

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
AUGUST 28, 2008**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

SPECIAL PRESENTATION — SCHOLARSHIPS

The Public Service Education Foundation (Jim Walker and Tim Caddell along with the Korean War Veterans) will present the scholarship awards for this year.

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 August 12, 2008.

IV. PUBLIC HEARINGS

◆ NEIGHBORHOOD SERVICES

P1 RESOLUTION NO. 08-20. LOT MOWING LIENS, PROGRAM #217.

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.

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- P1** reference material — Resolution, Exhibit “A”, Attorney approval letter, *C1 on 2/2008 Council agenda*)

◆ **COMMUNITY DEVELOPMENT**

- P2** **ORDINANCE NO. 3636. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6093 106TH AVENUE NORTH - (Robert Linde and Freda A. Linde – AX08-15)**

SECOND PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.15 acres MOL of contiguous residential property. The Owners’ double wide mobile home is on the property located in the Greentree Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *P4 on 8/12/2008 Council agenda*)

- P3** **ORDINANCE NO. 3634. AN ORDINANCE AMENDING AN ADOPTED MASTER PLAN CONTROLLING DEVELOPMENT IN AN EXISTING “IPUD” INDUSTRIAL PLANNED UNIT DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED AT 4590 ULMERTON ROAD. (PUD 2005-8(R)2/CU 2008-21, Hayden-Rubin Development Inc., Suncoast Land Enterprise LLC, Triad South LLP, and Triad Owners Association Inc.)**

**PUBLIC HEARING, SECOND AND FINAL READING
(QUASI JUDICIAL)**

NOTE: The applicant is requesting consideration of the adoption of a revised Master Plan for an existing “IPUD” Industrial Planned Unit Development with underlying “M-1” Light Industrial Zoning, and a Conditional Use for “Hotels and motels” on a 8.09 acre parcel of land generally located at 4590 Ulmerton Road for the proposed development of an 83-unit hotel. The applicant has requested a waiver to the Conditional Use requirement for lot coverage for the proposed hotel from 60% to 87.2% for Lot Three. However, overall lot coverage for the Master Planned site is under Code requirements with 70.2% coverage. Surrounding land uses are: to the north, Ulmerton Business Center, Florida Veterinary Specialists, Parliament RV Sales; to the south, industrial uses and single family dwellings; to the east Medicine Horse; and to the west, Amana/Goodman Air Conditioning and Refrigeration. 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.

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- P3** At its meeting on July 3, 2008, the Planning and Zoning Commission recommended APPROVAL of the above request subject to the following condition;
1. All previous conditions of approval shall remain in full force and effect.

(reference material — ordinance, Attorney approval letter, excerpts of P & Z minutes of 7/3/08, staff report, application, map, master site plan, *C5 on 8/12/2008 Council agenda*)

- P4** **ORDINANCE NO. 3633. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1503.3, LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK CODE OF ORDINANCES AND CITY ZONING MAP BY REZONING A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 4701 PARK BOULEVARD AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM “B-1” GENERAL COMMERCIAL TO “B-1” GENERAL COMMERCIAL WITH A “CPUD” COMMERCIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION; IMPOSING CONDITIONS OF DEVELOPMENT; 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. (PUD 2008-3, ABNK Properties LLC/ Vincent Corbitt/Land Precision Corp.)**

**PUBLIC HEARING, SECOND AND FINAL READING
(QUASI JUDICIAL)**

NOTE: The applicant is requesting to rezone from “B-1” General Commercial Zoning District to “B-1” General Commercial Zoning District with a “CPUD” Commercial Planned Unit Development overlay and adoption of a Master Plan for a 5.412 acres parcel of land generally located at 4701 Park Boulevard, to create an outparcel for the existing Albertson’s gas station. No alterations to the site are proposed. 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. Surrounding land uses are: to the north, retail plaza, Farm Store, and single family dwellings; to the south, Gas and More Gas Station, Advent Medical, and Cash Register Auto Insurance; to the east, McCloud Funeral Home (closed), and single family dwellings; and to the west, Park Plaza Shopping Center, Goodyear, Marko’s Meat & Deli, Southern Pawn and the City’s community messaging tower. At its meeting on July 3, 2008, the Planning and

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P4 Zoning Commission recommended APPROVAL of the above request subject to the following condition;

1. Criteria assigned to subdivision in notes on Site Plan, last revised on April 29, 2008, shall be accepted as governing regulations for the development. All regulations not addressed shall revert to Code in effect at the time of “PUD” Planned Unit Development adoption.

