

MINUTES
CITY OF INDIAN ROCKS BEACH
CITY COMMISSION MEETING
TUESDAY, MARCH 25, 2025- 6:00 PM
CHURCH OF THE ISLES 200 24TH AVENUE 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 Hilary King.

OTHERS PRESENT: City Manager Gregg Mims, Finance Director Dan Carpenter, City Clerk Lorin Kornijtschuk, and City Attorney Jay Daigenault.

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 February 2025 Crime Analysis report.

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

Kimberly Hampton, District Administrator of Pinellas Suncoast Fire & Rescue District provided a report to the City.

Mayor-Commissioner Houseberg opened Public Comment.

2. PUBLIC COMMENTS.

Kelly Cisarik, 448 Harbor Drive South, expressed concern over certain legislative bills currently being discussed in Tallahassee. She referenced a Real Property and Land Use Development Bill (HB943).

John Pfanstiehl, 448 Harbor Drive South, highlighted the development of bills related to affordable housing, including House Bill 401 and HB 943. He also shared his observations of neighborhoods affected by a growing number of short-term rentals.

Neil Lieberman, 1214 Bay Pine Boulevard #2, raised concerns about the lack of proper lighting in Kolb Park.

Nannette Prevost, Largo Florida spoke about the rising suicide rates and mental health issues in the area. She discussed the challenges of dealing with mental health crises. She offered her non-profit's services to help improve local emergency response and mental health care.

Diane Daniels, 309 10th Avenue, spoke about her work on recycling, particularly during Green Fest. She questioned the effectiveness of the city's recycling system. She suggested working with Waste Connections to improve recycling education and ensure that residents are properly informed about recyclable materials.

Kelly Watt, 431 Harbor Drive South raised concerns about non-compliance with short-term rental regulations. She analyzed a random sample of properties and found multiple code violations. She

suggested that the city could potentially collect fines for non-compliance. Don House, 2104 Beach Trail, spoke about the legal challenges the city is facing due to lawsuits from short-term rental owners. He suggested that the city should align itself with Pinellas County's stronger regulations to avoid further legal trouble.

Bob Copeland, 447 20th Avenue, suggested that the commission needs to ensure they have accurate, detailed information before making decisions.

Jerry Newton, 438 Harbor Drive North raised concerns about the city's investment in software to manage short-term rentals.

Mayor-Commissioner Houseberg closed Public Comment.

3 A. REPORT OF the City Attorney.

City Attorney Jay Daigneault on behalf of City Attorney Randy Mora

Update on Legislative Bills (HB 943)

- The city attorney addressed concerns regarding several bills currently before the legislature that may impact local government, particularly HB 943.
- HB 943 could affect local governments by imposing caps on sovereign immunity and making changes to local amendments that could have permanent consequences.
- A memo from the city attorney's office will be sent to the council to provide more details on these bills.

Update on Lawsuit Settlement and Revised Ordinance

- The city attorney provided an update on a separate lawsuit involving Homes Not Hotels, which was filed by a different law firm than the one handling the AP 6 case.
- The law firm representing Homes Not Hotels has indicated they are willing to dismiss their lawsuit if the city passes a revised ordinance that was tabled on February 11, 2025.

Action Needed:

- The city attorney is seeking guidance from the commission on whether they wish to schedule a work session to further discuss the proposed revised ordinance and determine whether they want to proceed with its adoption.
- This request does not obligate the commission to pass the ordinance, but rather to engage in a discussion to assess whether the ordinance should move forward through the adoption process.

Response from the Commission:

- **Commissioner Bigelow** expressed support for having another work session.
- **Vice Mayor Wilson** responded by acknowledging that the topic had already been discussed thoroughly and expressed that she was not in favor of revisiting the discussion, as he felt it had already been adequately covered.
- **Commissioner Bond** was not in favor of the work session.

- **Commissioner King** clarified that if the workshop was to only discuss the same revised ordinance from the previous session, she would not support it, as she felt that discussing it again would not lead to a successful outcome.
- **Mayor-Commissioner Houseberg** was not in favor of the work session.

3 B. REPORT OF the City Manager.

Gulf Boulevard Undergrounding Phase 2:

- The project area spans from 5th to just north of 16th.
- The project, which involves installing conduits, is expected to be completed by June this year.
- The timeline for Duke Energy to install the lines and remove poles is unclear due to their ongoing storm-hardening efforts mandated by the state.

