

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
NOVEMBER 12, 2009**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**PROCLAMATION**

**United States Marine Corps Day – 234<sup>th</sup> Birthday**

**SPECIAL PRESENTATION — PLAQUE**

**Presented by Mayor Mischler to Community Planning from FEMA**

**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 October 22, 2009.

**IV. PUBLIC HEARINGS**

**◆ COMMUNITY DEVELOPMENT**

**P1 ORDINANCE NO. 3705. AN ORDINANCE TEMPORARILY  
EXTENDING TIME LIMITS IMPOSED BY THE LAND DEVELOPMENT  
CODE (CHAPTER 18) OF THE CITY OF PINELLAS PARK, PINELLAS  
COUNTY, FLORIDA; RELATING TO THE VARIOUS DEVELOPMENT  
ORDER COMMENCEMENT AND EXPIRATION DATES AND THE  
EXPIRATION DATES ASSOCIATED WITH THE SPECIAL  
PROVISIONS OF ANNEXATION AGREEMENTS THAT WOULD HAVE  
BEEN EFFECTIVE BEGINNING SEPTEMBER 1, 2008; WITH SAID  
EXTENSION PROLONGING THEIR EFFECTIVENESS TO JANUARY 1,  
2012; PROVIDING FOR AN EFFECTIVE DATE. (LDC 2009-07)**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: Staff has prepared an ordinance to extend critical dates associated with development orders and annexation agreements approved since September 1, 2008 to January 1, 2012, consistent with the intent of Senate Bill 360 which was

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- P1** recently approved by the Legislature of the State of Florida. It is hoped that these extensions will give developers more time to finance projects and thereby help the economy and help get people back to work.

(reference material — ordinance, attorney approval memo, excerpts from the P&Z minutes of October 1, 2009, support letter from Anthony Menna, *C3 on 10/22/2009 Council agenda*)

- P2** **CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE TO ALLOW AN “AUTOMOBILE DEALER-USED CARS” IN THE “B-1” GENERAL COMMERCIAL ZONING DISTRICT FOR A PROPERTY GENERALLY LOCATED AT 9145 66<sup>TH</sup> STREET NORTH. (CU 2009-11 – Dariusz Balcerek)**

**CONTINUED PUBLIC HEARING (QUASI-JUDICIAL)**

NOTE: The applicant requests consideration of a Conditional Use to allow an “Automobile Dealer-Used Cars” in the “B-1” General Commercial Zoning District on a 0.58 acre (MOL) parcel of land generally located at 9145 66<sup>th</sup> Street North. The applicant currently operates his minor automotive repair business on the site. On July 12, 2007, City Council approved Case No. CU 2007-19, a Conditional Use for “Automobile Dealer-Used Cars” for this site. The tenant moved his business and the BTR expired. Since the site was vacant for more than a year the conditional use became null and void, thus necessitating this review. Surrounding land uses are: to the north, unoccupied commercial land; to the south, St. Petersburg Plumbing Service and a single family dwelling; to the east, vacant commercial land; and to the west, 66<sup>th</sup> Street North and functionally abutting, Y & K Auto Sales. 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. At its meeting of October 1, 2009, the Planning and Zoning Commission recommended APPROVAL of the above request subject to conditions.

ACTION: (Approve – Deny) A request for a Conditional Use to allow an “Automobile Dealer-Used Cars” in the “B-1” General Commercial Zoning District on a 0.58 acre (MOL) parcel of land generally located at 9145 66<sup>th</sup> Street North based on the staff report and the criteria found in Section 18-1509.4(B) & (C) subject to the following:

1. There shall be no outdoor loud speaker/public address or outdoor phone ringer systems allowed.
2. Along the south, side yard property line, a replacement hedge shall be installed to fill an area which has an approximately four-foot-wide gap to maintain the appropriate buffer per Code.
3. Nuisance vegetation must be managed and controlled in the rear of the lot, abutting 65<sup>th</sup> Way and around the existing retention pond.