(reference material — ordinance, Attorney approval letter, excerpts of P&Z minutes of 7/3/08, staff report, application, map, and master site plan, *C6 on 8/12/2008 Council agenda*)

P5 **ORDINANCE NO. 3635. REZONING FROM “B-1” GENERAL COMMERCIAL DISTRICT TO “MXD” MIXED USE DISTRICT ON A PARCEL OF LAND GENERALLY LOCATED AT 5840 PARK BOULEVARD. (Z 2008-6 – Dr. Neelam Uppal/ James Pucillo, Architect)**

**PUBLIC HEARING, SECOND AND FINAL READING
(QUASI- JUDICIAL)**

NOTE: The applicant is proposing a rezoning from “B-1” General Commercial District to “MXD” Mixed Use District on an approximately 0.53 acre parcel of land generally located at 5840 Park Boulevard for a proposed mixed use development consisting of medical offices, professional offices and residential units. The Redevelopment Plan proposed this district for the entire block. At the Planning and Zoning Commission meeting of July 7, 2008, the motion failed due to a split vote.

(reference material — ordinance, Attorney approval letter, excerpts of P&Z minutes of 7/3/08, staff report, application, map, *C7 on 8/12/2008 Council agenda*)

P6 **CONSIDERATION OF A REQUEST FOR PRELIMINARY SITE PLAN APPROVAL FOR A PARCEL OF LAND IN THE “M-1” LIGHT INDUSTRIAL ZONING DISTRICT THAT FUNCTIONALLY ABUTS A RESIDENTIAL ZONING DISTRICT FOR THE CONSTRUCTION OF AN ADDITION WITH A VARIANCE TO REDUCE REQUIRED PARKING ON A PARCEL OF LAND GENERALLY LOCATED AT 6500 121ST AVENUE. (MS 2008-71/BOA 2008-45 Paul Bunday/Michael Heimsath/Dean Jarvis)**

PUBLIC HEARING (QUASI-JUDICIAL)

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P6 NOTE: The applicant, PKS Rentals, is requesting approval of a Preliminary Site Plan for a parcel of land in the “M-1” Light Industrial Zoning District that functionally abuts a residential zoning district with a variance to reduce the required parking from 6 spaces to 5 spaces. The applicant proposes the construction of an addition to a warehouse on a 0.31 acre MOL parcel of land generally located at 6500 121st Avenue. The applicants state that they have three employees (including themselves). They do not have set hours of operation, because it is by appointment only and they are not open to the public. The site is primarily used for loading and off-loading equipment and supplies for limited special events and functions; see attached letter describing business operations. Therefore, the applicant states that parking requirements based on Code are in excess of typical usage at this business. Surrounding land uses are: to the north, McElaney Tractor Trailers; to the south, parking lot for a retail commercial plaza; to the east, a single family dwelling and a contractors warehouse; and to the west, commercial development consisting of a vacant restaurant and retail commercial plaza and a second commercial plaza with limited tenants. 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. Section 18-1506.23 of the Land Development Code requires City Council approval of Site Plans for property located within the “M-1” Light Industrial Zoning District that abuts or functionally abuts residentially zoned property. City Council may require the installation of additional buffering in order to eliminate adverse impact of the proposed industrial use on the adjacent property.

ACTION: (Approve – Deny) Approval of a Preliminary Site Plan for a parcel of land in the “M-1” Light Industrial Zoning District that functionally abuts a residential zoning district with a variance to the parking requirements for the development of a warehouse addition for a warehouse use generally located at 6500 121st Avenue, subject to the following condition:

1. The variance is for a reduction in parking spaces from 6 to 5 for the warehouse use only.
2. The variance shall run with the business, not the land.

