

M I N U T E S

ADMINISTRATIVE WORKSHOP
SOUTH PASADENA, FLORIDA

TUESDAY, SEPTEMBER 2, 2014
COMMISSION CHAMBERS - 9:08 A.M.

Mayor Calabria called the meeting to order at 9:08 A.M. immediately following the Agenda Meeting.

ROLL CALL: COMMISSIONERS BRUCE HOWRY, MAX ELSON, GAIL NEIDINGER, VICE MAYOR ARTHUR PENNY AND MAYOR DAN CALABRIA. ALSO PRESENT: CITY CLERK CARLEY LEWIS, CITY ATTORNEY DAVID OTTINGER, PUBLIC WORKS DIRECTOR GARRY ANDERSON, FINANCE DIRECTOR JAMES GRAHAM, COMMUNITY IMPROVEMENT DIRECTOR NEAL SCHWARTZ, AND DEPUTY CITY CLERK BRIANNA WETHERWAX.

The topics scheduled for discussion were Deputy Curtin Internet Safety Presentation Request, City Business Cards, Solid Waste Contract Terms, Legal Services Contract Extension, City Logo, and Resolution Regarding Official Correspondence.

The first topic of discussion was Deputy Curtin Internet Safety Presentation Request.

Deputy Curtin, Pinellas County Sheriff's Office (PCSO), spoke regarding his request to schedule a presentation for residents about internet safety. He stated that the presentation would be approximately 30 minutes and would be primarily for the elderly.

Discussion ensued regarding schedule and location for Deputy Curtin's presentation.

Mayor Calabria suggested that Deputy Curtin add a section to his presentation regarding jaywalking.

The Commission decided that the first presentation would be held in Hibiscus Hall and Deputy Curtin will work with the Commission and City Clerk Lewis to schedule a date.

The next topic for discussion was City Business Cards.

City Clerk Lewis stated that she would like to do one large order to replace city business cards following the transition to new email addresses. She further stated that there are currently several formats being used. She questioned what format the Commissioners would like for themselves and for city staff.

Discussion ensued regarding various business card formats (attached to Minutes as Exhibit A).

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The Commission decided to use the format that is currently used for Commissioner Elson's and Vice Mayor Penny's business cards. The Commission further decided that staff can select their own business card format.

The next topic for discussion was Solid Waste Contract Terms.

City Attorney Ottinger spoke regarding the Solid Waste Contract terms and bid documents. He stated that the current franchise fee of 5% is very low and 10% is a more common rate. He stated that the city's leverage is to renegotiate the contract and spoke against a 7 year term. He said that a 3 year term is preferable and he would not recommend a term longer than 5 years.

Vice Mayor Penny suggested that the city offer a longer contract term if the contract includes a built in franchise fee increase.

Discussion ensued regarding the solid waste franchise fee and contract term length.

Mayor Calabria suggested that the contract include an annual inflation factor.

In response to Public Works Director Anderson, Finance Director stated that the contract does not include a CPI factor.

In response to Commissioner Howry, City Clerk Lewis that the bid and contract award process takes about three months.

City Attorney Ottinger stated that he would provide data regarding the contract terms next week.

City Attorney Ottinger stated that the contract can stipulate that the residential pick up days must remain Tuesdays and Fridays.

In response to City Attorney Ottinger, Mr. Graham spoke regarding franchise fees collected by the city. He stated that the city collected \$22,589 in 2006, \$10,625 in 2012, and \$9,423 in 2013. He further stated that the city receives a check but does not get reconciliation.

In response to Commissioner Howry, Mr. Graham stated that the city needs to contact the vendor and get information regarding how the current franchise fee is being calculated.

Resident Ed Sroka, Grevilla Avenue, suggested that franchise fees may be going to St. Petersburg for South Pasadena businesses that list their address as St. Petersburg.

Discussion ensued regarding franchise fees collected by the city.

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Commissioner Howry requested that Mr. Graham research the franchise fees collected by the city and provide an analysis.

City Attorney Ottinger stated that he would research contract terms and franchise fees. He noted that a substitute attorney would be attending next week's Regular Commission Meeting.

The Commission agreed to wait until City Attorney Ottinger provides more information on franchise fee and contract terms options before moving forward with the Solid Waste Contract bid process.

