

**MINUTES — SEPTEMBER 8, 2021
CITY OF INDIAN ROCKS BEACH
SPECIAL CITY COMMISSION MEETING**

The City of Indian Rocks Beach Special City Commission Meeting was held on **WEDNESDAY, SEPTEMBER 8, 2021.**

Mayor-Commissioner Kennedy called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance and a moment of silence in memory of the 20th Anniversary of “911” and victims of the Afghanistan conflict.

PRESENT: Mayor-Commissioner Joanne Moston Kennedy, Vice Mayor-Commissioner Joe McCall, Commissioner Philip J. Hanna, Commissioner Edward G. Hoofnagle, Commissioner Denise Houseberg (via electronic device), and City Manager Brently Gregg Mims.

OTHERS PRESENT: Acting City Attorney Jeremy Simon, City Clerk Deanne B. O’Reilly, MMC, and Finance Director Daniel A. Carpenter, CGFO.

(To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.)

FISCAL YEAR 2021-2022 BUDGET PUBLIC HEARINGS:

- 1A. ORDINANCE NO. 2021-03 — PUBLIC HEARING / FIRST READING.**
Adopting the final levying of ad valorem taxes for the City of Indian Rocks Beach, Pinellas County, Florida, Fiscal Year 2021/2022; providing for notification of requisite government authorities; and providing for an effective date.

[Beginning of Staffing Report.]

BACKGROUND:

The City Commission previously established the proposed millage rate for Fiscal Year 2021/22 at 1.8326 mills, with no change to the previous Fiscal Year Millage Rate. The current millage rate has been in place since 2019, when it was reduced at that time from 1.93 to 1.8326.

ANALYSIS:

With a millage rate of 1.8326, the total estimated tax collection is \$2,551,610 based on a 97% collection rate. For Fiscal Year 2021/22, a millage rate of 1.8326 is 7.41% higher than

the roll back rate of 1.7062. The proposed millage rate of 1.8326 remains one of the lowest in Pinellas County. Currently, millage rates in Pinellas County range from 0.5823 to 6.7550.

[End of Staffing Report.]

Acting City Attorney Simon read Ordinance No. 2021-03 in its entirety for first reading.

City Manager Mims introduced Ordinance No. 2021-03. He stated the current millage rate of 1.8326 has been in place since 2019 when it was reduced from 1.93.

City Manager Mims stated the millage rate of 1.8326 still puts the City in the position of being one of the lowest millage rates in County.

Mayor-Commissioner Kennedy opened the public hearing. Seeing and/or hearing no one wishing to speak, the public hearing was closed.

MOTION MADE COMMISSIONER HOOFNAGLE, SECONDED BY COMMISSIONER HANNA, TO APPROVE ORDINANCE NO. 2021-03, ON FIRST READING, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF INDIAN ROCKS BEACH, PINELLAS COUNTY, FLORIDA, FY2022 AT 1.8326.

Commissioner Hoofnagle thanked the City Manager and the Finance Department for the work that they did in putting the budget together. He stated he had a lot of active discussion with the City Manager and the Finance Director about the rollback rate versus the current millage rate.

Commissioner Hanna stated “kudos” to staff for their efforts with the budget. He stated to do this once in a while is one thing. But to be as consistent as the City has been shows that the City is watching what is going on and is able to stay ahead of things and that is important.

Vice Mayor-Commissioner McCall stated that he is impressed with the City, the Finance Director, and the Finance Budget and Review Committee, and with everything that the City had went through last year with the COVID pandemic to financially stay on path and to keep the City with one of the lowest millage rates in the County.

Mayor-Commissioner Kennedy stated at some of the Florida League’s Conferences the City’s budget is used as an example as how well its budget is put together.

ROLL CALL VOTE:

AYES: HOUSEBERG, McCALL, HANNA, HOOFNAGLE, KENNEDY

NAYS: NONE

MOTION CARRIED UNANIMOUSLY.

