

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
APRIL 22, 2010**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

SERVICE AWARDS (City Employees)

**SPECIAL PRESENTATION — APPLE GRADUATES
Presentation of APPLE Graduates to City Council**

II. PUBLIC COMMENT AND CORRESPONDENCE

**CITIZENS COMMENTS ARE INVITED ON ITEMS OR CONCERNS NOT
ALREADY SCHEDULED ON TONIGHT'S AGENDA. PLEASE LIMIT
COMMENTS TO THREE MINUTES.**

**AT THIS TIME STAFF MEMBERS WILL BE SWORN IN IF THERE ARE ITEMS
THAT ARE QUASI-JUDICIAL**

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of April 8, 2010.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

**P1 ORDINANCE NO. 3721. ANNEXING INTO THE CITY OF PINELLAS
PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT
6934 CEDAR RIDGE DRIVE (DANIEL F. AND AMY E. SOSA-JONES
AX10-2)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.24 acres MOL of contiguous residential property located at 6934 Cedar Ridge Drive in the Bonnie Bay Subdivision. The Owner's single family home is located on this site.

(reference material — ordinance, petition, map, Attorney approval letter, C3 on 4/8/2010 Council agenda)

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- P2 ORDINANCE NO. 3722. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PORTION OF ROAD RIGHT-OF-WAY GENERALLY LOCATED ON 58TH STREET NORTH BETWEEN 114TH TERRACE AND 115TH AVENUE (Pinellas County – AX10-6)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.22 acres MOL of contiguous road right-of-way property. Pinellas County Planning Department has requested that the City take over maintenance of this segment of 58th Street North right-of-way as it is the last segment between 114th Terrace and 115th Avenue that is not currently in the City.

(reference material — ordinance, letter from Pinellas County Planning Department, map, Attorney approval letter, *C5 on 4/8/2010 Council agenda*)

- P3 ORDINANCE NO. 3723. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PORTION OF RIGHT-OF-WAY GENERALLY LOCATED ON PARK BOULEVARD RUNNING EAST OF BELCHER ROAD FOR A DISTANCE OF APPROXIMATELY 928 FEET - (Pinellas County – AX10-7)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 2.43 acres M.O.L. of Pinellas County road right-of-way. This section of right-of-way is being annexed into the City at the request of the Pinellas Park Police Department in order to alleviate discrepancies that currently exist between the City property map and the County GIS maps.

(reference material — ordinance, map, Attorney approval letter, *C6 on 4/8/2010 Council agenda*)

- P4 ORDINANCE NO. 3724. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF REAL PROPERTY GENERALLY LOCATED AT 6163 109TH AVENUE NORTH - (Perla Ammons - AX10-8)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner's double wide mobile home is located on this site in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *C7 on 4/8/2010 Council agenda*)

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◆ **HUMAN RESOURCES**

- P5 ORDINANCE NO. 3726. AMENDING CHAPTER 17 CODE OF ORDINANCES, ARTICLE II, PINELLAS PARK GENERAL EMPLOYEES' PENSION FUND.**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This ordinance amends Article II, Chapter 17 (Pensions and Retirements) relating to the Pinellas Park General Employees' Pension Fund to implement the changes in general employee pension contribution rates.

(reference material — ordinance, *C11 on 4/8/2010 Council agenda*)

- P6 ORDINANCE NO. 3725. AMENDING SECTION TWO OF ORDINANCE 3053 BY PROVIDING FOR AN INCREASE IN THE COMPENSATION FOR THE MAYOR AND MEMBERS OF CITY COUNCIL IN ORDER TO OFFSET AN INCREASE IN THEIR REQUIRED PENSION CONTRIBUTION RATES.**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This ordinance amends Ordinance 3053 relating to the salary for the Mayor and City Council Members. The salary of the Mayor and City Council Members would be increased by 3% in order to offset a corresponding increase of 3% in the rate at which they are required to contribute into the General Employee's Pension Fund.

(reference material — ordinance, *C12 on 4/8/2010 Council agenda*)

V. CONSENT AGENDA

◆ **COMMUNITY DEVELOPMENT**

- C1 ORDINANCE NO. 3727. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF PROPERTY GENERALLY LOCATED AT 6131 107TH AVENUE NORTH - (Casey Krupp – AX10-9)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner's single family home is located on this site in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter)

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C2 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY CASEY KRUPP (AX10-9) — Annexation of 0.14 acres MOL located at 6131 107th Avenue North.

