

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
JUNE 26, 2008**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**NONE**

**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 12, 2008.

**IV. PUBLIC HEARINGS**

◆ **NEIGHBORHOOD SERVICES**

**P1 RESOLUTION NO. 08-14. LOT MOWING LIENS, PROGRAM #215.**

**PUBLIC HEARING, SECOND AND FINAL READING**

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, C8 on 6/12/2008 Council agenda)

◆ **CITY CLERK**

**P2 ORDINANCE NO. 3626. AN ORDINANCE AMENDING ORDINANCE NO. 3540, BY AMENDING THE CITY'S ADMINISTRATIVE FEE SCHEDULE; AS LISTED IN EXHIBIT "A".**

**PUBLIC HEARING, SECOND AND FINAL READING**

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- P2** 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, *CI on 6/12/2008 Council agenda*)

◆ **COMMUNITY DEVELOPMENT**

- P3** **ORDINANCE NO. 3625. AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE) ARTICLE 9, “TECHINICAL CODES” OF THE CITY OF PINELLAS PARK, FLORIDA.**

**PUBLIC HEARING, SECOND AND FINAL READING**

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. This was approved at the June 5, 2008 Planning & Zoning Commission meeting. (LDC 2008-03)

(reference material — ordinance, City Attorney’s approval letter, excerpts of P&Z minutes of 06/05/08)

- P4** **RESOLUTION NO. 08-15. A RESOLUTION VACATING PORTIONS OF DRAINAGE AND UTILITY EASEMENTS LOCATED ALONG THE NORTHEAST AND NORTHWEST PROPERTY LINES ON A PARCEL OF LAND GENERALLY LOCATED AT 11345 ELMHURST DRIVE. (V 2008-3 John Derek Kantaskas)**

**PUBLIC HEARING, FIRST AND FINAL READING**

NOTE: The applicant is requesting the vacation of portions of drainage and utility easements located along the northeast and northwest property lines on a parcel of land generally located at 11345 Elmhurst Drive. The easements were dedicated as part of the Autumn Run Subdivision Plat. The vacation of the easements is necessary to construct a proposed pool and pool deck. 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.

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**P4** (reference material — resolution, City Attorney approval letter, staff report, application, and map)

**P5** **RESOLUTION NO. 08-16. A RESOLUTION VACATING SANITARY SEWER EASEMENTS, ONE BEING 7.5 FEET WIDE BY 200 FEET LONG AND THE OTHER BEING 15 FEET WIDE BY 96.24 FEET LONG, ON A PARCEL OF LAND GENERALLY LOCATED AT 6900 US HIGHWAY 19 NORTH. (V 2008-5 APP of Florida II, LLC/CPH Engineers, Inc.)**

**PUBLIC HEARING, FIRST AND FINAL READING**

NOTE: The applicant is requesting the vacation of sanitary sewer easements, one being 7.5 feet wide by 200 feet long and the other being 15 feet wide by 96.24 feet long, on a parcel of land generally located at 6900 US Highway 19 North. The vacation of the easements is necessary to complete the construction of the Wal-Mart Neighborhood Market, a commercial grocery store. The following Findings of Fact are pertinent to this request:

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

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

**P6** **CONSIDERATION OF A REQUEST FOR A WAIVER TO ALLOW A SIX-FOOT-HIGH, CHAIN LINK FENCE WITH FABRIC SHEETING AS A SUBSTITUTE FOR A SOLID WALL AS REQUIRED BY SECTION 8-1507.10 (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 11959 AUTOMOBILE BOULEVARD (46<sup>TH</sup> STREET).** (MS 2008-61 Keith Begin, Jr., Keith Begin, Sr., and Deborah Begin)

**PUBLIC HEARING (QUASI-JUDICIAL)**

NOTE: The applicant is requesting a waiver to allow a six-foot-high, chain link fence with fabric sheeting 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 "IH" Heavy Industrial Zoning District. The outdoor storage area has been and, pending the outcome of this request, will continue to be utilized by the applicant for storage of vehicles, as the applicant operates two

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- P6** businesses on this site, Bayside Building Services, Inc. and Bayside Sandblasting & Painting. The site fronts on Automobile Boulevard (46<sup>th</sup> Street). No outdoor storage will be located within the front yard setback. The site abuts industrial uses to the north, south, and east and functionally abuts industrial uses to the west. The surrounding area consists of: to the north, D & S Pallets, Inc.; to the south, Struthers Trucking; to the east, various industrial uses; and to the west, Matt Stone Mfg., Inc. and Triangle Tree Service. 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 with fabric sheeting 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 generally located at 11959 Automobile Boulevard (46<sup>th</sup> Street), subject to the following condition:

1. The material used as the screen shall be maintained to remain free of tears, rips, holes, etc.

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

**V. CONSENT AGENDA**

◆ **COMMUNITY DEVELOPMENT**

- C1 ORDINANCE NO. 3627. AMENDING THE FUTURE LAND USE PLAN MAP FOR THE CITY OF PINELLAS PARK BY PROVIDING FOR A CHANGE IN THE LAND USE FROM RESIDENTIAL URBAN (RU) TO COMMERCIAL GENERAL (CG) ON A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6801 PARK BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (LUPA 2008-3 – Tosca, Inc./Mike Kashtan)**

**FIRST READING PRIOR TO PUBLIC HEARING  
(PUBLIC HEARING July 10, 2008 (QUASI-JUDICIAL))**

NOTE: This site consists of three parcels of land. This site was developed under Pinellas County jurisdiction and was utilized as a used car lot when annexed into the City in 2004. These lots were all zoned commercial; however, two of the lots

**CITY COUNCIL AGENDA**

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- C1** had a Land Use Plan Map designation of Residential Urban (RU). This Land Use Plan Map amendment will correct an inconsistency between the “B-1” General Commercial Zoning District, commercial uses of the property and the Land Use Plan Map designation. Surrounding land uses are: to the north, single family dwellings; to the south, Suncoast RV’s; to the east, vacant mobile home park; to the west, the remaining portion of this site and Everest Automotive Group. When the site was annexed into the City, the annexation agreement provided for a period of 12 months the City shall waive the \$500.00 application fee for a Land Use Plan Map Amendment, time lapsed and the agreement became null and void, see attached agreement. Therefore, the applicant is requesting a waiver to the Land Use Plan Map Amendment application fee, a companion case (MS 2008-52) to this request. 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 their meeting of June 5, 2008, the Planning and Zoning Commission recommended approval of the application.

(reference material — ordinance, City Attorney approval letter, staff report, excerpts from the P & Z minutes of 6/5/2008, application, AX 2004-6 data sheet, and map)

- C2** **ORDINANCE NO. 3628. AN ORDINANCE AMENDING CHAPTER 18 AND DEVELOPMENT CODE), OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY REPEALING SECTION 18-1505.13 “FEES AND CHARGES”, IN ITS ENTIRETY AND CREATING A NEW SECTION 18-1505.13 “FEES AND CHARGES”; PROVIDING FOR CERTIFICATION BY THE CITY COUNCIL THAT THIS ORDINANCE IS IN CONFORMANCE WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (LDC 2008-05)**

**FIRST READING PRIOR TO PUBLIC HEARING  
(Public Hearing, July 10, 2008)**

NOTE: Zoning fees were discussed by City Council with staff at the May 20, 2008 City Council Workshop Meeting. Council provided direction to staff to adopt a fee schedule consistent with that discussion.

(reference material — ordinance, Attorney approval letter)

- C3** **AUTHORIZATION FOR MAYOR TO SIGN A SUPPLEMENTAL AGREEMENT TO AN EXISTING LOCAL AGENCY PROGRAM (LAP) AGREEMENT BETWEEN THE CITY AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION – FPN: 411457 2 38/58 01.**

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- C3** NOTE: This is an authorization for the Mayor to sign a Supplemental Agreement to the existing Local Agency Program (LAP) Agreement, dated November 15, 2006, with the Florida Department of Transportation (FDOT) for their participation in the Park Boulevard Drainage Improvement Project, Phase III. This LAP Supplemental Agreement incorporates FDOT's commitment of \$3,955,000 for the construction phase of the project.

ACTION: (Approve – Deny) Authorization for the Mayor to sign a Supplemental Agreement to the Local Agency Program (LAP) Agreement – FPN: 411457 2 38/58 01.

(reference material — LAP Supplemental Agreement – FPN:411457 2 38/58 01, copy of Local Agency Program (LAP) Agreement – FPN: 411457 2 38 01, 05/19/08 Attorney approval letter)

◆ POLICE

- C4** **AUTHORIZATION TO PURCHASE UNDER FLORIDA State Contract071-511-182 — One (1) 2008 Chevy Silverado – For Police Department**

NOTE: This 2008 Chevy Silverado is a replacement for assets 11007 and 14056. This new truck will be used daily by the Narcotics Section of the Police Department in performing routine duties throughout the City. The amount budgeted in account 104-212-5-661-09 for this expenditure is \$21,827 and will be charged to the Police Department forfeiture account.

