

MINUTES
BOARD OF COMMISSIONERS
CITY OF TARPON SPRINGS
REGULAR SESSION – DECEMBER 5, 2017

THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, MET IN REGULAR SESSION IN THE CITY HALL AUDITORIUM/COMMISSION CHAMBERS, 324 E. PINE STREET, ON TUESDAY, DECEMBER 5, 2017 AT 6:30 P.M. WITH THE FOLLOWING PRESENT:

CHRIS ALAHOUZOS	MAYOR
DAVID BANTHER	VICE MAYOR
REA SIEBER	COMMISSIONER
SUSAN MICCIO-KIKTA	COMMISSIONER
JACOB KARR	COMMISSIONER

ALSO PRESENT:	MARK G. LeCOURIS	CITY MANAGER
	JAY DAIGNEAULT	CITY ATTORNEY
	IRENE S. JACOBS	CITY CLERK & COLLECTOR

CALL TO ORDER:

Mayor Alahouzos called the meeting to order at 6:30 p.m.

ROLL CALL:

City Clerk Jacobs called the roll.

INVOCATION:

Reverend David Farquharson, Eckerd Alternatives, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Alahouzos led the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS:

DREDGING: Joan Jennings, 2204 Pine Drive, Marine Commerce Committee Member, thanked the Board for their dredge efforts for the Anclote River and commended Bob Robertson, Project Administration Director, for the excellent job he was doing on this project.

NIGHT IN THE ISLANDS: Athena Tsourdoulis, 634 E. Orange Street, informed the Board that she was in support of Night in the Islands; however, would like to see the set-up time pushed back to 5:00 p.m. instead of the current 3:00 p.m. set-up.

Andy Salivaris, 495 Riverside Drive, urge the Board to continue Night in the Islands.

SPONGE DOCKS: Andy Salivaris, 495 Riverside Drive, passed out a photo (Exhibit 1) of a tarp covered tent and wanted to know who in the City gave permission to allow this sort of thing.

STREET CLOSURE: Andy Salivaris, 495 Riverside Drive, suggested that when Tarpon Avenue was closed for events such as First Friday, that there are directional signs up to give directions/alternate routes to the Sponge Docks.

CLIMATE CHANGES: Peter Dalacos, 514 Ashland Avenue, former Commissioner, spoke on climate changes and urged the Board to step up and let those in Washington know their feelings.

TAXES: Peter Dalacos, 514 Ashland Avenue, advised the Board that he read about the tax rebate and urged the Board to speak out on this issue and the affects it would have on the City.

SPEEDING: Demetri Samatos, 1250 S. Pinellas Avenue, spoke regarding on the idle speed Ordinance. Mayor Alahouzos informed Mr. Samatos that this was an agenda item and he should speak on the item at that time.

PRESENTATIONS:

1. INTERNAL AUDITOR: CARR, RIGGS & INGRAM, LLC

Auditors from Carr, Riggs & Ingram, LLC, gave a power point presentation on the proposed risk assessment and a five-year internal audit plan. The Board thanked the Internal Auditors for their presentation.

Mayor Alahouzos inquired how long each audit takes; and was it too late to conduct an audit on the Reverse Osmosis Plant. The Auditor replied that the time varied depending on the audit, but two to three months was the average; and as long as the Reverse Osmosis contract had a right to audit clause, they would be able to audit.

Commissioner Karr asked if the auditors had reviewed the contract, and asked if audits listed were in order of risk. Auditors stated that no they have not seen the contract, but an audit clause was usually the standard; and that the audits were placed in a liability order after their assessment were completed. Commissioner Karr felt the contract should have been looked at prior to this presentation.

Commissioner Sieber was surprised that some of these audits were not completed in the past and looked forward to the action plan. The auditors advised that the plan need approval first to move forward with audits.

Vice Mayor Banther questioned if the five-year audit plan was typical of municipalities the size of the City of Tarpon Springs and if the plan could be adjusted. The auditors replied that the five-year plan was typical and that the audit plan could be adjusted by the Board.

Commissioner Miccio-Kikta wondered if the year three follow up audits could be looked at sooner and the auditors advised that would be a decision of the Board.

(Continued)

1. INTERNAL AUDITOR: CARR, RIGGS & INGRAM, LLC (Continued)

Public Comments:

Peter Dalacos, 514 Ashland Avenue, put things in perspective for the Board advising that the Charter stated that the City has an Internal Auditor, and that the Board had the power to control priorities. He also questioned if anyone knew if there was an audit clause in the Reverse Osmosis Plant Contract.

