



**Minutes of the
Crystal River City Council
Regular Council Meeting
Monday, April 9th, 2018 @ 7:00 p.m.
Council Chamber, City Hall**

1. CALL TO ORDER

Mayor Farley called the meeting to order at 7:00 p.m.

Council Present: Mayor Farley, Vice Mayor Brown, Council member Gudis, Council member Holmes

Council Absent: Council member Fitzpatrick

Staff Present: City Manager Dave Burnell, City Attorney Angeliadis, City Clerk Fink, Finance Director Michelle Russell, Public Works Director Beau Keene, and Planning and Development Services Director Jackie Gorman.

Mayor Farley led in the Pledge of Allegiance and Council member Gudis led the invocation.

2. ADOPTION OF AGENDA

Motion to adopt the agenda was made by Council member Gudis; seconded by Vice Mayor Brown. Motion carried 4-0.

3. PRESENTATIONS

A. Springs Protection Awareness Month Proclamation.....Mary Kassebaum, SWFWMD
Mayor Farley presented the proclamation to Ms. Kassebaum who thanked Council for acknowledgment of April as Springs Protection Awareness month.

4. UNFINISHED BUSINESS

5. APPROVAL OF CONSENT AGENDA

A. Motion to approve minutes from the Regular City Council meeting held March 26, 2018

B. Motion to appoint Lora Klein to the Waterfronts Advisory Board Seat No. 7 - Regular Resident

Background: [Agenda Sheet Requested Motion: Motion to appoint Lora Klein to the Waterfronts Advisory Board Seat No. 7 - Regular Resident.

Summary: Ms. Klein would be seated in Seat NO. 7. Mr. Olen "Ray" Oates was seated in seat No. 7; however, Mr. Oates had to resign from the board because he was no longer a City resident and Seat No. 1 Regular Non-Resident At-Large (county) and Seat No. 6 – Regular Non-Resident At-Large (county) were already filled. Ms. Klein would be fulfilling the remainder of Mr. Oates's term who was appointed to fulfill a term through 5/27/2020. Ms. Klein would then be eligible for another full term upon completion of the current partial term.

Staff Recommendation: Staff recommends approval.

End of Agenda Sheet]

C. Motion to approve a revised memorandum of understanding for the 2018 Kings Bay Pirate Fest

Background: [Agenda Sheet Requested Motion: Motion to approve a revised memorandum of understanding for the 2018 Kings Bay Pirate Fest.

Summary: The City special events department, along with Citrus Sertoma, will once again be hosting the Kings Bay Pirate Fest on Saturday, May 19, 2018. The attached MOU includes subsequent revisions to the initial version submitted to Council and requires approval by Council.

Staff Recommendation: Staff recommends approval

End of Agenda Sheet]

Vice Mayor Brown requested item 5C to be pulled from the agenda.

Motion to approve the consent agenda (excluding item 5C) was made by Council member Gudis; seconded by Council member Holmes. Motion carried 4-0.

Vice Mayor Brown inquired about the revisions made to the agreement and City Manager Burnell clarified that the revisions were due to changes in operational expenses.

Motion to approve a revised memorandum of understanding for the 2018 Kings Bay Pirate Fest was made by Vice Mayor Brown; seconded by Vice Mayor Gudis. Motion carried 4-0.

6. PUBLIC INPUT

(Time Limit of Three Minutes)

Jack Huegel- 743 SE 1st Court- Crystal River-Spoke regarding upcoming Three Sisters Springs management decision, websites, and continued use of the term National Wildlife Refuge that attracts tourism, noting financial impact on city budget was not a concern.

Phil Jannarone- 1405 SE 5th Avenue- Commented on upcoming Three Sisters Springs management decision, noting financial impact on city budget was a concern.

Mike Engiles- Crystal River Watersports- Inquired about a proposed special meeting for upcoming Three Sisters Springs management decision, requesting it is held in the evening.

Joyce Palmer-Refuge Manager – CRNWR- USFWS- Requested an update on status of city management plan proposals and potential revisions.

City Manager Burnell provided an update and confirmed that the items would be included on the upcoming City Council meeting scheduled for April 23. Council questions were addressed regarding the status of each of the plans, revisions and a related comparative document.

John Lakich- Park Manager- Crystal River Preserve State Park- Spoke regarding upcoming workshop scheduled for Thursday, April 26 at 5:30 PM to discuss the Unit Management Plan update.

