

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
OCTOBER 8, 2009**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

**SPECIAL PRESENTATION — EMPLOYEE OF THE QUARTER
Nancy Heller — Recreation Program Manager**

**SPECIAL PRESENTATION — PLAQUE OF APPRECIATION
To Richard Frazee for community service to City**

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 September 24, 2009.

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

**P1 ORDINANCE NO. 3701. AN ORDINANCE AMENDING CHAPTER 18
(LAND DEVELOPMENT CODE) ARTICLE 6, "SIGNS" OF THE CITY
OF PINELLAS PARK, FLORIDA.**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: An Ordinance Amending Chapter 18 (Land Development Code) Article 6, "Signs" of the Code of Ordinances of the City of Pinellas Park, Florida, by amending Section 18-628 "All Districts", Subsection (m) "Political Signs"; Providing that signs for candidate whose name will be on the general election ballot may remain until after the general election when the primary election and the general election are within seventy-five (75) days of each other; Providing for the inclusion of such amended Ordinance in the Land Development Code; 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

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- P1** conflict; Providing for an Effective Date. This was approved at the August 6, 2009, Planning & Zoning Commission meeting. (LDC 2009-03)

(reference material — ordinance, City Attorney’s approval letter, excerpts of P&Z minutes of 08/06/09, *C1 on 9/24/2009 Council agenda*)

- P2** **ORDINANCE NO. 3700. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PORTION OF RIGHT-OF-WAY GENERALLY LOCATED ON 34TH STREET BETWEEN 118TH AVENUE AND 126TH AVENUE NORTH (Pinellas County – AX09-20**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.45 acres MOL of contiguous right-of-way property. Pinellas County Public Works Operations Department has requested that the City take over maintenance of this segment of right-of-way as it is the last segment between 118th Avenue and 126th Avenue that is not currently in the City.

(reference material — ordinance, letter from Pinellas County Public Works, comment sheet, data sheet, map, Attorney approval letter, *C2 on 9/24/2009 Council agenda*)

V. CONSENT AGENDA

◆ NEIGHBORHOOD SERVICES

- C1** **ORDINANCE NO. 3702. AMENDING CHAPTER 12 (HEALTH AND SANITATION), ARTICLE I – PROHIBITED CONDITIONS**

FIRST READING PRIOR TO PUBLIC HEARING

NOTE: Chapter 12 (Health and Sanitation), Article I – Prohibited Conditions, Section 12-104 “Lot cleaning”, Subsections (H) and (J) are being amended by providing that the administrative fee amount will be as outlined in the City’s Administrative Fee Schedule.

(reference material — ordinance, attorney approval letter)

◆ CITY CLERK

- C2 **ORDINANCE NO. 3703. AN ORDINANCE OF THE CITY OF PINELLAS PARK, FLORIDA, AMENDING THE DATES OF THE CITY GENERAL ELECTION FROM THE FIRST TUESDAY IN MARCH TO THE SECOND TUESDAY IN MARCH; AMENDING THE DATES OF THE QUALIFYING PERIOD; AMENDING THE DATE ON WHICH COUNCIL MEMBERS TAKE OFFICE.**
FIRST READING PRIOR TO PUBLIC HEARING

NOTE: This ordinance amends the dates of the 2010 General Election, qualifying dates and date on which Council Members take office.

(reference material — proposed ordinance; City Attorney approval)

- C3 **ORDINANCE NO. 3704. AN ORDINANCE AMENDING ORDINANCE NO. 3692, BY AMENDING THE CITY'S ADMINISTRATIVE FEE SCHEDULE; AS OUTLINED 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.

(reference material — Ordinance; City Attorney approval)

◆ PUBLIC WORKS

- C4 **CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 05/005 UNDERGROUND STORAGE TANK REMOVAL AND INSTALLATION - Adams Tank and Lift Inc., Clearwater, FL**

NOTE: Change Order No.1 is recommended for approval so that the final payment can be processed and the contract closed out. The decrease in the contract amount represents a decrease of the original contract amount by 9.8%. The account to be charged is 301-175-5-758-45. The final contract amount is \$43,747 under the original contract amount.

ACTION: (Approve-Deny) Authorization for approval and acceptance of Change Order No. 1 and final payment for project 05/005 Underground Storage Tank Removal and Installation, a decrease in the contract amount of \$43,747 for a total adjusted contract amount of \$401,389 and authorization for final payment of \$81,766.60 to Adams Tank and Lift, Inc. to be charged to the appropriate account.

(reference material — change order, final invoice)

C5 AUTHORIZATION TO PURCHASE UNDER CHARLOTTE COUNTY SCHOOL BOARD CONTRACT 07/08-516 — Dug Out Shelters – For Davis Field

NOTE: This purchase will be made under a Charlotte County School Board Contract from Americana Building Products d/b/a Southern Park and Play Systems, Inc., 694 Atlanta Road Suite 7, Melbourne, FL 33904. The cost for the dug out shelters is \$60,860.00, to be charged to account 301-781-5-787-32. The amount budgeted for this project is \$64,700 and can be found on page 384 of the 09/10 budget book. This expenditure will replace dug out shelters at Davis Field baseball diamonds 1, 4, 5 & 7.