2. PROJECT AND DREDGING UPDATE: BOB ROBERTSON, PROJECT ADMINISTRATION

Mr. Robertson gave a brief update on active and completed projects. He informed the Board that his department was looking to fill a position because after sixteen years, Gary Shurman retired. Mr. Robertson also updated the Board on the dredge efforts to date.

The Board thanked Mr. Robertson for doing a great job, and posed questions on some of the various projects. The Board also spoke passionately on the Anclote River Dredging project. He stated the importance of the dredging especially after Hurricane Irma; and said that the funding should be funded; however, they would not hold the project back if not.

Public Comments:

Jack Russell, 626 Island Drive, urged the Board to maintain pressure for funding and advised that the worst part of the river was by the power plant.

Athena Tsourdoulis, 634 E. Orange Street, asked if there was any response by Senators, and the City Manager replied not that he was aware of.

George Zutes, 46 W. Lemon Street, when laying out Court Street if they could look at the parking spaces by his office.

CONSENT AGENDA:

3. MINUTES:

- A. SEPTEMBER 5, 2017 REGULAR SESSION
- B. SEPTEMBER 6, 2017 SPECIAL SESSION
- C. SEPTEMBER 19, 2017 REGULAR SESSION
- D. SEPTEMBER 19, 2017 SPECIAL SESSION
- E. OCTOBER 3, 2017 REGULAR SESSION
- F. OCTOBER 3, 2017 SPECIAL SESSION
- G. OCTOBER 17, 2017 REGULAR SESSION
- H. OCTOBER 17, 2017 SPECIAL SESSION
- I. NOVEMBER 7, 2017 REGULAR SESSION
- J. NOVEMBER 14, 2017 REGULAR SESSION

4. STATISFACTION OF LIENS

Frances L. Penman, Estate	Utility Lien	143-27120203896
Kimberly/Kirk W. Ludlow	Utility Lien	22503-271808993
Shepard Center/Philanthi R. Koslowski	Utility Lien	67233-270711591
Witches Brew, LLC	Utility Lien	24183-271203701
Katholeen R. Kampfe	Utility Lien	40743-271305175
Sofia George Rev Living Trust	Utility Lien	1607-271203699
Inter Business	Lot Mowing Abatement	05-80000328
Panagiotis/Tina Dovellos	Code Enforcement	17-80000140
Pinellas County Community Housing Program Land Trust	Code Enforcement	17-80000080
Pinellas City Community Housing Bright Community Trust	Code Enforcement	17-80000327

5. ATTORNEY'S FEES:

- A. JOHNSON JACKSON LLC: INVOICE # 1190
- B. JOHNSON JACKSON LLC: INVOICE # 1892

6. SPECIAL EVENTS:

- A. SPONGE DOCKS ARTS & CRAFTS SHOW: JANUARY 13-15, 2018
- B. FIRST FRIDAY SERIES: FEBRUARY – NOVEMBER 2018
- C. MOVIES AT CRAIG PARK: JANUARY 26, FEBRUARY 23 & MARCH 16, 2018

(Item 6B was pulled see next page)

7. INCREASE FILE NO. 170007-N-RS: SINGLE SOURCE PURCHASE OF ORDER CONTROL CHEMICALS

8. INCREASE FILE NO. 140008-C-JJ: MOBILE COMMUNICATION SERVICES

Mayor Alahouzos asked for public comments and there were none.

CONSENT AGENDA: (Continued)

MOTION: VICE MAYOR BANTHER
SECOND: COMMISSIONER SIEBER

To approve agenda items 3A, 3B, 3C, 3D, 3E, 3F, 3G,
3H, 3I, 3J, 4, 5A, 5B, 6A, 6C, 7, and 8.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

6. SPECIAL EVENTS:

B. FIRST FRIDAY SERIES: FEBRUARY – NOVEMBER 2018

The Board thanked and appreciated the Merchants Association moving back the First Friday setup time to 4:00 p.m. Discussion followed on ways to improve signage to move around town when main street was closed, parking for vendors, and appreciative of the outpour events have brought to the businesses and the community.

Mayor Alahouzos asked for public comments and there were none.