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6131 107th Avenue North in the Northfield Manor Subdivision.

Casey Krupp 6131 107 th Avenue North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$539.38	\$0.00	\$0.00
This is an annexation by petition only. There are no "Special Provisions".			

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of contiguous residential property owned by Casey Krupp located at 6131 107th Avenue North in the Northfield Manor Subdivision.

(reference material — petition, data sheet, comment sheet, revenue sheet, map)

C3 ORDINANCE NO. 3728. AN ORDINANCE AMENDING CHAPTER 4 "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 4-108 "PROXIMITY OF BUSINESS ESTABLISHMENTS DEALING IN ALCOHOLIC BEVERAGES TO EDUCATIONAL INSTITUTIONS (ELEMENTARY, MIDDLE AND SENIOR), YOUTH OR PUBLIC RECREATION CENTERS, PLAYGROUNDS, CHURCHES, TEMPLES AND SIMILAR RELIGIOUS INSTITUTIONS, HOSPITALS, AND CHILD CARE CENTERS; METHOD OF MEASUREMENT; EXCEPTIONS" BY ADDING CLUBS AND LODGES THAT MEET CERTAIN CRITERIA TO THE LIST OF EXEMPT ESTABLISHMENTS; ESTABLISHING THE COMMUNITY REDEVELOPMENT AGENCY (CRA) AS THE PERMITTING AUTHORITY FOR THE EXEMPTION AND ELIMINATING CERTAIN LANGUAGE QUALIFYING DRUGSTORES AND PRESCRIPTION SHOPS; RENUMBERING CHAPTER 4 AS APPROPRIATE; PROVIDING FOR CERTIFICATION BY THE CITY COUNCIL THAT THIS ORDINANCE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

**FIRST READING PRIOR TO PUBLIC HEARING
(Public Hearing May 13, 2010)**

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- C3** NOTE: On April 6, 2010, the above subject item was discussed by Council. Council directed the City Manager to proceed with the proposed amendment. This item is scheduled to go before the Planning and Zoning Commission at its May 6, 2010 meeting.

(reference material — ordinance, Attorney approval letter, memorandum)

◆ **FINANCE**

- C4** **RESOLUTION NO. 10-10.** A RESOLUTION UPDATING THE CITY'S INVESTMENT POLICY.

FIRST AND FINAL READING

NOTE: This Resolution updates the Investment Policy to include the purchase of county tax certificates, to increase the Maturity and Liquidity Requirements from three years to four years, and to adjust the Bid Requirements. This policy has been approved by the City Investment Review Committee on March 30, 2010 and complies with FSS 218.415.

(reference material — resolution, City Investment Policy, Attorney's approval)

VI. REGULAR AGENDA

◆ **LIBRARY AND RECREATION**

- R1** **SELECTION OF A CITY COUNCIL MEMBER TO SERVE ON EVALUATION COMMITTEE FOR REVIEW AND EVALUATION OF PROPOSALS FOR SKYVIEW RECREATION CENTER AND FREEDOM LAKE CENTER DESIGN BUILD PROJECT 10/025**

NOTE: In accordance with Resolution 09-17(8) and Section 287.055(9) Florida Statutes (Design Build Contracts), an Evaluation Committee (one of whom is to be a City Council Member) will be used to review Design Build proposals for Design Build services and to make a recommendation to City Council and the City Manager. City Council will select the Council Member who will serve on the Evaluation Committee for review and evaluation of proposals received in response to the request for Design Build Bid Proposals for Design Build of Skyview Recreation Center and Freedom Lake Center.

ACTION: (Approve-Deny) Selection of City Council Member _____ to serve on the Evaluation Committee for review and evaluation of proposals for Design Build of Skyview Recreation Center and Freedom Lake Center.

(reference material — none)

R2 APPOINTMENT OF RECREATION BOARD TEEN MEMBER

NOTE: The Recreation Board interviewed Andrew Nguyen for the vacant position of Recreation Board Teen Member at its meeting of March 29, 2010. The Recreation Board recommends Council approve the appointment of Mr. Nguyen with a term to expire April 30, 2011. Recreation Board Teen Member Seats 1 and 2 have been vacant since 2003 and 2005, respectively.

