



City of Gulfport Florida
Regular Council Meeting
January 2, 2007

City Hall

7:00 p.m.

Minutes

The meeting was called to order by Mayor Michael J. Yakes.

The Invocation was given by Councilmember Robert E. "Bob" Worthington followed by a Pledge of Allegiance to the Flag of the United States of America.

Roll Call. Present were Councilmembers Mary Stull, Robert E. "Bob" Worthington and Michele King, Vice Mayor John E. "Ted" Phillips, Mayor Michael J. Yakes, City Manager Thomas E. Brobeil, City Attorney Timothy P. Driscoll and City Clerk Louise M. Spence.

Presentation:

Drawing for the Conduct of Lot for the arrangement of the names on the Ballot for the March 13, 2007 Election.

Linda McGeehan from the League of Women Voters did the drawing of the names for the Ballot of the March 13, 2007 Municipal Election.

The order of the names for the ballot from the drawing was:

Mayor - #1 Marlene Shaw; #2 Michael "Mike" Yakes; and #3 Clark H. Scherer, Jr.

Councilmember Ward 2 - #1 Courtland Yarborough; #2 Michele P. King; and #3 Christine A. Brown.

City Clerk announced that the resolution to approve the ballot language will be on the agenda for the January 16, 2007 Regular Council Meeting.

1. Public Session.

Linda Ray, Vice Commodore of the Boca Ciega Yacht Club stated their banquet is scheduled for January 6 at the Casino. She asked the City to extend the hours for boats at the dock from 11:00 p.m. to 2:00 a.m.

City Attorney Driscoll stated that there is no time for formal action but there can be a consensus, if desired by Council.

The consensus of Council was to approve the request to extend the time to 2:00 a.m. to dock boats at the Casino for this event.

Sally Wock, 2900 45th Street South, spoke about walking along Clam Bayou and seeing all the sludge and debris floating along the seawall next to their building. She asked that Council not give up on seeing to it that this bayou is returned to a pristine condition. She felt that if we lose Clam Bayou we will lose a treasure and part of Gulfport's history.

Seeing no one else who wished to speak, Mayor Yakes closed the Public Session.

2. Update Reports.

City Manager Brobeil spoke about the continuing issue of the floating dock and the Florida Department of Environmental Protection's continuing belief that we need to permit it. He stated that he spoke with several officials from the department last week and we are currently in the process of scheduling a meeting to go into this further.

City Manager Brobeil spoke about some muddy areas at the Dog Park and stated there are plans to close the park temporarily to replace some sod. He stated that signs will be put up two weeks prior to the closing.

City Manager Brobeil announced that Vice Mayor Phillips has been appointed as Vice President for the Area Agency on Aging. He also stated that we have received formal notification that we have received an additional \$5,000 for additional programming at the Senior Center.

Mayor Yakes commented on Vice Mayor Phillips being appointed as Vice President and his generous contribution to the Agency on Aging. He pointed out that the Agency wanted him to be President, but he chose to be Vice President.

3. Consider approval of the minutes of the Regular Meetings of November 21 and December 19, 2006.

A motion was made by Vice Mayor Phillips and seconded by Councilmember King to approve the minutes of the Regular Meetings of November 21 and December 19, 2006.

UNANIMOUSLY APPROVED BY ACCLAMATION.

4. Ordinances:

- a. 2006-26 SECOND READING AND PUBLIC HEARING. An ordinance of the City of Gulfport, Florida, incorporating Proportionate Fair Share Provisions into Article XVIII, of the Code of Ordinances, pursuant to Chapter 163, Florida Statutes, providing for amendment of the Concurrency Management sections of the Code of Ordinances; providing for amendment of Section 22-18.01, pertaining to Definitions, providing for a new Section 22-18.07 pertaining to Proportionate Fair Share provisions; providing for renumbering of Sections 22-18.07 through 22-18.10; providing for the repeal of ordinances, or parts of

ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.

City Clerk Spence read Ordinance No. 2006-26 by title only.

City Manager Brobeil explained the ordinance. He stated this allows alternatives for developers to proceed with projects when they are facing a service level deficiency for transportation. Gulfport will probably not be faced with this, but we are required to adopt this ordinance.

Mayor Yakes opened the Public Hearing.

Seeing no one who wished to speak, Mayor Yakes closed the Public Hearing.

A motion was made by Vice Mayor Phillips and seconded by Councilmember Worthington to pass Ordinance No. 2006-26 on Second Reading.