The next topic for discussion was Legal Services Contract Extension.

City Attorney Ottinger proposed that his retainer amount increase \$400 and that his hourly rate remain \$195. He stated that because of the time commitment he does not feel that his rate can be lowered.

Commissioner Neidinger stated that she feels City Attorney Ottinger's suggestion is a good one. She further stated that she hopes that things will settle down.

In response to Vice Mayor Penny, City Clerk Lewis stated that the Legal Services Contract extension could be added to the next Regular Commission Meeting.

Mayor Calabria requested a week to prepare an analysis.

Discussion ensued regarding timing for the extension of the city's Legal Services Contract.

The Commission decided to add the Legal Services Contract extension item to the next Regular Commission Meeting agenda.

The next topic for discussion was City Logo.

Commissioner Neidinger stated that Mayor Calabria had requested the city logo from the City Clerk. She questioned what it would be used for.

Mayor Calabria stated that the logo would be used for the cover of the business directory.

In response to Commissioner Neidinger, Mayor Calabria stated that the Commission would see the directory before it goes out.

The next topic for discussion was Resolution Regarding Official Correspondence.

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Commissioner Neidinger distributed a letter sent by Mayor Calabria (attached to Minutes as Exhibit B). She said that she is proposing a resolution stating that official correspondence sent from a member of the Commission on letterhead or via email to residents, business partners, or vendors be approved by the Commission before it is sent. She suggested that the resolution could state that in emergency situations, correspondence could be reviewed by the City Clerk and/or the City Attorney. She noted that her proposed resolution would ensure that correspondence represents decisions made by the entire Commission and not individual opinions.

Commissioner Neidinger reviewed Mayor Calabria's letter (Exhibit B).

Mayor Calabria stated that Commissioner Neidinger is misreading his letter.

Vice Mayor Penny stated that official correspondence should be approved by the Commission. He said that he would agree to a resolution clarifying how correspondence should be handled in the future.

Commissioner Howry stated that Mayor Calabria's letter is divisive and is one person's opinion.

Discussion ensued regarding correspondence sent by members of the Commission.

Mayor Calabria spoke regarding authority given by the City Charter. He stated that the Mayor does not work for the Commission. He said that the Mayor represents the city and it is not a cooperative setup.

In response to Commissioner Neidinger, Mayor Calabria spoke regarding the approval of the red light camera contract. He stated that there was not a public hearing. He stated that he is obligated to respond to letters written to him.

Vice Mayor Penny stated that the proposed resolution will provide guidelines and will clarify the City Charter.

City Attorney Ottinger reviewed the specifics of Commissioner Neidinger's requested resolution. He stated that the resolution will specify that no Commissioner will send any official correspondence without approval from the Commission. He suggested that any official correspondence should be sent by the City Clerk.

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In response to City Attorney Ottinger, Mayor Calabria stated that he wrote, typed, and mailed the letter himself. He said that he brought a copy in to the city to be distributed.

In response to Commissioner Howry, City Attorney Ottinger stated that the City Clerk can poll the Commission individually for approval of items if necessary.

City Attorney Ottinger spoke regarding Mayor Calabria's treatment of staff. He stated that city staff deserves respect and deserves to feel safe. He said that Mayor Calabria's behavior could subject him to suspension or removal from office.

Mayor Calabria stated that he read City Attorney Ottinger's letter and it was outrageous. He further stated that he is denying any inappropriateness.

Commissioner Elson spoke regarding Mayor Calabria's interaction with staff and requests for verbatim transcripts. He stated that what has happened is not appropriate. He spoke regarding Deputy City Clerk Wetherwax preparing verbatim transcripts and noted that the Commission had previously decided that verbatim transcripts would not be done.

Vice Mayor Penny proposed a resolution that there will be no verbatim transcripts done. He suggested that if verbatim transcripts are to be done there could be a charge for the staff time.

Mayor Calabria stated that he had to leave the meeting in question. He further stated that he only asked for the comments made during that section of the meeting.

Discussion ensued regarding Mayor Calabria's interactions with city staff.

