

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
JULY 9, 2009**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

**SPECIAL PRESENTATION — EMPLOYEE OF THE QUARTER
Cheryl Martin, Staff Assistant – Parks and Engineering Services**

**SPECIAL PRESENTATION — SCHOLARSHIPS
FROM THE PUBLIC SERVICE EDUCATION FOUNDATION**

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 25, 2009.

IV. PUBLIC HEARINGS

◆ FINANCE

**P1 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.**

PUBLIC HEARING, SECOND AND FINAL READING

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- P1** 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, *CI on 6/25/2009 Council agenda*)

- P2** **RESOLUTION NO. 09-21. A RESOLUTION VACATING THE 30-FOOT-WIDE, UNIMPROVED RIGHT-OF-WAY OF 41ST STREET NORTH GENERALLY LOCATED NORTH OF 80TH AVENUE NORTH AND SOUTH OF 81ST AVENUE NORTH. (V 2009-5 4101 80th Avenue/V. Joy Robertson)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The applicant is requesting the vacation of the west 30 feet, the remaining portion of 41st Street North right-of-way, south of 81st Avenue and north of 80th Avenue. The east 30 feet of this right-of-way was vacated via Resolution No. 05-35 (Case No. V 2005-10). The applicant states that the right-of-way has become a nuisance due to vagrants living in it and attempting to break into her vehicle. The applicant wishes to fence the area off to prevent trespass. No City Divisions or private utilities have raised objections to the proposal; however, utility and drainage easements must be retained and/or utilities relocated at the expense of the applicant and an ingress/egress easement for utility maintenance purposes must be retained. The Planning and Zoning Commission, at their meeting of June 4, 2009, recommended APPROVAL of the vacation, based on the following Findings of Fact:

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; however, utility and drainage easements must be retained and/or utilities relocated at the expense of the applicant and an ingress/egress easement for utility maintenance purposes must be retained.
3. Prior to the placement of any obstructions in the easement, the applicant shall submit a customer service application to install a fire hydrant at the east end of 81st Avenue. The hydrant shall be installed and activated prior to any permits issued for fencing in the easement.

(reference material — resolution, Attorney approval letter, staff report, excerpts of the P&Z meeting of June 4, 2009, application, letter of objection, aerial)

V. CONSENT AGENDA

◆ **COMMUNITY DEVELOPMENT**

C1 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY CYNTHIA RUTH ENGERT - (AX09-13) — Annexation of 0.32 acres MOL located at 5966 114th Terrace North

NOTE: This is a voluntary annexation of 0.32 acres MOL of contiguous residential property located at 5966 114th Terrace North in the Forest Square Subdivision.

Cynthia Ruth Engert 5966 114 th Terrace North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$1,451.11	\$0.00	\$0.00
This is an annexation by petition only. There are no "Special Provisions".			

ACTION: (Approve - Deny) The voluntary annexation of 0.32 acres MOL of property owned by Cynthia Ruth Engert and located at 5966 114th Terrace North.

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

C2 ORDINANCE NO. 3686. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 5966 114TH TERRACE NORTH - (Cynthia Ruth Engert - AX09-13)

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This is a voluntary annexation of 0.32 acres MOL of contiguous residential property. The Owner's single family home is located on this site in the Forest Square Subdivision.

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

C3 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY MARK AND REBECCA HALEY - (AX09-15) — Annexation of 0.13 acres MOL located at 6170 104th Avenue North

NOTE: This is a voluntary annexation of 0.13 acres MOL of contiguous residential property located at 6170 104th Avenue North in the Northfield Manor Subdivision.

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Mark and Rebecca Haley 6170 104 th Avenue North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$1,292.16	\$0.00	\$0.00
This is an annexation by petition only. There are no "Special Provisions".			

ACTION: (Approve - Deny) The voluntary annexation of 0.13 acres MOL of property owned by Mark and Rebecca Haley and located at 6170 104th Avenue North.

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

C4 **ORDINANCE NO. 3688. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6170 104th Avenue North (Mark and Rebecca Haley – AX09-15**

FIRST READING PRIOR TO PUBLIC HEARING

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

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

C5 **ORDINANCE NO. 3689. AMENDING ORDINANCE NO. 2432 TO CORRECT A SCRIVENER'S ERROR IN THE ZONING CLASSIFICATION FOR A CERTAIN PARCEL OF PROPERTY GENERALLY LOCATED AT 6116 110TH AVENUE NORTH (GILLESPIE – AX97-5)**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: Ordinance No. 2432, (approved on June 12, 1997), annexed the property located at 6116 110th Avenue North into the City of Pinellas Park. This amending ordinance corrects a scrivener's error in ordinance No. 2432 by changing the zoning classification from T-2 to T-1.