MOTION: COMMISSIONER MICCIO-KIKTA
SECOND: COMMISSIONER KARR/COMMISSIONER SIEBER

To approve agenda item 6B.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

ORDINANCES AND RESOLUTIONS:

9. ORDINANCE 2017-32: IDLE SPEED, NO WAKE ZONE (2nd Reading)

City Attorney Daigneault read the following Ordinance by title only:

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CHAPTER 5:- BOATS, DOCKS AND WATERWAYS, ARTICLE 1 IN GENERAL, BY ADDING A NEW SECTION ENTITLED SECTION 5-7.1 – ESTABLISHMENT OF SPECIAL SLOW SPEED MINIMUM WAKE ZONES AND SPECIAL IDLE SPEED NO WAKE ZONES ON THE ANCLOTE RIVER; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

The legal advertisement requirement were met and this public hearing was called by virtue of this Ordinance being published by title only in the “Tampa Bay Times” on November 24, 2017.

Major Young advised the Board that there was no new information since the first reading.

Commissioner Karr asked that a follow up be given to the Marine Patrol regarding enforcement. He also appreciated the public comments on this issue.

Public Comments:

George Zutes, 46 W. Lemon Street, was confused on who monitored the channel, what the law was, and who enforced.

Demitri Samatos, 1250 S. Pinellas Avenue, said that he had never seen such a lack of respect of boaters on the water and sees no enforcement, and would love to suggest ideas if the Board would like him to.

Doug Natoce, 1102 Flying Fish Lane, former Marine Patrol thanked the Board for being proactive.

MOTION: COMMISSIONER SIEBER
SECOND: VICE MAYOR BANTHER

That Ordinance 2017-32 be adopted on
Its second and final reading.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

(Continued)

ORDINANCES AND RESOLUTIONS (Continued):

10. ORDINANCE 2017-34: ADOPTION OF FLORIDA BUILDING CODE (1ST Reading)

City Attorney Daigneault read the following Ordinance by title only:

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS BY AMENDING SECTION 6-1 TO ADOPT EHT 2017 FLORIDA BUILDING CODE – BUILDING; THE 2017 FLORIDA BUILDING CODE – RESIDENTIAL; THE 2017 FLORIDA BUILDING CODE – EXISTING BUILDING; THE 2017 FLORIDA BUILDING CODE – ENERGY CONSERVATION; THE 2017 FLORIDA BUILDING CODE – ACCESSIBLITY; THE 2017 FLORIDA BUILDING CODE – PLUMBING; THE 2017 BUILDING CODE – 6TH EDITION – TEST PROTOCOLS FOR HIGH VELOCITY HURRICANE ZONES, THE NATIONAL ELECTRICAL CODE (NEPA 70) 2014 EDITION; BY AMENDING THE 2017 FLORIDA BUILDING CODE CHAPTER 1, ADMINISTRATION; PROVIDING FOR MODIFICATIONS THAT MAY ARISE AT PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AND EFFECTIVE DATE.

City Attorney Daigneault announced that if this Ordinance was approved on its 1st Reading, the 2nd Reading would be held on December 12, 2017 and would be published in the “Tampa Bay Times” by title only on November 24, 2017.

Anthony Mastracchio, Building Director, presented this item.

Mayor Alahouzos asked for Board or public comments and there were none.

MOTION: COMMISSIONER MICCIO-KIKTA
SECOND: COMMISSIONER KARR

That Ordinance 2017-34 be approved on its first reading.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

(Continued)

ORDINANCES AND RESOLUTIONS (Continued):

11. RESOLUTION 2017-41: application 17-91; LEMON STREET CENTER SITE PLAN

City Attorney Daigneault read the following Resolution by title only:

A RESOLUTION OF THE CITY OF TARPON SPRINGS, FLORIDA APPROVING APPLICATION # 17-91 FOR SITE PLAN APPROVAL FOR LEMON CENTER TO CONSTRUCT AN 8,000 SQUARE FOOT LIGHT INDUSTRIAL BUILDING LOCATED 97 FEET WEST OF THE NORTHWEST CORNER OF THE INTERSECTION OF EAST LEMON STREET AND SOUTH LEVIS AVENUE; PROVIDING FOR FINDINGS; PROVIDING FOR A CERTIFICATE CONCURRENCY; PROVIDING FOR CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Daigneault announced this was a quasi-judicial hearing and explained the process. He then called upon those who would be testifying in this matter and swore in all witnesses. Additionally, the City Attorney asked the Board to disclose any ex parte' communication and there was none.

