

City of Gulfport Florida
Regular City Council Meeting Minutes
Tuesday, November 16, 2010

The Regular Meeting of the Gulfport City Council was held on Tuesday, November 16, 2010 in the City Hall, City Council Chambers, located at 2401 - 53rd Street South, Gulfport, Florida.

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

Mayor Yakes commented briefly on Resolution No. 2010-38, adopted June 15, 2010 which established reasonable rules and policies for the City Council and asked for the cooperation of all to join him in following those rules.

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.

Presentations:

Marlene Shaw spoke in Lynne Brown's absence and thanked the City Council for their support in the Centennial Art Show. Ms. Shaw recognized staff and the artists who were present in the audience and described the art pieces, all which were created by local artists. She said two art pieces were purchase awards from the City of Imagination, and the So49 Group (the 49th Street Business Community) and three others were purchase awards from the City of Gulfport.

1. Public Session.

John Freiberger, 4722 Tradewinds Drive S., apologized for not following proper protocol last time he spoke publicly, and clarified what he had tried to say previously.

2. City Manager Report.

City Manager O'Reilly apologized for any confusion and clarified a previous statement regarding the Cop's Grant in which he said the City would be responsible for funding the position for an additional three years after the Grant funding. Upon review, he realized he should have said for one year after the funding.

The free mulch storage area will be moved from Boca Ciega High School due to construction, to the 49th Street Neighborhood Center on Saturday, December 4th from 8:00 a.m-12:00 noon.

In response to a question from a member of the audience last week, City Manager O'Reilly referenced a memo he provided Council regarding electronic utility payments. He said after working with staff to see if it were feasible, they came up with a recommendation which would include no longer accepting Bright House or Progress Energy payments at the front counter. He said Council need not take any action at this time, however with this information they may want to consider this item for discussion at a future workshop.

The consensus of Council was that they would like to discuss this item in a workshop, and Councilmember Salmon requested additional data in terms of the people who would be affected. City Manager O'Reilly agreed and stated he would also like to conduct a survey through the water bill to see if there was an interest for it. Vice Mayor King requested that the survey ask people if they would be interested in having their account debited, and if the people who pay by charge card would agree to a 3-6 percent increase in the bill because of that. City Manager O'Reilly asked Council to forward the data they would like addressed to him, and he could schedule the workshop for sometime in January.

City Manager O'Reilly reminded Council that on November 30th beginning at 4:00 p.m. is a scheduled workshop at which Chief Vincent would be presenting the Police Department Survey and they will discuss economic issues as related to 49th Street. Also scheduled on Monday, December 6th at 6:00 p.m. is the Holiday Tree Lighting ceremony at Clymer Park. Councilmember Salmon asked if representatives from the University of South Florida would be here to answer questions related to the Police Survey. City Manager O'Reilly said they would be invited.

3. City Attorney Report

City Attorney Salzman announced that since Council has adopted the Development Agreement Ordinance, they have received from Dollar General Representatives, necessary documentation to move forward with drafting an Agreement.

4. City Clerk Report None.

5. Consent:

City Clerk DeMuth read Resolutions No. 2010-75, 2010-76 and 2010-77 by title only and stated that the Teen Board applicant was Malcolm McGruder.

- a. 2010-75, **A resolution of the City of Gulfport, Florida, authorizing the City Manager to continue the five year agreement with Clark Sales Display, Inc., to provide holiday decoration services; and providing for an effective date.**
- b. 2010-76, **A resolution of the City of Gulfport, Florida, appointing a member to serve on the Gulfport Teen Council; providing for term of appointment; and providing for an effective date.**
- c. 2010-77, **A resolution of the City of Gulfport, Florida, authorizing the City Manager to purchase a replacement police vehicle; and providing for an effective date.**

Motion by Vice Mayor King to approve Resolutions No. 2010-75, 2010-76 and 2010-77 on the Consent Agenda, second by Councilmember Henderson.

UNANIMOUS APPROVAL BY ACCLAMATION.

6. Ordinance:

- 2010-18, **Second Reading and Public Hearing: An ordinance of the City of Gulfport, Florida, enacting Chapter 19, Taxation, Establishing Section 19-11**

Additional Homestead Exemption, Authority and Purpose; Section 19-12, Definitions; Section 19-13, Entitlement to Additional Homestead; Section 19-14 Annual Adjustment of Income; Section 19-15, Requirements for Claiming Additional Homestead Exemption; by providing for a \$25,000.00 Homestead Exemption to qualified Senior Citizens; providing for terms and conditions of entitlement; and providing for an effective date.

City Clerk DeMuth read Ordinance No. 2010-18 by title only.

Mayor Yakes stated they had discussed this item previously and that Councilmember Salmon had been instrumental in bringing the item forward.

Mayor Yakes opened the Public Hearing. Recognizing there was no one from the public who wished to speak, the Public Hearing was closed.

Motion by Councilmember Salmon, second by Councilmember Henderson to approve Ordinance No. 2010-18 on Second Reading.