In response to Vice Mayor Penny, City Attorney Ottinger stated that the City Charter says that an official can be removed or suspended from office for malfeasance or misfeasance. He further stated that sufficient prior notice of the allegations must be given. He suggested that the specific allegations of what is alleged to constitute malfeasance or misfeasance should be given in writing and a hearing can be held after.

MOTION WAS MADE BY VICE MAYOR PENNY, SECONDED BY COMMISSIONER NEIDINGER TO PUT MAYOR CALABRIA ON NOTICE OF A POSSIBLE HEARING TO CONSIDER SUSPENSION OR REMOVAL FROM OFFICE AS A RESULT OF MALFEASANCE OR MISFEASANCE.

VOTE:	COMMISSIONER HOWRY	AYE
	COMMISSIONER ELSON	AYE
	VICE MAYOR PENNY	AYE
	COMMISSIONER NEIDINGER	AYE
	MAYOR CALABRIA	NO

DISPOSITION: APPROVED

City Clerk Lewis spoke regarding communication with Mayor Calabria. She stated that she is not comfortable with herself or her staff speaking Mayor Calabria on the phone or in person privately because conversations are becoming he said/she said. She said that city business must continue to forward and questioned what could be done regarding staff communication with Mayor Calabria.

Discussion ensued regarding staff communication with Mayor Calabria.

The Commission decided that Mayor Calabria should not have phone contact with the staff and that official business should be conducted by email or in person with a witness present.

In response to City Attorney Ottinger, Mayor Calabria stated that he does not call the City Clerk excessively and he is willing to communicate via email. He said that what was discussed today is a fabrication of anything he has done in his life.

Mr. Anderson spoke regarding city paving projects. He stated that Cardno TBE is requesting \$9,500 to add two additional road repairs to their plans.

In response to Mayor Calabria, Mr. Anderson stated that the Commission had previously agreed to do the two additional repairs but they had not agreed to a cost.

In response to Commissioner Neidinger, Mr. Graham stated that the cost could be paid for out of the paving budget. He noted that the city is supposed to get quotes for projects over \$5,000 but there is an exception for the city's regular engineers.

The consensus of the Commission was to add the additional two road repairs to the paving project plans at a cost of \$9,500.

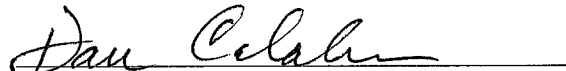
Mr. Anderson spoke regarding replacing the city vehicle that was recently totaled. He stated that the city will get \$8,125 for the totaled truck and requested permission to spend approximately \$30,000 on a replacement.

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Discussion ensued regarding replacement of the totaled city vehicle.

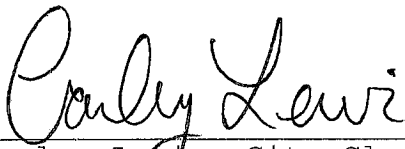
The consensus of the Commission was to approve ordering the replacement truck immediately.

There being no further discussion, the meeting was adjourned at 10:37 A.M.



Dan Calabria, Mayor

ATTEST:



Carley Lewis, City Clerk
09-02.14a



MAX V. ELSON

Commissioner
City of South Pasadena

7047 Sunset Drive South
South Pasadena, FL 33707
melson@ci.south-pasadena.fl.us

Office: (727) 347-4171
Cell: (727) 481-8690



Office: (727) 347-4171
Fax: (727) 345-0518

Gail M. Neidinger
Commissioner
City of South Pasadena

7047 Sunset Drive South
South Pasadena, FL 33707
gneidinger@ci.south-pasadena.fl.us



City of South Pasadena
"Our Place in the Sun"

Marcie Sefchick Hagner
Accounting Specialist
7047 Sunset Drive South
South Pasadena, FL 33707

Tele: 727-347-4171
Fax: 727-345-0518
www.ci.south-pasadena.fl.us
mhagner@ci.south-pasadena.fl.us



