

**City Council Regular Meeting
Tuesday, December 13, 2016 6:00 PM
Civic Center 105 N. 31st Street**

Present:

**Mayor Tom Bailey
Councilman Jerry Wallace
Councilman Rex Putnal
Councilwoman Linda Albrecht**

Also Present:

**Mell Smigielski, City Administrator
Adrian Welle, City Clerk
Public Works Director Philip Hall
Mark Stangl, Emergency Services
Police Chief Anthony Kelly**

Mayor Bailey called the meeting to order at 6:00 p.m.

Mayor Bailey wished to recognize the City staff for the great job they have done this year. The City looks excellent and he thanked the staff

Mrs. Albrecht thanked the El Governor and the City for the decorations for the tree lighting and all of the participants in the Golf cart parade. She also reminded the public about the New Year's festivities.

Chuck Guilford 104 Miramar requested the Christmas tree lights turn on at 5pm instead of 6pm. Mr. Guilford also stated that the speed bumps near Miramar be moved further down instead of in front of Miramar. Mr. Guilford also congratulated the Mayor on his election to chair of the Mason's

Al Cathey 140 Palm Street spoke to the council regarding the frustration of residents regarding the water, sewer and sanitation rates. He stated the service has been decreased with an 18% in Sanitation rates. He also voiced his concerns in the changes to water and sewer rates. Mr. Cathey stated never in the history has the customer seen changes like this administration has done. Mr. Cathey asked what this council has done to require the rates to increase this drastically. Mr. Cathey further spoke to the council about a legal opinion received by the City Attorney and that the council heard all comments.

Mayor Bailey responded to the comments from Mr. Cathey and stated that the City has not even kept up with the county pass through rates. Mayor Bailey also continued to explain that the service availability is not a new concept and has been being used since 1997. Mayor Bailey continued to explain the accomplishments and added expense to the City budget.

Police Chief Kelly spoke to the public about the speed bumps on 42nd Street and the number of complaints received regarding speeding on the street.

Motion by Mrs. Albrecht and seconded by Mr. Wallace to approve the consent agenda. Motion carried unanimously.

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Jeff Brittain of Dewberry was present to give an update to the council regarding the various projects currently going on in Mexico Beach.

Mayor Bailey opened the Public Hearing at 6:29pm, regarding the variance request for 3203 Hwy 98 Unit C.

The petitioner spoke to the council regarding a drainage ditch in the back yard and is requesting a variance to place a boardwalk in the backyard over the ditch. The petitioner is requesting a zero setback as well as the permission to cover this ditch. The petitioner also explained that the boardwalk will not hinder the drainage.

Lisa Logan 402 Maryland- stated that the drainage swale was present at the time of the sale of the property and should have been addressed at that time. Second, she reminded the council that the City already has drainage issues.

The Hearing adjourned at 6:38

First Reading

ORDINANCE 660

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEXICO BEACH AMENDING THE LAND DEVELOPMENT REGULATIONS TO PROHIBIT FOOD TRAILERS; PROVIDING DEFINITIONS AND EXEPTIONS; GRANDFATHERING EXISTING FOOD TRAILERS; REPEALING ORDINANCES IN CONFLICT TO THE EXTENT OF THAT CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

- a. Motion by Mr. Putnal and seconded by Mr. Wallace to read Ordinance 660 by title only.

Second Reading

ORDINANCE 655

AN ORDINANCE AMENDING ORDINANCE 569; CREATING ARTICLE 7, TRAFFIC CODE, CHAPTER 70, GOLFCARTS IN THE CODE OF ORDINANCES; OTHER ACTIONS PERFORMED BY THE CITY OF MEXICO BEACH; SEVERABILITY; AND AN EFFECTIVE DATE.

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- a. Motion by Mrs. Albrecht and seconded by Mr. Wallace to read Ordinance 655 by title only.
- b. Motion by Mr. Putnal and seconded by Mrs. Albrecht to adopt Ordinance 655. Motion carried unanimously

ORDINANCE 656

AN ORDINANCE AMENDING ORDINANCE 308 PRESCRIBING CERTAIN FEES FOR SERVICES; OTHER ACTIONS PERFORMED BY THE CITY OF MEXICO BEACH; SEVERABILITY; AND AN EFFECTIVE DATE.

- a. Motion by Mrs. Albrecht and seconded by Mr. Wallace to read Ordinance 656 by title only.
- b. Motion by Mrs. Albrecht and seconded by Mr. Wallace to adopt Ordinance 656. Motion carried unanimously.

ORDINANCE 657

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA REPEALING ORDINANCE 450 AND PROVIDING AN EFFECTIVE DATE.