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

V. CONSENT AGENDA

◆ CITY COUNCIL

- C1 **RESOLUTION NO. 08-21. A RESOLUTION APPROVING THE ISSUANCE OF A REVENUE NOTE BY THE TAMPA BAY REGIONAL PLANNING COUNCIL IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,500,000 TO REFINANCE THE ACQUISITION AND CONSTRUCTION OF AN OFFICE BUILDING FOR USE BY THE TAMPA BAY REGIONAL PLANNING COUNCIL AND OTHER GOVERNMENTAL AND NON-PROFIT ORGANIZATIONS.**

FIRST AND FINAL READING

NOTE: The Tampa Bay Regional Planning Council (TBRPC) proposes to issue its 2008 Note, in an aggregate principal amount not to exceed \$2.5 million, which will be used for the purpose of refinancing the TBRPC's outstanding Revenue Note, Series 2002, that was used to acquire the site for and to construct the TBRPC headquarters building located at 4000 Gateway Centre Boulevard, Pinellas Park. TBRPC held a public hearing on August 8, 2008, which was advertised in the Pinellas News on July 25, 2008 and proof of this public hearing is on file in the City Clerk's Office.

(reference material — resolution, public hearing notice affidavit)

◆ HUMAN RESOURCES

- C2 **RESOLUTION NO. 08-23. ADOPTING A REVISED CLASSIFICATION AND PAY PLAN AND REVISIONS TO OTHER COMPENSATION AND LEAVE PROGRAMS FOR POSITIONS NOT INCLUDED IN BARGAINING UNITS WITHIN THE CITY OF PINELLAS PARK; PROVIDING FOR AN EFFECTIVE DATE.**

FIRST AND FINAL READING

NOTE: This resolution adopts a revised Classification and Pay Plan and authorizes revisions to the Personnel and Safety Rules and Regulations.

(reference material — resolution, classification and pay plan, revised vacation policy, new domestic violence leave policy)

◆ MIS

C3 AUTHORIZATION OF A LEASE CONTRACT OF RICOH MULTI-FUNCTIONAL PRINTER AND MAINTENANCE AGREEMENT - Ricoh Business Systems

NOTE: This authorizes a five year lease contract for two Ricoh Aficio MP C3000 Printer and Maintenance Agreement with Ricoh Business Systems (17757 U.S. Highway 19 North Suite 100, Clearwater, FL 33764) under University of Florida Contract # ITN07DD-162TC at an annual estimated cost of \$13,825.08 and a total estimated cost of \$69,125.40 to be charged to accounts 001-741-5-451-03 and 001-154104 allocated as per memo from accounting.

ACTION: (Approve-Deny) Authorization for a lease contract of two Ricoh Aficio MP C3000 Printer and Maintenance Agreement with Ricoh Business Systems (Clearwater, FL) at a total cost of \$69,125.40 to be charged to the appropriate account.

(reference material — Ricoh Quote, University of Florida Contract # ITN07DD-162TC Master Agreement, Purchasing approval, memo from Accounting Sonny Kotala, City Attorney letter)

VI. REGULAR AGENDA

◆ HUMAN RESOURCES

R1 RE-APPOINTMENT TO THE CIVIL TRIAL COMMISSION – One Regular Member, three-year term; One Alternate Member, three-year term

NOTE: The term of Carl T. Gingola, as a Regular Member and Chairperson of the Civil Trial Commission, is due to expire September 30, 2008. The term of Nancy E. Morais, as an Alternate Member of the Civil Trial Commission, is due to expire September 30, 2008. Mr. Gingola and Ms. Morais have served on the Civil Trial Commission since September 1984 and August 2001, respectively. They have both indicated interest in continuing to serve in their positions on the Civil Trial Commission.

