



## COUNCIL MEETING WORKSHOP MINUTES May 9, 2018

- A. Call to Order- The meeting was called to order at 7:30 p.m.
- B. Roll Call- Mayor Dudley, Vice-Mayor Howell, Councilmember DeSimone, Councilmember Roberts, Councilmember Troup and Attorney Mora and Manager Campbell present.

C. Discussion Items:

1. Fire Assessment – Ken Small - The purpose is to talk about Fire Assessment and what revenues are available to you. We really don't have a lot of options with Municipal Revenues.

up to 10 mills. The legislature may share some of that authority with local Government. Our revenue sources are Utility Tax, CST and part of the Sales Tax. The Utility Tax revenues could decline if more people turn to Solar Energy. Communications (CST) tax is also declining in part due to legislature exempting more and more telecom companies from paying tax and the use of pre-paid phones. There is not tax charged on these phones. This is another falling revenue source. We also have Municipal Revenue Sharing and ½ cent sales tax, however this is based on population and if your population is not growing, your revenue will not either.

Special Assessment is another option, (MSBU) Municipal Services Benefit Unit, Non-ad Valorem assessment and Special Assessments are all the same thing. They are created under our home rule authority.

To be legal the assessment must pass two tests.

- property has to derive a special benefit
- It must be fairly and reasonable apportioned among those properties receiving the special benefit, i.e.

Fire Assessment, road improvements, sidewalks, street lighting, storm water improvements

Special assessment on Fire Protection has gone before the courts over the years and there's certain little pieces of it that the courts have developed over time, to make it look complicated. There two methodologies – 1) Demand method- it requires Consultants to go through every fire report over a couple of years to determine exactly where each fire was, by type of property, so you can come up with a study like an impact fee. 2) Simplified Method - It uses two ways of apportioning the dollar. Tier one and tier two. The fixed cost of a Fire Department would benefit every parcel of property within that jurisdiction. Tier one sets a dollar amount per parcel, Tier two would be based on the improvement on the property.

Vice-Mayor Howell asked Mr. Small his opinion.

Mr. Small stated that your values are low. When you look at your other revenues, you are capped.

Those revenues are mostly population driven. The option is to do nothing or raising the property tax. No other municipality in Pinellas County has chosen to do this.

Mayor Dudley stated last year during our budget session, Manager Campbell did a really good job of painting a picture for us down the road. We have a discussion and we may really need to consider raising the millage. This is giving us another option, what we can consider.

Mr. Small stated our fire budget is \$275,000, any cost associated with implementing and administering this can be built into the special assessment.

Vice-Mayor Howell asked if we do both. Manager Campbell responded that we would do one or the other.

We have to keep in mind with our property values, 1 mil, it's roughly \$140,000. The other challenge is there is a millage cap 1.3 mils, each year for the municipalities. In years past we have gone through all of the assessments that we were eligible for. Fire is pretty much the only remaining one that we have not tapped into as a municipality.

Manager Campbell asked how much time it would take to put this in place. Mr. Small said it depends how they want to put it in place. He stated the slow approach would be looking down the road, to put it on the property tax bill. You would have to give the property appraiser and tax collector notice by December for the following budget year. You would do through the legal procedures. If you were to start June 1, that would put you to October 1, with 120-day notice. Councilmember Roberts asked if it increased every year. Mr. Small stated that we would determine if it did. We set the amount to meet our budget needs.

Attorney Mora reminded the Council that this is an informational and educational session. This is a workshop and nothing is being decided tonight.

## 2. Code Enforcement Discussion-

Manager Campbell stated the Town now has the tool box it needs in order to proceed forward with attempting to correct some of the anomalies this Town has been dealing with, such as lack of code enforcement, or lack of fine schedules, that we need within our tool box in order to go and clean up the community. We have the fine schedule in place. We adopted that several months ago, we have the tiered system, for in the event that someone has a boat that is improperly parked or something along those lines. It is a tiered system. We have the teeth within our codes to back this up. The question is does the Council understand that for us to go out and physically do this on a complaint type basis would create animosity with the residents. Is Council prepared for the phone calls that may come in from residents, that may be less than happy. Certain residents have enjoyed certain privileges for years, that were never really approved to begin with.

Manager Campbell is asking the Council if they understand this and is this where you want to go?

