

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
NOVEMBER 13, 2008**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

SERVICE AWARDS (City Employees)

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 23, 2008.

IV. PUBLIC HEARINGS

◆ NEIGHBORHOOD SERVICES

P1 RESOLUTION NO. 08-29. LOT MOWING LIENS, PROGRAM #220.

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, *CI on 10/23/2008 Council agenda*)

◆ **COMMUNITY DEVELOPMENT**

- P2 ORDINANCE NO. 3649. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 4143 118TH AVENUE NORTH – (TRYGVE AND ROGER JOHNSON - AX08-24)**

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: This is a voluntary annexation of 0.61 acres MOL of contiguous commercial property. The Owners' business, The Wood Company, is located on this site in the Pinellas Groves Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *C3 on 10/23/2008 Council agenda*)

- P3 ORDINANCE NO. 3650. AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE) ARTICLE 9, "TECHNICAL 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 18-915 "Designation of Dangerous Structures and Legal Procedure for Condemnation" by amending Subsection (C) Form of Notice and Subsection (E) Condemnation Procedure. This proposed amendment would allow the City not to reconnect the Utility Service until all costs incurred by the City are paid in full.

(reference material — ordinance, City Attorney's approval letter, *C5 on 10/23/2008 Council agenda*)

- P4 **CONSIDERATION OF A CONDITIONAL USE REQUEST FOR A CONDITIONAL USE TO ALLOW AN "AUTOMOBILE DEALER - NEW CARS" (SCOOTERS/MOTORCYCLES) FOR A MOTORCYCLE DEALERSHIP IN THE "B-1" GENERAL COMMERCIAL ZONING DISTRICT WITH A WAIVER TO THE CONDITIONAL USE REQUIREMENT FOR A 10-FEET-WIDE LANDSCAPED BUFFER ALONG THE ENTIRE RIGHT-OF-WAY WHICH PROVIDES PRIMARY ACCESS TO THE SITE FOR A PROPERTY GENERALLY LOCATED AT 7000 PARK BOULEVARD.** (CU 2008-28 American Property Group No. IV, Ronald Pownall/Patcharee Clark)

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant is requesting consideration of a Conditional Use in the "B-1" General Commercial Zoning District to establish an "Automobile Dealer – New Cars" (scooters/motorcycles), on a parcel of land generally located at 7000 Park Boulevard. The applicant is also requesting a waiver to the Conditional Use requirement for a 10-foot-wide landscaped buffer along the entire right-of-way which provides primary access to the site. The proposal appears to be consistent with the Comprehensive Plan and should not lower adopted levels of service for City infrastructure. Surrounding land uses are: to the north, Sam's Club; to the south, (County) Nurses Helping Hands, Inc.; to the east, vacant commercial building and (County) undeveloped commercial land; and to the west, Verizon strip center. At its meeting on October 2, 2008, the Planning and Zoning Commission recommended approval of the above request subject to one condition.

ACTION: (Approve – Deny) A Conditional Use request to establish an "Automobile Dealer-New Cars" (scooters/motorcycles) in the "B-1" General Commercial Zoning District with a waiver to the Conditional Use requirement for a 10-foot-wide landscaped buffer along the entire right-of-way which provides primary access to the site for a parcel generally located at 7000 Park Boulevard, based on the staff report and the criteria found in Section 18-1509.4(B) & (C), subject to the following condition:

1. The applicant shall provide payment for one canopy tree, two intermediate trees, and two understory trees and the waiver shall not be in effect until such monies are deposited into the City's "Tree Bank" account.

(reference material — staff report, excerpts of P & Z minutes of October 2, 2008, application, site map, site plan)

- P5 RESOLUTION NO. 08-32. A RESOLUTION VACATING PORTIONS OF DRAINAGE AND UTILITY EASEMENTS LOCATED ALONG THE SOUTH AND WEST PROPERTY LINES OF A PARCEL OF LAND GENERALLY LOCATED AT 12104 67TH COURT. (V 2008-10 Kyle and Rebecca Hoyt)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The applicant is requesting the vacation of minor portions of drainage and utility easements located along the south and west property lines of a parcel of land generally located at 12104 67th Court. The easements were dedicated as part of the Woodbury Phase II Subdivision Plat. The vacation of the easements is necessary to construct a proposed wood 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.