Heather Urwiller, Planning & Zoning Director, said that this application was for a site plan approval of an 8,000 square foot light industrial building at the Northwest corner of the intersection of East Lemon Street and South Levis Avenue. She advised that this went before the Technical Review Committee in which they recommended approval after they had several comments relating to screening and stormwater management that the applicant addressed. This application met all the review criteria; therefore, both Staff and the Planning & Zoning Board were recommending approval with the following conditions: 1) The developer is responsible for acquiring all other jurisdictional permits/or approvals and for meeting the minimum criteria of the Land Development Code including compliance with Article XVII. Public Art Program; 2) The application must mitigate for tree removal at the time of permitting pursuant to LDC Section 133.06; 3) Any lighting to be installed on site is to be shielded and directed internal to the site; 4) Construction plans shall be consistent with the approved site plan. The payment of all requisite fees attendant to the project shall be paid in accordance with the Land Development Code; 5) This site plan shall expire within one year of the effective date unless an application has been filed for a building permit with Construction Plans signed and sealed by a registered engineer licensed in the State of Florida.

Commissioner Karr asked if there were any buffers, if vinyl fencing was allowed in the Historic District, if dumpsters required enclosure since in the alley, and if the garbage truck had sufficient room for pickup. Ms. Urwiller said that the parking lot was not required any buffers because it was adjacent to other parking; and that landscaping was in lieu of a fence requirement. Commissioner Karr then suggested replacement types of landscaping choices to the applicant. Mayor Alahouzos wanted to know if additional conditions were needed since this was in the Historic District, and Ms. Urwiller replied that there were none only for it to be consistent with the permitting process.

Mayor Alahouzos asked for Board or public comments and there were none.

MOTION: VICE MAYOR BANTHER
SECOND: COMMISSIONER MICCIO-KIKTA

To adopt Resolution 2017-41 as presented.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

(Continued)

ORDINANCES AND RESOLUTIONS (Continued):

**12. RESOLUTION 2017-43: APPLICATION 15-95; 25 MARTING LUTHER KING JR DRIVE SITE PLAN
IN TOUCH LAWN CARE**

City Attorney Daigneault read the following Resolution by title only:

A RESOLUTION OF THE CITY OF TARPON SPRINGS, FLORIDA APPROVING APPLICATION # 15-95 FOR SITE PLAN APPROVAL FOR DEVELOPMENT OF A 6,400 SQUARE FOOT OFFICE AND STORAGE BUILDING FOR A LAWN CARE BUSINESS LOCATED ON THE SOUTH SIDE OF MARTIN LUTHER KING JR. DRIVE APPROXIMATELY 150 FEET WEST OF THE INTERSECTION OF MARTING LUTHER KING JR. DRIVE AND SOUTH PINELLAS AVENUE; PROVIDING FOR FINDINGS; PROVIDING FOR A CERTIFICATE OF CONCURRENCY; PROVIDING FOR CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

Heather Urwiller, Planning & Zoning Director, said that this application was for a Site Plan approval for in Touch Lawn Care at 25 Martin Luther King Jr. Drive. This application when before the Planning and Zoning Board and after limited discussion regarding the type of fencing being proposed they recommended approval. This application does meet the review criteria and both Staff and the Technical Review Committee are recommending approval with the following conditions: 1) The developer is responsible for acquiring all other jurisdictional permits/or approvals and for meeting the minimum criteria of the Land Development Code including compliance with Article XVII. Public Art Program; 2) This applicant must mitigate for any tree removal at the time of permitting pursuant to the LDC Section 133.06; 3) Water and Sewer infrastructure shall be privately owned and maintained; 4) Construction plans shall be consistent with the approved site plan. The payment of all requisite fees attendant to the project shall be paid in accordance with the Land Development Code; 5) This site plan shall expire within one year of the effective date unless and application has been filed for a building permit with construction plans signed and sealed by a registered engineer licensed in the State of Florida; 6) Any site lighting shall be shielded and directed internal to the project; 7) There shall be no outdoor storage of material or equipment on site.

Mayor Alahouzos inquired if the proposed access to the alley was going to be repaired, and Ms. Urwiller said that Public Works was evaluating. Vice Mayor Banther felt that any type of fencing there would be a win win. Commissioner Karr suggested changes for landscaping then what was provided. Vice Mayor Banther thought that Commissioner Karr had good ideas; however, was not an expert on landscaping and felt the discussion should be on the guidelines. Commissioner Karr echoed that the Code needed to be looked at.