VOTE:

VICE MAYOR PHILLIPS	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
COUNCILMEMBER WORTHINGTON	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

- b. 2007-01 An ordinance of the City Of Gulfport, Florida providing for amendment of Sections 22-4.03 of the Code of Ordinances pertaining to mixed uses within the City; providing for mixed uses as permitted uses; providing for amendment of Subsection (f) of Section 22-5.09 of the Code of Ordinances pertaining to maximum building coverage in the CL-1 Zoning District; providing for building coverage of mixed uses; providing for the repeal of ordinances, or parts of ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.

City Clerk Spence read Ordinance No. 2007-01 by title only.

Community Development Director Fred Metcalf explained the ordinance and stated that staff and also the Planning and Zoning Board recommends approval.

In response to Vice Mayor Phillips, Community Development Director Metcalf stated this is only for permitted uses within the CL-1 Zoning District.

Councilmember King stated she thinks this is a good thing but it only covers Gulfport Boulevard, not 49th Street or the downtown area. She asked when we can we see something in these areas.

Community Development Director Metcalf said he cannot give an actual date at this time but we hope to start work on it very soon.

Vice Mayor Phillips commented that this is a work in progress and he feels that he likes the idea of going slowly since fewer mistakes are made that way.

Mayor Yakes stated that more complicated issues will take more time to work on and this will do something for affordable housing.

Mayor Yakes opened the Public Hearing.

Seeing no one who wished to speak, Mayor Yakes closed the Public Hearing.

A motion was made by Councilmember King and seconded by Councilmember Stull to pass Ordinance No. 2007-01.

VOTE:

VICE MAYOR PHILLIPS	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
COUNCILMEMBER WORTHINGTON	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

5. Resolutions:

- a. 2007-01 A resolution of the City of Gulfport, Florida, adopting, in concept, the Communities for A Lifetime Report as presented by Dr. Jennifer Salmon; and providing for an effective date.

City Clerk Spence read Resolution No. 2007-01 by title only.

City Manager Brobeil explained the resolution. He stated that we will need to work on committees to move forward on this issue and staff recommends approval.

Mayor Yakes opened the Public Discussion.

Seeing no one who wished to speak, Mayor Yakes closed the Public Discussion.

A motion was made by Vice Mayor Phillips and seconded by Councilmember Worthington to pass Resolution No. 2007-01.

Vice Mayor Phillips spoke about the photograph for the Communities of a Lifetime and stated he would like to have a copy of that picture in City Hall.

VOTE:

VICE MAYOR PHILLIPS	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
COUNCILMEMBER WORTHINGTON	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

- b. 2007-02 A resolution of the City of Gulfport, Florida, authorizing the City Manager to issue a task order under the existing J.T.V., Inc. contract for sanitary sewer system repairs in the amount of \$236,307.00; and providing for an effective date.

City Clerk Spence read Resolution No. 2007-02 by title only.

City Manager Brobeil explained the resolution.

Councilmember Worthington asked when work will start on the sewer lines on 13th Avenue and 58th Street South.

Public Works Director Don Sopak stated that we do have a plan and this is the last section for work to be done on the south side.

In response to Vice Mayor Phillips, Public Works Director Sopak stated that he will be meeting with the engineers tomorrow and probably going to bid in February for connecting the drainage lines north and south of Tangerine Avenue.

Mayor Yakes stated that he spoke with a company at the National League of Cities Conference and they will be here and give to give a demonstration.

Public Works Director Sopak stated he has returned a phone call to them.

Mayor Yakes opened the Public Discussion.

Seeing no one who wished to speak, Mayor Yakes closed the Public Discussion.

A motion was made by Vice Mayor Phillips and seconded by Councilmember King to pass Resolution No. 2007-02.

VOTE:

VICE MAYOR PHILLIPS	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
COUNCILMEMBER WORTHINGTON	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

- c. 2007-03 A resolution of the City of Gulfport, Florida, authorizing the City Manager to purchase two six-inch Fairbanks Morse submersible pumps and motors from Sanders Company, Inc. for Lift Station No. One, in the amount of \$29,532.00; and providing for an effective date.

City Clerk Spence read Resolution No. 2007-03 by title only.

City Manager Brobeil explained the resolution and stated that this was an emergency purchase item.

Mayor Yakes opened the Public Discussion.

Seeing no one who wished to speak, Mayor Yakes closed the Public Discussion.

A motion was made by Vice Mayor Phillips and seconded by Councilmember Worthington to pass Resolution No. 2007-03.

VOTE:

VICE MAYOR PHILLIPS	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
COUNCILMEMBER WORTHINGTON	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

6. Discussion of County Charter Referendum mandatory meetings.

City Attorney Driscoll stated that there are two meetings scheduled which were ordered by the Judge. He stated that Council does not need to attend the first meeting but will need to have a quorum at the February 9th meeting.