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

V. CONSENT AGENDA

◆ NEIGHBORHOOD SERVICES

- C1 RESOLUTION NO. 08-31. LOT MOWING LIENS, PROGRAM #221.**

FIRST READING PRIOR TO PUBLIC HEARING

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)

◆ PUBLIC WORKS

- C2 CHANGE ORDER NO. 1 FOR RENEWAL CONTRACT 1 - CONTRACT 08/010MANHOLE REHABILITATION PROGRAM – National Power Rodding, Inc.**

- C2** NOTE: Change Order No.1 is recommended for approval. The Change Order represents an increase in the contract amount of \$123,000.00 up to the budgeted amount of \$325,000.00. This Change Order represents an increase of 38.7%. The contract will be charged to 301-381-5-760-54, as shown of page 377 on the 2008/2009 CIP. This increase is to make additional necessary repairs, while taking advantage on low bid prices.

ACTION: (Approve – Deny) Change Order No. 1 for Renewal No. 1, Contract 08/010, Manhole Rehabilitation Program, to National Power Rodding, Inc., an increase of \$123,000 for a total adjusted contract amount of \$325,000, to be charged to the appropriate account.

(reference material — change order)

◆ **COMMUNITY DEVELOPMENT**

- C3** **ORDINANCE NO. 3653. AMENDING ORDINANCE NO. 1840 WHICH ADOPTED THE COMPREHENSIVE PLAN OF THE CITY OF PINELLAS PARK, FLORIDA BY AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO INCLUDE A REVISED SCHEDULE OF PROJECTS, AND ADOPT BY REFERENCE 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 CIE 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 CIE contains the Capital Improvement Program (CIP) projects adopted September 25, 2008 and included in the City's Annual Budget document. Also included in the CIE, 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. The CIE also adopts, by reference, the School District's Five-Year Work Program through Policy CIE.1.5.6. Finally, the CIE performs a fiscal analysis showing that the schedule of projects is financially feasible.

(reference material — ordinance, Exhibit A, Letter from the City Attorney — PLEASE BRING FORWARD EXHIBIT A TO 11/25/08 MEETING)

- C4** **ORDINANCE NO 3651. 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./ Trevor Howard - Howard Eng.)**

**FIRST READING PRIOR TO PUBLIC HEARING
(PUBLIC HEARING NOVEMBER 25, 2008 – 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 an 8.09 acre parcel of land generally located at 4590 Ulmerton Road for the proposed development of a 113-unit hotel. 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. At its meeting on October 2, 2008, the Planning and Zoning Commission recommended APPROVAL of the above request.

(reference material — ordinance, Attorney approval letter, excerpts of P & Z minutes of 10/2/08, staff report, application, map, master site plan)

- C5** **ORDINANCE NO. 3652. 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 FROM “R-6” MULTIFAMILY RESIDENTIAL/COMMERCIAL DISTRICT TO “B-1” GENERAL COMMERCIAL DISTRICT FOR A PARCEL OF LAND GENERALLY LOCATED AT 7685 66TH STREET NORTH AND THE PARCEL OF LAND GENERALLY LOCATED SOUTH OF 7685 66TH STREET NORTH AND EAST OF 7641 66TH STREET NORTH. (Z 2008-7 – Gary L. Heller/Advanced Engineering & Design, Inc.)**

**FIRST READING PRIOR TO PUBLIC HEARING
Public Hearing, November 25, 2008 (QUASI-JUDICIAL)**

NOTE: The applicant is requesting a rezoning from “R-6” Multi-family Residential/Commercial District to “B-1” General Commercial District or a

