

**MINUTES  
SEMINOLE CITY COUNCIL  
TUESDAY, MAY 26, 2009**

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The Regular Meeting of the Seminole City Council was held on Tuesday, May 26, 2009, in the City Hall, City Council Chambers, 9199 - 113<sup>th</sup> Street North, Seminole, Florida.

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

- City Attorney Elias administered the Oath of Office to Thomas Barnhorn, recently appointed to fill the unexpired term of former Council Member Patricia Hartstein. The Mayor and Council welcomed him back and asked him to join them at the dais.

**ROLL CALL:**

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

**INTRODUCTIONS AND PRESENTATIONS:**

- Report from the 2009 Charter Review Committee

Charter Review Committee Chairman Pete Bengston introduced the 2009 Charter Review Committee Members; Vice Chair Mr. Tom Christy, Mr. Art Bruckler, Ms. Linda Cole, Mr. Anthony Cusumano, Ms. Cher Johnson (who was not present in the audience), Dr. James Olliver, Mrs. Dottie Reeder, and Ms. Jardelina Souto.

Chairman Bengston introduced himself to the Mayor and Council and said that the Committee's Report has been provided to Council in their agenda packets. However, tonight he would briefly summarize the Committee's recommendations to Council.

- Section 1.02. Acquisition and Disposal of Property; Eminent Domain: It is a proposed new section limiting the use of Eminent Domain for the purchase of private property.
- Section 3.02. Election and Terms: Proposes to move City elections from March to November beginning in 2014, and provides for a transition period. Elections will continue to be every year for three year terms. This should increase voter participation and save the City some election costs.
- Section 3.05. Vice-Mayor; Minor change that will be restated in Section 3.07 (c).
- Section 3.07 (c). Filling of Vacancies: Proposes to be more specific on the purpose of filling a vacancy for the position of Mayor.
- Section 3.08. City Clerk: The Committee proposes to have the City Manager appoint the City Clerk, make the City Clerk position a classified position, and modify the position responsibility.

- Section 5.02 (c). Compensation: Proposes to change the salary commitment from tenure to the term of the Manager's contract.
- Section 6.04(b) Regular Elections: Makes the change from March to November Elections.
- Section 8.04 Disaster Emergencies: The Committee proposes several word modifications to allow this Section to be compliant with Florida law and terminology.

Chairman Bengston thanked the members of the Committee for their work, as well as the City Manager, City Clerk and City Attorney for their support and assistance. Upon conclusion of the Charter Review Committee Report, Mayor Johnson reminded the City Council that in the near future a workshop will be scheduled to discuss the recommendations, and said that if there were any brief questions, he would certainly entertain them. Councilor Plantamura asked if the Committee would have any objections to her contacting each member individually between now and the workshop to hear their different rationales, since she had been a part of the Committee. Chairman Bengston stated he did not think anyone would have a problem with it unless the City Attorney did. All parties were agreeable to being contacted, without objection. Councilor Plantamura asked if the Committee Members would be at the workshop. Mayor Johnson said it would just be the Council. Chairman Bengston added, they would not be there as a Committee, however they will be in the audience should there be any questions at that time. Chairman Bengston apologized for neglecting to mention that Councilor Plantamura was on the Committee for about half of their meetings, and they did appreciate her input, and thanked her.

Councilor Waters stated she wanted to thank the Committee for all the hard work, reading and analysis, and she appreciated everyone's involvement in this very important Committee. Councilor Barnhorn also expressed his appreciation, thanking the Committee, and said he understood what was involved. Councilor Plantamura requested that the workshop be scheduled for sometime in July or after. Mayor Johnson asked Acting City Manager Kyne for his thoughts, which he stated that the City Manager would want all the City Council Members present for this workshop, so he would be coordinating schedules with them to ensure everyone, is present. Councilor Hester asked the Mayor if these were the final recommendations. Mayor Johnson replied, yes, they are the final recommendations for workshop discussion, and Chairman Bengston concurred.

