

MINUTES
CITY OF INDIAN ROCKS BEACH
CITY COMMISSION MEETING
TUESDAY, OCTOBER 29, 2024- 6:00 PM
HOLIDAY INN HARBORSIDE- 401 2ND STREET-PELICAN SAND PIPER ROOM
INDIAN ROCKS BEACH, FL 33785

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

MEMBERS PRESENT: Mayor-Commissioner Denise Houseberg, Vice-Mayor Commissioner Janet Wilson, Commissioner Jude Bond, Commissioner John Bigelow, and Commissioner Hope Wyant.

OTHERS PRESENT: City Manager Gregg Mims, Finance Director Dan Carpenter, Public Works Director Dean Scharmen, City Clerk Lorin Kornijtschuk, Planning and Zoning Consultants Hetty Harmon and Craig Fuller.

For continuity, items are listed in agenda order, although not necessarily discussed in that order.

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

A PCSO representative reviewed the September 2024 Crime Analysis report.

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

Pinellas Suncoast Fire & Rescue District Chief Jeffrey Davidson reviewed the monthly report of the fire district. He acknowledged the challenging times faced by the community due to recent hurricanes, expressing deep sympathy for those affected. He commended first responders for their bravery and dedication in the face of danger.

1 C. REPORT OF Recovery Efforts from Hurricane Helene and Hurricane Milton.

City Manager Mims stated in his 40 years of experience, he has never encountered the challenge of two hurricanes within two weeks. He expressed his pride in the team of 25 individuals, that he manages commending their hard work and dedication during this challenging time.

Public Works Director Scharmen, stated the City has initiated its debris management program and plans to finish the remaining debris cleanup. He acknowledged the residents' concerns and appreciated their patience during this challenging process. He reported that storm drain cleaning has been completed and beach access will reopen in segments. Street sweeping has begun, with 45% of the work completed. Meanwhile, renovations at City Hall are underway.

Finance Director Carpenter, provided an overview of the financial impacts to the city from the recent storms, along with estimated expenses and the ongoing insurance claims process. He stated that approximately one month after the storms, the city estimates a total impact of about \$6 million, which includes costs for debris removal and damage to city buildings and facilities.

He stated the city's general fund is just under \$5 million for the year. The estimated cost for debris removal is around \$3.5 million, while damages to city property are estimated at \$2.5

million, with City Hall being the most significantly affected. The city holds an \$850,000 flood insurance policy and an additional catastrophic policy to cover excess damages.

He discussed the Florida Property Tax Rebate Program, which allows residents to apply for tax reductions based on storm-related damage and displacement, with a deadline of March 1st. The program is administered through the Florida Department of Revenue and the Pinellas County Property Appraiser's Office, where residents can obtain the necessary application forms online.

Planning and Zoning Consultant Harmon stated that the city has entered an interlocal agreement with the county and hired separate contractors to conduct substantial damage inspections. Most inspections are complete; if access was possible, they examined the interior, and if not, they assessed the exterior at the water line. After gathering data in the field, they enter the information into a system for quality control before calculating the extent of substantial damage. She stated although some of the inspections are finished, she has not received the report yet. She hopes to have the results by the end of this week or early next week. It is crucial to complete these evaluations to avoid potential reimbursement losses from FEMA and issues with flood insurance, as has occurred in other areas. She stated that once we receive the evaluation results, the city will confirm which buildings were deemed substantially damaged and cross-check these findings with building permit applications. She stated if a property is marked as substantially damaged, it means the repair costs cannot exceed a certain percentage of its value. Property owners can hire independent appraisers if they disagree with the county's evaluation. She stated that she is working on details for the website, which will include checklists and relevant information for those facing substantial damage assessments. If the damage is under 50%, a permit is still required for repairs, including things like windows, cabinets, and flooring.

Civilsurv Consultant Craig Fuller stated the county has established a system for inspections, which Indian Rocks Beach will utilize as the county serves as the building inspector. The city plans to link various resources related to this system. It is important to note that if a property undergoes substantial improvement alongside damage, and the total cost exceeds 50%, the property owner will be required to upgrade to current codes and standards.

2. PUBLIC COMMENTS.

John Pfanstiel, 448 Harbor Drive S. expressed his gratitude to the city manager and staff for their efforts, particularly regarding a recent press release conference that provided valuable information. He acknowledged Commissioner Hope Wyant for her significant assistance to the community. He stated the importance of state law requiring public lodgings to have either an outside means of egress, such as stairs, or automatic fire suppression systems. He urged the commission to consider treating all public lodgings as commercial operations.

Mark Arnold 1204 Harbor Drive, stated he was concerned about the fiscal impact of debris removal in the city. He stated that his HOA had to hire private contractors for debris removal, incurring additional expenses. Arnold urged the Commission to explore ways to reimburse those impacted individuals.

