

MINUTES - June 13, 2023
CITY OF INDIAN ROCKS BEACH
REGULAR CITY COMMISSION MEETING

The Indian Rocks Beach Regular City Commission Meeting was held on **TUESDAY, JUNE 13, 2023**, in the City Commission Chambers, 1507 Bay Palm Boulevard, Indian Rocks Beach, Florida.

Mayor-Commissioner Kennedy called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance and a moment of silence.

PRESENT: Mayor-Commissioner Joanne Moston Kennedy, Vice Mayor-Commissioner Jude Bond, Commissioner Denise Houseberg, Commissioner Joseph D. McCall, Commissioner Lan Vaughan and City Manager Gregg Mims.

OTHERS PRESENT: City Attorney Randy D. Mora, Interim City Clerk Lorin A. Kornijtschuk and Assistant Fire Chief Douglas Higley.

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

City Commission and City Manager presented James Labadie a plaque for his many years of service as an Indian Rocks Beach Commissioner and Board Member.

1A. REPORT OF Pinellas County Sheriff's Office.

Pinellas County Sheriff's Office (PCSO) submitted a written Crime Analysis Report for the month of May 2023.

1B. REPORT OF Pinellas Suncoast Fire & Rescue District.

Assistant Fire Chief Douglas Higley presented the fire district's report for May 2023. The men and women of the fire department had 1304.5 hours of training. 99% of all annual fire inspections have been completed.

Assistant Fire Chief stated that June 8th was the Water Safety Hurricane Expo and was held in Bellaire Beach.

2. PUBLIC COMMENTS.

Phil Wrobel, 112 13TH Avenue, stated the Nature Preserve walkway came out beautiful, and hopes it will continue. The shower tower at 12th Avenue beach access is still flooding. Requesting the merry go round be replaced.

Jerry Newton, 438 Harbor Drive N., stated short- term rental administration fees should

not fall on the citizens and if it is possible for the city to fund a legal challenge regarding the events that led up to Indian Rocks Beach losing its grandfather status.

Don House, 2104 Beach Trail, stated, Jim Labadie is a nice guy and has served the city well, as a City Commissioner and President of A2K. The last conversation he had with Jim Labadie, he called him a selfish “F-A-Hole” for not signing the easement. 60% of the people on the beach are now “F-A-Hole’s”.

Mayor-Commissioner Kennedy closed the floor for public comments.

3A. REPORT OF City Attorney: None.

3B. REPORT OF City Manager:

City Manager Mims introduced Mark Porter, Project Manager from Utility Consultants of Florida, to provide an update of where the IRB Phase 2 Undergrounding Project is.

Mr. Porter stated that this project is broken into 3 phases: 5th to 8th Avenue is phase 1, 8th Avenue to 12th Avenue is phase 2, 12th Avenue to 15th Avenue is phase 3. Construction is ready to go, still waiting on material and Pinellas County permit. He will work with city staff to notify the residents prior to the start date.

City Manager stated that an oversized postcard was made and will be placed at the beach for people to take a photo with when they visit. IRB Chairs paid for half of the project.

City Manager read the Code Enforcement Report for May 2023.

Code Enforcement Report for May 2023

(122) parking citation does not include by the sheriff’s office.

(29) violations.

(12) notices to appear.

(12) short-term rental inspections.

Staff continues to work on forms and the process to implement the new Short-Term Rental Ordinance. Per section 18-204 the start date of registration has been adjusted to August 1st, 2023, and forms will be published on or before July 14th, 2023. They will be posted online and will be emailed to those who are registered with the city.

The Friends of the City of Indian Rocks Beach Library partnered with the city and paid for half of all the computers that were replaced in the library.

The new bucket truck arrived this month, that was ordered in 2021, and a new garbage truck will arrive next month.

City staff is actively working on the proposed 2023-2024 budget and will be released to the Commission and the public before the deadline of July 7th, 2023.

Hurricane Season began June 1st. The city encourages all to take protective measures now, re-entry tags are available at City Hall, and there is additional information on the City website with a link to the County.

The subject of paid parking will be in the work session at the next commission meeting.

3C. REPORT OF City Commission:

Commissioner Vaughan requested to revisit seeking advice for a legal team to research City of Indian Rocks Beach grandfather status regarding the short-term rental ordinance. Commissioner Houseberg agreed. Mayor-Commissioner Kennedy recommended that each Commissioner should meet with the City Attorney for better understanding.

Commissioner Vaughan requested to further explore the Beach Renourishment Project, possibly issuing a state of emergency. City Manager replied that the city has been fully engaged; forums have been hosted, Commissioners have sent out letters, and Mayor Kennedy has visited the White House. The County is actively working on this issue. The Army Corps of Engineers is holding it up.

Mayor-Commissioner Kennedy suggested we wait for the County.

Vice-Mayor-Commissioner Bond requested that motorized bikes on the beach be placed on the next agenda. Commissioner McCall suggested including the new rules from Tallahassee for golf carts be included.

Commissioner Houseberg stated that Preston Smith's wife passed away in May, a service will be held on June 24th at the 24th Avenue beach access at 10:30 a.m.

Commissioner McCall stated the IRB Homeowners Association had changed its name to IRB Home, "Good People Doing Great Things". The next Mix and Mingle will be at Hurricane Eddies on June 22, 2023.