City Hall Project:

- The construction is progressing with Sheetrock being installed.
- The anticipated completion date for moving into City Hall is July 2025.

Local Voices United (Florida League of Cities):

- The public is encouraged to use the “Local Voices United” link on the city’s website to receive information and to contact state legislators regarding pending legislation.

AquaFence Proposal:

- The city has applied for state funding to purchase an Aquafence to protect City Hall from water intrusion, similar to systems used by Tampa General.
- The total project cost is \$635,000, with \$476,250 coming from the state and \$158,750 from the city. The city’s portion would come from CIP funds.

Text My Gov Proposal:

- Text My Gov is a two-way communication tool that allows residents to send questions and receive responses through text messaging.
- It provides a way to report issues, and receive alerts, and is available to residents who sign up for specific types of notifications (e.g., storm-related updates).
- The city has budgeted for this system and will offer up to 50,000 text messages per year.

Mixed-Use Projects on Gulf Boulevard:

- The commission had previous work sessions on mixed-use projects along Gulf Boulevard.
- The city will hear a presentation from Forward Pinellas at the April IRB City Commission meeting regarding possible changes to the land development code.

Magistrate Hearings:

- The city has scheduled hearings for April, May, and June to address violations, particularly illegal vacation rentals, noise issues, and garbage violations.

Vacation Rental Hotline:

- A hotline will be set up to report issues related to vacation rentals, managed by Granicus.
- The system allows tracking and updates for complaints related to vacation rentals.

Beach Parking:

- A discussion regarding beach parking will be added to the May IRB City Commission meeting agenda.

Public Recognition:

- Public Works Director, Dean Scharmen. was recognized for receiving the Chairperson of the Year Award from the Florida West Coast Chapter of the American Public Works Association.
- The City recognized the passing of past Commissioner Terry Hamilton Wollen.
- The City recognized Mary Beth Dunn, the former IRB Home president, for her contributions to the community.
- The successful unveiling of the City's 6th Public Art Installation. Sponsored by IRB Home.

Storm Recovery Efforts:

- Staff continues to support recovery efforts, helping residents navigate the permitting process post-hurricane.

Other :

- The replacement of court lighting at Kolb Park is scheduled to move forward after being temporarily on hold due to the hurricane's impact.
- Meeting recordings are uploaded to the city website a few weeks after the meetings.
- Letters have been sent to vacation rental operators who are not in compliance with fire code requirements, giving them time to correct the issues.
- Congratulations to Commissioner Elect Hilary King and thank you to Hope Wyant.

Beach Easement Process:

- Pinellas County is collecting easements for beach access, and the city has made multiple efforts to inform residents about the need to sign these easements.
- As of now, a lack of signatures could impact future beach projects in IRB.

- **Timeline:**

- **DECEMBER 12, 2024**-PINELLAS COUNTY COASTAL MANAGEMENT MAILED EASEMENT PACKETS TO PROPERTY OWNERS THAT HAVE NOT SIGNED EASEMENTS.
- **DECEMBER 18, 2024**-CITY OF IRB ISSUES PRESS RELEASE INFORMING RESIDENTS OF THE NOURISHMENT PROJECT PROVIDING INSTRUCTIONS AND CONTACT INFORMATION.