Darren Masters, 314 Hacienda, stated that he heard that no permits will be issued until FEMA conducts independent assessments of individual properties.

Bob Copeland, 720 20th Avenue, stated he represents a group known as Friends of Indian Rocks Beach to discuss issues related to short-term rentals. He informed the Commission that, following a recent meeting that rejected a proposal, a federal court mandated the parties to return to mediation. Copeland stated that short-term rentals, as defined under Florida Statute 509, must comply with a variety of rules, particularly regarding fire safety. He pointed out that three-story houses converted into rentals were not built to commercial codes and lacked essential safety features, such as exterior egress. He argued that their licenses should be revoked due to non-compliance, emphasizing that the applicants should not have the right to sue the city if they were unlicensed. He stated that if the applicants wished to rectify their issues, they could reapply for a new license. Copeland stated there is a potential legal risk for the applicants, noting that if their application were incorrect, they could face sanctions in federal court.

Carol Stampy, 434 Harbor Drive N., stated she was confused about the current situation regarding damage assessments in the city and would like clarification on whether the green stickers placed on doors were related to this. Additionally, she mentioned hearing from the county that homeowners might not need a permit for repairs if they had less than 11 inches of damage. Stampy inquired whether a forthcoming letter from the city would align with information provided by the county.

Don House, 2104 Beach Trail, stated that his house did not flood. He stated that he is opposed to the Dunes. He stated that if the beaches are nourished and made wide it would bring in the tourists.

David Weinstein, 446 Harbor Drive N. asked a question regarding electrical systems in the wake of the storm. He inquired whether all electrical sockets that were submerged due to flooding needed to be replaced up to the main electrical panel. He also asked whether the costs for this work would be covered under flood insurance, if they would need to be addressed separately, and whether the repairs had to be completed before other work could proceed.

Gordon Obarski, 708 Beach Trail, expressed concerns about the condition of Beach Trail, noting it was impassable due to trash. He stated that he had 40 tons of sand on his patio. Obarski thanked the police and firefighters for their efforts during this time. He also warned against efforts to add sand back onto the beach.

Angie Sheridan, 470 Harbor Drive North, stated there is a need for clear and concise communication from the authorities, outlining who is responsible for inspections and necessary steps to moving forward with their projects.

Nancy Obarski, 708 Beach Trail, expressed her frustration with the city for not assisting in removing the sand in front of her home, which prevented her from gaining access to her home.

Scott Shapiro, 2032 20th Avenue Parkway, stated there are three distinct groups: those eager to rebuild quickly, those wanting to sell their properties, and those interested in demolishing and starting anew. He noted his indecision between selling and rebuilding, emphasizing the need for a streamlined process that addresses the needs of each group.

RB Johnson, 1206 Beach Trail, addressed concerns about the beach and the damage caused by recent storms, comparing local conditions to those at Bellair Shores. He emphasized the importance of dunes as protective barriers and noted that seawalls can exacerbate erosion by deflecting water. Johnson urged the city to utilize the comprehensive beach management plan to prevent further damage and ensure proper stewardship of the area. He stressed the need for clear guidelines to protect the dunes and vegetation.

Matthew Barrowclough, 211 11th Ave, stated his commitment to the community, and that he is currently, housing a family at an affordable rate to help them remain in the area. He emphasized that many positive stories from the community often go unheard.

Sandra Scaglione, 1109 1st Street, stated, her frustration about the annual taxes she pays while feeling increasingly distressed about the potential loss of her home. She highlighted the pressing issue of rising costs and the necessity for clear answers regarding rebuilding options.

Patrick Kelada, 1007 Bay Pine Blvd, referenced FEMA's guidance on suggestions that homeowners should not delay cleaning or making repairs. He asked if permits are only necessary for structural damage, and how this directive relates to documentation of repairs and clean-up efforts.

Mr. Brown 1109 Bay Pine Blvd., expressed concern about the substantial damage evaluations that have begun in their absence. They inquired about how inspectors assess internal damage from the outside of the structure.

Mr. Jazkowiak, 422 20th Avenue, requested more clarity on FEMA guidelines and 50% rule.

Ms. Steinkellner, 730 Beach Trail, acknowledged the challenges involved and expressed appreciation for the ongoing efforts and hope for lessons learned to enhance future responses.

Timothy Linville, 349 La Hacienda, stated the importance of having a concise and clear plan for moving forward, noting that the current situation appears to change daily.

Mayor-Commissioner Houseberg closed Public Comment.

Planning and Zoning Consultant Harmon clarified that the green stickers placed on houses were initially put there by the county to assess external structural damage, not for substantial damage inspections.

Planning and Zoning Consultant Craig Fuller clarified that the value of buildings is being assessed.

