



City of Gulfport Florida
Community Redevelopment Agency Meeting
Tuesday, April 3, 2007

City Hall

Immediately following Regular Council Meeting, which convenes at 7:00 p.m.

Minutes

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

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

1. Public Session.

There was no participation in the Public Session.

2. Consider approval of the minutes of the February 6, 2007 Community Redevelopment Agency Meeting.

A motion was made by Councilmember Stull and seconded by Councilmember Worthington to approve the minutes of the February 6, 2007 Community Redevelopment Agency meeting.

UNANIMOUSLY APPROVED BY ACCLAMATION.

3. Resolution:

- a. 2007-02 A resolution of the Community Redevelopment Agency (CRA) of the City of Gulfport, Florida, appointing members to the Waterfront Redevelopment Advisory Board (WRAB); providing for terms of appointment; and providing for an effective date.

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

City Manager Brobeil explained the resolution and stated these are being reappointed to be consistent with newly adopted ordinance.

Mayor Yakes opened the public discussion.

Rick Gilbert, 5855 27th Avenue South, stated he had put in an application for this Board.

City Clerk Spence explained that this is only reappointing current members and the applications for the vacant positions will be handled at the next meeting.

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

A motion was made by Councilmember Worthington and seconded by Councilmember Stull to adopt Resolution No. 2007-02.

VOTE:

COUNCILMEMBER WORTHINGTON	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

b. 2007-03 A resolution of the Community Redevelopment Agency of the City of Gulfport, Florida, authorizing a permit for outdoor entertainment within the Waterfront Redevelopment District, Mixed Use Zoning Area at H. T. Kane's at 5501 Shore Boulevard South; providing criteria for the issuance of such permit; and providing for an effective date

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

Principal Planner Angela Hurley explained the resolution and stated that this does not require a site plan approval.

Councilmember Worthington stated there was nothing to limit the sound and he felt there should be a buffer to limit sound on the west side.

Helga Kane stated that they cannot put a solid wall there because that would eliminate smoking in the area.

Mayor Yakes opened the public discussion.

Joan Samuel, 3102 56th Street South, stated that she is here to oppose outside music. They can hear and feel the drummer playing because there is no buffer and there is room inside for the music.

Frank Bates, 3120 56th Street, stated that the noise penetrates into his house from there. He feels that if they are serious about stopping the loud sound they should bring in a professional to show them how to do it.

Mayor Yakes stated we will have an answer back from the police on these concerns.

Ralph Bassett, 2411 52nd Street South, stated that limiters don't work because drums are not on amplifiers but drums are meant to be heard over a large area. He felt that this is not fair to the residents and they should put a damper on it.

Rick Gilbert 5855 27th Avenue South, stated there is always a conflict between residential and commercial. He stated that he has been awakened at midnight with the loud music from Aquabella's and they don't have a license.

Community Development Director Metcalf stated that Aquabella's has been fined.

Simone Frohne, 2501 Premier Drive South stated that she has never heard music from Kane's because it is not as loud as Aquabella's.

Helga Kane stated that she feels bad for neighbors and cuts their music down at 11:00 p.m.

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

Councilmember Worthington asked if it would be okay if we do not allow drums for the outside music.

Helga Kane stated that this would put most bands out of business and they have to have music outside to allow smoking.

Councilmember Worthington stated he has been there when there is a drummer and he cannot tolerate the noise. He feels that we should ban outdoor drumming.

Councilmember Stull stated that she lives close to Boca Ciega School and the banning of outdoor drums would affect the school band and football games.

Councilmember King talked about putting towels in the drum as a damper.

Councilmember King suggested a temporary permit and having Ms. Kane work with the drummer and come back in a month or so to see where we are. She feels that waiting three months is way too long.

Mayor Yakes asked Police Chief Willocks about problems there. Police Chief Willocks stated that they respond to any complaints and they have a zero tolerance policy. They don't give warnings but do give citations. He asked if there is a possibility that the decibels can be lowered from 55 to 45.

City Attorney Driscoll stated that the proposal is to terminate the music at 11:00 p.m. on Fridays and Saturdays and at 10:00 p.m. Sunday thru Thursday and a special limitation can be placed on it. His only suggestion was that it be for all businesses, not just this business alone. If there is outside music, additional restrictions can be supportable and it could be treated differently.

City Manager Brobeil asked if there was a requirement to channel the noise when the permit was first issued and asked if it was done.

Ms. Kane stated this was not part of the permit.

Principal Planner Angela Hurley stated it was required but Ms. Kane had come in to try to solve the problem with the noise and suggested doing a stage and bandshell and it was a requirement of that amendment. Council granted her temporary outside entertainment and she was to build the bandshell and stage then she had 60 days so we could see how many complaints we received. Ms. Kane has said the nature of her entertainment has changed and she is asking you to allow the outdoor entertainment without having to do the bandshell and stage.

City Manager Brobeil said that, therefore, we do not know if the bandshell will work or not work.

Marsha Wood from St. Petersburg stated she was present when Helga Kane said she did not care about anyone but was there for the money.

Joan Samuel asked how the nature of the music has changed.

Mayor Yakes asked if Council is ready to make a decision on this.

City Attorney Driscoll stated that staff had made recommendations that are not included in the resolution and they are 1) outside entertainment and patron seating will be located in the approved outside seating and entertainment area only. He stated that needs to be added to the resolution, if approved. City Attorney Driscoll stated that he agrees that the decibels be limited to the amount allowed by City Codes.

A motion was made by Councilmember King and seconded by Councilmember Worthington to adopt Resolution No. 2007-03 to give permit for 30 days with stipulation that staff requested

VOTE:

COUNCILMEMBER WORTHINGTON	YES
COUNCILMEMBER STULL	YES
COUNCILMEMBER KING	YES
MAYOR YAKES	YES

UNANIMOUSLY APPROVED.

Mayor Yakes stated that the 30 days will be effective as of tonight.

4. Any Other Business.

None.

5. Adjournment.

A motion was made by Councilmember Worthington and seconded by Councilmember Stull to adjourn at 11:40 p.m.

UNANIMOUSLY APPROVED BY ACCLAMATION.

Date Approved

Michael J. Yakes, Chairperson

Louise M. Spence, City Clerk