**CITY COUNCIL AGENDA
NOVEMBER 13, 2008
PAGE 7**

C5 zoning classification of a lesser intensity as identified by Chapter 18, Land Development Code, of the City of Pinellas Park for two parcels totaling approximately 1.104 acres generally located at 7685 66th Street North and the parcel of land generally located south of 7685 66th Street North and east of 7641 66th Street North. The rezoning is requested in order to provide more flexibility for a proposed parking lot expansion. The abutting Zoning Districts are to the north, “B-1” General Commercial District; to the south and west “B-1” General Commercial District and “R-6” Multi-family Residential/Commercial District; and to the east, “R-6” Multi-family Residential/Commercial District. The subject parcels are located in the Community Redevelopment District; therefore, the rezoning will be consistent with the future land use category. 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 October 2, 2008, the Planning and Zoning Commission recommended APPROVAL of the rezoning based on the “Responses of Relevant Considerations for Rezoning.” The Relevant Considerations found that:

1. The rezoning is consistent with the City’s Comprehensive Plan Policies.
2. The rezoning would not adversely affect the neighborhood.

(reference material — ordinance, Attorney approval letter, excerpts of P&Z minutes of October 2, 2008, staff report, application, map, and aerial)

C6 **AUTHORIZATION FOR THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH PINELLAS CORE MANAGEMENT SERVICES, INC. FOR THE TEMPORARY USE OF OFFICE SPACE IN THE TECHNICAL SERVICES BUILDING.**

NOTE: In conjunction with its various programs benefitting Pinellas County children and families, Pinellas Core Management Services, Inc. operates the Family Action Network. In order to carry out its function, Pinellas Core Management Services provides representatives at various locations within Pinellas County.

The City wishes to host one or more Pinellas Core Management Services, Inc. representatives whose mission is to focus on the strengths and abilities of parents using goal setting to help build their capacity to be educated, trained, employed and financially stable.

The parties have reached an agreement with respect to the City hosting such representatives, and now wish to reduce their agreement in this regard to writing.

- C6 ACTION:** (Approve - Deny) Authorization for City Manager to sign a Memorandum of Understanding with Pinellas Core Management Services, Inc.

(reference material — Memorandum of Understanding, Attorney approval letter)

VI. REGULAR AGENDA

◆ **NEIGHBORHOOD SERVICES**

- R1 REQUEST FOR REDUCTION OR ELIMINATION OF SPECIAL MAGISTRATE (SM) LIEN NO. 06-08-2690 – 8511 56th Way (Brent Griffith)**

NOTE: Brent Griffith, owner of the property located at 8511 56th Way, has requested a reduction or elimination of the \$1,575.00 Special Magistrate (SM) Lien No. 06-08-2690 on his property. In his letter dated October 31, 2008, the Special Magistrate recommended that SM Lien No. 06-08-2690 be reduced to the City's estimated cost in handling this case to the amount of \$569.58, provided the reduced amount is paid by November 30, 2008.

ACTION: (Approve-Deny) The request for a reduction of SM Lien No. 06-08-2690, against Brent Griffith and the property located at 8511 56th Way, to the reduced amount of \$569.58, provided this reduced amount is paid by November 30, 2008, otherwise the lien will automatically revert back to the original amount of \$1,575.00.

(reference material — 10.31.08 recommendation letter from Special Magistrate; 10.22.08 excerpt from Special Magistrate Minutes; 10.14.08 File Information memo; application; History of Events)

- R2 REAPPOINTMENT TO THE COMMUNITY PROJECTS ADVISORY BOARD – Sylvia Baker**

NOTE: Sylvia Baker's term expired on October 31, 2008. Ms. Baker is an Owner/Manager of a City Business and a member of the Community Projects Advisory Board since October 2006. Ms. Baker has expressed a desire to continue to serve on the Community Projects Advisory Board for a two-year term.