**1B. ORDINANCE NO. 2021-04 — PUBLIC HEARING / FIRST READING.
Adopting a budget for Fiscal Year 2021/2022; making appropriations and operating expenditures for Fiscal Year 2021/2022; providing for notification of requisite government authorities; and providing for an effective date.**

[Beginning of Staffing Report]

The City Commission reviewed the City Manager's proposed budget for Fiscal Year 2021/22 at the July 20, 2021 City Commission Budget Work Session. Prior to the budget work session, the City Manager and Finance Director met with each member of the City Commission to brief them on the proposed budget. In addition, the City of Indian Rocks Beach Finance and Budget Committee met on July 14, 2021, and unanimously endorsed the proposed budget.

The City Manager and Finance Director made presentations, which provided an overview of the Fiscal Year 2021/22 Program Budget, and together, the City Commission and staff reviewed all aspects of the proposed budget in detail. The Final Budget for Fiscal Year 2021/22 is the result of a consensus by the City Commission from the July Budget Work Session.

ANALYSIS:

The final budget is balanced in all funds and presents a comprehensive plan for providing services during the coming fiscal year. With the approval of the Final Budget for Fiscal Year 2021/22, the City will establish a spending plan for Fiscal Year 2021/22 and provide approval for the City Manager to implement the plan.

[Ending of Staffing Report.]

Acting City Attorney Simon read Ordinance No. 2021-04 in its entirety for first reading.

City Manager Mims introduced Ordinance No. 2021-04 and gave an overview of the FY2022 Budget and the 5-Year Capital Improvement Plan.

- On June 23, 2021, the City Manager's FY2022 Proposed Budget was released.
- On July 14, 2021, the Finance & Budget Review Committee reviewed the Proposed Budget had no recommended changes.
- On July 20, 2021, a City Commission Budget Work Session was held. No one from the public objected to the Proposed Budget and no changes were made the City Commission.
- The General Fund expenses total \$3,952,240. According to the Pinellas County Property Appraiser's Office, the City's property tax assessed value is expected to increase by approximately 7.60% or 1.35% higher than last year's value.

- The budget provides for maintaining the mill levy at 1.8326%, which ensures the City's ranking among the lowest millage rates in Pinellas County. All other revenue sources are stable, or rising slightly, which allows the City to accurately make future projections. The City's reserve fund remains strong and is significantly higher than the national average. ***All of this is accomplished without the benefit of a storm wastewater fee or imposing a utility tax.***
- The City's unassigned reserves balance is approximately \$3.5 Million or 88% of the General Fund expenditures. In addition to the General Fund Reserve Account, the Budget includes an updated 5-Year Capital Improvement Plan with an estimated Reserve Balance at the end of the 5-year period of approximately \$922,010.
- The City is going to net approximately \$17,000 in savings in Property and Casualty Insurance, which includes workers' compensation, because the City outsourced its Building Department Services to Pinellas County.
- The next year, the Building Department Budget will not include any portion of the Office Administrator's salary, that salary will come out of City Manager' Budget.

Highlights of the General Fund Budget include:

- Continued reduction of the 25% cost allocation from the Solid Waste Budget to the General Fund Budget.
- 3% cost of living (COLA) increase for all team members.
- Continued allocation of \$50,000 for proactive drainage maintenance.
- Continued funding for the installation of solar powered lights beach accesses.
- 3.11% increase in the Pinellas County Sheriff's Office Law Enforcement Service Contract.
- Purchase of one Polaris for the Code Enforcement Division.
- Replacement of and purchase of one pickup truck.
- Replacement of and purchase of one bucket truck.
- Installation of a new telephone system for City Hall.
- Additional allocation of funds for public outreach (CRS, Code Compliance, VRBO).

Highlights of the Solid Waste Budget include:

- 3% cost of living increase for all team members.
- Continued reduction of 25% of the cost allocation from the Solid Waste Budget to the General Fund.
- 6% rate increase in solid waste fees (first rate increase in three years).
- 6% increase in Pinellas County Tipping Fee.
- Replacement of and purchase of one packer truck.