7. PUBLIC HEARING

8. CITY ATTORNEY

9. CITY MANAGER

A. CRA Annual Report

Background: [Agenda sheet Requested Motion: None – Presentation of CRA Annual Report

Summary: Florida Statutes require the Community Redevelopment Agency, on or before March 31st of each year, to submit a report of all activities for the preceding fiscal year. The report includes a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of each fiscal year along with CRA related activities. The Agency is also required to publish in the newspaper a notice to the effect that such report has been filed with the county or municipality and that the report is available for inspection during business hours in the offices of the City and County Clerk. In addition it is recommended (not required) that the report be sent to the taxing entities who contribute to the CRA trust fund with a cover letter stating who to contact for more information.

Attached you will find the 2018 (FY 2016/2017) Annual Report for the Crystal River Redevelopment Agency for your review. The City auditors do not express an opinion at this time on the statements mentioned above because they are preliminary drafts and we have not as yet completed all of the auditing procedures which we consider necessary. These preliminary drafts are for review and discussion purposes only and are, therefore, subject to change.

An ad will be placed in the Chronicle and copies will be mailed to the Board of County Commissioners and County Clerk. A copy of the report will be available in the Crystal River City Clerk's office for public inspection.

Staff Recommendation: None

End of Agenda Sheet]

City Manager Burnell presented the plan to Council noting its focus on the Riverwalk project, Main Street activities, façade grants, and City sponsored events.

Council discussion was held regarding the financial data provided, sidewalk projects and the width of the Riverwalk.

B. Discussion regarding Pickleball in Legrone Park

Background: [Agenda sheet **Requested Motion:** "None --- Discussion Only" --- Pickleball at Legrone Park.

Summary: Several years ago pickleball came up on staff's radar as a potential park activity addition. Since then Council has briefly discussed the possibility of adding pickleball to Legrone Park on two occasions. Current budget funding will only allow for the over- striping for shared use with the tennis courts. Staff became concerned of the public's acceptance of altering the tennis courts. Therefore, as a test, removable marking tape has been installed on the west tennis court at Legrone Park.

This has made the pickleball players happy but appears to have upset a small group of the tennis players. In the 2018 CIP budget there is an allowance of \$2,000.00 for pickleball at Legrone Park; no additional funds are currently being requested for the FY2019 budget.

If Council desires to implement pickleball at Legrone Park, three options are provided for consideration:

1) Over-stripe one, some, or all of the existing tennis courts, making them dual use. In lieu of permanent striping, Staff recommends using removable tape which only costs about \$30 per court and can be pulled up in the event of a USTA-sponsored tournament.

2) Over-stripe the basketball court and install a net such that the basketball court effectively becomes one half court (which would inhibit activities of the basketball players who run full-court games). The cost for this option is estimated at \$8,000 to \$10,000.00, which would include fencing.

3) Install a new freestanding pickleball court with fencing; cost is estimated at \$45,000.00 (or \$65,000 for two courts).

Options 2 and 3 require additional funding through the budget process.

Staff Recommendation: N/A

End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item and

Phillip Castillo- Tennis Pro Discussed concerns regarding impact of court modifications to tennis league play, previous efforts to restore courts, and a proposal to modify existing basketball court to accommodate pickleball.

Council discussion was held regarding frequency of use for the various courts at the facility, potential concerns associated with each of the plans presented, potential costs and the potential to develop a new court.

C. Discussion regarding "Super Preemption" and "Complaint for Declaratory Relief"

Background: [Agenda Sheet **Requested Motion: None – Discussion regarding "Super Preemption" and "Complaint for Declaratory Relief"**

Summary: On April 2, 2018 10 South Florida cities and certain Elected Officials from those cities filed a lawsuit in Leon County Circuit Court against Governor Rick Scott, Attorney General Pam Bondi, and others, all in their official capacity, alleging that certain provisions of section 790.33, Florida Statutes ("Super Preemption") are unconstitutional. A copy of the lawsuit is attached.

The Super Preemption contained in 790.33, Florida Statutes, impacts local elected officials throughout the state.

The seven count complaint seeks declaratory relief and requests that it be heard on an expedited basis. This is the first preemption statute that provides for personal penalties and removal from office with no hearing.

The City Manager would like to provide Council members with an opportunity to discuss implications of such legislation and subsequent filing of the suit.

Staff Recommendation: None

End of Agenda Sheet]

City Manager Burnell provided a brief overview of the item and purpose of bringing the item before Council. Discussion was held regarding potential impacts to local officials and personal penalties. City Attorney Rey briefed Council members on the suit, the legislation on which the suit is focused and potential implications.