## **1. PUBLIC COMMENT:**

- Mr. Tom Christy of 11224 82<sup>nd</sup> Avenue; Mr. Christy thanked the Committee, particularly Patricia Plantamura, and the City Council for appointing him to the Committee. Mr. Christy stated that he sees things a little differently, and the consensus (*Charter Review Summary Report*) is what they had before them. Mr. Christy expressed his views on a few sections for the Council to consider before the workshop:
  - Changing the elections from March to November is a good idea, although he thought instead of waiting until 2014, he thought they should make it directly following the next election, if the Council and public agree to the change.
  - The wording in the Vice Mayor section deals with minor changes, however what it means is should a person fill the Mayor's position, they would serving the rest of the Mayor's term and not necessarily their own (*Vice Mayor's term*).

- Regarding the filling of vacancies-they did not really come up with any new wording, so it will be back in Council's court to determine.
- As far as the City Clerk position, he did not agree with the Committee at any point, because putting it under the City Manager is not a good idea. It is better left where it is (*under the City Council*), or combine it with the title of City Manager.
- He suggested having five Council Members instead of seven Members on Council.
- Regarding compensation of the City Manager; he said he thought former Mayor Reeder's analogy was good; if fire services were to go countywide, and the responsibilities were less...the Manager's compensation should be adjusted.

Mayor Johnson advised Mr. Christy his time was up.

**2. APPROVAL OF MINUTES – REGULAR MEETING MAY 12, 2009.**

Motion by Vice Mayor Matthews, second by Councilor Counts to approve the minutes of May 12, 2009.

Councilor Plantamura disagreed with the section in the minutes at the end of the discussion on agenda item four which indicated there was a brief interruption. Councilor Plantamura had requested that her comments regarding the three options be read aloud for the public and be included in the minutes. The motion to approve the minutes was not acted on. Mayor Johnson suggested the motion be tabled to allow review of the tape.

Motion by Vice Mayor Matthews, second by Mayor Johnson to Table the Motion to approve the Minutes of May 12, 2009.

UNANIMOUS APPROVAL BY ACCLAMATION.

**3. CONSIDER AUTHORIZATION TO EXECUTE A CONTRACT FOR LAW ENFORCEMENT SERVICES WITH THE PINELLAS COUNTY SHERIFF'S OFFICE FOR FISCAL YEAR 2010.**

Motion by Vice Mayor Matthews, second by Councilor Waters to authorize the City Manager to execute a contract for Law Enforcement Services with the Pinellas County Sheriff's Office for the FY 09/10 in the amount of \$1,762,867.80.

UNANIMOUS APPROVAL BY ACCLAMATION.

Vice Mayor Matthews noted that this was just a 2.93% increase from the previous year. Councilor Hester asked Acting City Manager Kyne if he recalled what the previous increase was for the previous fiscal year, in which Mr. Kyne said he did not know, but could provide that information at the next meeting. Councilor Hester added, he thought it was significantly more than 3%, and again asked Mr. Kyne if he thought that was right. Mr. Kyne said it was about \$90,000 more, so it was probably double that.

**4. CONSIDER A REQUEST TO AUTHORIZE THE MAYOR TO EXECUTE A COMMITMENT LETTER TO GREEN FOR ALL.**

Motion by Councilor Counts, second by Councilor Plantamura to authorize the Mayor to execute the commitment letter.

Councilor Barnhorn said he went on the website of the Committee, and the majority of the site dealt with creating new jobs that were “green in nature”. Councilor Barnhorn stated that in a time where our budget is holding its own, and the rest of the County is stressed, he thought it was definitely wrong to commit to an outside organization if they are going to generate new jobs. That is the majority of what that Green organization is totally based on. Currently the City is doing many of the “green” things within our capabilities. But to commit ourselves to an agency to hire and train additional employees, and bring in groups to teach “green” to employees, would add expenses and is a waste of money.

