

**City of Gulfport Florida**  
**Regular City Council Meeting**  
**Tuesday, October 5, 2010**

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The Regular Meeting of the Gulfport City Council was held on Tuesday, October 5, 2010, in the City Hall, City Council Chambers, 2401 53<sup>rd</sup> Street South, Gulfport, Florida.

Michael J. Yakes, Mayor, called the meeting to order at 7:00 p.m. The invocation was given by Vice Mayor Michele King, followed by the Pledge of Allegiance.

**Roll Call:**

Present were Councilmembers David Hastings, Jennifer Salmon and Samuel Henderson; Vice Mayor Michele King; Mayor Michael J. Yakes; City Manager James O'Reilly; City Attorney Andrew Salzman, and City Clerk Lesley DeMuth.

**1. Public Session.**

Jeri Reed, on behalf of the 49<sup>th</sup> Street South Business Association, thanked the City for a great Blues Fest.

**2. City Manager Report.** No Report

**3. City Attorney Report.** No Report

**4. City Clerk Report.** No Report

**Presentation:**

Cathy Harrelson, Pinellas Transportation Task Force, spoke on the challenges facing Pinellas County and current and future transit studies and plans. Council scheduled discussion of the Task Force's Project Priority Checklist for the Workshop of October 28<sup>th</sup>.

**5. Ordinances:**

- a. 2010-14, Second Reading and Public Hearing: An ordinance of the City of Gulfport amending Chapter 15, Pensions, Article IV, Firefighters' Retirement Pension Fund, of the Code of Ordinances of the City of Gulfport; amending Section 15-31, Definitions; amending Section 15-33, Board of Trustees; amending Section 15-34, Finances and Fund Management, Establishment and Operation of Fund; amending Section 15-48, Repeal or Termination of System; amending Section 15-49, Domestic Relations Orders, Retiree Directed Payments, Exemption from Execution, Non-Assignability; amending Section 15-50.6, Prior Fire Service; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith; and providing an effective date.

The City Clerk read Ordinance No. 2010-14 by title only.

City Manager O'Reilly explained the Ordinance.

Mayor Yakes opened the Public Hearing. Neither hearing nor seeing anyone who wished to speak, Mayor Yakes closed the Public Hearing.

Motion by Councilmember Salmon, second by Councilmember Henderson to adopt Ordinance No. 2010-14.

ROLL CALL:	VICE MAYOR KING	YES
	COUNCILMEMBER HENDERSON	YES
	COUNCILMEMBER SALMON	YES
	COUNCILMEMBER HASTINGS	YES
	MAYOR YAKES	YES

MOTION CARRIED.

b. 2010-17, First Reading: An ordinance of the City of Gulfport, Florida amending Chapter 4, Alcoholic Beverages, of the Code of Ordinances of the City of Gulfport; amending Section 4-13, Prohibited Hours Designated, by providing for Prohibited Hours for the Sale, Dispensement or Serving of Alcoholic Beverages within the City of Gulfport; providing for severability provisions; providing an effective date; and providing for repeal of ordinances in conflict herewith to the extent of such conflict.

The City Clerk read Ordinance No. 2010-17 by title only.

City Attorney Salzman explained the County has made a change in their ordinance to extend the dispensement and serving of alcoholic beverages hours till 3:00 a.m. The municipalities disagreed with the County's interpretation that any action would have to be taken by the municipalities regarding this. However, in an abundance of caution City Attorney Salzman stated he did not want the City to be in a position where there could be a potential conflict. Council could either approve the ordinance which is written to allow for an extension till 3:00 a.m. or choose to have the hours remain at 2:00 a.m.

Councilmember Salmon stated she had asked for an update on what the other cities were doing, and City Manager O'Reilly advised that he did not have a chance to get that information to Council, but Chief Vincent was present to answer questions.

In response to questions by Councilmember Salmon, Police Chief Vincent explained how the Department analyzed and compared calls for services between 2:00 a.m. and 3:00 a.m. to determine that this is not causing the Department any extra work.

Mayor Yakes opened for public discussion. Neither hearing nor seeing anyone who wished to speak, Mayor Yakes closed the public discussion.

Motion by Councilmember Henderson, second by Vice Mayor King to approve Ordinance No. 2010-17.

Councilmember Salmon advised Council she has spoken to some businesses, and everyone seemed in agreement that Council should do this. Personally, she did not think it is a good idea, but perhaps it is not a bad idea for Gulfport.

ROLL CALL:	VICE MAYOR KING	YES
	COUNCILMEMBER HENDERSON	YES
	COUNCILMEMBER SALMON	YES
	COUNCILMEMBER HASTINGS	YES
	MAYOR YAKES	YES

MOTION CARRIED.

#### **6. Resolution:**

2010-62, A resolution of the City of Gulfport, Florida authorizing the City Manager to execute an agreement between the Department of Transportation and the City of Gulfport to accept maintenance responsibility for Project Number 424398-52-01, also described as the Tangerine Avenue Project; and providing for an effective date.

The City Clerk read Resolution No. 2010-62 by title only.

City Manager O'Reilly explained the Resolution.

In response to a question by Councilmember Salmon, City Manager O'Reilly stated this project is grant funded.

Mayor Yakes opened for public discussion. Neither hearing nor seeing anyone who wished to speak, Mayor Yakes closed the public discussion.

