be able to bring them home to clean, load and prepare for trips without being penalized. (*They both store their vehicles off site*). Mr. Sommer suggested the City issue 48 hour permits to accomplish tasks associated in preparation of utilizing their recreational vehicles for trips, etc. He agrees with others, that he does not want to see these vehicles parked in front of homes, however he also does not want to see the City allow parking of any two types of vehicles in the yard (perpendicular), because it could encourage neighbors to allow their friends to park their vehicle on their property if they are only utilizing one of the two allotted parking spaces.
- Linda Cole of Seminole Gardens. Ms. Cole described her relationship with former Councilor Patricia Hartstein and her late husband Bill. Ms. Cole expressed her gratitude to Patricia Hartstein for her support and encouragement as she sought to bring forth important issues that would benefit the community such as the Property Homestead Exemption and as recently as this year, when Ms. Hartstein recommended Ms. Cole to serve on the Charter Review Committee. Once again, and because of Councilor Hartstein's belief and support in her cause; Ms. Cole stated that as she hoped to express this to all of the Council, and never thought it would be in her (*Hartstein's*) absence. Ms. Cole expressed her many, many thanks to Councilor Hartstein for her personal vote of confidence and for her fourteen years of service to the City. Ms. Cole stated you know it's been said that "imitation is the sincerest form of flattery." Ms. Cole said that Ms. Hartstein had been quoted as saying she relied on data, not emotion to make a decision, and with that being said, it would only follow that the best candidate to fill her position and complete her unexpired term would be former Vice Mayor/Councilor Thom Barnhorn according to the data from the most recent election.
- Thomas Christy of Seminole Gardens. He spoke on comments made at the recent Annual Retreat regarding installation of possible safety measures to handle pedestrian traffic with the relocation of the new Publix store from the Seminole Mall to where the Albertsons used to be on 113th Street, and had centered on pedestrian crossings, a light system (*which Mr. Christy was in favor of*), and he added even pedestrian lights or proper signage should be considered. Traffic studies usually take a while, and the time to begin thinking about these things is now. Regarding the filling of vacancies and with regard to policies in place and previous practice, Mr. Christy stated he looked at the last election a little differently from Ms. Cole, and thought it highly undemocratic and ill-advised to just throw names out there, as opposed to following a good policy which worked well. Mr. Christy stated that if you had something in place, had tried it once and it was successful, leave it-going backwards rarely solves any situation. Mr. Christy explained his view of the election as the electors sending a solid message of change, i.e. we want new faces etc., and the fact that they voted an incumbent out. Mr. Christy reiterated that Council should stick to their policy, it seemed to be a good one, and moving backward is seldom the right way to go.

2. APPROVAL OF MINUTES – REGULAR MEETING APRIL 28, 2009.

Motion by Vice Mayor Matthews, second by Councilor Counts to approve the minutes of April 28, 2009.

UNANIMOUS APPROVAL BY ACCLAMATION.

3. CONDUCT A PUBLIC HEARING. CONSIDER A SECOND AND FINAL READING OF ORDINANCE NO. 10-2009 AMENDING THE BUDGET, RECOGNIZING ADDITIONAL REVENUE FROM CITY RESERVES FOR ENCUMBERANCES AND TO PROVIDE FOR ADDITIONAL BUDGET APPROPRIATIONS IN THE AMOUNT OF \$783,729.99 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009.

City Clerk Stilton read the Ordinance by title only.

Mayor Johnson opened the Public Hearing. During public comment, Mr. Tom Christy came forward to ask that a brief synopsis be given of some of the bigger items in associated with this budget move. City Manager Edmunds outlined and described what each line item related to, including but not limited to the Public Works Facility, Architectural Standards, Public Works (Professional Services), Parks-Restrooms project and the Storm Drainage projects. Hearing no other questions or comments from the public, Mayor Johnson closed the Public Hearing.

Motion by Vice Mayor Matthews, second by Councilor Waters to adopt Ordinance No. 10-2009 on Second and Final Reading.

Councilor Plantamura asked the City Manager if the almost \$700,000.00 for the Public Works Facility was only for the architectural design and engineering costs, and what would be the actual costs of the “bricks and mortar”. City Manager Edmunds responded that he estimated the costs to be approximately 5.5 million, in addition to the other costs associated with the engineering and architectural design.

