

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
MAY 8, 2008**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

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 24, 2008.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3621. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6141 105th TERRACE NORTH (JUSTICE AND WAMPLER – AX08-10)

FIRST READING, FIRST PUBLIC HEARING

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

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

P2 ORDINANCE NO. 3622. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6051 105TH TERRACE NORTH (PAVEL KHVOROSTOV AX08-11)

FIRST READING, FIRST PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner plans to build a single-family home on the lot.

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- P2** The property is located at 6051 105th Terrace North, in the Northfield Manor Subdivision.

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

- P3** **ORDINANCE NO. 3623. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6974 124TH TERRACE NORTH – (WELLER - AX08-12)**

FIRST READING, FIRST PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.44 acres MOL of contiguous residential property. The Owners' single family home is located on this site in the Pinebrook Estates Subdivision.

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

- P4** **CONSIDERATION OF A REQUEST TO ALLOW AN EXPANSION OF AN APPROVED CONDITIONAL USE FOR A “SHOPPING CENTER” AND A “RESTAURANT, DRIVE-IN/DRIVE-THRU”, IN THE “B-1” GENERAL COMMERCIAL ZONING DISTRICT FOR A PROPERTY GENERALLY LOCATED AT 8000 U.S. HIGHWAY 19. (CU 2008-12 APP of Florida, LLC/Interplan, LLC)**

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant, APP of Florida, LLC, is requesting an expansion of an existing Conditional Use for a “Shopping Center” with a “Restaurant, Drive-in/Drive-thru” in the “B-1” General Commercial Zoning District on a 6.195 acre parcel of land generally located at 8000 U.S. Highway 19. The applicant is proposing changes to the approved drive-in/drive-thru Burger King on the northeast corner of the site. The proposed changes consist of: expanding the proposed restaurant an additional 669 square feet, giving a total building square footage of 2,591 square feet; reconfiguring the drive-thru lane and parking lot; and relocating the dumpster. The surrounding land uses consist of: to the north, Bay Area Auction & Antique Mall; to the south, single family dwellings and a multifamily apartment building; to the east, Wal-Mart, Murphy USA Gas Station, and Matter Bros. Furniture Store; and to the west, Skyview Church. Subject to any matters that may be discussed at the hearing, 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. At its meeting on April 3, 2008, the Planning and Zoning Commission recommended APPROVAL of the above request subject to one condition.

ACTION: (Approve – Deny) An expansion to an approved Conditional Use for a “Shopping Center” and a “Restaurant, Drive-in/Drive-thru” in the “B-1” General Commercial Zoning District on a parcel of land generally located at 8000 U.S.

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- P4** Highway 19, based on the staff report and the criteria found in Section 18-1509.4(B) & (C), subject to the following condition:
1. All previous conditions of approval shall remain in full force and effect.

(reference material — staff report, excerpts from the P & Z minutes of April 3, 2008, application, site map, site plan)

- P5** **RESOLUTION NO. 08-11. A RESOLUTION VACATING AN APPROXIMATELY 1,044 SQUARE FEET PORTION, APPROXIMATELY SIX FEET WIDE, OF AN EXISTING SANITARY SEWER EASEMENT LOCATED ALONG THE NORTHEAST PROPERTY LINE OF A PARCEL OF LAND GENERALLY LOCATED AT 9021 US HIGHWAY 19 NORTH IN THE MAINLANDS VILLAGE SHOPPING CENTER. (V 2008-2 ALDI, LLC)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The applicant is requesting the vacation of an approximately 1,044 square feet portion, approximately six feet wide, of an existing sanitary sewer easement located along the northeast property line of a parcel of land generally located at 9021 US Highway 19 North in the Mainlands Village Shopping Center. The vacation of the easement is necessary to construct a building addition and truck dock. The following Findings of Fact are pertinent to this request:

1. The vacation is consistent with the policies of the Comprehensive Plan.
2. The various utility agencies and City Divisions have no objection to the vacation.