City Manager Burnell inquired about a potential policy position Council might wish to take and City Attorney Rey reviewed options. Consensus was reached for staff to draft a resolution supporting the suit.

10. CITY COUNCIL

11. COMMITTEE REPORTS

- A. Mayor Farley
 - *Waterfronts Advisory Board* - Provided an update on previous shoreline survey discussion, noting that the City already has a tree inventory.
- B. Vice Mayor Brown
 - *Withlacoochee Regional Water Supply Authority*
 - *Crystal River Main Street*-Discussed vacant property registry project and a recent tour by Tampa Bay Regional Planning Council representatives.
- C. Council member Fitzpatrick
 - *Metropolitan Planning Organization*
- D. Council member Gudis
 - *Tourist Development Council* – Announced upcoming meeting was scheduled for Wednesday at 9 a.m.
 - *Library Governing Advisory Board*
 - *Florida League of Cities*
 - *Citrus County Community Charitable Foundation Board*- Discussed hospital funding, intended uses and potential projects.
- E. Council member Holmes
 - *Keep Citrus County Beautiful*-
 - *Springs Coast Steering Committee*- Reported discussion on springs WW CFI projects, programs to eliminate septic and potential impacts to state budget.

12. COMMUNICATIONS

13. COUNCIL MEMBER REPORTS

- A. Mayor Farley- Discussed an email issue that occurred over the weekend.
- B. Vice Mayor Brown- Discussed attendance to the Holocaust Memorial- and a film shown called “My Great Grandpa’s Arm”.
- C. Council member Fitzpatrick
- D. Council member Gudis- BOCC Discussed upcoming BOCC meeting regarding R.E.S.T.O.R.E. Act funding.
- E. Council member Holmes

14. PUBLIC INPUT

(Five Minute Time Limit)

Phillip Castillo- Tennis Pro- Discussed facilities at Legrone Park, his role in teaching and maintaining the tennis courts and underutilization of the basketball court at the park, offering to assist with design and proposal for pickleball court retrofit. Mayor Farley inquired about the utilization of the basketball court at Legrone and City Manager Burnell confirmed that staff would monitor it.

Tom Gotterup-6083 W. Fairhope Court- Spoke on email issues discussed by Mayor Farley, noting others that experienced similar issues and IRS spam calls.

Barbara Schook- Discussed the tennis courts at Legrone Park, her experience coaching a women's tennis league, the schedule, and the impact that pickleball striping has on tennis games.

Vice Mayor Brown discussed the importance of ensuring public access to the courts for residents and City Manager Burnell confirmed the city had no documentation regarding the leagues or schedules.

Peter Weber- Inquired about basketball courts near City Hall, noting that tennis courts at Bicentennial Park were plentiful.

Jack Huegel- 743 SE 1st Court- Discussed the proposed USFWS Management Plan for Three Sisters Springs, noting concerns with certain provisions including the 25 year term, reimbursement clause, proposed parking lot size, and reference to grant compliance rather than contract. He discussed the Annual Stewardship Report.

Pat Hardy- Discussed quality of tennis courts at Bicentennial Park and recent replacement of a portion of them to pickleball which caused the group to utilize Legrone Park. Council member Gudis inquired about the size of league, consisting of approximately 11 teams and 150 people and Ms. Hardy confirmed courts were open to all.

David Leslie- Expressed concerns regarding a recent suspension of permit issuance for temporary use tents caused by a recent car tent show. City Manager Burnell and Planning and Development Services Director Jackie Gorman provided clarification regarding the status of pending legislation to align city ordinance with that of the County ordinance. Discussion was held during which Mr. Leslie noted that the permit was for fireworks sales and City Manager Burnell provided clarification regarding exemptions for fireworks sales.

Mrs. Castillo- Discussed stipulation of Mr. Castillo's utilization of Legrone Park tennis courts requiring rescheduling of lessons to accommodate public use.

Ralph Duball- 940 SE 5th Avenue- Inquired about status of the next phase of the Kings Bay Restoration project and City Manager Burnell provided an update on the status of the contract.

15. ADJOURNMENT

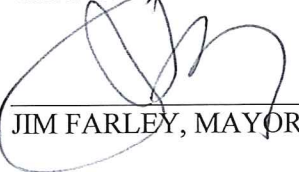
Mayor Farley adjourned the meeting at 8:31

ATTEST:



MIA FINK, CITY CLERK

CITY OF CRYSTAL RIVER


JIM FARLEY, MAYOR