



City of Gulfport Florida

City Council Meeting Minutes

Tuesday, July 16, 2019

The Regular Meeting of the Gulfport City Council was held on Tuesday, July 16, 2019; in the City Hall, City Council Chambers, located at 2401 - 53rd Street South, Gulfport, Florida.

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

Roll Call:

Present were: Councilmembers Christine Brown, Michael Fridovich and Daniel Liedtke; Vice Mayor Paul Ray; Mayor Samuel Henderson; City Manager James E. O'Reilly, City Attorney Andrew Salzman and City Clerk Lesley DeMuth.

Presentations:

Mayor Henderson advised Mayor Leslie Waters, City of Seminole, will not be in attendance to present her debut book "Good Morning Mayor, What's Up?"

1. Public Comment.

Karen Love, 23rd Avenue S., spoke on St. Petersburg's construction of the bike trail and asked for a refresher on what the city will be doing to tie-in.

Margarete Tober, 59th Street, gave kudos to Mayor Henderson for initiating the bike trail project, asked if discussion will be allowed on the discussion item to which Mayor Henderson said yes and mentioned a new State Law on cutting down trees; asking the city to put something out so people can better understand the law.

2. City Manager Report City Manager O'Reilly asked Tom Nicholls, Public Works Director, to come forward and he provided a brief synopsis on the bike trail project and City Manager O'Reilly advised of the city's long term goal of connecting to the Pinellas Trail. Mayor Henderson spoke on the city's portion of the trail being on-street.

3. City Attorney Report No Report

4. City Clerk Report No Report

5. Consent

5.a Consider approval of the Council Meeting Minutes of June 18, 2019 and June 24, 2019.

Motion by Councilmember Brown, second by Vice Mayor Ray to approve the Consent Agenda.

UNANIMOUSLY APPROVED BY ACCLAMATION

6. Ordinances

6.a Ordinance No. 2019-10: An ordinance of the City of Gulfport, Florida, providing for amendment of Chapter 11 of the Code of Ordinances, pertaining to Garbage; providing for amendment of Article I thereof, pertaining to Section 11-21 Service Charges; Section 11-22 Billing; and Section 11-23 Special Pick-up; providing for the repeal of ordinances, or parts of ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.

City Clerk DeMuth read Ordinance No. 2019-10 by title.

City Manager O'Reilly explained the Ordinance.

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

Motion by Councilmember Brown, second by Councilmember Liedtke to approve Ordinance No. 2019-10.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

6.b Ordinance No. 2019-11: An ordinance of the City of Gulfport, Florida, amending Article III of Chapter 11 of the Code of Ordinances pertaining to Sewage Disposal; providing for amendment of Subsection (1) of Section 11-37, pertaining to Sewer Service Charges; providing for amendment of Subsection (b) of Section 11-39, pertaining to Billing, Collection and Standby Charges; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

City Clerk DeMuth read Ordinance No. 2019-11 by title.

City Manager O'Reilly explained the Ordinance.

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

Motion by Councilmember Liedtke, second by Councilmember Brown to approve Ordinance No. 2019-11.

In response to a question by Councilmember Fridovich, City Manager O'Reilly said he anticipated the increases will continue until St. Petersburg can rectify some situations they have that are tied to their sewer system.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes

Vice Mayor Ray	Yes
Councilmember Fridovich	Yes
Mayor Henderson	Yes

Motion Carried

6.c Ordinance No. 2019-12: An ordinance of the City of Gulfport, Florida, amending Article IV of Chapter 11 of the Code of Ordinances pertaining to Water Service; providing for amendment of Subsections (1) of Subsection (c) and Subsection (d) of Section 11-48, Water Service Rates-Established, Responsibility for Payment; providing for the repeal of ordinances or parts of ordinances in conflict herewith, to the extent of such conflict; and providing for an effective date.

City Clerk DeMuth read Ordinance No. 2019-12 by title.

City Manager O'Reilly explained the Ordinance.

Mayor Henderson opened public discussion.

