



**City of Gulfport Florida**  
**Regular Council Meeting**  
**March 6, 2007**

City Hall

7:00 p.m.

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**Minutes**

Mayor Michael J. Yakes called the meeting to order.

The Invocation was given by Councilmember Mary Stull, followed by a Pledge of Allegiance to the Flag of the United States of America.

Roll Call. Present were Councilmembers Michele King, Robert Worthington, Vice Mayor Ted Phillips, Councilmember Mary Stull, City Manager Thomas Brobeil, City Attorney Timothy Driscoll, and Deputy City Clerk Donna M. Boyd. City Clerk Louise M. Spence asked to be excused.

**Presentations**

Public Safety Director Willocks presented Meritorious Service awards to Ms. Francine Whitten, Ms. Margaret Palmisano and Ms. Claire Bousman for their help during the staff shortage in the Public Records area of the Police Department. Ms. Bousman could not be present. Mr. Willocks commended her efforts, as well. He mentioned that these individuals performed their own jobs as well as helping in the Records Department. The awards were presented by Mayor Yakes.

Mayor Yakes presented The Good Neighbor Awards. The award for Best Overall Property located at 2825 53<sup>rd</sup> Street South, owned by Ms. Kelly Allen (who could not be present). The most improved property award was given to 2630 48<sup>th</sup> Street South, owned by Ms. Karen Alexais.

Deputy Clerk Boyd read a Water Conservation Proclamation.

**1. Public Session.**

Mr. Henderson, 5301 18<sup>th</sup> Avenue South, asked about the possibility of having a neighborhood block party. He stated that he had spoken with City Manager Brobeil and indicated that the purpose of the party would be for the newer members in his neighborhood to get together and meet. He gave a tentative date of March 31<sup>st</sup> or April 14<sup>th</sup> and requested that 18<sup>th</sup> Avenue South be barricaded between 53<sup>rd</sup> and 54<sup>th</sup> Streets South.

City Manager Brobeil stated that this is something that the City does support adding that the Police Chief has looked at the location and believes that this can be done in a safe manner with the barricades.

It was the consensus of the Council to approve Mr. Henderson's request for a block party.

Vice Mayor Phillips stated that this is a good idea for the entire City. If this is successful, there's no reason it couldn't be spread out with more and more people to bring Gulfport back together again.

Mayor Yakes mentioned the block parties held on Upton Street, which were a great success.

Ms. Carol D'Allesandro, 2636 Upton Street South, spoke and thanked the Council for allowing her to speak over the years in an open forum. She spoke about the negative affects of smear campaigns. She thanked the Gulfport incumbents for running open, decent and honest campaigns.

Mr. Al Davis, 2790 45<sup>th</sup> Street South, spoke about the City Manager's reference to the NOAA report. He stated that he had multiple phone calls from Dr. Hensington prior to the SWFWMD and he was concerned about the media coverage lately regarding water issues in Gulfport. In the Water Watch meetings they are concerned that SWFWMD is not concerned with the issues facing Gulfport. He feels that the citizens need to be represented.

Mr. Marty Needleman, 5940 30<sup>th</sup> Avenue South, spoke about the Casino and their lack of accommodations for handicapped individuals. He suggested that the City look at the other City facilities for ADA concerns, as well.

Mr. Bob Phillips, 2559 46<sup>th</sup> Avenue North expressed his appreciation for to the City for their efforts in working with Pinellas County and the State Legislators on issues.

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

## **2. Update Reports.**

City Manager Brobeil gave an update on the basketball hoops in Ward 4. The Principal of Hamilton Disston Middle School agreed to let the City use the basketball hoops there, under the Joint Use of Facilities Agreement we have with the Pinellas County Schools with two conditions: 1) that the City repair the hoops and 2) that the City provide someone to open and close the facility. Leisure Services Director O'Reilly is working with the Principal to coordinate this.

Councilmember Stull stated that she is pleased that now the children in her ward will have a safe place to play basketball.

## **3. Consider approval of the minutes of the February 20, 2007 Regular Council Meeting.**

**A motion was made by Vice Mayor Phillips and seconded by Councilmember Worthington to approve the minutes of the February 20, 2007 Regular Council Meeting.**

UNANIMOUSLY APPROVED BY ACCLAMATION.

**4. Ordinances:**

None.

**5. Resolutions:**

- a. 2007-21 A resolution of the City of Gulfport, Florida, requesting the support of Senator Bill Nelson for enforcement action for the City of St. Petersburg and SWFWMD for Clam Bayou Estuary and the connected waters of Boca Ciega Bay and the Gulf of Mexico; and providing for an effective date.

City Manager Brobeil explained the resolution stating that this is the resolution that Councilmember Worthington had brought before the Council two meeting ago.

Mayor Yakes stated that he appreciated Councilmember Worthington's efforts in working with this resolution adding that Senator Nelson also worked hard on this issue.