ACTION: (Approve-Deny) Appointment of Andrew Nguyen to serve as Teen Member of the Recreation Board with a term to expire April 30, 2011.

(reference material — excerpt from Minutes of the March 29, 2010, Recreation Board Meeting)

◆ **COMMUNITY DEVELOPMENT**

R3 REAPPOINTMENT TO THE BOARD OF ADJUSTMENT —Two Members

NOTE: The terms for Mr. Charles Murray and Mr. Edward Kosinski expire on May 31, 2010. Mr. Murray and Mr. Kosinski have expressed an interest in continuing to serve on the Board of Adjustment.

ACTION: (Approve - Deny) The reappointment of Mr. Charles Murray and Mr. Edward Kosinski to serve as members of the Board of Adjustment with terms to expire May 31, 2013.

(reference material — attendance records, letters expressing interest in reappointment to the Board, excerpts from the February 23, 2010 Board of Adjustment meeting minutes)

R4 CONSIDERATION OF A REQUEST FOR A WAIVER TO ALLOW A SIX-FEET-HIGH, CHAIN LINK FENCE WITH PLANTINGS AND A SCREENING MATERIAL OF THE GATES IN LIEU OF A SOLID WALL AS REQUIRED BY SECTION 18-1507.10 (E) "OUTDOOR STORAGE" WHICH REQUIRES THAT "OUTDOOR STORAGE AREAS OR AREAS OF INDUSTRIAL ACTIVITY SHALL BE SHIELDED FROM VIEW FROM ANY PUBLIC RIGHT-OF-WAY . . . BY SOLID WALLS AT LEAST SIX FEET IN HEIGHT, WHICH SHALL BE PAINTED." ON A PARCEL OF LAND GENERALLY LOCATED AT 6400 46TH STREET NORTH. (MS 2010-30 S & S Professional Landscape Maintenance, Inc./William Swenson)

(QUASI-JUDICIAL)

NOTE: The applicant is requesting a waiver to the outdoor storage screening requirements of Section 18-1507.10 (E) to allow a six-foot-high, chain link fence

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- R4** with plantings (podocarpus) and a screening material (green fence screening) on the gates, in lieu of the required six-foot-high, solid wall for a parcel of land generally located at 6400 46th Street North. The applicant has used this site since 2002 for their landscaping business where they store landscape equipment and materials outdoors. Community Compliance issued the applicant a citation for operating this business without shielding from the right-of-way for outdoor storage. There is a small structure, a single family dwelling, which is used as a care taker's dwelling on the north side of the site. The site fronts on 46th Street North. No outdoor storage will be located within the front yard setback. The subject property exclusively abuts and functionally abuts industrial uses. The surrounding area consists of: to the north, undeveloped, industrial land; to the south, various industrial uses; to the east, an industrial park; and to the west, Mill-Rite Woodworking. Subject to any matters that may be discussed by Council, staff has not identified any inconsistencies with the Comprehensive Plan. The proposal should have no adverse effect on adopted levels of service for City infrastructure. In determining whether or not to grant the request, City Council shall consider the following criteria: use of abutting properties, right-of-way classifications, extent of existing solid fencing in the vicinity, fence or alternative shielding device materials proposed, length of proposed fence/wall, and type of materials being stored.

ACTION: (Approve – Deny) A waiver to allow a six-foot-high, chain link fence with plantings and a screening material on the gates in lieu of a solid wall as required by Section 18-1507.10 (E) “Outdoor Storage” which requires that “Outdoor storage areas or areas of industrial activity shall be shielded from view from any public right-of-way. . . by solid walls at least six feet in height, which shall be painted,” for a parcel of land generally located at 6400 46th Street North; subject to the following conditions:

1. Plantings shall be 24 inches – 36 inches tall and spaced 30 inches on center at the time of installation.
2. Shielding shall consist of a six-foot-high, chain link fence with a shielding material (green fence screening) on the gates.
3. Installation of the fence and plantings shall be completed by May 31, 2010.