Mary Hanrahan, 27th Avenue S., said she understood the rate increases for water and sewer were necessary due to increased costs but, would like to see Gulfport be more proactive in helping people to reduce their water usage. Ms. Hanrahan referenced historical data included in the council packet expressing her concern for the way the percentages were added and questioned if the new rate calculations are correct.

Neither hearing nor seeing anyone else who wished to speak, Mayor Henderson closed public discussion.

Motion by Councilmember Liedtke, second by Councilmember Fridovich to approve Ordinance No. 2019-12.

Cheryl Hannafin, Finance Director, spoke of how the front counter staff promotes water conservation efforts on a regular basis, the historical data included in the agenda memorandum and advised the rate increases are accurate. City Manager O'Reilly mentioned prior to his becoming city manager, the city subsidized the rate increases that were being passed on from the City of St. Petersburg by using fund balance and the city has moved off that model.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

6.d Ordinance No. 2019-13: An ordinance of the City of Gulfport, Florida, amending Article V of Chapter 11 of the Code of Ordinances pertaining to Storm Sewers; providing for amendment of Subsection (a) of Section 11-100, pertaining to

Stormwater Utility Fees; providing for an increase in Fees; providing for the repeal of ordinances, or parts of ordinances, in conflict herewith, to the extent of such conflict; providing for severability; and providing for an effective date.

City Clerk DeMuth read Ordinance No. 2019-13 by title.

City Manager O'Reilly explained the Ordinance.

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

Motion by Councilmember Brown, second by Councilmember Liedtke to approve Ordinance No. 2019-13.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

7. Resolutions

7.a Resolution No. 2019-33: A resolution of the City of Gulfport, Florida, providing for a proposed Millage Rate for Ad Valorem Tax Revenue for Fiscal Year 2019/2020 at a rate not to exceed 4.039 Mills; providing the dates of the Fiscal Year 2019/2020 Millage Rate and Budget Public Hearings; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2019-33 by title and advised the hearings will be September 3 and September 17 during the regularly scheduled council meeting.

City Manager O'Reilly explained the Resolution.

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

Motion by Councilmember Brown, second by Councilmember Fridovich to approve Resolution No. 2019-33.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

7.b Resolution No. 2019-34: A resolution of the City of Gulfport, Florida, adopting a Comprehensive Fund Balance Policy; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2019-34 by title.

City Manager O'Reilly explained the Resolution.

Mayor Henderson opened public discussion.

Caron Schwartz, Delette Avenue S., questioned the reasoning for reducing the amount.

Mary Hanrahan, 27th Avenue S., explained why she did not feel it is a good idea to go from a three month reserve to a two month reserve.

Neither hearing nor seeing anyone else who wished to speak, Mayor Henderson closed public discussion.

Motion by Vice Mayor Ray, second by Councilmember Brown to approve Resolution No. 2019-34.

City Manager O'Reilly explained the city does have the burden of a settlement that is being evaluated and will be of impact, that as the budget goes up it requires a larger amount to be set aside and is that manageable in the present financial environment; possibly but, he did not think this is sustainable long term and once the city starts accumulating a large amount of cash on hand, people question why the millage rate is being kept high as their property values go up. City Manager O'Reilly advised this is a policy decision and he is comfortable, at this time, that 16% works for the city. If next year it is decided there is an ability to replenish the fund, we can, as one of his goals annually is to replenish the reserve fund if there are excess funds available.

Mayor Henderson pointed out this money is not the money that pays to rebuild the town, it is the money to pay employees and keep services going during the interim period.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

7.c Resolution No. 2019-35: A resolution of the City of Gulfport, Florida, authorizing the city manager to amend the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust Adoption Agreement; providing for amendment of Section VI. Contribution Provisions, Subsection (a) of Exhibit A; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2019-35 by title.

City Manager O'Reilly explained the Resolution.

Mayor Henderson opened public discussion.