Councilmember Salmon acknowledged Councilmember Henderson as being equally responsible in bringing this Ordinance forward.

ROLL CALL:

COUNCILMEMBER HENDERSON	YES
COUNCILMEMBER SALMON	YES
VICE MAYOR KING	YES
COUNCILMEMBER HASTINGS	YES
MAYOR YAKES	YES

MOTION CARRIED.

7. Resolutions:

- a. 2010-78, **A resolution of the City of Gulfport, Florida, amending Resolution No. 2010-74 by providing for the purchase of a hybrid vehicle to be from Autaway Ford; and providing for an effective date.**

City Clerk DeMuth read Resolution No. 2010-78 by title only.

City Manager O'Reilly explained that the Resolution allows Chief Vincent to purchase the vehicle from a closer location and saves \$400.00.

Mayor Yakes opened the Public Discussion. Recognizing there was no one from the public who wished to speak, the Public Discussion was closed.

Motion by Vice Mayor King, second by Councilmember Henderson to approve Resolution No. 2010-78.

Councilmember Salmon said she saw in the newspaper that this vehicle would be used for a resource officer positioned at Boca Ciega High School, and said she thought the intent of

purchasing the vehicle was to have it on the road, because it would not be burning as much fossil fuel.

City Manager O'Reilly explained the vehicle is a four door vehicle used more for transportation, less impact for aggressive driving, and was not a pursuit vehicle. He said his concern was that they had to ensure they were not supplanting their usual purchases; which would be a detective car.

Mayor Yakes added that the fully equipped vehicle would be used at crime watch events and would certainly stand for our efforts at going green.

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

MOTION CARRIED.

b. 2010-79, A resolution of the City of Gulfport, Florida, authorizing the City Manager to enter into a lease with Maximum Security Solutions; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2010-79 by title only.

City Manager O'Reilly said that the lease was for security cameras at the Marina, and asked Harbor Master Dennis Frain to provide more information.

Harbor Master Frain explained the purposes of the security cameras are to deter theft and also provide environmental security; should anyone over fill the boats or create a spill in which they would be liable for. It is also a safety concern as they carry 24,000 gallons of fuel at the Marina which would fall under Port Security. Harbor Master Frain said it would cover Piers 1, 2, 3, 4 and the transient dock and the second phase would cover Pier 6 and there will be a camera at the entrance of the channel where they can see what is coming and going.

Councilmember Henderson asked if he had flexibility to move the cameras after they have been originally posted. Harbor Master Frain responded yes, he would have that flexibility.

Councilmember Salmon asked who was going to be monitoring the cameras and would they be able to switch and see all of the locations. Harbor Master Frain confirmed that there would be a DVD system and monitor and explained that any dead information; not pertaining to movement is washed out. He explained the online monitoring capabilities and features, and confirmed that the Police Department would also have the ability to download anything within thirty days.

Mayor Yakes opened the Public Discussion.

Bob Newcomb, 921 Fremont Street, reiterated that the six security cameras were invaluable at Boca Ciega Yacht Club, and recommended the City Council approve the security for the Marina. After receiving all public comments, Mayor Yakes closed the Public Discussion.

Motion by Councilmember Henderson, second by Councilmember Salmon to approve Resolution No. 2010-79.

Councilmember Hastings asked if the City Manager had checked on the lease. City Manager O'Reilly confirmed they had checked to see if they were to pay the full lease price of the five year period in one lump sum would they receive a discount. He asked Johnny Ravel of National Solutions to speak on this matter. Mr. Ravel explained he provided a cash quote and a lease quote. If they accepted the cash quote all the same services would apply as it would on the lease, and explained that was a discounted price.

In response to Councilmember Hastings question as to what the cash price was; City Manager O'Reilly stated \$36,529.94. Councilmember Hastings said that was a savings of about \$8,000.00, and recommended that they do the cash price, which includes everything; the maintenance, insurance etc.

In response to Councilmember Henderson's question if it were feasible; City Manager O'Reilly stated yes, there is money in the Marine Fund Balance.

After Council discussion the consensus was to amend the motion to accept the cash quote.

Councilmember Henderson moved to approve Resolution No. 2010-79 which would be amended to reflect the cash quote (\$36,529.94) and pay in one lump sum, second by Councilmember Salmon.

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

MOTION CARRIED.

c. 2010-80, **A resolution of the City of Gulfport, Florida, authorizing the City Manager to amend the Fiscal Year 2010/2011 Budget to recognize an additional part-time Crossing Guard position within the Public Safety – Police Department Budget; and providing for an effective date.**

City Clerk DeMuth read Resolution No. 2010-80 by title only.

City Manager O'Reilly explained the Resolution, and said this would be for a crossing guard position at the corner of Tangerine and 52nd.

Mayor Yakes opened the Public Discussion. Neither hearing nor seeing anyone who wished to be acknowledged Mayor Yakes closed the Public Discussion.

Motion by Vice Mayor King, second by Councilmember Henderson to approve Resolution No. 2010-80.