(reference material — staff report, application, site plan, aerial)

- R5** **CONSIDERATION OF A REQUEST FOR A MODIFICATION TO A PREVIOUSLY APPROVED PRELIMINARY SITE PLAN APPROVAL FOR A PARCEL OF LAND IN THE “M-1” LIGHT INDUSTRIAL ZONING DISTRICT GENERALLY LOCATED AT 6365 53RD STREET NORTH THAT FUNCTIONALLY ABUTS RESIDENTIALLY ZONED PARCELS TO THE WEST. (MS 2010-32 Dustin Secor/Chris Witherington)**

QUASI-JUDICIAL

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- R5** NOTE: The applicant is requesting the consideration of a modification to a previously approved Preliminary Site Plan for a 4.33 acre parcel of land in the “M-1” Light Industrial Zoning District generally located at 6365 53rd Street North that functionally abuts residentially zoned parcels to the west. The applicant proposes to continue the use of “Plant nursery, retail and wholesale” on the southern half of the site; however, the applicant would like to add a modular office building and a sidewalk to provide access between the proposed modular building and the existing structure and parking areas. Surrounding land uses are: to the north, Kohler Construction Services; to the south and located in unincorporated Pinellas County, Memorial Park Cemetery, Inc.; to the east, Progress Energy Distribution Center; and functionally abutting to the west, single family residential. Section 18-1506.23 of the Land Development Code requires City Council approval of site plans for property located within the “M-1” Zoning District when abutting or functionally abutting residentially zoned property. City Council may require the installation of additional buffering in order to eliminate adverse impacts of the industrial use on the residentially zoned properties.

ACTION: (Approve – Deny) A modification to a previously approved Preliminary Site Plan for a parcel of land in the “M-1” Light Industrial Zoning District generally located at 6365 53rd Street North that functionally abuts residentially zoned parcels to the west in order to install a new modular office building for the continued use of the site as a “Plant nursery, retail and wholesale”.

(reference material — staff report, application, site plan, and aerial)

VI. COMMENTS BY COUNCIL MEMBERS AND QUESTIONS – COUNCIL TO COUNCIL

VII. ADJOURNMENT

PLEASE NOTE that if a person decides to appeal any decision made by City Council with respect to any matter considered at the above-cited meeting, the person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City maintains a tape recording of all public hearings. In the event that you wish to appeal a decision, the tape may or may not adequately insure a verbatim record of the proceedings; therefore, you may wish to provide a court reporter at your own expense (Section 286.0105, Florida Statutes).

FOR PERSONS WITH HEARING IMPAIRMENT — An interpreter for persons with hearing impairment will be made available upon requests made at least 72 hours in advance. Also, an Assistive Hearing Device (amplifier) is available from the City Clerk for use in Council Chambers and all meeting

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rooms throughout the City. This agenda document is available in the following accessible formats: Braille, Large Print, Audio Tape, and Electronic File on Computer Disks.

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<p>APRIL</p> <p>S M T W T F S</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p>	<p>JUNE</p> <p>S M T W T F S</p> <p>1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30</p>					1
2 Orchestra Concert Performing Arts Center	3	4	5 Cinco de Mayo	6	7	8
9 Mother's Day	10	11 7:30 PM City Council Workshop	12 Pancake Breakfast Senior Center - 9 AM	13 Ascension Day Ascension Eastern Orthodox 7:00 PM Agenda Session *7:30 PM City Council Meeting	14 Coast-2-Coast Hittsville USA Performing Arts Center	15 Asian Pacific Rim Festival England Bros. Band Shell Coast-2-Coast Hittsville USA Performing Arts Center
16 Asian Pacific Rim Festival England Bros. Band Shell Coast-2-Coast Hittsville USA Performing Arts Center	17	18 Organ Concert City Auditorium	19 Shavuot Begins	20 Shavuot Ends *6:00 PM "Meet Your Mayor & Council"	21	22
23 Pentecost Eastern Orthodox Whit Sunday (Pentecost)	24	25	26	27	28	29
30 Trinity Sunday	31 Brush Site Closed Memorial Day (obsvd) City Offices & Library Closed	7:30 PM City Council Workshop		7:00 PM Agenda Session *7:30 PM City Council Meeting		

May

THINGS TO DO

THINGS TO DO

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