- a. Motion by Mayor Bailey and seconded by Mr. Wallace to table Ordinance 657. Motion carried unanimously

ORDINANCE 658

AN ORDINANCE AMENDING ORDINANCE 643 TO PROVIDE FOR YEAR-ROUND GARBAGE AND TRASH COLLECTION FOR BUSINESSES TWO TIMES PER WEEK; REPEALING ANY PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

- a. Motion by Mr. Putnal and seconded by Mr. Wallace to read Ordinance 658 by title only.
- b. Motion by Mrs. Albrecht and seconded by Mr. Wallace to adopt Ordinance 658. Motion carried unanimously.

ORDINANCE 659

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING THE APPROPRIATION OF FUNDS OF THE BUDGET FOR THE FISCAL YEAR 2016-2017, FOR THE PURPOSE OF PROVIDING FUNDS FOR THE GENERAL FUND AND SEWER FUND AND PROVIDING AN EFFECTIVE DATE.

- a. Motion by Mr. Wallace and seconded by Mrs. Albrecht to read Ordinance 659 by title only.
- b. Motion by Mrs. Albrecht and seconded by Mr. Putnal to adopt Ordinance 659. Motion carried unanimously.

RESOLUTIONS

RESOLUTION 2016-06

RESOLUTION OF THE CITY COUNCIL OF MEXICO BEACH, FLORIDA, CONSENTING TO AND AUTHORIZING THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO DO ALL ACTS NECESSARY TO COMPLETE THE BRIDGE REPLACEMENT, REHABILITATION, AND INSPECTION PROJECT FOR, FPID NUMBER 430464-1-52-01, 36th STREET OVER BAYOU BRIDGE NO. 466001, PURSUANT TO AN OFF SYSTEM PROJECT AGREEMENT, AND PROVIDING AN EFFECTIVE DATE.

- a. Motion by Mr. Putnal and seconded by Mr. Wallace to read Resolution 2016-06 by title only.
- b. Motion by Mrs. Albrecht and seconded by Mr. Wallace to adopt Resolution 2016-06. Motion carried unanimously.

RESOLUTION 2016-07

RESOLUTION OF THE CITY COUNCIL OF MEXICO BEACH, FLORIDA, TO APPROVE A TEMPORARY ROAD CLOSURE PURSUANT TO COMPLETION OF BRIDGE REPLACEMENT PROJECT.

- a. Motion by Mr. Wallace and seconded by Mr. Putnal to read Resolution 2016-07 by title only.
- b. Motion by Mrs. Albrecht and seconded by Mr. Wallace to adopt Resolution 2016-07. Motion carried unanimously.

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Mayor Bailey provided an over view to the council regarding the Farmdale Development. The county has approved the development for 64 units. In order to proceed with the development order, the developers need to have approval from the City of Mexico Beach for Water and Sewer service. The City will need to increase their sewer allocation to accommodate this development. With the increased revenue from the development the City will be able to offset the increased cost for additional allocation. At the next meeting, a Resolution will be brought forward with a Public Hearing to authorize the tying in of the development.

Mayor Bailey spoke to the council about filing for Punitive Damages for the Oils Spill. Halliburton has agreed to pay \$900 Million in damages for communities affected by this. Consensus of the council is to move forward and sign on to the class action suit against Halliburton.

Discussion of the Variance Request at 3203 Hwy 98 Unit C ensued. The recommendation of the Planning and Zoning Board was unanimous to deny.

Motion by Mr. Putnal and seconded by Mr. Wallace to deny the variance request for 3203 Hwy 98 Unit C. Motion carried unanimously.

Police Chief Kelly gave the Police report to the council.

Emergency Services Director Stangl provided the Fire/ESU report to the council.

Public Works Director Philip Hall provided the November report to the council.

City Clerk Welle provided the financial report of October.

Motion by Mrs. Albrecht and seconded by Mr. Putnal to cancel the December 27, 2016 Workshop. Motion carried unanimously.

City Administrator Mell Smigielski gave his report to the council.

City Clerk Welle informed the public that election filling has opened and the seats up for election are Mayor Bailey, Mrs. Albrecht and Mr. McGlothlin's seats.


Public Works Director Hall informed the council that a new push boat motor had to be purchased today in the amount of \$7,800.

Public Works Director Hall also informed the council that the City received 1 bid for the moving of the dredge and the price is below the \$8,000 threshold needed for council approval so Mr. Smigielski will authorize the bid to move forward.


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Mrs. Albrecht made a motion to adjourn the meeting. Mr. Putnal seconded the motion. Motion carried unanimously.

The meeting adjourned at 7:31 p.m.

By: 

Mayor Tom Bailey

Attest: 

Adrian Welle, City Clerk