Councilmember Salmon asked why they received two versions. City Manager O'Reilly explained he had to replace it with the correct version which outlined the costs.

Mayor Yakes said they were moving the bus stop closer to the school at 52nd and 21st.

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

MOTION CARRIED.

8. Old Business.

Councilmember Salmon mentioned she had received the recycling flyer and said she thought that we were doing more. City Manager O'Reilly said they were going to seven; referring to the standard recycling numbers stamped on plastics.

9. New Business.

Councilmember Henderson asked if the City had a food bank location. City Manager O'Reilly said the drop off was located at the Senior Center. Councilmember Hastings added that Habana Café puts out the St. Vincent De Paul food containers in the front. Councilmember Salmon said Maddy's was going to serve two holiday meals.

Councilmember Salmon said if they were going to put Charter changes on the ballot, Council needed to have one Reading before the end of December.

City Clerk DeMuth said the First Reading has to be December 21st and the last Reading has to be at their January 4, 2011 meeting, in order to make the March ballot.

Councilmember Salmon said Council needs a way to finish going through the Charter before then. City Clerk DeMuth said there was no workshop scheduled. Councilmember Salmon said she would like to schedule a workshop at 5:00 p.m. before the meeting on the 7th. City Clerk DeMuth said when they do this, Council needs to get the consensus on those issues that have to go to referendum, and said she was hoping to get that document, printed and to Council next week. City Clerk DeMuth added that once Council reaches a consensus on those referendum questions, the city attorney still has to write those ordinances.

Councilmember Henderson asked if there was enough time to get all of this done, because it felt rushed and the Charter is such a critical document he would prefer to wait to have all of the questions answered, even if it was next year.

Councilmember Hastings agreed with Councilmember Henderson and with City Attorney Salzman supporting them in saying it should not be rushed; however the Council does have the option to change certain sections by ordinance. City Attorney Salzman added, for referendum questions, you want to make sure it is something everyone can understand and the public understands the reasoning behind such changes.

Councilmember Salmon asked if it automatically means that it would not be until the following March or could they take advantage of the November election cycle.

City Clerk DeMuth said they could have it in November, but it was still going to cost them the regular election price, because there is no county-wide election; and they would be looking at between \$15,000 and \$20,000-plus, to hold a referendum.

Vice Mayor King suggested by next week they figure out what can be passed by ordinance and what has to be put to referendum. City Clerk DeMuth said that Council has requested that and she will indicate that on the proposed document.

Councilmember Salmon said that ideally, they wanted it all to go to referendum. In response, City Attorney Salzman said that the problem is that they have several referendum questions, and it sometimes becomes difficult; the key is if it requires some kind of notification or education Council may want to wait on those, and with more straight forward questions, choose to act on those.

City Clerk DeMuth asked Council if they wanted an item on the workshop agenda for the 30th to determine another workshop date in December. The consensus of Council was that the city clerk would prepare the document for discussion and they would determine a schedule at the workshop.

Mayor Yakes mentioned that O'Maddy's and Bo-Tiki were sponsoring Thanksgiving Dinner and asked the City to relax parking during the event. City Manager O'Reilly confirmed the beach parking would be waived for the event.

10. Council Reports.

Councilmember Henderson reported he attended the Suncoast League of Cities monthly meeting, and they received Richard Florida's new book; a commentary on demographics and the cities you live in.

Councilmember Salmon reported she attended the C.E.R.T. meeting; the Community Band's Inaugural Concert at the Casino and looked forward to the upcoming December 9th Holiday Concert; announced the Gulfport Organic Landscaping Days; mentioned she would be participating in the upcoming Volunteer Luncheon; and announced the USEPA would be delaying the implementation of the new water rules to try to reduce the amount of nitrogen and phosphorous into their waterways by 15 months referencing related newspaper articles.

Vice Mayor King reminded everyone that "Operation Santa" has started. She announced that the recycling bins are here, and they have started to deliver them with instructions. (She requested the instructions also be placed on the Government Channel 615).

Councilmember Henderson asked if the containers (glass) were in place. City Manager O'Reilly said as soon as they are in place they would publish that, and the locations also.

Councilmember Hastings added if anyone has received the new recycling bins, that it is effective upon receipt in that area.

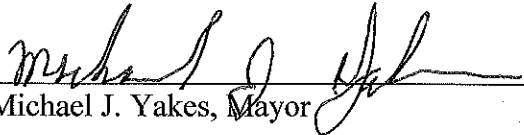
Mayor Yakes said he attended Veterans Day ceremonies at the University of South Florida and Bay Pines. He called for a consensus to send a letter to the School Board requesting that Veterans Day be recognized as a holiday for students. Council gave their consensus to send the letter.

11. Adjournment.

Motion by Councilmember Henderson, second by Vice Mayor King to adjourn.

UNANIMOUS APPROVAL BY ACCLAMATION.

Date Approved: 12-21-10


Michael J. Yakes, Mayor


Lesley DeMuth, City Clerk