

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
JUNE 25, 2009**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**SPECIAL PRESENTATION — DO THE RIGHT THING**

**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 June 11, 2009.

**IV. PUBLIC HEARINGS**

NONE

**V. CONSENT AGENDA**

**◆ FINANCE**

**C1 ORDINANCE NO. 3687. AN ORDINANCE AMENDING CHAPTER 10, "WATER, RECLAIMED WATER, SEWERS AND OTHER UTILITIES"; BY AMENDING SECTION 10-102, "DEFINITIONS" TO CLARIFY THE APPLICABILITY OF UNIT; BY AMENDING SECTION 10-111, "CONTRACTING FOR SERVICES", TO INCLUDE A DEFAULT PROVISION; BY AMENDING SECTION 10-121(B), "COMMERCIAL ACCOUNTS", TO REMOVE REFERENCES TO DWELLINGS; AND BY ADDING A NEW SECTION 10-121(B)8.(j) TO CLARIFY DEFAULT BILLING PROCEDURES FOR COMMERCIAL ACCOUNTS; PROVIDING FOR INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST READING PRIOR TO PUBLIC HEARING**

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- C1 NOTE: Chapter 10 “Water, Reclaimed Water, Sewers and Other Utilities” is being amended by repealing Chapter 10 to slightly modify some of the wording of the City’s utility billing ordinance in order to clarify its reading and to reconfirm the intent of City Council. The City’s utility billing ordinance has always provided for separate billings for multiple unit residential and commercial structures, however, this amendment to the City’s utility billing ordinance does not provide any substantive change in the manner or method of billing, but only clarifies such billing as to multiple commercial units.

(reference material — ordinance)

◆ **POLICE**

- C2 **AUTHORIZATION FOR MAYOR TO SIGN PINELLAS COUNTY SHERIFF RENEWAL AGREEMENT FOR CONTRACT SERVICES**

NOTE: This contract revises and replaces the contract previously entered into between the City and Pinellas County Sheriff’s Office, dated October 1, 2008. The proposed renewal contract has been reviewed by the City Attorney’s office, with a \$37,835.02 increase. The cost for this proposed agreement is \$172,909.02 for one year.

ACTION: (Approve-Deny) Authorization for the Mayor to sign the Contract Services Agreement with Jim Coats, as Sheriff of Pinellas County. This Agreement shall commence October 1, 2009 and will conclude September 30, 2010, for the minimum sum of \$172,909.02 to be charged to account 001-211-5-517-62.

(reference material — City Attorney’s letter dated 06/02/2009, Risk Management’s email dated 6/08/2009 Letter from Sheriff Coats dated 05/28/2009 and agreement)

**VI. REGULAR AGENDA**

◆ **COMMUNITY DEVELOPMENT**

- R1 **CONSIDERATION OF A REQUEST FOR A WAIVER TO THE REQUIREMENT THAT THE PROPERTY LINE ABUTTING A RESIDENTIAL ZONING DISTRICT SHALL BE SCREENED BY A PERMANENT, PAINTED, MASONRY WALL NOT LESS THAN SIX (6) FEET IN HEIGHT NOR MORE THAN EIGHT (8) FEET IN HEIGHT, AND MUST BE SUFFICIENT TO SCREEN OUT EXCESSIVE SOUND AND VIEW TO THE ABUTTING RESIDENTIAL AREA FOR A PARCEL OF LAND GENERALLY LOCATED AT 8801 66<sup>TH</sup> STREET NORTH. (MS 2009-39 LGR Sydney LLC, Ted Legakis/Linda Huynth)**

(QUASI-JUDICIAL)

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- R1** NOTE: The applicant is requesting a waiver to the requirement for selling alcoholic beverages for consumption off premises that the property line abutting a Residential Zoning District shall be screened by a permanent, painted, masonry wall not less than six (6) feet in height nor more than eight (8) feet in height, and must be sufficient to screen out excessive sound and view to the abutting residential area for a parcel of land in the “CH” Heavy Commercial District located at 8801 66<sup>th</sup> Street, Building A, Unit I.

