

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
JUNE 12, 2008**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SPECIAL PRESENTATION — CHECK

Ray Fischer, Pinellas Park/Gateway Chamber of Commerce will present a check to the City to purchase a stage curtain for the Performing Arts Center. The monies raised were from a raffle at the Gala event held on May 22 and also a personal donation from Dale Gross.

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 May 22, 2008.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE TO ALLOW AN "AUTOMOBILE DEALER-NEW AND USED CARS" IN THE "B-1" GENERAL COMMERCIAL ZONING DISTRICT WITH A WAIVER TO SECTION 18-1507.16 "MEASUREMENT OF YARD SETBACKS ON LOTS ADJACENT TO RIGHTS-OF-WAY OF INSUFFICIENT WIDTH" TO ALLOW MEASUREMENT OF THE FRONT YARD SETBACK FROM THE PROPERTY LINE ABUTTING 43RD STREET AND NOT THE ULTIMATE RIGHT-OF-WAY LINE FOR A PROPERTY GENERALLY LOCATED NORTH OF 8400 U.S. HIGHWAY 19. (CU 2008-14 Sutherlin Toyota, LLC/Spring Engineering, Inc.)

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant, AutoWay Toyota, is requesting consideration of a Conditional Use to establish an "Automobile Dealer-New and Used Cars", in the

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- P1** General Commercial Zoning District, on a 1.797 acre parcel of land generally located north of 8400 U.S. Highway 19. The applicant is proposing an expansion of their dealership across U.S. Highway 19 onto two vacant commercial lots. This site is currently being utilized for the temporary storage of vehicles for AutoWay Toyota during site construction at the dealership. The applicant is requesting a waiver to Section 18-1507.16 “Measurement of Yard Setbacks on Lots Adjacent to Rights-of-Way of Insufficient Width” to allow measurement of the front yard setback from the property line abutting 43rd Street and not the ultimate right-of-way line. Code requires local roadways to be 60-feet-wide; therefore, the applicant would need to dedicate or reserve 15 feet along the west property line fronting 43rd Street; however, 43rd Street is paved for its first 300 feet north of 84th Avenue then is undeveloped between this point and its termination at 86th Avenue, which is developed with a drainage ditch. Currently, the City has no improvements to the right-of-way scheduled. The applicant is not proposing access to 43rd Street. However, the vacant nonconforming commercial building and the single family dwelling west of this site access the paved portion of this right-of-way. The surrounding land uses consist of: to the north, Sunshine Village Nursing Home; to the south, vacant commercial land; to the east, AutoWay Toyota; and to the west, Le Club, LLC (apartment complex), a single family dwelling and vacant nonconforming commercial uses. 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 May 1, 2008, the Planning and Zoning Commission recommended APPROVAL of the above request subject to conditions.

ACTION: (Approve – Deny) Approve a Conditional Use to establish a “Automobile Dealer-New and Used Cars” in the “B-1” General Commercial Zoning District with a waiver to Section 18-1507.16 “Measurement of Yard Setbacks on Lots Adjacent to Rights-of-Way of Insufficient Width” to measure the front yard setback from the property line abutting 43rd Street and not the ultimate right-of-way line on a parcel of land generally located north of 8400 U.S. Highway 19, based on the staff report and the criteria found in Section 18-1509.4(B) & (C), subject to the following conditions:

1. There shall be no outdoor loud speaker/public address or outdoor phone ringer systems allowed.
2. There shall be no automotive repair work performed on the site.
3. There shall be no vehicle outdoor storage area on the site.
4. A Unity of Title combining these parcels shall be submitted to the Zoning Division prior to Final Site Plan approval.

(reference material — staff report, excerpts from the P & Z minutes of 5/1/2008, application, site map, site plan)

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V. CONSENT AGENDA

◆ **CITY CLERK**

- C1 ORDINANCE NO. 3626. AN ORDINANCE AMENDING ORDINANCE NO. 3540, BY AMENDING THE CITY'S ADMINISTRATIVE FEE SCHEDULE; AS LISTED IN EXHIBIT "A".**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: The City has a current Administrative Fee Schedule which provides for fees for services rendered by the City. This Ordinance has been prepared to clarify these fees as well as to delete fees for services no longer provided by the City, and to add and/or increase certain fees for services that the City provides.

(reference material — city attorney approval letter, Ordinance)

◆ **PUBLIC WORKS**

- C2 AWARD OF BID 08/013 – WASTEWATER LIFT STATION #9 IMPROVEMENTS – Kamminga & Roodvoets, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 354 prospective bidders. Eight (8) bids were received with Kamminga & Roodvoets, Inc. (5219 Cone Road, Tampa, FL 33610) being the low bidder with a bid submittal of \$177,350.00. Funding for this project is identified in the FY 07/08 budget, page 405, in the amount of \$275,000.00. This project will be charged to account 301-381-5-780-70.

ACTION: (Approve-Deny) Authorization to award Bid 08/013 for the Wastewater Lift Station #9 Project to Kamminga & Roodvoets, Inc. Tampa, FL, in the amount of \$177,350.00 to be charged to the appropriate account.