ACTION: (Approve-Deny) Re-appointment of Mr. Carl T. Gingola to serve as a Regular Member and Chairperson of the Civil Trial Commission for a three-year term to expire September 30, 2011. Re-appointment of Ms. Nancy E. Morais to serve as an Alternate Member of the Civil Trial Commission for a three-year term to expire September 30, 2011.

(reference material — none)

◆ NEIGHBORHOOD SERVICES

R2 REQUEST FOR REDUCTION OR ELIMINATION OF SPECIAL HEARING MASTER (SM) LIEN NO. 10-06-5646 – 8401 58th Street (Ronald N. Peters, Prior Owner)

NOTE: Stephanie See with Results Real Estate, representing Southern Investments, LLC, current owner of the property located at 8401 58th Street, has requested a reduction or elimination of the \$5,500.00 Special Hearing Master (SM) Lien No. 10-06-5646 on the property. On July 23, 2008, the Special Hearing Master recommended that SM Lien No.10-06-5646 be reduced to the amount of \$500.00, provided the reduced amount is paid by a date determined by City Council. The City's estimated cost in handling this case is \$300.65.

ACTION: (Approve-Deny) The request for a reduction of SM Lien No. 10-06-5646, against Ronald N. Peters and the property located at 8401 58th Street, to the reduced amount of \$500.00, provided this reduced amount is paid by September 28, 2008, otherwise the lien will automatically revert back to the original amount of \$5,500.00.

(reference material — 7.28.08 recommendation letter from Special Hearing Master; 7.23.08 excerpt from Special Hearing Master minutes; 8.11.08 File Information memo; 6.06.08 appeal letter from Stephanie See; History of Events)

R3 REQUEST FOR REDUCTION OR ELIMINATION OF SPECIAL HEARING MASTER (SM) LIEN NO. 08-07-5302 – 3801 67th Avenue (Diep Van & Kim Yen Thi Nguyen)

NOTE: Diep Van Nguyen, owner of the property located at 3801 67th Avenue, and his attorney, Thaddeus Freeman, have requested a reduction or elimination of the \$9,600.00 Special Hearing Master (SM) Lien No. 08-07-5302 on his property. On July 23, 2008, the Special Hearing Master recommended that SM Lien No. 08-07-5302 be reduced to the amount of \$3,000.00, provided the reduced amount is paid by a date determined by City Council. The City's estimated cost in handling this case is 2,183.14.

ACTION: (Approve-Deny) The request for a reduction of SM Lien No. 08-07-5302, against Diep Van & Kim Yen Thi Nguyen and the property located at 3801 67th Avenue, to the reduced amount of \$3,000.00, provided this reduced amount is paid by September 28, 2008, otherwise the lien will automatically revert back to the original amount of \$9,600.00.

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- R3** (reference material — 7.28.08 recommendation letter from Special Hearing Master; 7.23.08 excerpt from Special Hearing Master minutes; 7.16.08 File Information memo; application and exhibits from Attorney Thaddeus Freeman; History of Events)

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.

September 2008

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

Sunday Monday Tuesday Wednesday Thursday Friday Saturday

	1 Brush Site Closed Labor Day City Offices & Library Closed	2 Ramadan Begins	3	4	5	6																																																																																											
7 Grandparent's Day	8	9 7:30 PM City Council Workshop	10 Pancake Breakfast Senior Center - 9 AM 7625 59th St.	11 Patriot Day 7:00 PM Agenda Session *7:30 PM City Council Meeting	12	13																																																																																											
14	15	16 *7:00 PM "Meet Your Mayor & Council"	17	18	19	20 Pride In The Park Fall Clean-Up (727) 541-0711																																																																																											
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28	29	30 Ramadan Ends Rosh Hashanah Begins			<p>AUGUST 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></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>OCTOBER 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>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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Library Card Sign-Up
Month
www.ala.org

National Chicken Month
www.eatchicken.com

National 5-A-Day Month
www.5aday.org

US Treasury
Department
Established:
September 2, 1789

Televised LIVE on Channel 15



Keep up with Pinellas Park events
on Bright House Channel 15