ACTION: (Approve – Deny) Authorization to purchase dug out under Charlotte County School Board Contract 07/08-516 from Americana Building Products d/b/a Southern Park and Play Systems, Inc., Melbourne, FL in the amount of \$60,860.00 to be charged to the appropriate account.

(reference material — 9/9/09 quotation from Southern Park and Play Systems, Inc., 9/11/09 memo from Purchasing Director)

C6 REJECTION OF BID 09/001 — 2008/2009 ANNUAL PAVING / RESURFACING PROJECT

NOTE: This is authorization to reject all bids received for Bid 09/001. The amount budgeted for this portion of this project is \$293,707.31 (pg. 372 of the FY 08/09 adopted budget). The rejection of Bid 09/001 is recommended so the City could add the \$500,000 budgeted for paving and resurfacing from the FY 09/10 (pg. 382 of the FY 09/10 adopted budget) and bid a project totaling \$793,707.31. The City should receive more favorable prices with a larger contracted amount.

ACTION: (Approve-Deny) Authorization to reject all bids received for Bid 09/001.

(reference material — none)

◆ **POLICE**

C7 AUTHORIZATION FOR MAYOR, CITY MANAGER, AND THE POLICE CHIEF TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN LOCAL LAW ENFORCEMENT AND MENTAL HEALTH FACILITIES FOR BAKER ACTS

NOTE: This is a memorandum of understanding signifying an agreement between the Pinellas Park Police Department and the mental health receiving facilities (Baker Act receiving facilities) for both adults and juveniles. This agreement will remain in effect until superseded by further legislation.

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- C7** ACTION: (Approve-Deny) Authorization for the Mayor, the City Manager, and the Police Chief to sign a memorandum of understanding with mental health receiving facilities to comply with section 394.462 F.S., governing transport of persons by law enforcement to receiving facilities for involuntary examination.

(reference material — Agreement, Risk Management approval, Attorney approval letter)

VI. REGULAR AGENDA

◆ COMMUNITY DEVELOPMENT

- R1 RESOLUTION NO. 09-34. GRANTING CERTAIN FEE WAIVERS TO PROJECT #A9080628064 AS PART OF THE LOCAL PARTICIPATION IN THE STATE OF FLORIDA GOVERNOR'S QUICK ACTION CLOSING FUND, CONTINGENT UPON RELOCATING TO PINELLAS PARK; PROVIDING PERMITS ISSUED WITHOUT CHARGE SHALL BE VALID PER SECTION 18-906 OF THE LAND DEVELOPMENT CODE.**

FIRST AND FINAL READING

NOTE: Project # A9080628064 is a warehousing and distribution business considering relocation and consolidation of its' National Headquarters, Warehouse and Distribution Center to Pinellas Park. The company would be purchasing and remodeling an existing building. Total capital investment is estimated to be \$9,900,000. When relocated, the company will be hiring 90 employees from the local workforce with annual pay scales above 150% of the average wage in Pinellas County. These wages would result in an economic impact of \$7.3 million as calculated by the U.S. Bureau of Economic Analysis Regional Input-Output Model for Pinellas County. The total estimated impact of this company relocating to Pinellas Park is a positive \$9,239,983 on the local economy.

(reference material — resolution, 9/15/09 letter from City Attorney)

- R2 RESOLUTION NO. 09-35. IDENTIFYING SOURCES OF LOCAL CITY FINANCIAL SUPPORT FOR PROJECT #A9080628064 AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM.**

FIRST AND FINAL READING

NOTE: Project # A9080628064 is a warehousing and distribution business considering relocation and consolidation of its' National Headquarters, Warehouse and Distribution Center to Pinellas Park. The company would be purchasing and remodeling an existing building. Total capital investment is

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- R2** estimated to be \$9,900,000. A tax refund has been requested of \$360,000. Eighty percent (\$288,000) will be funded by the State. The 20% local match (\$72,000) is being requested locally – 50% from Pinellas County (\$36,000) and 50% from the City (\$36,000). This incentive returns a portion of taxes paid by the business after the company meets its job creation and wage commitments. No more than 25% of the total refund approved (\$9,000) by the City may be taken in any single fiscal year. The tax refund will be paid over a series of fiscal years as determined by the State.

When relocated, they will be hiring 90 employees from the local workforce with annual pay scales above 150% of the average wage in Pinellas County. These wages would result in an economic impact of \$7.3 million as calculated by the U.S. Bureau of Economic Analysis Regional Input-Output Model for Pinellas County. The total estimated impact of this company relocating to Pinellas Park is a positive \$9,239,983 on the local economy. This is achieved through the creation of 90 higher paying jobs and expenditures related to the renovation of the existing building, and purchase of equipment.