3 A. REPORT OF the City Attorney.

City Attorney Mora acknowledged the community's resilience and efforts in the wake of recent challenges, praising the dedication of city staff and the support shown among residents. City Attorney Mora emphasized the complexities of navigating a dynamic regulatory environment, explaining that the city operates within constraints set by higher authorities like the county and FEMA. He recognized the conflicting guidance received from these agencies, which complicates the recovery process. Mora reassured the community that he and his firm are committed to providing clear communication and legal advice to city administration as they navigate these challenges.

City Attorney Mora addressed concerns about ongoing litigation related to rentals, he clarified that the Commissioners are informed and involved in mediation processes. City Attorney Mora emphasized that any litigation decisions will require the Commission's approval.

3 B. REPORT OF the City Manager.

City Manager Mims announced that the city has received the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting, a significant recognition of the city's fiscal management. He praised the dedication of his team and specifically thanked Dan Carpenter for his hard work in achieving this certification.

City Manager Mims acknowledged the frustrations surrounding the ongoing recovery process, particularly with FEMA and the changing regulations that accompany disaster response. He expressed empathy for residents, noting that he understands the challenges faced by many, including city employees who have lost their homes and livelihoods.

3 C. REPORT OF the City Commission.

Commissioner Wyant mentioned her involvement in a panel organized by Century 21 Beggins, highlighting that many questions still need to be addressed. She noted that City Management is actively working to find those answers. Additionally, she expressed her pride in being a resident of Indian Rocks Beach.

Vice-Mayor Commissioner Wilson stressed the significant work accomplished by the City Manager and the City Staff, encouraging residents to drive south to see the contrasting condition of the streets.

Commissioner Bigelow assured residents that the Commissioners, Mayor, and City Staff are attentive to their concerns and are committed to assisting.

Mayor Commissioner Houseberg shared that she was contacted by a FEMA representative from Washington, D.C. and she invited her to the meeting, though the representative declined. Acknowledging the challenges faced by the community, she arranged to meet with the representative later in the week to discuss residents' questions. She thanked everyone for attending the meeting, recognizing the difficulties they are experiencing, and expressed appreciation for their patience during this tough time.

4. ADDITIONS/DELETIONS. None.

The City Attorney read Consent Agenda 5 A through 5 E.

5. CONSENT AGENDA:

- A. APPROVAL OF** September 10, 2024, Regular City Commission Meeting Minutes.
- B. APPROVAL OF** September 4, 2024, Special City Commission Meeting Minutes.

- C. APPROVAL OF** September 18, 2024, Special City Commission Meeting Minutes.
- D. PROCLAMATION:** Friends of Indian Rocks Beach Library 50th Anniversary.
- E. RESOLUTION 2024-11:** A Resolution of the City Commission of the City of Indian Rocks Beach, Florida, making findings; approving and ratifying all emergency declarations and extensions thereof; providing for severability, and providing for an effective date.

Motion by Vice-Mayor Commissioner Wilson, seconded by Commissioner Wyant to approve the consent agenda, consisting of agenda items 5 A through 5 E. Unanimous approval by acclamation.

The City Attorney read Resolution 2024-10 in its entirety.

6. PUBLIC HEARINGS:

- A. Resolution 2024-10 –** A Resolution Regarding City Protocols Following Hurricane Helene, Including the Use of Temporary Shelters for Residential Purposes where Residential Structures Were Rendered Uninhabitable by Hurricane Helene.

Mayor-Commissioner Houseberg opened public Comment.

Kelly Cisarik, 448 Harbor Drive South stated she had concerns regarding the provision of temporary trailers for residents who have suffered significant losses. She emphasized the need for ordinances that prevent these temporary units from being rented out for income while homeowners are rebuilding. Cisarik also questioned the eligibility of property owners who spend part of the year in other locations, suggesting that their status should be clarified about living on their property during the rebuilding process.

Motion by Vice-Mayor Commissioner Wilson, seconded by Commissioner Wyant to approve Resolution 2024-10.

Roll Call Vote:

YES: Bigelow, Bond, Wilson, Wyant, Houseberg

NAYS: None

Motion Carried Unanimously.

The City Attorney provided his written report and findings of the Charter Review Committee.

7. OTHER LEGISLATIVE MATTERS:

- A. Charter Review Committee –** Presentation of Report and Findings of the CRC by the City Attorney.

Mayor-Commissioner Houseberg tabled the discussion of the Charter Review Committee Report to a later date.

8. WORK SESSION: None.

9. OTHER BUSINESS: None.

10. ADJOURNMENT.

Motion to adjourn was made by Vice-Mayor Commissioner Wilson and seconded by Commissioner Wyant adjourn at 8:15 p.m. Unanimous approval by acclamation.