- **FEBRUARY 4, 2025**-CITY OF IRB ISSUES PRESS RELEASE REMINDING RESIDENTS OF THE NOURISHMENT PROJECT PROVIDING INSTRUCTIONS AND CONTACT INFORMATION, AS WELL AS INFORMATION ON UPCOMING WEBINARS.
- **FEBRUARY 4, 2025**-CITY OF IRB PUBLISHED AN ALERT BANNER ON THE CITY WEBSITE.
- **FEBRUARY 4, 2025**-CITY OF IRB POSTED NOTIFICATION AT ALL BEACH ACCESSSES.
- **FEBRUARY 4, 2025**-CITY OF IRB MAILED LETTERS TO RESIDENTS THAT HAVE NOT SIGNED FOR NOURISHMENT INSTRUCTIONS AND INFORMATION REGARDING THE UPCOMING WEBINAR.
- **FEBRUARY 4, 2025**-CITY OF IRB CREATED A SECTION ON THE WEBSITE INFORMING RESIDENTS ABOUT THE APPROACHING DEADLINE, ALONG WITH INSTRUCTIONS.
- **FEBRUARY 19, 2025**-CITY OF IRB ISSUED A PRESS RELEASE INFORMING RESIDENTS THAT THE CITY OF IRB WOULD BE ATTENDING THE SIGNING EVENT AT INDIAN SHORES TOWN HALL.
- **FEBRUARY 20 & 21, 2025**-CITY TEAM MEMBER ATTENDED SIGNING EVENT AT INDIAN SHORES CITY HALL TO NOTARIZE EASEMENTS 10 AM-2 PM.
- **FEBRUARY 27, 2025**-CITY TEAM MEMBER ATTENDED A SIGNING EVENT AT INDIAN SHORES CITY HALL TO NOTARIZE EASEMENTS 2 PM-6 PM.
- **FEBRUARY 27, 2025**-CITY TEAM MEMBERS WENT DOOR TO DOOR AND LEFT DOOR HANGER TO RESIDENTS THAT HAVE NOT SIGNED THE EASEMENT.
- **MARCH 21, 2025**-CITY OF IRB MAILED LETTERS TO SIXTY-FOUR (64) PROPERTY OWNERS WHO HAVE NOT SIGNED FOR EASEMENT, THE LETTERS INCLUDED THE EASEMENT PACKET THAT WAS MAILED TO IRB BEACHFRONT PROPERTY OWNERS ON DECEMBER 12, 2024 FROM PINELLAS COUNTY COASTAL MANAGEMENT.
- CITY TEAM MEMBERS COLLABORATED WITH COUNTY EMPLOYEES TO PROVIDE UPDATED CONTACT INFORMATION FOR RESIDENTS THAT THE COUNTY HAD OUTDATED INFORMATION RESULTING IN THE SIGNING OF SEVERAL ADDITIONAL PROPERTIES.

Commissioner King inquired about a potential modification to the perpetual easement, which she believed had changed. **Mayor Commissioner Houseberg** informed that no such change had occurred at the federal level.

Finance Director, Dan Carpenter provided a **PowerPoint** with a detailed update on the financial impacts of two hurricanes that affected the city and the steps taken to recover costs through insurance and FEMA reimbursements.

- The total financial impact is about \$6.2 million, with half-covering debris removal and the other half covering infrastructure damage.

- So far, the city has secured \$2.75 million in recovery (insurance + FEMA), leaving about \$3.4 million yet to be recovered.
- Budget adjustments will be requested later in the year to account for these unforeseen expenses, and discussions about potential transfers from reserves will also be part of the ongoing budget process.

3 C. REPORT OF the City Commission

Vice Mayor Commissioner Wilson:

- Highlighted Indian Rocks Beach events; Winterfest, Greenfest, and various mix-and-mingle gatherings, were well-received. She also mentioned the reopening of the boardwalk and welcomed the latest statue installation.
- She mentioned House Bill 401, which deals with zoning issues, as something the commission should keep an eye on, even though it may not make it out of committee.
- She expressed concern about HB 301 and its companion SB 1570, which could increase liability for cities in tort claims, potentially negatively affecting municipalities.
- She noted that she receives daily updates from the Florida League of Cities on legislative issues, making it easier to track relevant developments.

Commissioner Bigelow:

- Welcomed Hillary King to the commission and offered his thanks to her.

Commissioner Bond :

- Acknowledged the passing of Terry Hamilton Wollen, who passed away on February 6th, and expressed that she deeply cared for the city.

Commissioner King:

- Commissioner King she met with City Attorney Mora to discuss Sunshine Laws and the Code of Ethics
- She highlighted the issue of displaced residents (and business owners) not having the necessary permits, with many people still unaware that they don't need to wait for their substantial damage letter. She also shared her personal experience with the permitting process, which took 35-40 hours to complete but was ultimately manageable. She suggested that the city might host additional sessions to help residents navigate the permit application process, possibly with the support of volunteers.
- She discussed the emotional responses surrounding the Pickleball Park Reservation System, particularly at Kolb Park, where there have been issues with unruly behavior from participants. She proposed a workshop to get input from citizens on how to create an effective Reservation Management System, especially considering how challenging it may be to monitor and enforce an open park system.