In response to Councilmember King, City Attorney Driscoll stated that the logistics have not been worked out yet for the meeting but he will provide the information to Council when he receives it.

Mayor Yakes stated he has meetings scheduled with County Commissioners Ken Welch, Susan Latvala and Calvin Harris and asked City Attorney Driscoll if these meetings are in violation of the Sunshine Law.

City Attorney Driscoll stated there is no reason not to have these private meetings. He asked if Councilmembers are available for the February 9th meeting.

All Councilmembers stated they would be available to attend the meeting.

7. Discussion of 49th Street Neighborhood Center Basketball Court.

City Manager Brobeil stated that he had been directed at the last meeting to come back with a plan for the installation of a basketball court. He stated that we had applied for a State Grant for a basketball court at Tomlinson Park but we did not get the funding. He stated that we have a site plan and the cost would be \$4,000 for one goal and \$7,000 for two goals. He stated that we will use the parking area as far back as practical.

Councilmember Stull stated that a lot of young people are out in the street playing basketball and this would give them a better area.

Councilmember Worthington spoke about safety concerns of this in the parking lot since vehicles will be coming in and out of that area. He stated that he had a window broken in his vehicle in his front yard. He felt this would be a liability to the City and we do have basketball facilities at the Recreation Center and at Holy Name Church. He stated he would like to see us wait, because he thinks we may get a grant for the Little League area. He stated that we should not have to spend more money when some employees have not received raises.

Vice Mayor Phillips stated that these are valid points and he is now hesitant. It is a wonderful idea but maybe we could find a better location.

Councilmember King suggested that the court could be put close to the building or on the side and she thinks we need one on this side of Gulfport.

City Manager Brobeil stated we tried to move it as far away from the building as possible, since that is the safest place.

Mayor Yakes spoke about the Interlocal Agreement that we have with the Pinellas County School Board for them to use Hoyt Field, but that we do not use their property. He stated there were recreational facilities in Childs Park in St. Petersburg.

Councilmember Stull stated there would be concerns about letting a child cross 49th Street to play basketball and she would prefer something in Gulfport's neighborhood.

Councilmember King asked about using the basketball court at Hamilton-Disston Elementary School.

City Manager Brobeil stated we could look into using school facilities but we never have been successful in getting casual use of these facilities without supervision being provided.

City Manager Brobeil stated he would look over the facilities in the area and contact the School Board to see under what conditions we could use the facility. Also, he would look to see if there is any other paved area that a private owner might let be used for this. This will be brought back to Council.

8. Any Other Business.

Councilmember Stull spoke about the Crime Awareness meeting on January 8 at 7:00 p.m. at

the 49th Street Center.

Councilmember Worthington stated he did not have any other business but hoped that everyone had a safe holiday.

Councilmember King asked about a timetable for removing the fence for the Hollander's on York Street and said she was told that we would need a vote from Council. She asked if this is correct.

Mayor Yakes stated he did not know if this fence was put up as a result of Council action. He stated that the residents around it do not seem to think it is an issue. The existing fence was a 6' fence and one of equal size was installed on the west side but the berm raised the elevation. He stated that the property owner wants the fence lowered to a four or three foot fence.

City Manager Brobeil stated that a lot of money was spent on this project and to redo it on one side does not make sense to him, but he will do whatever Council says.

After further discussion, City Manager Brobeil was directed to come back with photos for the next Council meeting.

Vice Mayor Phillips spoke about an email he received by a Gulfport business owner which stated that there had not been one council member or police officer who stopped in at their store. He stated that he had gone into that store and bought merchandise that this individual was selling and he had been in a lot of the stores. Therefore, the statement is untrue and that makes him wonder how much else is untrue.

Mayor Yakes stated that South Pasadena Mayor Dick Holmes, who is the city's representative on the Pinellas Planning Council, sends reports to us on the Planning Council meetings. He also requested an update report and recommendations from the City Clerk for the next meeting and an update from the City Attorney.

Mayor Yakes spoke about attending an event at Beachway Mobile Home Park on New Year's Day. They had said that the presence of police in the area on New Year's Eve was high but there was the discharge of firearms and bullets landing on roofs of mobile homes. He also spoke about the name of Crime Watch being changed to Crime Prevention.

9. Adjournment.

A motion was made by Vice Mayor Phillips and seconded by Councilmember Worthington to adjourn at 8:17 p.m.

UNANIMOUSLY APPROVED BY ACCLAMATION.

Date Approved

Michael J. Yakes, Mayor

Louise M. Spence, City Clerk