ACTION: (Approve – Deny) Authorization to purchase under Florida State Contract 071-511-182 – One 2008 Chevy Silverado for Police Department from Alan Jay Chevrolet, Sebring, Florida, at a total cost of \$21,827 to be charged to the appropriate account.

(reference material — 6-10-08 quotation Alan Jay Chevrolet)

- C5** **AUTHORIZATION FOR CITY MANAGER TO SIGN SCHOOL RESOURCE OFFICER AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA.**

NOTE: This contract revises and replaces the contract between the City and School Board of Pinellas County, Florida, 301 4<sup>th</sup> Street SW, Largo, Florida, previously entered, August 7, 2007. This one year proposed Agreement provides law enforcement and related services to Pinellas Park Senior High School and Morgan Fitzgerald Middle School from July 1, 2008 until June 30, 2009. The proposed Agreement has been reviewed by the City Attorney's office and Risk Management.

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- C5 ACTION:** (Approve-Deny) Authorization for the City Manager to sign the proposed Agreement with the School Board of Pinellas County, Florida for School Resource Officer Services.

(reference material — City Attorney's 5/19/2008, Risk Management Letter dated 5/16/2008 letter and Agreement)

**VI. REGULAR AGENDA**

◆ **NEIGHBORHOOD SERVICES**

**R1 RECEIPT OF RESIGNATION FROM COMMUNITY PROJECTS ADVISORY BOARD — Ray Hoeneisen**

NOTE: Mr. Ray Hoeneisen submitted a letter of resignation from the Community Projects Advisory Board effective May 30, 2008. Mr. Hoeneisen has served on the Community Projects Advisory Board since October 14, 2004, and his term was to expire July 31, 2009.

**ACTION:** (Accept – Refuse) With regret, the resignation of Mr. Hoeneisen from the Community Projects Advisory Board.

(reference material — 5/30/2008 letter of resignation)

**R2 REAPPOINTMENT TO THE COMMUNITY PROJECTS ADVISORY BOARD – Sherry Armstrong, Peggy Kunda, Deborah Schladweiler, William DeLong, Daniel Lemon and Robert Pergolizzi**

NOTE: The terms of Sherry Armstrong, Peggy Kunda, Deborah Schladweiler, William DeLong, Daniel Lemon and Robert Pergolizzi will expire on July 31, 2008. Ms. Armstrong has been a resident member since August 1999. Ms. Kunda was a business owner member August 1999 – July 2001; and a resident member since July 2001. Ms. Schladweiler was a business owner member October 2004 – October 2006; and a resident member since October 2006. Mr. DeLong has been a design professional member since August 1999. Mr. Lemon has been a design professional member since August 1999. Mr. Pergolizzi has been a design professional member since August 1999. They have expressed a desire to continue to serve on the Community Projects Advisory Board for a two-year term.

**ACTION:** (Approve-Deny) The reappointment of Sherry Armstrong, Peggy Kunda and Deborah Schladweiler to serve as resident members, and William DeLong, Daniel Lemon, and Robert Pergolizzi to serve as design professional members of the Community Projects Advisory board for a two-year term to expire July 31, 2010.

(reference material — attendance records)

◆ **LIBRARY AND RECREATION**

**R3 APPOINTMENT OF TEEN LIBRARY BOARD MEMBER**

NOTE: Eric Scherer was interviewed by the Pinellas Park Library Board at their meeting on June 5, 2008 and recommends he be appointed to serve as a Teen Board member for a one-year term.

ACTION: (Approve – Deny) The appointment of Eric Scherer as a Teen Board member to serve for a one-year term beginning July 1, 2008 and expiring on June 30, 2009.

(reference material — application)

**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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15 <i>Father's Day</i> <i>Pentecost</i>	16	17 *7:00 PM "Meet Your Mayor & Council"	18	19	20 <i>Summer Begins</i>	21																																																																																					
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Perennial Gardening Month  
[www.perennialplant.org](http://www.perennialplant.org)

Cancer From The Sun Month  
[www.ppsinc.org](http://www.ppsinc.org)

National Safety Month  
[www.nsc.org](http://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](http://www.horseradish.org)

National Hot Dog Month  
[www.hot-dog.org](http://www.hot-dog.org)

National Recreation and  
Parks Month  
[www.nrpa.org](http://www.nrpa.org)

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

Televised LIVE on Channel 15



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