Councilor Waters said she thought this was submitted with good intentions, and also went on the City of Seminole website. Councilor Waters referred to links about recycling and links to the County associated with recycling, noting we partner with the County, Waste Management and submit annual reports associated with municipal recycling to the County to forward to the Department of Environmental Protection (DEP), adding she felt the City is doing a great deal-and is hesitant about signing on to someone else’s agenda when we have our own. Councilor Waters mentioned it referred to the Recovery Act (*associated with Stimulus Money*), which Seminole is not in line with receiving, so for this reason it would not be effective. And lastly, Councilor Waters agreed with Councilor Barnhorn, in that a lot of that had to do with creating, training, providing jobs which she did not think it was the role of government to create, train and provide jobs for any industry. Councilor Waters added some suggestions which we could do to promote the green initiative, but stated she was not in a position at this point to authorize a letter to be submitted to this organization.

Councilor Plantamura stated that she respectfully disagreed with what she had heard so far. Councilor Plantamura read directly from the Green Recovery for All commitment included in their packets, and stated she understood they were not getting any money for that, but she did not want to close any doors on that (*Stimulus Money*); many communities are getting that. Because we are looking to go solar, and have sustainability on some of our buildings, Councilor Plantamura said she would not want to close the door on the City getting any of the Stimulus Money. Referring to the three sub-points made by the local resident in the documents; Councilor Plantamura did not think there would be any problem with committing to all three things, they were all very general, adding she thought it was a very healthy thing. In reference to the resolution included in the documents, Councilor Plantamura said because the Chamber of Commerce is trying to create jobs and we would want our economy to be green, it would be a natural marriage to say that Seminole would like to be “green”, and have “green collar jobs” Councilor Plantamura said this would be a positive thing, and indicated she had participated in a meeting with administrative staff and Mary DeGeorge. Ms. DeGeorge requested at this meeting, that the City establish a task force, like the Tree Advisory Committee for example, to look at sustainability and recycling in our City, adding it is a wonderful thing to have someone come forward from the community who wants to be involved and see these things emphasized.

Councilor Hester said he did not recall where Ms. DeGeorge explained her relationship with this organization. Councilor Hester mentioned that he had also looked into All Green (*Green Recovery for All*), and said he had no doubt that part of their agenda was “green”, however one would define that. On their website, Councilor Hester stated it said they were a

civil rights organization, and some people might not expect us to take a position on climate change. Councilor Hester stated it has more to do with government creating jobs than with “green” or “green friendly”- to the extent that one of the featured partners for the company, is an organization called Applied Research Center, adding that they have their own agenda too, which Councilor Hester printed out-52 pages of interesting reading - which talked about Race and Recession. Councilor Hester stated it did not say a lot about “green”, and frankly, as with the case of this organization, you have to do your homework to get to the rest of the story. Councilor Hester said he would take it that Ms. DeGeorge really is about trying to be environmentally sensitive, as most of us are – but to what extent? Councilor Hester added he would be against signing any commitment for this organization.

Vice Mayor Matthews said the only thing he would add, was to suggest we provide Ms. DeGeorge with a list of all of the “green” things we do in the City as was mentioned earlier. Vice Mayor Matthews mentioned the presentation by Chuck Connors on energy efficiency, which he provided Council with, and outlined several things the City is already doing to stay ahead of the game. Vice Mayor Matthews said that he did not see where we were deficient with regard to conserving energy and going “green”, and stated he was comfortable where they are.

Councilor Barnhorn added that he researched the required qualifications on the website for the American Reinvestment and Recovery Act, and reported that no where on the site does it provide for any benefit by signing the piece of paper (*commitment letter*). He also stated, it is a civil rights movement, but predominately it is a job-force, which we do not need to support, as we need to protect our own jobs that we currently have, for our City employees.

Councilor Counts said initially Ms. DeGeorge had approached him, and he agrees that the City can do better with regard to the green initiatives. Councilor Counts added that he found it disturbing that we have a Median Committee, that if for all intensive purposes is quite successful, yet for whatever reason, we can not have a School Partnership Committee that was very effective, and that the medians seem to have greater importance over our children. Councilor Counts recommended that the Council consider conducting a workshop to discuss the possibility of a task force (*as suggested by Ms. DeGeorge*), without having to commit to any organization. In response to a question from Councilor Plantamura, Councilor Hester further explained the Race and Recession document previously mentioned.