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- P2** 4. There shall be no access to 65<sup>th</sup> Way.

**THIS ITEM WILL BE WITHDRAWN IF ITEM P1 IS PASSED.**

(reference material — staff report, excerpt from the 10/01/09 Planning & Zoning meeting minutes, application, map, and site plan, *P4 on 10/22/2009 Council agenda - tabled*)

**V. CONSENT AGENDA**

◆ **MIS**

**C1 AUTHORIZATION FOR MAYOR TO SIGN A CONTRACT FOR THE MAINTENANCE AND SUPPORT OF MOTOROLA SOFTWARE — Motorola**

NOTE: This authorizes the Mayor to sign a contract for Premier MDC software maintenance and support with Motorola Inc. (7237 Church Ranch Blvd. Suite 406, Westminster, CO 80021) under sole source at a cost of \$41,784.00 to be charged to account 501-851-5-331-09.

ACTION: (Approve-Deny) Authorization for Mayor to sign a contract with Motorola, Inc. (Westminster, CO 80021) for software maintenance and support to be charged to the appropriate accounts.

(reference material — Support agreement, Attorney letter, Sole Source letters)

◆ **POLICE**

**C2 AUTHORIZATION TO PURCHASE UNDER FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES AND FLORIDA FIRE CHIEF'S ASSOCIATION, CONTRACT 09-17-0908-QE065-QE510 - One 2010 Ford F-150 Pick-Up Truck - For Police Department**

NOTE: This 2010 Ford F-150 pick-up truck is new for policing the Community Redevelopment Area, specifically used for the Homeless Outreach Program. This vehicle will be used daily by the Homeless Outreach Team in performing routine duties.

ACTION: (Approve - Deny) Authorization to purchase under Florida Sheriff's Association, Florida Association of Counties and Florida Fire Chief's Association, Contract 09-17-0908-QE065-QE510 One 2010 Ford F-150 pick-up truck for the Police Department - Homeless Outreach Team from Duval Ford, Jacksonville, Florida, at a total cost of \$20,840 to be charged to account number 001-215-5-621-08.

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C2 (reference material — 10-23-09 quotation Duval Ford)

C3 **AUTHORIZATION TO PURCHASE ONE POLARIS RANGER 800cc CREW**

NOTE: This authorizes the purchase of one Polaris Ranger from St. Petersburg Power Sports, 555 34th St S, St Petersburg, Florida for \$12,286.97. Request for quotations were sent to three prospective vendors. Three quotes were received from RideNow Clearwater, 29703 US Hwy 19 N., Clearwater, Florida, Sky Power Sports of Hudson, 16609 US Hwy 19 N., Hudson, Florida, and St. Petersburg Power Sports which was the lowest bid. This equipment will assist officers policing the Community Redevelopment Area.

ACTION: (Approve-Deny) Authorization to purchase one Polaris Ranger from St. Petersburg Power Sports, 555 34th St S, St Petersburg, Florida for \$12,286.97 and will be appropriated from account number 001-215-5-621-08.

(reference material — RFQ - Quotes from St. Petersburg Power Sports, RideNow Clearwater, Sky Power Sports of Hudson, email dated 11/02/2009 from Bill Santhouse, and vehicle overview)

C4 **AUTHORIZATION TO PURCHASE FOUR SEGWAYS (PATROLLER MODEL) FROM SEGWAY OF CENTRAL FLORIDA**

NOTE: This authorizes the purchase of four Segways (Patroller Model) from Segway of Central Florida, 140 A West 5<sup>th</sup> Avenue, Mount Dora, Florida – a sole source provider for a total of \$27,160. This equipment will assist officers policing the Community Redevelopment Area.

ACTION: (Approve-Deny) Authorization to purchase four Segways from Segway of Central Florida, 140 A West 5<sup>th</sup> Avenue, Mount Dora, Florida for \$27,160 and will be appropriated from account number 001-215-5-621-08.