Motion by Vice Mayor King, second by Councilmember Henderson to approve Resolution No. 2010-62.

ROLL CALL:	VICE MAYOR KING	YES
	COUNCILMEMBER HENDERSON	YES
	COUNCILMEMBER SALMON	YES
	COUNCILMEMBER HASTINGS	YES
	MAYOR YAKES	YES

MOTION CARRIED.

#### **7. Discussion of the City's Recycling Program.**

Public Works Director Don Sopak spoke on the recycling program which presently provides curbside recycling to all residential sanitation customers and commercial collection for participating businesses. At present the City's recycling program allows residents to recycle aluminum cans, plastic bottles #1 and #2 and newspapers.

Public Works Director Sopak explained that the additional recyclable items the sanitation department is proposing to collect at the curb in November 2010 are metal cans, plastic bottles marked #1 thru #7, metal jar lids, flattened corrugated cardboard, junk mail, magazines, white or colored paper and brown paper bags. The addition of a roll off container and a drop off center in the beginning of 2011 will enable residents to recycle clear, brown and green glass. The current rates for recycling will not be effected. This reconfiguration and expansion of the present

program is also predicated on the inclusion and management of the Town Shores condominium complex's recycling program.

Public Works Director Sopak answered questions from Council and it was the consensus of Council to move forward with the proposed program.

### **8. Old Business.**

Vice Mayor King reported on Blues Fest and the Chili Cook-off, and she asked Council to consider the Spirit of Gulfport Award for Jeri Reed, President of So49. There was no objection from Council.

Councilmember Salmon felt Council was still not getting Old and New Business, and asked if Old Business was something that Council has dealt with in the past. City Attorney Salzman stated Old Business is things that would be put on the agenda that were not resolved. He felt almost everything Council is putting under Old Business is Council Reports. New Business is when Council decides things they want listed on future agendas.

Mayor Yakes spoke on a letter from the Pinellas Planning Council requesting nominations to fill the term of the Group C cities representative. It was the consensus of Council to recommend Councilmember Henderson.

### **9. New Business.**

Councilmember Henderson spoke on the abuse of the bikes in the Skate Park and vandalism at the park; including the harassment of wildlife. He felt the City should put stronger protections in our ordinances to protect wildlife within the City. Councilmember Henderson asked that the City Flag, which is on display, be cleaned.

In response to a question by Vice Mayor King on bikes being allowed in the Skate Park, City Manager O'Reilly stated this was an action he took to allow, on a trial basis, the bikes each Sunday during the month of October.

Mayor Yakes stated there was a problem at the park on Sunday and the Police did close the park. He mentioned that some time ago the Fish and Game Officers did come out and speak to the children about wildlife, and suggested Councilmember Henderson work with Staff to have them do this again.

Councilmember Salmon brought up that Gulfport Elementary and Boca Ciega High School both received D's, and that there is a growing interest in both schools becoming fundamental schools. She provided a list of other elementary schools which have city names so Council could see how they are being scored and provided a copy of an editorial from the Weekly Challenger on the importance of fundamental schools. Councilmember Salmon asked for a consensus from Council to invite the principals of the elementary and high school to present what is going on, what the needs of the school are, and what they could use from Council in terms of support. She would like Council to be more informed, and perhaps a letter could be sent from Council in favor of this.

Councilmember Salmon talked on early intervention programs and that she would like to invite someone to speak at a Council Meeting who takes care of diagnosing children who have

developmental delays, and getting them placed into the school system. There was no objection from Council to having a presentation.

Councilmember Hastings asked what the City Council had to do with choosing the type of school. Councilmember Salmon said this could be done individually as taxpayers, but the weight of the whole Council would be stronger and she spoke on the reasons to have fundamental schools.

Councilmember Henderson expressed his concern of putting the principles in an awkward position by coming here to talk about whether their school goes fundamental. Overall, he felt this is the best public school option in the county, but his concern with our schools becoming fundamental is the families who are not going to do the rigorous attendance. He asked what would happen to the children of those families.

Councilmember Salmon said she has spoken with other teachers and the African-American Educators Community wants fundamental schools. She has talked to the Vice Principle at Gulfport Elementary with some ideas and essentially she thought there will need to be mentors and others who could help these parents.

There was no objection from Council to a presentation by the school principles.

City Manager O'Reilly reminded Council of the Boca Ciega High School Homecoming Parade tomorrow, and Councilmember Salmon said it is also Walk to School Day.

#### **10. Council Reports.**

Vice Mayor King reported on the upcoming Candidates Forum.

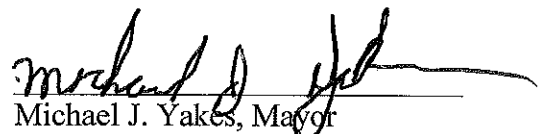
Councilmember Henderson reported on the Blues Fest.

Councilmember Salmon reported on her Town Hall Meeting, the Amendment 4 Forum, and mentioned Amendment 8; class size.

#### **11. Adjournment.**

Motion by Councilmember Henderson, seconded by Councilmember Salmon to adjourn.

Date Approved: 11-2-10

  
Michael J. Yakes, Mayor

  
Lesley DeMuth, City Clerk