Highlights of the 2022-2026 Capital Improvement Plan

- Annual funding for road milling, resurfacing, curbing, and drainage.

- Allocation of \$5,696,870 from Pinellas County Penny to Gulf Boulevard Undergrounding Phase II.
- Allocation of the majority of the City's estimated American Rescue Plan funds (\$1,629,750) to future drainage enhancement projects and updating the City's drainage plans.
- \$600,000 for stormwater reconstruction projects (half of the total is funding by SWFWMD grants).
- \$50,000 for dune walkover reconstruction.
- Annual funding for park maintenance and upgrades.
- City parks upgrades FY2022 include refinishing of the tennis courts at Kolb Park to accommodate traditional tennis play and four pickleball courts, new backstop fencing at Campalong Field, reconstruction of Kolb Park Basketball Court and the Nature Preserve Boardwalk reconstruction (a multi-year effort).
- Additional funds are allocated for the remainder of the 5-year period for enhancement to City parks.

Mayor-Commissioner Kennedy stated there have been some emails concerning drainage issues on Harbor Drive North, and stated the City would be preparing a Citywide drainage plan.

Mayor-Commissioner Kennedy opened the public hearing. Seeing and/or hearing no one wishing to speak, the public hearing was closed.

MOTION MADE BY VICE MAYOR-COMMISSIONER McCALL, SECONDED BY COMMISSIONER HANNA, TO APPROVE ORDINANCE NO. 2021-04, ON FIRST READING, ADOPTING A BUDGET FOR FY2022; MAKING APPROPRIATIONS AND OPERATING EXPENDITURES FOR FY2022.

ROLL CALL VOTE:

AYES: HOOFNAGLE, HOUSEBERG, HANNA, McCALL, KENNEDY
NAYS: NONE.

MOTION CARRIED UNANIMOUSLY.

2. ORDINANCE NO. 2021-05 — FIRST READING.

An Ordinance of the City of Indian Rocks Beach amending Chapter 50 – “Solid Waste”, setting the minimum fee for large or abnormal trash collection; providing for severability; requiring removal of yard waste created or collected by third parties; establishing a fee relating to the provision of a replacement or supplemental trash can; increasing the fees and charges relating to the pickup of trash and garbage; providing for applicability; providing for inclusion in city ordinances; providing for severability; and providing for an effective date.

[Beginning of Staffing Report.]

BACKGROUND:

The City continues to maintain a high service level residential and commercial solid waste program that benefits all citizens. Services include a recycling program, curbside pick up, and yard waste disposal. The fee schedule for the collection and disposal of solid waste of the City is addressed in Section 50-91 of the Code of Ordinances. The goal or emphasis of any solid waste rate increase is to adjust rates to allow for the Solid Waste Fund to generate adequate income to satisfy annual cost requirements and provide for minimal operating reserves of 3 months within the fund.

ANALYSIS:

Through operating efficiencies, the City has been able to maintain the same solid waste rates from 2019 until today. A review of the solid waste fund revenue and expenditures was performed during the July 20, 2021 City Commission Budget Work Session. Based on the most up-to-date data and economic factors available, adjustments were recommended to the current solid waste fees. Key areas include the generation of adequate annual operating income, significant increases in costs associated with curbside recycling, future capital equipment replacement costs, and the accumulation of operating reserves within the fund.

The FY 2022 Tentative Budget reflects increases in monthly residential and commercial solid waste rates of 6.00%. The current \$27.81 per month charge for residential solid waste is recommended to increase to \$29.48. For commercial solid waste customers, rates are recommended to increase 6% in the Tentative FY 2022 Budget.

[End of Staffing Report.]

City Attorney Simon read Ordinance No. 2021-05 by title only.

City Manager Mims introduced the Ordinance No. 2021-05. He said this is first increase to solid waste fees since 2019. The increase is due to the rate increase in Pinellas County tipping fees.