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

MOTION FAILED 6 - 1.

**5. PRESENTATION OF THE PROPOSED 2010 CAPITAL IMPROVEMENT PROGRAM BUDGET.**

Acting City Manager Kyne presented the Proposed Capital Improvements Budget for FY 2010, highlighting some of the sections which detail proposed projects that are already funded. He stated there will be a future workshop to discuss in detail the proposed budget.

**6. CITY COUNCIL REPORTS.**

- Mayor Johnson reported: 5/15 - Attended the Suncoast League of Cities (SCL) Conference in St. Petersburg and the Memorial Day activities at Bay Pines, and also attended services at Moss Feaster, and Garden Sanctuary, where he was a keynote speaker.
- Vice Mayor Matthews reported: He enjoyed the Memorial Day activities at Bay Pines, and attended services at Moss Feaster, and Garden Sanctuary.
- Councilor Waters reported: 5/14 - Attended the 23<sup>rd</sup> Governor's Hurricane Conference in Ft. Lauderdale, and was one of many presenters at the conference, 5/16 - Attended the Suncoast League of Cities (SCL) Conference in St. Petersburg, along with the majority of Council; which was very informative and beneficial.

As the City's Representative on the SLC, Councilor Water's report on the conference as provided to the City Clerk is included as a part of the minutes.

**7. CITY MANAGER REPORTS.**

- Acting City Manager Kyne asked if anyone was interested in writing the newsletter article, since Pat Hartstein was no longer here. Vice Mayor Matthews volunteered, and said he would like the topic to be on the ordinances related to parking. Council agreed. All Council Members would receive a draft and be involved.

**8. OLD BUSINESS. None.**

**9. NEW BUSINESS.**

Vice Mayor Matthews asked the staff, after the recent heavy rains, were there any drainage issues. Public Works Director Jeremy Hockenbury reported he followed up on projects around the City, such as Pine Hurst, and checked to ensure drainage devices were in place, adding he estimated the whole project to be completed in about two weeks. Councilor Waters asked how City Manager Edmunds was doing, and to please give him their regards.

**10. CONSIDER A MOTION FOR ADJOURNMENT.**

Motion by Councilor Counts, second by Councilor Waters to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION.

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

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Ginger Stilton, CMC  
City Clerk

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James Johnson  
Mayor



2009 Annual Conference  
May 15-16, 2009  
Pathways to Opportunity

I was registered and attended the Suncoast League of Cities Annual Conference held at the St. Petersburg Yacht Club on Saturday, May 16, 2009.

The speakers and subject matter were very interesting, pertinent, and well-presented.

Councilman Rick Butler, Pinellas Park, convened the meeting and was the out-going President.

Mayor Mike Yakes, Mayor of Gulfport, was sworn in as the new President of the Suncoast League, and moderated the morning's events.

"Legislative Update" - An excellent overview of the 2009 legislative session was provided by *John Charles Thomas*, Director of Policy and Political Affairs for the Florida League of Cities. He represents the interest of over 412 municipalities throughout Florida.

"A Connected Region" - An update on TBARTA, was presented by Former Clearwater City Commissioner, *Bill Jonson*, who now serves as Chair of the TBARTA Citizens Advisory Committee.

"Paving Paradise"

Florida's Vanishing Wetlands and the Failure of No Net Loss, was presented by two gentlemen from the St. Petersburg Times, *Craig Pittman* and *Matthew Waite*.

Concurrent Sessions - There were two Sessions, I attended:

"Creating New Opportunities with New Resources" two speakers: *Peter Marcotullio*, Senior Director of SRI International; and *Tom McClain*, CEO of Bio Florida.

Luncheon Speaker - Florida's Chief Financial Officer *Alex Sink*, our state's top fiscal officer.

Attached to this summary is the Conference program.

Leslie Waters, Councilor  
City of Seminole