ARTHUR PENNY
Vice Mayor
City of South Pasadena

7047 Sunset Drive South
South Pasadena, FL 33707
apenny@ci.south-pasadena.fl.us

Office: (727) 347-4171
Cell: (727) 580-2985



CARLEY LEWIS, MMC

City Clerk
City of South Pasadena

7047 Sunset Drive South
South Pasadena, FL 33707
cityclerk@ci.south-pasadena.fl.us

Office: (727) 347-4171
Fax: (727) 345-0518



NEAL SCHWARTZ, BCA, CFM

Director of Community Improvement
City of South Pasadena

6940 Hibiscus Avenue South
South Pasadena, FL 33707

Mail: 7047 Sunset Drive South
South Pasadena, Florida 33707

Office: (727) 343-4192
Cell: (727) 542-4280
Fax: (727) 381-4819
nschwartz@ci.south-pasadena.fl.us



City of South Pasadena

2014 AUG 18 PM 2:20

CITY OF SOUTH PASADENA, FL SOUTH PASADENA, FLORIDA 33707-2819

PH: (727) 347-4171 FAX: (727) 345-0518

www.ci.south-pasadena.fl.us

Ms. Jean McCulloch
7862 Sailboat Key Blvd. #301
South Pasadena, FL 33707

August 18, 2014

Dear Ms. McCulloch,

Thank you for your letter of August 12.

*The clearly red light hand
for the light turn to
hospital*

WARLEY

First, I apologize for your having to be subject to this ongoing problem. For the record, as a citizen, I opposed red light cameras in our City as unwarranted and worse, excessive, - 5 cameras in a city 6/10ths of a square mile in total area. The City Commission in 2010-11 approved this, to the best of my knowledge without a single public hearing. In this regard, you may want to contact Commissioner Bruce Howry who was in office at that time and Commissioner Arthur Penny, who is now responsible for our Public Safety Department.

vm

NOT

I've heard from many friends and others who deliberately avoid traveling through our City in order to remove the possibility of an inadvertent error or, in your case, clearly a misunderstanding. Unfortunately, under our "Commission" form of government (the only such Commission form of government in Pinellas County) I have no authority whatsoever to do anything about the cameras. However, the 5 year contract that was originally signed will be up for renewal next year, 2015. Perhaps at that time a sufficient number of residents will bring this to the attention of the City Commission by attending meetings where it can be raised as an issue that should not be renewed - they might even consider collecting signatures on a Petition demanding that the Commission NOT renew the contract.

NOT

Collect

Finally, I would be happy to discuss this with you in more detail and would welcome your call at 345-8333, my home phone number, to which I'll look forward.

Sincerely,

Dan Calabria
Mayor, City of South Pasadena

CC: City Clerk, all Commissioners, Department Heads and Reading File

August 12, 2014

Dan Calabria
Mayor of South Pasadena
7 Sunset Drive
South Pasadena, Florida

2014 AUG 13 PM 1:43
CITY OF
SOUTH PASADENA, FL

Dear Mr. Mayor:

I am writing you in regard to a traffic ticket I recently received for not stopping at a red light when making a right hand turn. This happened at Palms of Pasadena when entering the parking lot there. I reviewed the video of the alleged violation and found that I did stop but not behind the line that thru traffic stops. I went to your office to complain and said that there should be a sign there indicating where to stop because this isn't even a right hand turn. It is a curve. Your receptionist said that it is a state road and your office had asked for sign indicating the need to stop at the line but the state refused. She also said that when the traffic cameras were first put up several years ago all the people working at the hospital and medical buildings were getting tickets. Why a small city like South Pasadena needs traffic cameras is beyond me. You want to compete with the beaches for tourist trade, but your small town mentality doesn't jibe with your dreams. They don't want to turn people off by putting money before common sense. If you would like to see the video of my "violation" please look it up on violation info.com. Enter the notice NO. 2561400027347 and the PIN NO. 8563. In addition a fine of \$158.00 seems way out of line. I guess that is how you are keeping property taxes down. You found a great cash cow. I hope that this letter reaches your desk and doesn't end up in the paper shredder.

Sincerely,

Jean McCulloch
Jean McCulloch
7862 Sailboat Key Blvd. S.
#301
South Pasadena, Fl. 33707

MAYOR *8/15*
V.MAYOR *(Signature)*
COMM _____
COMM _____
COMM _____
CITY CLERK _____
CITY ATTORNEY _____
FINANCE _____
PUBLIC WORKS *(Signature)*
PUBLIC SAFETY _____
COMM IMPROVEMENT *(Signature)*