(reference material — bidder's list, bid book available for review)

- C3 AUTHORIZATION FOR FINAL PAYMENT FOR CONTRACT 08/018 – PARK BOULEVARD MEDIAN LANDSCAPING– Vila & Son Landscaping Corp.**

NOTE: This action is recommended so that final payment can be processed and the contract completed. The total amount of contract 08/018 is \$105,333.54. The account to be charged is 301-781-5-734-85. The FDOT has approved the project as substantially complete and all punch list items have been addressed.

ACTION: (Approve-Deny) Authorization for final payment for Project 08/018, Park Boulevard Median Landscaping, for \$105,333.54 to Vila and Son, Inc. to be charged to the appropriate account.

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C3 (reference material — FDOT letter dated 5/23/08, final invoice)

C4 **AUTHORIZATION FOR NEGOTIATIONS — DISASTER DEBRIS MONITORING MANAGEMENT AND CONSULTANT SERVICES — RFP 08/016**

NOTE: The Selection Board, in accordance with Resolution 91-31, has reviewed the proposals submitted and recommends three contractors in the following order: 1) Beck Disaster Recovery, Inc. 2) Solid Resources, Inc. 3) All South Consulting Engineers, LLC. Upon Council's recommendation and authorization, the City Manager will negotiate competitively with the most qualified contractor. Should he fail to reach an agreement, the City Manager will then negotiate with the remaining contractors in order of preference, in accordance with Section 287.055, Florida Statutes.

ACTION: (Approve/Deny) Authorization for City Manager to negotiate with the contractors recommended by the Selection Board, in order of preference, as recommended for Disaster Debris Monitoring Management and Consultant Services.

(reference material — final results)

◆ **COMMUNITY DEVELOPMENT**

C5 **ORDINANCE NO. 3625. AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE) ARTICLE 9, "TECHNICAL CODES" OF THE CITY OF PINELLAS PARK, FLORIDA.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: An Ordinance Amending Chapter 18 (Land Development Code) Article 9, "Technical Codes" of the Code of Ordinances of the City of Pinellas Park, Florida, by amending Section 18-905 "Schedule of Permit Fees"; and Section 18-908 "Reinspection Fee"; Providing for the inclusion of such amended Ordinance in the Code of Ordinances; Providing for Repeal of Ordinances or Parts of Ordinances in conflict herewith to the extent of such conflict; Providing for a finding of Consistency with the Comprehensive Plan; Providing for an Effective Date. (LDC 2008-03)

(reference material — ordinance, City Attorney's approval letter)

C6 **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A NEW FIVE (5) YEAR PARK RESIDENT EMPLOYEE AGREEMENT — For City-owned property located at Broderick Park, 6710 61st Street North**

NOTE: The current two (2) year Park Resident Employee Agreement at Broderick Park will expire July 23rd, 2008. This new five (5) year Agreement

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- C6** will bring the Agreement for Broderick Park into conformity with the other Park Resident Employee Agreements that have been written or renewed in the recent past. Approval of this Agreement will retain the current tenant, Police Officer Randy Kerkman, of the Pinellas Park Police Department.

ACTION: (Approve-Deny) Authorization for the City Manager to sign a new five (5) year Park Resident Employee Agreement for City-owned property located at Broderick Park, 6710 61st Street North, with Police Officer Randy Kerkman, of the Pinellas Park Police Department.

(reference material — new Park Resident Employee Agreement, Attorney approval letter)

- C7** **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A NEW FIVE (5) YEAR PARK RESIDENT EMPLOYEE AGREEMENT — For City-owned property located at Freedom Lake Park, 9990 46th Street North, Pinellas Park, FL 33782**

NOTE: The current two (2) year Park Resident Employee Agreement at Freedom Lake Park will expire July 13, 2008. This new five (5) year Agreement will bring the Agreement for Freedom Lake Park into conformity with the other Park Resident Employee Agreements that have been written or renewed in the recent past. Approval of this Agreement will retain the current tenant, Mike Elder, EMS Lieutenant, of the Pinellas Park Fire Department.

ACTION: (Approve-Deny) Authorization for the City Manager to sign a new five (5) year Park Resident Employee Agreement for City-owned property located at Freedom Lake Park, 9990 46th Street North, with Mike Elder, EMS Lieutenant, of the Pinellas Park Fire Department.

(reference material — new Park Resident Employee Agreement, Attorney approval letter)

◆ **NEIGHBORHOOD SERVICES**

- C8** **RESOLUTION NO. 08-14. LOT MOWING LIENS, PROGRAM #215.**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This Resolution is pursuant to the City of Pinellas Park lot mowing/land clearing program. The properties listed on Exhibit “A” have been cleared by the City after due notice to the owners went unheeded. The owners are being billed for the work done, and this Resolution authorizes the City Clerk to record a lien against the properties whose owners have failed to pay.

(reference material — Resolution, Exhibit “A”, Attorney approval letter)

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VI. REGULAR AGENDA

NONE

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 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.

June 2008

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

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8	9 <i>Shavuot Begins</i>	10 <i>Shavuot Ends</i> 7:30 PM City Council Workshop	11	12 7:00 PM Agenda Session *7:30 PM City Council Meeting	13	14 <i>Flag Day</i>																																																																																				
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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

July 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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National Horseradish
Month
www.horseradish.org

National Hot Dog Month
www.hot-dog.org

National Recreation and
Parks Month
www.nrpa.org

First Photographs Used
In A Newspaper Report:
July 1, 1848

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