(reference material — resolution, 9/15/09 letter from City Attorney)

- R3** **CONSIDERATION OF A PRELIMINARY SITE PLAN FOR A PARCEL OF LAND LOCATED IN THE “M-1” LIGHT INDUSTRIAL ZONING DISTRICT ABUTTING RESIDENTIALLY ZONED PROPERTY GENERALLY LOCATED NORTH OF AND ABUTTING 7100 123RD CIRCLE. (MS 2009-48 Interlaken Acquisitions LLC/Matt Mosk)**

QUASI-JUDICIAL

NOTE: The applicant proposes development of an industrial use on a 1.27 acre parcel of property generally located north of and abutting 7100 123rd Circle. The parcel abuts the “Pinebrook Subdivision” to the east. The entire ten acre industrial property was approved for annexation into the City of Pinellas Park on March 9, 2006, via Ordinance No. 3419 (AX 06-23). On June 8, 2006, City Council approved the Preliminary Plat for the “Interlaken Commerce Centre Phase IV” Industrial Subdivision, Case No. PL 2006-3(P), with variances. The applicant proposes development of Lot 1 and has revised the previously approved plan which combined Lots 1 and 2 for a proposed development which did not come to pass. 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 an adverse impact of the proposed industrial use on the adjacent property.

ACTION: (Approve – Deny) A request for a Preliminary Site Plan Approval in the “M-1” Light Industrial District that abuts a residential zoning district for a parcel of land generally located north of and abutting 7100 123rd Circle.

R3 (reference material — staff report, application, map, site plan)

◆ **HUMAN RESOURCES**

R4 REAPPOINTMENT TO THE PINELLAS PARK POLICE OFFICERS' PENSION BOARD OF TRUSTEES – Fifth Member

NOTE: Section 17-422 of the City's Code of Ordinances requires the makeup of the Police Officers' Pension Board to consist of two elected representatives, two representatives appointed by City Council, and the fifth member to be selected by the board and officially appointed by Council. Members serve a two-year term. At their meeting on September 16, 2009, the Police Officers' Pension Board approved the reappointment of Mr. Ronald Miller to serve as their fifth member. Mr. Miller has been serving on this board since its creation in 1999.

ACTION: (Approve-Deny) The reappointment of Ronald Miller to serve as the fifth trustee on the Pinellas Park Police Officers' Pension Board of Trustees with term to expire October 2011.

(reference material — attendance record for past term)

R5 REAPPOINTMENT TO THE PINELLAS PARK GENERAL EMPLOYEES' PENSION BOARD OF TRUSTEES – Seventh Member

NOTE: Section 17-224 of the City's Code of Ordinances requires the makeup of the General Employees' Pension Board to consist of one AFSCME member, two elected employee representatives, three representatives appointed by City Council, and the seventh member to be selected by the board and officially appointed by Council. Members serve a three-year term. At their meeting on September 9, 2009 the General Employees' Pension Board approved the reappointment of Ms. Kimberly Stafford to serve as their seventh trustee. Ms. Stafford has been serving on this board since 2006.

ACTION: (Approve-Deny) The reappointment of Kimberly Stafford to serve as the seventh trustee on the Pinellas Park General Employees' Pension Board of Trustees with term to expire September 2012.

(reference material — attendance record for past term)

R6 REAPPOINTMENT TO THE PINELLAS PARK FIREFIGHTERS' PENSION BOARD OF TRUSTEES – Fifth Member

NOTE: Section 17-322 of the City's Code of Ordinances requires the makeup of the Firefighters' Pension Board to consist of two elected representatives, two representatives appointed by City Council, and the fifth member to be selected by the board and officially appointed by Council. Members serve a two-year term. At their meeting on September 2, 2009, the Firefighters' Pension Board approved

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- R6** the reappointment of Mr. Arthur Winqvist to serve as their fifth member. Mr. Winqvist has been serving on this board since its creation in 1999.

ACTION: (Approve-Deny) The reappointment of Arthur Winqvist to serve as the fifth trustee on the Pinellas Park Firefighters' Pension Board of Trustees with term to expire October 2011.

(reference material — attendance record for past term)

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.

November 2009

The true perfection of man lies, not in what man has, but in what man is.

Oscar Wilde (1854-1900)



Sunday Monday Tuesday Wednesday Thursday Friday Saturday

1 Daylight Saving Time Ends	2	3	4	5	6 AACA Car Show & Swap Meet England Bros. Band Shell	7 AACA Car Show & Swap Meet England Bros. Band Shell
8	9	10 7:30 PM City Council Workshop	11 Veteran's Day City Offices & Library Closed	12 7:00 PM Agenda Session *7:30 PM City Council Meeting	13	14
15 International Family Festival England Bros. Band Shell	16	17	18 Pancake Breakfast Senior Center - 9 AM 7625 59th St.	19 *6:00 PM "Meet Your Mayor & Council"	20	21 Tell-A-Bration Pinellas Park Library
22	23	24 7:00 PM Agenda Session *7:30 PM City Council Meeting	25	26 No Trash Pick-Up Today Brush Site Closed Thanksgiving Day City Offices & Library Closed	27 City Offices & Library Closed	28
29 First Sunday of Advent	30				OCTOBER 2009 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	DECEMBER 2009 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

THINGS TO DO

THINGS TO DO

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