(reference material — RFQ - Quote Segway of Central Florida and sole source letter, email dated 11/02/2009 from Bill Santhouse, and equipment overview)

C5 **AUTHORIZATION TO PURCHASE ONE SMART CAR**

NOTE: This authorizes the purchase of one SMART Car from SMART Center of Clearwater, 19820 US Hwy 19 North, Clearwater, Florida for \$13,995. Request for quotations were sent to perspective vendors. Four quotes were received from Coutey Mercedes Benz, 4636 North Dale Mabry Hwy, Tampa, SMART Center of Orlando, 4225 Millenia Blvd Orlando, Florida, SMART Center Sarasota, 4821 Clark Rd Sarasota, FL, and SMART Center of Clearwater which was the lowest bid. This equipment will assist officers policing the Community Redevelopment Area.

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- C5** ACTION: (Approve-Deny) Authorization to purchase one SMART Car from SMART Center of Clearwater, 19820 US Hwy 19 North, Clearwater, Florida for \$13,995 and will be appropriated from account number 001-215-5-621-08.

(reference material — RFQ - Quotes from SMART Center of Clearwater, Coutey Mercedes Benz, SMART Center Sarasota, SMART Center of Orlando, email dated 11/02/2009 from Bill Santhouse, and vehicle overview)

◆ **COMMUNITY DEVELOPMENT**

- C6** **ORDINANCE NO. 3708. AMENDING APPENDIX I, TABLES 1, 2, 3, 4, 5, 6, 7, AND 8 OF THE PINELLAS PARK COMPREHENSIVE PLAN TO INCLUDE A REVISED SCHEDULE OF PROJECTS; PROVIDING FOR THE ANNUAL ADOPTION BY REFERENCE OF THE SCHOOL DISTRICT'S FIVE YEAR WORK PROGRAM**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: Pursuant to Growth Management legislation each local government must update their Capital Improvements Element (CIE) annually. The relevant portion of the CIE is located in Appendix I of the adopted plan. Such plans must contain a schedule of projects that maintain the local government's level of service standards or implement projects called for in the seven subjects required to have such standards: potable water, sanitary sewer, drainage, solid waste, transportation, parks and recreation, and public schools. The adopted plan contains the Capital Improvement Element Project Listing projects adopted September 24, 2009 and included in the City's Annual Budget document. Also included, in the adopted plan, pursuant to state requirements are (1) the transportation projects of other agencies, (2) the school projects based on the Pinellas County School District's most recently adopted Five-Year Work Program and (3) the water supply projects of partner agencies supplying water to Pinellas Park's citizens. Finally, the adopted plan also adopts by reference the School District's Five-Year Work Program through Policy CIE.1.4.6.

(reference material — ordinance, letter from City Attorney)

- C7** **ORDINANCE NO. 3706. ANNEXING INTO THE CITY OF PINELLAS PARK CERTAIN PARCELS OF LAND GENERALLY LOCATED WEST OF 44<sup>TH</sup> STREET NORTH AND NORTH OF 130<sup>TH</sup> AVENUE NORTH (FLORIDA DEPARTMENT OF TRANSPORTATION AX09-23)**

**FIRST READING, PRIOR TO PUBLIC HEARING**

NOTE: This is a voluntary annexation of 4.35 acres MOL of contiguous property. The property is vacant, and located west of 44<sup>th</sup> Street North and North of 130<sup>th</sup> Avenue North. The Florida Department of Transportation plans to use this property as part of a multi-modal transportation hub.

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**C7** (reference material — ordinance, data sheet, comment sheet, map, Attorney approval letters)

**C8** **ORDINANCE NO. 3707. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6170 107<sup>TH</sup> AVENUE NORTH (NANCY L. LONG AND RAYMOND STEARNS AX09-25)**

**FIRST READING, PRIOR TO PUBLIC HEARING**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6170 107<sup>th</sup> Avenue North in the Northfield Manor Subdivision. The Owner's mobile home is located on this site.