Mayor Henderson recognized Mary Hanrahan who questioned the 20% rate and why there are differences between this plan and the general employees' pension plan.

City Manager O'Reilly advised the general employees are in a defined benefit plan and guaranteed a pension and this issue is a defined contribution to a money management plan that he manages.

Neither hearing nor seeing anyone else who wished to speak, Mayor Henderson closed public discussion.

Motion by Vice Mayor Ray, second by Councilmember Brown to approve Resolution No. 2019-35.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

7.d Resolution No. 2019-36: A resolution of the City of Gulfport, Florida, approving a First Amendment to the Employment Agreement between the City of Gulfport and James E. O'Reilly, its City Manager; providing authorization for the Mayor to sign the First Amendment to the Employment Agreement; and providing for an effective date.

City Clerk DeMuth read Resolution No. 2019-36 by title.

City Attorney Salzman explained the Resolution.

Mayor Henderson opened public discussion.

Mary Hanrahan, 27th Avenue S., said she did not understand where this was coming from and it seemed a very odd employment contract amendment to her. Mayor Henderson advised this was a council recommendation, council agreed and it was put on the agenda for a vote to add to the city managers compensation to make it more comparable with other city managers of cities of similar size. Ms. Hanrahan questioned the lack of access to the historical information online to which Mayor Henderson explained the ADA compliance issue and that the city would be happy to provide a follow-up to answer her questions.

Margarete Tober, 59th Street, said she has no problem with the change to the remuneration and addressed her concerns with the future as the salaries are high; asking if there is a succession plan in place.

Neither hearing nor seeing anyone else who wished to speak, Mayor Henderson closed public discussion.

Motion by Councilmember Liedtke, second by Councilmember Fridovich to approve Resolution No. 2019-36.

Roll Call:	Councilmember Liedtke	Yes
	Councilmember Brown	Yes
	Vice Mayor Ray	Yes
	Councilmember Fridovich	Yes
	Mayor Henderson	Yes

Motion Carried

8. **Discussion**

8.a Charter Review – Council discussed the process for conducting the required ten year review of the Charter. There was a consensus that council will review the Charter, a few Articles at a time, starting in October during regularly scheduled council meetings.

9. **Council Comments/Informational Reports**

Councilmember Brown asked when the 25 year grant for Osgood Point will expire and City Manager O'Reilly advised he will need to research this; reported she will be attending the upcoming FLC committee meeting; the Beach Bazaar is having a birthday bash; Caddy's is having a ribbon cutting; and during her vacation in New York City she presented a Gulfport Fire Department patch to O'Hara's Pub.

Vice Mayor Ray reported on the construction of 1,150 VOG's, delivery of 500 to the Marina and the creation of a Facebook page to help with the tracking/reporting process; recommended the cement pads when entering the dog park be painted with cool-paint to lower the temperature; and the swimming lessons have moved to Stetson College.

Mayor Henderson apologized for not opening public discussion on Charter review. He asked if there was anyone who wished to speak on the topic. Caron Schwartz asked if the Charter is available online; City Clerk DeMuth advised it is; asked if there will be public comment on Charter review and Mayor Henderson advised when council is in the review process the public will have the opportunity to comment and she suggested rank order voting.

Mayor Henderson congratulated the US Women's Soccer Team for repeating their World Cup victory, thanked everyone for their efforts during Fourth of July, asked council to think about/consider moving their meetings time to 6:00 p.m., requested a consensus of council to award the Spirit of Gulfport Award to Sally Douglas who recently passed away; there was no objection and reported on a request he had from Nora Flowers for the use of some space in the block south of Clymer Park, between 23rd and 24th for her New College graduation project regarding nitrogen fixing using legumes. Mayor Henderson asked council if there were any objections and City

Manager O'Reilly advised the requested space is two 6 X 6 squares; there was no objection.

10. **Adjournment**

Motion by Councilmember Brown, second by Councilmember Liedtke to adjourn.

Date Approved: _____

Samuel Henderson, Mayor

Lesley DeMuth, City Clerk