Mayor Dudley stated, are you asking us if we want to go slow or fast, or just asking if we are prepared. I want to your to be prepared. You may have a resident that will challenge the system and take us to court. Our codes are stronger now than they have ever been because we have a very talented Legal Staff and Leadership to put these types of codes together. We have been working on this for 2-3 years. Our code practices are not going to change as far as warnings and trying to work with residents.

Vice-Mayor Howell asked if we can just work on it on a complaint basis? Manager Campbell stated we can, but in my past experience it has been that one complaint that opens up the flood gates. That one person that is sited, would want to retaliate to all their neighbors.

Attorney Mora stated, philosophically the complaint only approach undermines the code because it neuters your ability to say we are preserving the aesthetics, safety, etc. of the Community. If we're only reactive and turn a blind eye to anything, unless we receive notice of it formally. It also creates a culture within your community, where the only way things get done is if we start ratting on each other and start pointing fingers, instead of being good neighbors. I can tell you working with your police department, the philosophical approach to code enforcement is and should be in my estimation the pursuit of compliance. That is all we are after, so the fine is not the desire and not for revenue streams. In fact, in can sometimes be a money loser, in terms of the time spent going to the courthouse to secure someone who is going to pay a fine. It is more of an understanding, we are reaching the point of culmination. We have been reviewing and revising the code and changing and tailoring it to how your community exists now and not as it did in 1976, where most of your code

provision derive from. We are going to see a cultural shift. Culture shifts take time and come with growing pains.

Vice-Mayor Howell asked if it is really our decision, whether we go at it hard core. Manager Campbell stated it is administration's decision. I am just trying to prepare you.

Mayor Dudley stated she had sat on this council long enough to hear more people discuss wanting us to tighten up and they care about their property values, then of the ones that are going to complain. We need to keep that in mind. The Council gave consensus for the code enforcement topic.

3. *Twisty Treat Demolition*- Manager Campbell stated we have talked about this at length. We have tried to work with the property owner, but nothing has been resolved. Attorney Mora and Manager Campbell talked about this and decided to possibly change the Façade Grant guidelines, with a provision to include a cost that could possibly go towards demolition. Attorney Mora stated, At the end of the day, this is private property and they can maintain it how they want unless it is affecting the health, safety and welfare of the community in a way that violates codified provisions. We are a public entity and there are limits to what we can spend tax dollars on. Attorney Mora stated the fine line we are balancing is private property rights with permissible uses of public funds. There is a property that for years members of the community have felt does not accurately represent the direction the community is moving in. How can we work as a community to resolve this, so all interested shareholders are met with a positive result? This is being brought to you as a status update, that alternatives are being considered.
4. *Code Revisions: Chapter 2- Administration (include updated Council Procedures Manual)*  
Attorney Mora stated that the core charge has been to update the way your Town runs, with the way it actually runs now. This includes the Town Manager and how your departments have changed. The Councilmembers are not supervising department anymore. There were some things in here you just can't do anymore. The section has been modernized, so it reflects how the Town actually operates. It takes out references to departments and responsibilities that no longer exist. The biggest change is restructuring, moving code enforcement and the Police Department and cleaning up your ability to find things. We moved the rules of procedure out of the code of ordinances. It doesn't belong in a codified section. It makes them easier to revise. If you have any input, please bring them forward. Attorney Mora will review it again, but the next time you will see this is on the first reading.  
Mayor Dudley received consensus from the Council to move forward with the Ordinance for Chapter 2 and the Resolution for the Rules and Procedures.
5. *General Park naming Discussion*- Manager Campbell stated that Councilmember Troup had suggested naming one of our parks in the Town after one of our long -term employees. Councilmember Troup stated Sgt. Matson has been with the Town for 29 plus years. He has grown with the Town. He has held every position and been acting Chief 3 times. Mayor Dudley said he does need to be recognized in some way. This is an opportunity to voice your opinions. Mayor Dudley wants to look at all the options. We will move this to another workshop.

D. Mayor/Council/Attorney/Manager/Clerk Comments - none

E. Adjournment-

Motion to Approve:	Councilmember Troup	
Second:	Councilmember Roberts	All in favor
The meeting was adjourned at 8:51 p.m.		

Respectfully submitted,  
Cindy McCarthy, Town Clerk