Vice Mayor Phillips mentioned that Dr. Elko is becoming interested in the situation. She is the Environmental Director for Pinellas County. He also mentioned that he spoke to her about getting sand for the beach and stated he feels the more people we can get involved, the better.

Mayor Yakes opened the public discussion.

Mr. Long Mason, 3128 59<sup>th</sup> Street South, spoke that he supports the Clam Bayou Resolution 2007-21 exactly as it was presented.

Ms. Taylor Needleman, 5940 30<sup>th</sup> Avenue South, stated that she feels it is an important resolution and follow-through is very important. She supports passing Resolution 2007-21. She recognized Al and Cindy Davis for their contributions towards this issue in bringing it to everyone's attention.

Mr. Al Davis, 2790 45<sup>th</sup> Street South, stated he strongly supports this resolution.

Seeing no one else who wished to speak, Mayor Yakes closed the public discussion.

Councilmember Worthington mentioned that we still have a long way to go and this resolution is only part of it. We have other areas of Gulfport to be concerned with, as far as storm water is concerned. He spoke about his research on blockade devices/barriers. It will be an ongoing effort and he applauded Gulfport Water Watch.

Vice Mayor Phillips spoke about the steady flow of sediment in the canal adding that the pond that collects storm water hasn't been cleaned in many years so the sediment flows down the canal and sits in Clam Bayou. He explained that a delta would help in trapping the sediment adding that we should be concentrating more on the feed itself, and not so much on Clam Bayou. The flow needs to be split up into a number of break-up smaller flows. Vice Mayor Phillips stated we should concentrate of fixing the problem before we fix the result. Just dredging the Bayou will not solve the problem and it will just fill in again.

Mayor Yakes stated that the more government that is involved, the slower the process will go. What we need is someone who will step up and take responsibility. We have the Pinellas County Estuary people working with us as well as Senator Nelson and that is good. He stated his philosophy is to "lead, follow or get out of the way."

Councilmember Worthington passed out some information, and spoke about the part that everyone played in this project.

**A motion was made by Councilmember Worthington and seconded by Vice Mayor Phillips to adopt Resolution 2007-21.**

VOTE:

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

UNANIMOUSLY APPROVED.

- b. 2007-22     A resolution of the City of Gulfport, Florida, waiving sanitation collection fees for the removal of exotic trees; and providing for an effective date.

City Manager Brobeil stated that this was a policy made by City Council many years ago although it was never formally adopted by resolution. This will allow the City to partner with private property owners to remove exotic, invasive species from their property. If a property-owner cuts down the entire tree, the City will absorb the dump costs. He added that the residents still must get a permit prior to removing any type of tree.

Mayor Yakes opened the Public Discussion.

Mr. Craig Smith, 439 8<sup>th</sup> Avenue North, asked whether a replacement tree is required when a person removes a tree from their property.

City Manager Brobeil stated no replacement tree is required if a person removes an exotic tree. He added that if a resident wants to pay a tree service to remove their tree, the City will still waive the collection fee.

Ms. Karen Alexia, 2630 48<sup>th</sup> Street South, asked for a list of the exotic trees.

City Manager Brobeil stated that the Public Works Department would have a list.

Deputy Clerk Boyd stated that the list of the exotic trees can also be found on-line by accessing the City's website and clicking on the City Code of Ordinances.

Seeing no one else who wished to speak, Mayor Yakes closed the public discussion.

Discussion ensued about various exotic trees.

Councilmember King requested that the exotic tree list be updated, to match Pinellas County's list.

City Manager Brobeil stated he could request an updated list from Pinellas County and present an ordinance to City Council to make this change.

City Attorney Driscoll stated that for purposes of this resolution he would recommend that it be approved with an amendment to identify the trees that are subject to this resolution as those that are defined as undesirable in the City Code.

**A motion was made by Vice Mayor Phillips seconded by Councilmember King to adopt Resolution 2007-22 as amended to include the above comments by City Attorney Driscoll.**

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

UNANIMOUSLY APPROVED.

c. 2007-23 A resolution of the City of Gulfport, Florida, approving the Gulfport Chamber of Commerce's Springfest, including the waiver of the applicable ordinances/policies; providing for an agreed-upon level of support services; and providing for an effective date.

City Manager Brobeil explained that Council had instructed staff to work with the Chamber of Commerce to come up with a way to conduct the Springfest with minimal cost to the City. The Chamber of Commerce will now be responsible for some of the things that the City used to cover; however the City will still be involved.

Mayor Yakes opened the public discussion.

Mr. Bob Phillips presented a check to the Chamber of Commerce in support of the Springfest.

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

Vice Mayor Phillips stated that we have set up a good precedent for the community, businesses and the City to work together.

**A motion was made by Vice Mayor Phillips seconded by Councilmember King to adopt Resolution 2007-23.**

VOTE:

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

UNANIMOUSLY APPROVED.