The changes to Chapter 50, Solid Waste, of the Code of Ordinances are as follows:

Sec. 50-36. Industrial waste; oil and grease; construction debris; bulky waste.

- (c) The City will collect such items as waste or trash consisting of discarded office equipment, discarded broken furniture, beds, bedsprings, empty cans, small metal parts from minor repair work, and any other items which can be lifted by two men, other than motors, large repair parts and other heavy materials at specific times

throughout the year. Where collections of trash of any nature are usually large and abnormal, the City Manager is authorized to remove such trash at a nominal fee to be based on the amount of trash involved and the additional cost to the City of such removal. The minimum amount of the corresponding fee shall be \$25.00.

Sec. 50-37. Garden trash.

Any premises upon which the proper and required fee has been paid, under the terms of this article, shall be entitled to the collection of tree limbs, palm fronds or other garden trash of such size or nature as cannot be deposited in a regular trash can, subject to the following terms and conditions. Normal yard waste and trimmings of shrubs or trees are picked up free, when cut in four-foot lengths and when limbs are not more than four inches in diameter and when stacked neatly at the curb. The stack shall not exceed four feet in height and the pile shall not be longer than eight feet. Piles of yard waste and trimmings that are larger than this description, that are randomly piled or that contain remains of full tree removal (i.e., stumps or larger than four-inch-diameter limbs) shall require a call for a special pickup and shall require a charge based on the size of the pickup with a minimum charge of ~~\$18.75~~ \$25.00. The City will supply an employee to measure the pile and provide a written estimate containing the charges for the pickup. The estimate must be paid to the city in advance of the pickup. Such garden trash shall be deposited adjacent to the alley, if the property is served by an alley, at curbside, or in containers if such containers are used by multifamily or commercial establishments. It shall be unlawful for any person to deposit any garden trash upon any lot or premises belonging to another, whether vacant or improved, occupied or unoccupied, or upon any street, plaza or park, or in any of the waters lying within the City.

Property owners who hire any type of vendor to trim, generate, or gather vegetative waste at their property are required to direct the vendor to, or otherwise arrange for the prompt removal of the vegetative waste from the subject property.

Sec. 50-62. Garbage cans required.

All residents or occupants of any single-family dwelling and the owner, manager or occupant of any multiple-family dwelling or of any place of business or commercial establishment or civic, fraternal, public, religious or educational facility within the city are hereby required to utilize the garbage can(s) provided by the City.

Each single-family dwelling or multiple-family dwelling unit will be provided one (1) garbage can free of charge. Any replacement or additional garbage cans may be provided at a cost of \$50.00 per garbage can. Where a property acquires additional garbage cans, as opposed to a replacement garbage can, the City may increase the corresponding fees and charges on a pro-rated basis.

Sec. 50-91. Fee schedule.

- (a) *Basic fees.* The fees for pickup of garbage and trash are as follows:
- (1) Single unit rate, two times per week, per month ~~\$20.27~~ \$21.49
 - (2) Multi-unit rate, two times per week, per month ~~\$19.26~~ \$20.42
 - (3) Commercial business establishment, five cans, two times per week, per month ~~\$25.31~~ \$26.83
 - (4) Dumpster rates:
 - a. Two yards, two times per week, per month. ~~\$195.73~~ \$207.47
 - b. Four yards, two times per week, per month ~~\$356.93~~ \$378.35
 - c. Six yards, two times per week, per month ~~\$506.58~~ \$536.97
 - (5) Each additional pickup:
 - a. Two-yard dumpster, one time per week, per month ~~\$97.91~~ \$103.78
 - b. Four-yard dumpster, one time per week, per month ~~\$178.50~~ \$189.21
 - c. Six-yard dumpster, one time per week, per month ~~\$253.10~~ \$268.29
 - d. Commercial can pickup, one time per week, per month ~~\$12.66~~ \$13.42
 - (6) Single one-time pickup:
 - a. Two-yard dumpster. ~~\$97.91~~ \$103.78
 - b. Four-yard dumpster ~~\$178.50~~ 189.21
 - c. Six-yard dumpster. ~~\$253.10~~ \$268.29

(b) *Additional per-unit fee.* In addition to the fees set forth in subsection (a) of this section, the amount of ~~\$7.54~~ \$7.99 per unit per month shall be added to each of the basic fees for subsections (1) and (2), and the amount of ~~\$8.56~~ \$9.07 per unit per month shall be added to the basic fees for subsections (3), (4), (5), and (6).