ROLL CALL:	COUNCILOR PLANTAMURA	AYE
	VICE MAYOR MATTHEWS	AYE
	COUNCILOR WATERS	AYE
	COUNCILOR HESTER	AYE
	COUNCILOR COUNTS	AYE
	MAYOR JOHNSON	AYE

MOTION CARRIED UNANIMOUSLY.

4. CONSIDER FILLING A CITY COUNCIL VACANCY CREATED BY THE RESIGNATION OF PATRICIA HARTSTEIN.

Motion by Councilor Counts, second by Councilor Waters to go with Option 1 - *Appoint the individual who received the highest number of votes in the most recent municipal election.*

Councilor Hester asked for recognition to make a few comments, some of which he stated, he had expressed at the Annual Retreat, and was briefly touched on by Ms. Cole and Mr. Christy this evening. Councilor Hester said that the thing which continues to frustrate him as an elected official, a taxpayer and as a resident of the City is the inconsistency with regard to how Council fills its vacancies. As he understood it, long before his day, Councilor Hester added that the Council had actually chosen people whom they thought might be a good fit, by literally drawing straws. Since then, the Council had taken applications, which surprisingly; there were a number of interested candidates to interview. Councilor Hester stated he has also witnessed a process where the next highest vote getter in the election that wasn't elected, wasn't even considered, which he thought odd, adding, they were not considered then, but this time they would be considered and next time they may or may be considered. Councilor Hester stated, to him, "It smells of very bad backroom politics", to be perfectly honest. Adding; that is something he does not like, and stated he would get into it with the best of them, if he had to. Councilor Hester reminded Council that everyone repeatedly said they need to do more to get people interested in our community. Councilor Hester also said that by just going to Mr. Barnhorn, whom he has tremendous respect for, and think he is a very good Council Member, and exclude others who may have an interest – is why he has philosophical issues with that. Councilor Hester stated he would be fine and would concur with Mr. Barnhorn coming back on Council, and he would respect him, but added, he did not believe it was in the City of Seminole's best interest to allow Council to continuously decide on how to fill vacancies. Councilor Hester again stated his opinion "that it just reeks of bad, backroom, smoky room politics in his mind."

Councilor Plantamura stated that for integrity in government, we should be consistent in the things that we do. A few years ago, qualified candidates came before Council and were able to present their credentials, which was a good way to do it. Councilor Plantamura clarified that she was not the candidate previously alluded to nor the one written about in the St. Pete Times during that period. Councilor Plantamura said this was not personal, that she thought Councilor Barnhorn had done a really great job for our City – but she would think that he would like to contend with the best in Seminole, and if he were to come up with the most votes, she thought he should proudly take the seat, rather than be under any guise of backroom dealings. Councilor Plantamura stated it is really best for the integrity of their body to let as many people, whoever would like to come forward to possibly serve. Councilor Plantamura stated again, that none of this was personal and may the best person win, and that she would go with the majority decision and happily.

After a brief interruption, by Councilor Plantamura, City Attorney Elias suggested the City Clerk continue with the Roll Call.

ROLL CALL:	COUNCILOR PLANTAMURA	NAY
	VICE MAYOR MATTHEWS	AYE

COUNCILOR WATERS	AYE
COUNCILOR HESTER	NAY
COUNCILOR COUNTS	AYE
MAYOR JOHNSON	AYE

City Clerk Stilton read the full motion - Option 1 - Appoint the individual who received the highest number of votes in the most recent municipal election and announced the result of the vote.

MOTION CARRIED 4 - 2.