Mayor-Commissioner Kennedy stated a reminder that dogs are not allowed on the beach, tents are not allowed in the vegetation, if you put a hole in the beach you need to cover it up, and trash should go in the trash can. She acknowledged Deanne O'Reilly for her 31 years of service.

4. ADDITIONS/DELETIONS. None.

5. CONSENT AGENDA:

A. Approval of the April 11, 2023, Regular City Commission Meeting Minutes.

- B. REAPPOINTMENTS to the Planning and Zoning Board.
- C. PROCLAMATION: LGBTQ Pride Month.

City Attorney Mora read the Consent Agenda, consisting of Agenda Items Nos. 5A through 5C, by title only.

Commissioner McCall requested that Item 5C be pulled for further discussion.

Mayor-Commissioner Kennedy asked for consensus on Agenda Items 5A and 5B.

MOTION BY COMMISSIONER VAUGHAN TO APPROVE AGENDA ITEMS 5A AND 5B. SECONDED BY COMMISSIONER HOUSEBERG.

**ROLL CALL VOTE:
ALL AYES. MOTION CARRIED 5-0.**

Mayor-Commissioner Kennedy read consent agenda item 5C for discussion.

Commissioner McCall stated that he discovered that the City had no policy, process, or set criteria for a Proclamation. Mayor-Commissioner Kennedy agreed to having a set criteria and have the City Manager come back at another time for the Commission to review a set process for a Proclamation.

Mayor-Commissioner Kennedy asked for a consensus to move forward and have City Staff recommend a policy for future proclamations.

MOTION BY COMMISSIONER VAUGHAN TO APPROVE A POLICY TO BE IN PLACE FOR FUTURE PROCLAMATIONS. SECONDED BY COMMISSIONER McCALL.

**ROLL CALL VOTE:
ALL AYES. MOTION CARRIED 5-0.**

Mayor- Commissioner Kennedy asked for a consensus on Agenda Item 5C.

MOTION BY COMMISSIONER VAUGHAN TO APPROVE THE PROCLAMAION OF LGBTQ PRIDE MONTH. SECONDED BY COMMISSIONER BOND.

Mayor-Commissioner Kennedy opened the floor for public comments.

PUBLIC COMMENT.

DIANE DANIELS, 309 10TH Avenue, thank you for your support, I was the one that brought this up. I thank you for your support, I hope this is the beginning of something

and this will continue and one day we see the rainbow flag and neon lights at city hall.

Mayor-Commissioner Kennedy closed the public comment section.

Mayor- Commissioner Kennedy asked if there were any comments from the maker or the second.

ROLL CALL VOTE:

Ayes: Houseberg, Vaughan, Bond, Kennedy

Nays: McCall

MOTION CARRIED BY A VOTE OF 4 TO 1, WITH COMMISSIONER McCALL CASTING THE DISSENTING VOTE.

6. **PUBLIC HEARINGS**- None

7. **OTHER LEGISLATIVE MATTERS:**

A. Resolution No. 2023-05. Vacation Rental Fees.

City Attorney Mora read Resolution 2023-05. Vacation Rentals by title only and turned it over to City Manager Mims.

City Manager Mims stated that per the direction of the City Commission the annual registration fee is \$300.00 a year, initial inspection fee \$150.00, reinspection fee \$75.00. The new ordinance will start August 1, 2023, and the updated forms will be available on or before July 14th, 2023.

PUBLIC COMMENT.

Jerry Newton, 438 Harbor Drive N., asked if a resolution could be changed. City Mims replied yes, resolutions can be amended.

Diane Daniels, 209 10th Avenue, suggested that something should be put on the City Website even if it is not ready. Asked if Indian Rocks Beach Ordinance includes the Suncoast Fire and Rescue Inspection. City Manager Mims replied that out of courtesy to the fire department, the City of Indian Rocks Beach certificate will not be issued until the fire department is good to go.

Beth McMullen, 481 Harbor Drive S. asked if someone purchases a larger home before this ordinance hits on August 1st, is the occupancy still going to be 12 or will there be a grace period, and if they purchase it after August 1st, is there a grace period for that occupancy. City Attorney replied every application is going to be having to be taken on its merits. Timing will factor in which process. City Manager added that under the current

ordinance you are not going to get a business tax license unless you comply with the current ordinance.

Dennis Zweifel, representing homeowners at 1510 Gulf Boulevard, asked to be read the inspection fees again and stated that the fees seem higher than other municipalities, but that is the cost of doing business.

Mayor-Commissioner Kennedy closed the public comment section.

MOTION BY COMMISSIONER HOUSEBERG TO APPROVE RESOLUTION 2023-05 VACATION RENTAL FEES AND THE AMENDED REVISION TO THE EFFECTIVE DATE OF AUGUST 1, 2023. SECONDED BY COMMISSIONER VAUGHAN.

Mayor- Commissioner Kennedy asked if there were any comments from the maker or the second or any other Commissioners.

**ROLL CALL VOTE:
ALL AYES. MOTION CARRIED 5-0.**

8. **WORK SESSION.** None
9. **OTHER BUSINESS.** None
10. **ADJOURNMENT.**

MOTION BY COMMISSIONER HOUSEBERG, SECONDED BY VICE-MAYOR COMMISSIONER BOND TO ADJOURN THE MEETING AT 7:45 PM UNANIMOUS APPROVAL BY ACCLAMATION.

/lak