(reference material — resolution, City Attorney approval letter, staff report, application, and map)

V. CONSENT AGENDA

◆ COMMUNITY DEVELOPMENT

- C1** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY GARY L. JUSTICE AND MARY E. WAMPLER (AX08-10) — Annexation of 0.14 acres MOL located at 6141 105th Terrace North.**

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

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C1

| | City Projected Annual Revenue | City Funds Expended | City Fees Waived |
|---|--|---------------------------|------------------------|
| Gary L. Justice and Mary E. Wampler 6141 105 th Terrace North | | | |
| 1-Year Projected Total | \$366.70 | \$0.00 | \$0.00 |
| There are no special provisions in this Annexation Agreement. | | | |

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of contiguous residential property owned by Gary L. Justice and Mary E. Wampler and located at 6141 105th Terrace North.

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

C2 **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY EUGENE B. WELLER AND MARY G. WELLER (AX08-12) — Annexation of 0.20 acres MOL located at 6974 124th Terrace North.**

NOTE: This is a voluntary annexation of 0.20 acres MOL of contiguous residential property. The owners’ single family home is located on the site in the Pinebrook Estates Subdivision.

| | City Projected Annual Revenue | City Funds Expended | City Fees Waived |
|---|----------------------------------|------------------------|---------------------|
| Eugene B. Weller and Mary G. Weller 6974 124 th Terrace North | | | |
| 1-Year Projected Total | \$1,433.36 | \$0.00 | \$0.00 |
| There are no special provisions in this Annexation Agreement. | | | |

ACTION: (Approve - Deny) The voluntary annexation of 0.20 acres MOL of contiguous residential property owned by Eugene B. Weller and Mary G. Weller and located at 6974 124th Terrace North.

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

◆ **CITY COUNCIL**

C3 **RESOLUTION NO. 08-12. A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, ADOPTING THE “FLORIDA FOREVER” PROGRAM.**

FIRST AND FINAL READING

NOTE: The Florida Forever Program, which began in 2000, is the state’s blueprint for conservation of our unique natural resources and is more than an environmental land acquisition mechanism. It includes restoration of damaged environmental systems, water resource development and supply, increased public access, public lands management and maintenance and increased protection of land by acquisition of conservation easements. This resolution encourages

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- C3** Governor Crist and the Florida Legislature to double the capacity of the Florida Forever Program for the next two years and to reauthorize the program for a ten-year period.

(reference material — resolution)

VI. REGULAR AGENDA

◆ **COMMUNITY DEVELOPMENT**

- R1** **CONSIDERATION OF A REQUEST FOR A WAIVER TO ALLOW A SIX-FOOT-HIGH, CHAIN LINK FENCE AS A SUBSTITUTE FOR 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. OTHER SIDES OF THE PROPERTY ON WHICH THE OUTDOOR STORAGE EXISTS SHALL BE FENCED WITH A SIX (6) FEET HIGH FENCE.” ON A PARCEL OF LAND GENERALLY LOCATED AT 3541 62ND AVENUE.**
(MS 2008-39 Mike Irvin)

(QUASI-JUDICIAL)

NOTE: The applicant is requesting a waiver to allow a six-foot-high, chain link fence as a substitute for 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 in the “M-1” Light Industrial Zoning District. The outdoor storage area will be utilized by the applicant for storage of boats and other items that contain fiberglass components for the applicant to repair. The site fronts on 62nd Avenue and 63rd Avenue, a dead end street. The storage area will be shielded from 62nd Avenue and the functionally abutting residential to the south by the building and a six-foot-high, solid gate; however, it will be visible from 63rd Avenue. In as much as 63rd Avenue functionally dead ends approximately 400 feet to the west, passersby are very limited, making the waiver a reasonable request. Additionally, the site abuts industrial uses to the east and west and functionally abuts industrial uses to the north. The surrounding area consists of: to the north, various industrial uses; to the south, mobile homes; to the east, The Little Garage, Beat the Heat Window Tinting, & Charlie’s Garage; and to the west, American Icon Auto Paint & Supplies. Subject to 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.

ACTION: (Approve – Deny) A waiver to allow a six-foot-high, chain link fence as a substitute for a solid wall as required by Section 18-1507.10 (E) “Outdoor

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- R1** 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 3541 62nd Avenue, subject to the following conditions:
1. A Unity of Title shall be recorded and submitted to the Zoning Division prior to Final Site Plan Approval.
 2. Any future modifications to the site shall require a preliminary site plan review by City Council.