5. CITY COUNCIL REPORTS.

- Mayor Johnson reported: 5/2 – Attendance at the Annual Council Retreat Workshop, 5/2 – Taste of Seminole, 5/6 – Mayor’s Council Meeting, 5/6 – Charter Review Committee Meeting, 5/7 – 5th Annual Mayor’s Prayer Breakfast, 5/8 – gave a tour of SPC & Seminole Area to Commander Nathan Moore of the USCG, 5/12 – just prior to the Council Meeting this evening, attended an event to honor the outstanding senior high students from Seminole and Osceola.
- Councilor Waters reported: 5/2 - Participated in Taste of Seminole, 5/4 – Recreation Center Ice Cream Social for an Aerobics Group, 5/8 – Luncheon at the Carillon Hilton for a benefit for PACE, 5/10 – on Mother’s Day, the Suncoast Symphony Orchestra at the Recreation Center, 5/11 – gave a Legislative update to Tampa Bay CPCU.
 Councilor Waters added:
 A shout-out to Seminole High School Band, as they have been selected to perform in the 2010 Macy’s Thanksgiving Day Parade in New York City! Congratulations to the marching band. Councilor Waters called attention to Senate Bill 216 which restricts the ability of local governments to use or expend Public Funds to advocate for or against an issue. This Bill was sponsored by two Pinellas County legislators; and the Florida League of Cities is not supporting it. This Bill will be going before the Governor and folks may want to ask that it be vetoed. Councilor Waters said she would rather see the City make up its own mind regarding what money is spent and for what issues, and to communicate with our citizens. It is tough to get communications out to 18,000 citizens, and suggested informing the public by placing an ad in the Beacon. If you do not care for it, Councilor Waters urged the public to call the Governor and ask that he veto it, and if anyone was interested, she has his phone number.
- Councilor Plantamura reported: 5/2 – Attendance at the Annual Council Retreat Workshop, 5/7 – 5th Annual Mayor’s Prayer Breakfast at Freedom Square, She sat with a resident of Seminole Gardens, the night after there was a major fire, and spoke with Diane Vandiver, who said that Seminole Garden residents attend many of Freedom Squares functions, and that Freedom Square would be providing a special rate for the Seminole Gardens residents affected by the fire, so they may have a temporary place to stay.

Major Johnson reminded Council that he would be on vacation May 28, 2009 through June 11, 2009 and that he would miss the June 9th City Council Meeting.

6. CITY MANAGER REPORTS.

- Deputy DiSano presented the Community Policing Report to Council. Deputy DiSano wished Councilor Hartstein well in her future endeavors, and welcomed back Councilor Barnhorn.
- City Manager Edmunds explained that Council would be receiving information in their mail, if they have not already; regarding a complaint from concerned neighbors living near property located at 10901 Temple Terrace. He explained the property has been problematic for a number of years and through an arrangement several years ago with the Community Policing Officer; they organized a volunteer clean-up of property for the owner at no charge, as a community event. Since that time, there have been two other Code Enforcement actions which resulted in the property being brought into compliance, so it was not necessary to impose penalties. However the current condition has resulted in a Code Enforcement action, and failure to respond. City Manager Edmunds announced the Public Works Department would be cleaning up the property and a lien will be placed against the property.
- Charter Review Committee update: The Charter Review Committee has scheduled what they anticipate to be a final meeting, tomorrow to wrap-up discussion on a particular Article, and then they have requested to meet with the City Council at the next business meeting, May 26, 2009 to present their findings – either before the meeting or during the business meeting. Staff will prepare a summary, and city Manager reminded Council that it is not necessary to react to the Charter Review Committee’s Report at that time; it is only to receive their report. Public Workshops will be scheduled following the presentation for Council deliberations and considerations.

7. OLD BUSINESS.

Councilor Plantamura stated that former Councilor Hartstein had indicated that there should be representation on the Suncoast League of Cities prior to their board meeting in mid May; and acknowledged Councilor Waters as the City’s representative, while expressing her desire to be considered for the alternate.

Motion by Vice Mayor Matthews, second by Councilor Hester to appoint Councilor Plantamura as the City’s alternate representative to the Suncoast League of Cities Board.

UNANIMOUS APPROVAL BY ACCLAMATION.

8. NEW BUSINESS.

Councilor Counts stated that it had been mentioned at the last Council Retreat that he had missed all the Council Retreats (*for the last five years*), and wanted to clarify for the records, that he has only missed two, with this year being, that he had to work at his primary employment on that day.

9. CONSIDER A MOTION FOR ADJOURNMENT.

After no further business, Mayor Johnson adjourned the meeting.

Date Approved: _____

Ginger Stilton, CMC
City Clerk

James Johnson
Mayor