(f) *Compactor and front-end loader dumpsters.* Compactor dumpsters and front-end loader dumpsters will be installed upon written request from the property owner or business owner and upon approval by the city manager. Fees will be based on rental charges, pull charges and dumping fees. In addition, there shall be an administrative charge of ~~\$230.26~~ \$244.08 per month for each compactor dumpster in excess of ten cubic yards. For compactor dumpsters and front-end loader dumpsters less than ten cubic yards, the administrative fee shall be ~~\$115.14~~ \$122.05 per month per dumpster. Billing shall be on a bimonthly basis.

(g) *Commercial construction roll-off dumpsters.* Commercial construction roll-off dumpsters shall be installed by the owner or the general contractor for all new construction and major remodeling projects. There shall be an administrative charge of ~~\$250.00~~ collected at the time of building permit issuance.

City Manager Mims stated \$250.00 should not be stricken-through and should remain in the ordinance.

CONSENSUS OF THE CITY COMMISSION TO UN-STRIKE \$250.00 FROM SECTION 50-91, FEE SCHEDULE, OF THE CODE OF ORDINANCES, SUBSECTION G, COMMERCIAL CONSTRUCTION ROLL-OFF DUMPSTERS.

Mayor-Commissioner Kennedy opened the public comment section. Seeing and/or hearing no one wishing to speak, the public comment section was closed.

Commissioner Hanna asked if this ordinance would cover short-time vacation rentals as they generate a lot of trash. He feels that short-term vacation rentals are technically considered a business and not a residential unit, and should be charged the commercial rate.

City Manager Mims stated the ordinance allows for the City to issue notices of violation to these short-term vacation rentals who generate large volumes of trash and use multi garbage cans. The Public Services Director has and does use this provision of the City Code for short-term vacation rentals who generate large volumes of trash.

MOTION MADE BY COMMISSIONER HOOFNAGLE, SECONDED BY VICE MAYOR-COMMISSIONER McCALL, TO APPROVE ORDINANCE NO. 2021-05, ON FIRST READING, AS AMENDED, AMENDING CHAPTER 50 – “SOLID WASTE”, SETTING THE MINIMUM FEE FOR LARGE OR ABNORMAL TRASH COLLECTION; PROVIDING FOR SEVERABILITY; REQUIRING REMOVAL OF YARD WASTE CREATED OR COLLECTED BY THIRD PARTIES; ESTABLISHING A FEE RELATING TO THE PROVISION OF A REPLACEMENT OR SUPPLEMENTAL TRASH CAN; INCREASING THE FEES AND CHARGES RELATING TO THE PICKUP OF TRASH AND GARBAGE; PROVIDING FOR APPLICABILITY; PROVIDING FOR INCLUSION IN CITY ORDINANCES.

Commissioner Hoofnagle stated the increase is understandable given that Pinellas County has increased their tipping fee. He is happy that the individuals that are generating excess waste especially from the short-term vacation rentals are now being asked to pay their fare share of the environmental impact.

ROLL CALL VOTE:

AYES: HANNA, HOUSEBERG, McCALL, HOOFNAGLE, KENNEDY.
NAYS: NONE.

MOTION CARRIED UNANIMOUSLY.

3. ADJOURNMENT.

MOTION MADE BY COMMISSIONER HANNA, SECONDED BY VICE MAYOR-COMMISSIONER JOE McCALL, TO ADJOURN THE MEETING AT APPROXIMATELY 6:31 P.M.

UNANIMOUS APPROVAL BY ACCLAMATION.

October 12, 2021
Date Approved

/DOR