**6. Set Date and Time for Organizational Council Meeting.** (Suggested date March 20, 2007, 10:00 a.m.)

The suggested date for the Organizational Council Meeting was originally set for March 20, 2007 at 10:00 a.m.

Councilmember King stated that she is not available at 10:00 a.m.

Deputy Clerk Boyd suggested choosing an alternate date or time, as this is the meeting where the officials will be sworn in and if Councilmember King is re-elected, she would need to be present at this meeting.

It was the consensus of Council that the Organizational Council Meeting be held at 6:00 p.m. Mayor Yakes stated that the organizational meeting would be at 6:00 p.m. on March 20, 2007.

**7. Any Other Business.**

Councilmember King spoke about an email she received from Lynne Brown requesting that an alternate member position be added for the Historic Preservation Committee. She realized that it would mean revising the Ordinance that established that Board.

Mayor Yakes stated that he supports Ms. Brown's request, as there are alternate members on other Boards.

It was the consensus of Council to support Ms. Brown's request for an alternate member on the Historic Preservation Committee.

Councilmember Worthington spoke about his trip to Tallahassee on February 20<sup>th</sup> with

Senate Minority Leader, Steve Geller. It was important to the City of Gulfport that we be represented at this meeting. The meeting was attended by School Board Members, Mayors throughout Florida, and County Commissioners and City Council members. The goal was to study and discuss the issue of property tax. The property tax system does not work well as it is because it is not equal for everyone. He explained that we must stop the State from capping local revenues. Councilmember Worthington also mentioned his meeting with Tom Singleton of the Department of Environmental Protection, who has worked with the Clam Bayou issue doing the soil and mud testing and he reported an alarming amount of phosphates were found. Councilmember Worthington requested a report when the testing is completed. He also mentioned that upon his return, he was notified that he had been appointed to the Agency on Bay Management, through the Pinellas Planning Council. This will be a plus for Gulfport for him to be a part of that Agency. He mentioned the Clam Bayou Clean Up on March 17<sup>th</sup> and urged all to come out and help.

Vice Mayor Phillips asked that Council request that the City Manager get hold of the “duck man”; that is the gentleman who has the amphibious vehicles that could take people from the launching ramp/dock into the City. This gentleman has shown an interest in coming to the City to talk about providing this service. He also discussed the letter he wrote to Dr. Nicole Elko, head of navigation and waterways for the County, regarding sand for our beach. He stated that the beach between the Casino and the Pier is still growing and Ms. Elko came to Gulfport to see that. Ms. Elko mentioned that she would have some aerial photos taken of the area to see where sand could be deposited on the main beach. He also stated that it would be a good idea to extend the aerial photos over towards Clam Bayou. Mr. Phillips also spoke about a letter that he wrote to the Governor a few years ago regarding an offshore well south of Jacksonville.

City Manager Brobeil asked if there was a consensus among Council to pursue Vice Mayor Phillips’ request for an amphibious vehicle and there was. Mr. Brobeil then stated that he would meet with the gentleman and then get back to Council with additional information.

Councilmember Stull spoke about the Crime Prevention meeting at the 49<sup>th</sup> Street Center and encouraged everyone to attend. She also mentioned the Chamber of Commerce meeting, and encouraged residents to get involved. Ms. Stull spoke about the City having outdoor movies that would be free to the public and give local businesses a chance to sell refreshments.

Mayor Yakes discussed the 49<sup>th</sup> Street District signage/banners stating that on Tangerine Greenway there is a display/sign that lists businesses but does not include the businesses on 20<sup>th</sup> Avenue and they would like to be included on this banner. He asked that staff look into this. Mayor Yakes discussed the school bus stops around the Tomlinson/Tangerine Lake area stating some parents have expressed concerns to him about a vehicle that is riding through the area very often and they requested extra patrols in that area.

Councilmember Stull stated that she has a problem with the buses turning down 50<sup>th</sup> with Winn Dixie on one side and McDonald’s on the other. It is a narrow street and if there is a truck unloading behind Winn Dixie the school bus has to go up on the curb. She believes this is a dangerous area.

Mayor Yakes spoke about his appointment as the 2<sup>nd</sup> Vice President of the Suncoast League

of Cities and that he has again been appointed to serve on the Florida League of Cities' Board of Directors.

Mayor Yakes asked City Attorney Driscoll what the distance that needs to be maintained while campaigning at the polls.

City Attorney Driscoll stated that he believed that it was 50 feet from the doorway.

Mayor Yakes stated that he feels that by the time people get to their polling place to vote, they know who their candidate will be and he doesn't feel that campaigning at the precincts is necessary.

**8. Adjournment.**

**A motion was made by Vice Mayor Phillips and seconded by Councilmember Worthington to adjourn at 9:01 p.m.**

UNANIMOUSLY APPROVED BY ACCLAMATION.

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Date approved

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Michael J. Yakes, Mayor

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Donna M. Boyd, Deputy City Clerk

Transcribed by K. McCurdy