(reference material — ordinance, attorney approval letter)

C6 **RESOLUTION NO. 09-22. A RESOLUTION DECLARING A CERTAIN PARCEL OF CITY-OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 58TH STREET AND 70TH AVENUE NORTH TO BE SURPLUS PROPERTY AND AUTHORIZING THE CITY MANAGER TO TAKE THE NECESSARY STEPS TO EFFECT A SALE.**

FIRST AND FINAL READING

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- C6** NOTE: The City owns an irregular shaped, non-buildable parcel of property located at the southwest corner of 58th Street and 70th Avenue North. Recently, Staff was approached by the new owner of the property immediately south of the City parcel requesting to purchase the property from the City. As a result, City staff inquired of all divisions and found that none has any municipal use for this City-owned parcel. When it was determined that no division had a use for it, an appraisal was ordered from C. Sattler and Associates, Inc. which indicated that the fair market value of the parcel was Four Thousand Dollars (\$4,000). Subsequent to being informed of the appraised value, the owners, Mr. and Mrs. John Morrill, submitted a written cash offer to purchase the property for Four Thousand Dollars (\$4,000) with no contingencies.

(reference material — Resolution, survey, attorney approval letter)

- C7** **AUTHORIZATION FOR THE MAYOR TO SIGN A CONTRACT FOR SALE OF REAL PROPERTY WITH JOHN D. MORRILL AND MARICEL B. MORRILL.** -- For vacant City-owned property located at the southwest corner of 58th Street and 70th Avenue North

NOTE: City staff has inquired of all Divisions and found that none has any municipal use for this City-owned parcel. An appraisal was performed by C. Sattler and Associates, Inc. which indicated the value of the property to be Four Thousand Dollars (\$4,000). Subsequent to the appraisal being done, Mr. and Mrs. Morrill have submitted a written cash offer on the property for the appraised value with no contingencies.

ACTION: (Approve - Deny) Authorization for the Mayor to sign a Contract For Sale Of Real Property for a vacant City-owned parcel located at the southwest corner of 58th Street and 70th Avenue North..

(reference material — Contract, attorney approval letter)

◆ **MIS**

- C8** **AUTHORIZATION FOR THE PURCHASE DELL NETWORK SERVERS UNDER STATE CONTRACT — DELL**

NOTE: Authorization to purchase under State Contract 250-000-09-1 three (3) PowerEdge R710 servers at a cost of \$18,247.68 one (1) PowerVault NX3000 storage server at a cost of \$8,119.82, and one (1) PowerVault MD1000 direct attached storage at a cost of \$10,703.80 for a total cost of \$37,071.30 from Dell Corporation (One Dell Way, Round Rock, TX 78682). This project will be charged to account 501-851-5-621-08.

ACTION: (Approve-Deny) Authorization to purchase Network Servers from Dell Corporation (Round Rock, TX 78682) at a total cost of \$37,071.30 to be charged to the appropriate account.

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C8 (reference material — Price quotes, purchasing letter)

C9 **AUTHORIZATION FOR THE PURCHASE APC Uninterruptible Power Supply (UPS) for City Hall- Power & Systems Innovations**

NOTE: Authorization to purchase APC UPS under state contract #250-000-09-1 at a cost of \$82,093.00 from Power & Systems Innovations (6457 Hazeltine Drive Suite 165, Orlando, FL. 32822). This project will be charged to account 501-851-5-621-08.

ACTION: (Approve-Deny) Authorization to purchase APC UPS from Power & Systems Innovations (Orlando, FL. 32822). at a cost of \$82,093.00 to be charged to the appropriate the account.

(reference material — Price quotes, purchasing letter)

VI. REGULAR AGENDA

◆ LIBRARY AND RECREATION COMMUNITY DEVELOPMENT

R1 **RECEIPT OF RESIGNATION FROM LIBRARY BOARD — Darlene Bennett**

NOTE: Darlene Bennett has relocated to another city and is no longer eligible to serve on the Library Board. Ms. Bennett has been an active member of the Board since June 2005 and her dedication will be missed. The term for this position expires June 30, 2010.

ACTION: (Accept-Refuse) With regret, the resignation of Darlene Bennett as a member of the Library Board effective June 30, 2009.

(reference material — none)

R2 **REAPPOINTMENT TO THE PLANNING & ZONING COMMISSION - Three Members**

NOTE: The terms for Ms. Peggy Kunda, Mr. Raymond Long, and Mrs. Deborah Jean Schladweiler will expire on July 31, 2009. Ms. Kunda, Mr. Long, and Mrs. Schladweiler have expressed an interest in continuing to serve on the Board. The Planning and Zoning Commission, at their meeting of June 4, 2009, recommended APPROVAL of the reappointments of Ms. Peggy Kunda, Mr. Raymond Long, and Mrs. Deborah Jean Schladweiler.

ACTION: (Approve - Deny) The reappointment of Ms. Peggy Kunda, Mr. Raymond Long, and Mrs. Deborah Jean Schladweiler to serve as members of the Planning and Zoning Commission with terms to expire July 2012.

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R2 (reference material — attendance record, excerpts of Planning & Zoning minutes of 6/04/2009)

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.