Mayor Houseberg:

- Mayor Commissioner Houseberg praised the success of the Rotary Launch Event, it was successful in raising funds, and those funds are being set aside for hurricane relief donations.

- Upcoming Events:
 - Easter Egg Hunt: April 12th at Kolb Park.
 - Taste of IRB: April 26th at Chic-a Si Park.

.4. ADDITIONS/DELETIONS. None.

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

5. CONSENT AGENDA:

- A. RESOLUTION NO. 2025-01.** A Resolution of the City Commission of the City of Indian Rocks Beach, accepting the official results of the March 11, 2025, Indian Rocks Beach General Municipal Election, for two city commission seats; providing for an effective date.
- B. APPROVAL OF** December 11, 2024, Attorney-Client Session Meeting Minutes.
- C. APPROVAL OF** February 11, 2025, Regular City Commission Meeting Minutes.
- D. APPROVAL OF** minutes from and **CONFIRMATION OF** action taken during February 27, 2025, Special City Commission Meeting.
- E. SETTING** the dates for the City Commission Budget Work Sessions and Public Hearings for Fiscal Year 2025/2026 Operating Budget and Capital Improvements Budget.

Motion made by Vice-Mayor Commissioner Wilson, seconded by Commissioner King to approve the consent agenda, consisting of agenda items 5 A – 5 E.

MOTION APPROVED 5-0

6. PUBLIC HEARINGS:

- A. ABT CASE 24-2025- QUASI-JUDICIAL PROCEEDING- 2699 GULF BOULEVARD- TURKISH FLAME MEDITERRANEAN LLC-. 2 COP:** Beer; wine. By the drink or in sealed containers for consumption on or premises where sold, for Turkish Flame Mediterranean LLC, located at 2699 Gulf Boulevard, Indian Rocks Beach, Florida, and legally described as Lot 1, Block 5, Re-Revised Map of Indian Beach. [Parcel Number: 01-30-14-42030-005-0010].

[Beginning of Staff Report]

BACKGROUND:

Alcoholic Beverage Use Designations are governed by Chapter 6, Alcoholic Beverages.

All alcoholic beverage licenses are under the control of the State of Florida, Division of Alcohol Beverages and Tobacco. However, municipalities have the right to enact ordinances regulating the hours of business

and location of place of business and prescribing sanitary regulations thereof, of any license under the State Beverage Law within the county or corporate limits of such municipality. [F.S. 562.45(2)(a)].

On February 19, 2025, Mr. Borahan Caliskan, submitted a 2 COP Alcoholic Beverage Designation Application (*Beer, wine. By the drink or in sealed containers for consumption on or off premises where sold*) for the establishment Turkish Flame located at 2699 Gulf Boulevard, Indian Rocks Beach, Florida, and legally described as Lot 1, Block 5, Re-Revised Map of Indian Beach. [Parcel Number: 01-30-14-42030-005-0010].

Mr. Caliskan purchased 2699 Gulf Boulevard, on July 4, 2024, and per Code Section 6-32 Alcoholic Beverage Use Designations are approved for a specific property location and a specific application. Any change in ownership of the establishment will require filing a new application and approval by the City Commission.

ANALYSIS :

Turkish Flame is located within the B-Business zoning district. The surrounding zoning is B-Business to the north and south, RM2-Medium density multifamily zoning district to the east, and CT-Commercial Tourist on the west side of Gulf Boulevard. Turkish Flame is located on the northeast corner of Gulf Boulevard and 27th Avenue.

After a review of the application by the Planning Consultant, it was determined that the Alcoholic Beverage Application for Turkish Flame complies with Chapter 6, Alcoholic Beverages, Chapter 110, Zoning, and parking is shared with the other tenants in this commercial plaza.

A review of the applicant by the Pinellas County Sheriff's Office, per records maintained within the PCSO records management system, did not identify any offenses. This is not a comprehensive background check and only references the Pinellas County Sheriff's Office records management system.

Section 6-33, Authority of City Commission to designate locations, empowers the City Commission to designate the location and classification and to place reasonable restrictions which are deemed appropriate such as repeated or intermittent nuisance activity and/or unlawful noise levels originating from the establishment or the parking area may result in the revocation of the alcoholic beverage designation.