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

**C9** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY NANCY L. LONG AND RAYMOND STEARNS (AX09-25) — Annexation of 0.14 acres MOL located at 6170 107<sup>th</sup> Avenue North**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6170 107<sup>th</sup> Avenue North in the Northfield Manor Subdivision. The Owner's mobile home is located on this site.

Nancy L. Long and Raymond Stearns 6170 107 <sup>th</sup> Avenue N.	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$586.95	\$0.00	\$0.00
There are no special provisions in this Annexation Agreement.			

ACTION: (Approve - Deny) The voluntary annexation of 0.14 acres MOL of property owned by Nancy L. Long and Raymond Stearns and located at 6170 107<sup>th</sup> Avenue North.

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

◆ HUMAN RESOURCES

- C10 **RESOLUTION NO. 09-37. ADOPTING REVISED PERSONNEL AND SAFETY RULES AND REGULATIONS FOR THE EMPLOYEES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR THE REPEAL OF ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST AND FINAL READING**

NOTE: This resolution adopts revised Personnel and Safety Rules and Regulations.

(reference material — resolution, Personnel and Safety Rules and Regulations in legislative format)

VI. **REGULAR AGENDA**

◆ HUMAN RESOURCES

- R1 **REAPPOINTMENT TO THE PINELLAS PARK POLICE OFFICERS' PENSION BOARD OF TRUSTEES – One Council Appointed Member**

NOTE: Ms. Muriel Bruno was originally appointed in 2008 to serve as a member on the Pinellas Park Police Officers' Pension Board. Ms. Bruno's term is due to expire October 2009, and she is interested in continuing this service. Members serve for a two-year term.

ACTION: (Approve-Deny) The reappointment of Muriel Bruno to serve as a resident member of the Pinellas Park Police Officers' Pension Board of Trustees with term to expire October 2011.

(reference material — attendance record for past term)

- R2 **REAPPOINTMENT TO THE PINELLAS PARK POLICE OFFICERS' PENSION BOARD OF TRUSTEES – One Council Appointed Member**

NOTE: Mr. Earl Clements was originally appointed in 1999 to serve as a member on the Pinellas Park Police Officers' Pension Board. Mr. Clements' term is due to expire October 2009, and he is interested in continuing this service. Members serve for a two-year term.

ACTION: (Approve-Deny) The reappointment of Earl Clements to serve as a resident member of the Pinellas Park Police Officers' Pension Board of Trustees with term to expire October 2011.

**R2** (reference material — attendance record for past term)

**R3** **REAPPOINTMENT TO THE PINELLAS PARK FIREFIGHTERS' PENSION BOARD OF TRUSTEES – One Council Appointed Member**

NOTE: Mrs. Rebecca Hamm was originally appointed in 2005 to serve as a member on the Pinellas Park Firefighters' Pension Board. Mrs. Hamm's term is due to expire October 2009, and she is interested in continuing this service. Members serve for a four-year term.

ACTION: (Approve-Deny) The reappointment of Rebecca Hamm to serve as a resident member of the Pinellas Park Firefighters' Pension Board of Trustees with term to expire October 2013.

(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				<b>OCTOBER 2009</b> 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	<b>DECEMBER 2009</b> 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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# December 2009

We all should know that diversity makes for a rich tapestry...all the threads of the tapestry are equal in value no matter what their color.

Maya Angelou (1928-)



Sunday      Monday      Tuesday      Wednesday      Thursday      Friday      Saturday

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6	7	8 7:30 PM City Council Workshop	9 Pancake Breakfast Senior Center - 9 AM 7625 59th St.	10 Holiday Hayride England Brothers Band Shell 7:00 PM Agenda Session *7:30 PM City Council Meeting	11	12 Chanukah Begins  Pinellas Park Holiday Parade Info: 547-8050 www.pinellasparkholiday parade.com																																																																																																																
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