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

R2 **AUTHORIZATION FOR MAYOR TO SIGN ANNEXATION AGREEMENT WITH PAVEL KHVOROSTOV (AX08-11) — Annexation of 0.14 acres MOL located at 6051 105th Terrace North**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner plans to clear, grub and remove the existing structure prior to annexation of the property. Upon approval of the annexation, the Owner then plans to construct a single-family home on the lot. The property is located at 6051 105th Terrace North, in the Northfield Manor Subdivision.

| Pavel Khvorostov 6051 105 th Terrace North | City Projected Annual Revenue | City Funds Expended | City Fees Waived |
|--|----------------------------------|------------------------|---------------------|
| 1-Year Projected Total | \$1,436.75 | \$0.00 | \$3,000.00 |
| The Annexation Agreement special provisions are: <ul style="list-style-type: none">◆ For a period of eighteen (18) months the City shall waive all City land development fees, applicable for the construction of a single-family home on the property, estimated to be, and not to exceed, Three Thousand Dollars (\$3,000.00). | | | |

ACTION: (Approve - Deny) Authorization for Mayor to sign an Annexation Agreement with Pavel Khvorostov for annexation of 0.14 acres MOL located at 6051 105th Terrace North.

(reference material — agreement, petition, data sheet, comment sheet, revenue sheet, map, Attorney approval letter)

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

VIII. 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

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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 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.

May 2008

See Inside Back Cover
for Frequently Called Telephone Numbers
City Council Workshops are Subject to Cancellation

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

| APRIL 2008 | | | | | | | JUNE 2008 | | | | | | |
|----------------|---------------|-------------------------------|-----------|--|-----------|-----------|---|--|--------------------------------------|---|-----------|-----------|------------------|
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| 13 | 14 | 15 | 16 | 17 | 18 | 19 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 27 | 28 | 29 | 30 | | | | 29 | 30 | | | | | |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| | Cinco de Mayo | 7:30 PM City Council Workshop | | Ascension Day 7:00 PM Agenda Session *7:30 PM City Council Meeting | | | Mother's Day Whit Sunday (Pentecost) | | *7:00 PM "Meet Your Mayor & Council" | Pancake Breakfast Senior Center - 9 AM 7625 59th St. | | | Armed Forces Day |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| Trinity Sunday | | 7:30 PM City Council Workshop | | 7:00 PM Agenda Session *7:30 PM City Council Meeting | | | | Brush Site Closed Memorial Day (obsvd) City Offices & Library Closed | | | | | |

National Barbecue Month
www.hpba.org

National Bike Month
www.bikeleague.org

Personal History Month
www.personalhistorians.org

New York Stock Exchange Established:
May 17, 1792

Televised LIVE on Channel 15



Keep up with Pinellas Park events on Bright House Channel 15

June 2008

See Inside Back Cover
for Frequently Called Telephone Numbers
City Council Workshops are Subject to Cancellation

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 1 | 2 | 3 | 4 | 5 <small>Ascension (Orthodox)</small> | 6 | 7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | 9 <small>Shavuot Begins</small> | 10 <small>Shavuot Ends</small> <small>7:30 PM City Council Workshop</small> | 11 | 12 <small>7:00 PM Agenda Session</small> <small>*7:30 PM City Council Meeting</small> | 13 | 14 <small>Flag Day</small> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 <small>Father's Day</small> <small>Pentecost</small> | 16 | 17 <small>*7:00 PM "Meet Your Mayor & Council"</small> | 18 | 19 | 20 <small>Summer Begins</small> | 21 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | 23 | 24 <small>7:30 PM City Council Workshop</small> | 25 | 26 <small>7:00 PM Agenda Session</small> <small>*7:30 PM City Council Meeting</small> | 27 | 28 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29 | 30 <small>AfterSchool PlayCamp Registration Begins</small> | | | | <p>MAY 2008</p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td></tr> </table> | S | M | T | W | T | F | S | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | <p>JULY 2008</p> <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td></tr> </table> | S | M | T | W | T | F | S | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
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Perennial Gardening Month
www.perennialplant.org

Cancer From The Sun Month
www.ppsinc.org

National Safety Month
www.nsc.org

Ballpoint Pen Patented:
June 10, 1943

Televised LIVE on Channel 15



Keep up with Pinellas Park events on Bright House Channel 15