PROPOSERS/OPPONENTS:

There were no proponents or opponents.

(Continued)

ORDINANCES AND RESOLUTIONS (Continued):

**12. RESOLUTION 2017-43: APPLICATION 15-95; 25 MARTING LUTHER KING JR DRIVE SITE PLAN
IN TOUCH LAWN CARE**

MOTION: VICE MAYOR BANTHER
SECOND: COMMISSIONER MICCIO-KIKTA

To approve Resolution 2017-43 as presented.

AMENDED MOTION: COMMISSIONER KARR
SECOND:

Recommends that the Board replace viburnum odratissimum with viburnum suspensum or give the applicant option for podocarpus as an alternate. Two different plants serve the same purpose, and encourage the applicant to look at aluminum fencing along alley way and a chain link fence along back part of alley way.

Amended Motion died for a lack of a second.

Vote on Motion – Upon roll call vote on the original motion carried 4 to 1.

Commissioner Karr	No
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

MISCELLANEOUS:

13. AUTHORIZE CITY ATTORNEY TO PROCEED WITH CODE ENFORCENT BOARD RECOMMENDATION FOR FORECLOSURE: 1717 MANDALAY

City Manager LeCouris presented this item and reasonings that it had come to this resolution. He advised that apparently the mother was the owner according to property records and Ms. Marsh was stating that she was; however, was given years to comply and produce paperwork to prove that, and had not done so.

Ms. Marsh stated her case to the Board and presented the Board with a letter from an attorney she had hired today (Exhibit 2). The Board had a lengthy discussion and posed questions regarding this case. Attorney Daigneault advised that if the Board voted to foreclose, the foreclosure could still be stopped if Ms. Marsh produced records asked of her and came into compliance.

Mayor Alahouzos asked for public comments and there were none.

MOTION: COMMISSIONER MICCIO-KIKTA
SECOND: VICE MAYOR BANTHER

To authorize City Attorney to proceed with Code Enforcement Board recommendation for foreclosure: 1717 Mandalay.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

(Continued)

MISCELLANEOUS (Continued):

14. APPOINTMENT TO THE PLANNING AND ZONING BOARD

The following nominations were made to fill unexpired term of Al Parker and Alternate position:

Commissioner Karr:	Vessey/Petrantoni
Commissioner Miccio-Kikta:	Vessey/McUmbler
Commissioner Sieber:	Vessey/McUmbler
Vice Mayor Banther:	Vessey/McUmbler
Mayor Alahouzos:	McUmbler/Vigil

Mayor Alahouzos asked for Board or public comments and there were none.

MOTION: COMMISSIONER MICCIO-KIKTA
SECOND: COMMISSIONER SIEBER

To appoint Justin Vessey to fill the unexpired term of Al Parker, this term would expire October 1, 2019; and appoint Kristy McUmbler as an Alternate Member, this term would expire October 1, 2019.

Vote on Motion – Upon roll call vote the motion carried unanimously as follows:

Commissioner Karr	Yes
Commissioner Miccio-Kikta	Yes
Commissioner Sieber	Yes
Vice Mayor Banther	Yes
Mayor Alahouzos	Yes

BOARD AND STAFF COMMENTS:

PINELLAS SUNCOAST TRANSIT AUTHORITY: Vice Mayor informed the Board that today he attended his second PSTA Board Meeting.

MEETING: Commissioner Karr wanted to confirm that the next meeting was December 12, 2017.

PINELLAS AVENUE: Commissioner Karr would like an update regarding the plantings proposed on North Pinellas Avenue.

MAYOR'S ANNOUCEMENT:

Mayor Alahouzou announced the following:

Saturday, December 9th – Christmas Parade – 10:00 a.m.-11:00 on Pinellas Avenue

Saturday, December 9th – Candy Cane Hunt – 11:30-12:30 at Craig Park (after the parade)

Congratulated the Tarpon Springs Outdoor Performance Ensemble for being named Grand Champions at the 2017 Bands of America Super Regional in Atlanta.

ADJOURNMENT:

The meeting adjourned at 9:44 p.m.

CHRIS ALAHOUZOS
MAYOR

ATTEST:

IRENE S. JACOBS, CMC
CITY CLERK & COLLECTOR

CITY CLERK'S NOTE: This meeting has been recorded in its entirety and the recordings are kept on file in the City Clerk's Office for the required retention period.