PUBLIC NOTIFICATION: A public meeting notice was mailed by first-class mail to the property owners within 150 feet in any direction of the subject property and posted on the property on March 3, 2025, per Code Section 2-149.

A legal notice was published in the March 5, 2025 edition, of the St. Pete Times Section of the Tampa Bay Times, for a public hearing that has been scheduled on March 25, 2025, for ABT Case No. 24-2025.

CORRESPONDENCE: The City received 4 letters in support.

[End of Staff Report]

City Clerk Kornijtschuk presented ABT Case No. 24-2025.

City Attorney Daigneault duly swore in Mr. Bora Caliskan who gave testimony during the quasi-judicial proceeding.

Mr. Bora Caliskan, 2699 Gulf Boulevard, Indian Rocks Beach, FL. 33785 provided a brief description of his establishment.

Public comment opened by Mayor Commissioned Houseberg.

John Pfanstiehl, 448 Harbor Drive South, showed support for the Turkish Flame's request for an Alcoholic Beverage Use Designation 2 COP.

Public comment closed by Mayor Commissioner Houseberg.

Motion made by Vice-Mayor-Commissioner Wilson, seconded by Commissioner Bigelow to approve a request for an Alcoholic Beverage Use Designation 2COP (*Beer; wine. By the drink or in sealed containers for consumption on or off premises where sold*), for Turkish Flame Mediterranean LLC, located at 2699 Gulf Boulevard, Indian Rocks Beach, Florida, and legally described as Lot 1, Block 5, Re-Revised Map of Indian Beach. With the following stipulation: ***Repeated or intermittent nuisance activity and/or unlawful noise levels originating from the establishment or the parking area may result in the revocation of the alcoholic beverage designation.***

Ayes: Bigelow, Bond, King, Wilson, Houseberg

Nay: None

MOTION APPROVED 5-0

7. OTHER LEGISLATIVE MATTERS:

- A. RESOLUTION NO. 2025-02.** A Resolution of the City Commission of the City of Indian Rocks Beach, Florida, appointing a member of the City Commission to serve as Vice Mayor-Commissioner; and providing for an effective date.

City Attorney Daigneault read Resolution No. 2025-02 by title only.

Mayor Commissioner Houseberg stated she would like to appoint Janet Wilson.

Commissioner Bond stated it did not align with tradition.

Motion made by Commissioner Bigelow, seconded by Commissioner King to nominate Vice Mayor Commissioner Wilson to continue serving as Vice Mayor.

AYES: Bigelow, King, Wilson, Houseberg

NAY: Bond

MOTION TO APPROVE CARRIED 4-1

- B. RESOLUTION NO. 2025-03.** A Resolution of the City Commission of the City of Indian Rocks Beach, Florida, appointing a voting delegate and first and second alternate voting delegates to represent the City of Indian Rocks Beach at the Barrier Islands Governmental Council (BIG-C) Meetings; and providing for an effective date.

City Attorney Daigneault read Resolution No. 2025-03 by title only.

Mayor Commissioner Houseberg stated that she typically attends all the Big C meetings.

Motion made by Vice Mayor Commissioner Wilson, seconded by Commissioner Bigelow to nominate Mayor Commissioner Houseberg as 1st delegate.

Ayes: Bigelow, Bond, King, Wilson, Houseberg

Nay: None

MOTION TO APPROVE CARRIED 5-0

Motion made by Commissioner Bigelow, seconded by Commissioner King to nominate Vice Mayor Commissioner Wilson as 2nd delegate

Ayes: Bigelow, Bond, King, Wilson, Houseberg

Nay: None

MOTION TO APPROVE CARRIED 5-0

Motion made by Commissioner Bigelow, seconded by Vice Mayor Commissioner Wilson to nominate Commissioner King as 3rd delegate

Ayes: Bigelow, Bond, King, Wilson, Houseberg

Nay: None

MOTION TO APPROVE CARRIED 5-0

8. WORK SESSION: None.

9. OTHER BUSINESS: None.

10. ADJOURNMENT.

Motion was made by Vice-Mayor Commissioner Wilson and seconded by Commissioner Bond to adjourn at 7:30 p.m. Unanimous approval by acclamation.