It does not appear, by approving the requested waiver, that the character of the immediately surrounding development would be adversely affected or would it adversely impact the public interest or adjacent properties. This lot has an irregular shape, it fronts on 66<sup>th</sup> Street North and 87<sup>th</sup> Avenue North, has a west property line that zigzags, and an east property line that cuts across and angle to mimic the angle of the railroad tracks. Because of its irregular shape, it abuts residential to the east, west and south. If a wall were to be constructed it would need to be installed on the east property line, approximately 805 feet (approximately 555 feet along the railroad tracks and approximately 250 feet along the east property line), approximately 250 feet along the south and west property lines (abutting the residential to the west, east of the vacant commercial land that abuts 66<sup>th</sup> Street North right-of-way), and approximately 120 feet along the southern property line (abutting 87<sup>th</sup> Avenue North right-of-way). Surrounding properties are: to the north, Seaboard Coastline Railroad and Flowers Discount Bakery; to the south, BP Gas Station and single family dwellings; to the east, Seaboard Coastline Railroad and single family dwellings; and to the west, 66<sup>th</sup> Street North, Nostalgic Auto, Secrets, Discount Tires, and BP Gas Station. Subject to any matters that may be discussed at this 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.

**ACTION:** (Approve – Deny) A waiver to the requirement that the property line abutting a Residential Zoning District shall be screened by a permanent, painted, masonry wall not less than six (6) feet in height nor more than eight (8) feet in height, and must be sufficient to screen out excessive sound and view to the abutting residential area for a parcel of land generally located at 8801 66<sup>th</sup> Street North.

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

### ◆ CITY COUNCIL

- R2** DESIGNATION OF CITY’S VOTING DELEGATE — At Florida League of Cities 83<sup>rd</sup> Annual Conference, August 13-15, 2009

The Florida League of Cities has requested that each city designate one person to be the voting delegate at the Florida League of Cities 83<sup>rd</sup> Annual Conference,

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- R2** August 13-15, 2009. One official from each city will make decisions that determine the direction of the League. Policy development, election of League leadership, and adoption of resolutions are undertaken during the business meeting.

ACTION: (Approve-Deny) Designation of \_\_\_\_\_ to serve as the Voting Delegate at the 83<sup>rd</sup> Annual Conference of the Florida League of Cities in Orlando, FL.

(reference material — letter from FLC)

◆ **LIBRARY AND RECREATION**

- R3** **RECEIPT OF RESIGNATION FROM RECREATION BOARD** — **Ralph J. Marlow**

NOTE: Ralph J. Marlow resigned from the Recreation Board effective June 3, 2009. Mr. Marlow has been an active member of the Board since March 2000 and his participation and dedication will be missed.

ACTION: (Accept-Refuse) With regret, the resignation of Ralph J. Marlow as a member of the Recreation Board.

(reference material — resignation letter)

◆ **COMMUNITY DEVELOPMENT**

- R4** **RECEIPT OF RESIGNATION FROM THE PLANNING AND ZONING COMMISSION.** — **Ralph J. Marlow**

NOTE: Mr. Ralph J. Marlow, a regular member of the Planning and Zoning Commission, has submitted a letter of resignation from the Commission effective June 3, 2009. Mr. Marlow has been with the Commission since July 2004.

ACTION: (Accept - Refuse) With regret, the resignation of Ralph J. Marlow as a regular member of the Planning and Zoning Commission.

(reference material — 6/3/2009 letter of resignation)

- 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 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 2009

It is one of the most beautiful compensations of life that no man can sincerely try to help another without helping himself.

Ralph Waldo Emerson (1803-1882)



Sunday      Monday      Tuesday      Wednesday      Thursday      Friday      Saturday

	1	2	3	4	5	6 Kiwanis Club of Pinellas Park Fishing Derby																																																																																											
7 Pentecost Trinity Sunday	8	9 7:30 PM City Council Workshop	10	11 7:00 PM Agenda Session *7:30 PM City Council Meeting	12	13																																																																																											
14 Flag Day	15	16	17	18 *6:00 PM "Meet Your Mayor & Council"	19	20																																																																																											
21 Father's Day Summer Begins	22	23 7:30 PM City Council Workshop	24	25 7:00 PM Agenda Session *7:30 PM City Council Meeting	26	27																																																																																											
28 AfterSchool PlayCamp Registration Begins	29	30			<p>MAY 2009</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></td></tr> <tr><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr> <tr><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr> <tr><td>31</td><td></td><td></td><td></td><td></td><td></td><td></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 2009</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>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></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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