ACTION: (Approve-Deny) The reappointment of Sylvia Baker as an Owner/Manager of a City Business to serve on Community Projects Advisory board for a two-year term to expire October 31, 2010.

reference material — attendance records)

◆ COMMUNITY DEVELOPMENT

R3 AUTHORIZATION FOR THE MAYOR TO SIGN A CONTRACT FOR THE PURCHASE OF REAL PROPERTY FROM MS. DELORES WILSON – 0.16 acres MOL located at 4931 78th Avenue North

NOTE: With the exception of the corner lot, this is the last parcel of land on the north side of 78th Avenue between 49th Street and 52nd Street that is not City-owned.

Ms. Wilson has agreed to sell the property to the City for the assessed value, as determined by the Pinellas County Property Appraiser, of Fifty Six Thousand Three Hundred Dollars (\$56,300). Additionally, the City will release any and all outstanding Code Enforcement liens against the property per Code Enforcement Case No. CE 198901469, in the approximate amount of Eleven Thousand Seven Hundred Thirty Dollars (\$11,730).

The City will make a down payment in the amount of Six Thousand Three Hundred Dollars (\$6,300.). Ms. Wilson will hold a purchase money first mortgage in the amount of Fifty Thousand Dollars (\$50,000) bearing a fixed interest rate of 5% per annum and amortized for a period of 20 years. Quarterly payments as to principal and interest will be Nine Hundred Ninety Two Dollars and Thirty Five Cents. The purchase will be charged to account # 301-175-5727-68.

ACTION: (Approve – Deny) Authorization for the Mayor to sign a Contract for Purchase of a parcel of real property located at 4931 78th Avenue North in the amount of \$56,300 to be charged to the appropriate account. Additionally, the City will release any and all Code Enforcement liens against the property per Code Enforcement Case No. CE 198901469 in the approximate amount of \$11,730. Buyer to pay for closing costs and title insurance, subject to the closing documents being acceptable to the City attorney.

(reference material — contract to purchase, city attorney approval letter, map)

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.

November 2008

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

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
OCTOBER 2008 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 2008 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					1
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Daylight Saving Time Ends		General Election Day			AACA Car Show & Swap Meet England Bros. Band Shell	AACA Car Show & Swap Meet England Bros. Band Shell
9	10	11	12	13	14	15
		Veteran's Day City Offices & Library Closed	Pancake Breakfast Senior Center - 9 AM 7625 59th St.	7:00 PM Agenda Session *7:30 PM City Council Meeting		International Family Festival England Bros. Band Shell
16	17	18	19	20	21	22
		*7:00 PM "Meet Your Mayor & Council"				Tell-A-Bration Pinellas Park Library
23	24	25	26	27	28	29
30		7:00 PM Agenda Session *7:30 PM City Council Meeting		No Trash Pick-Up Today Brush Site Closed Thanksgiving Day City Offices & Library Closed	City Offices & Library Closed	
First Sunday in Advent						

American Diabetes Month
www.diabetes.org

National Alzheimer's Disease Month
www.alz.org

National Pomegranate Month
www.pomwonderful.com

Prime Meridian Set
November 1, 1884

Televised LIVE on Channel 15



Keep up with Pinellas Park events on Bright House Channel 15

December 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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7	8	9 7:30 PM City Council Workshop	10 Pancake Breakfast Senior Center - 9 AM 7625 59th St.	11 7:00 PM Agenda Session *7:30 PM City Council Meeting	12 Holiday In The Park England Brothers Band Shell Rockin Under The Stars Oldies Concert England Brothers Band Shell	13 Holiday In The Park England Brothers Band Shell Pinellas Park Holiday Parade Info: 547-8050 www.pinellasparkholidayparade.com																																																																																										
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28	29 Chanukah Ends	30	31 New Year's Eve	<p>NOVEMBER 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></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> <tr><td>30</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> <p>JANUARY 2009</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></td><td>1</td><td>2 3</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</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							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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Safe Toys & Gifts Month
www.preventblindness.org

Choose A Summer
Camp Month
www.campparents.org

Poor Richard's
Almanack: 275th
Anniversary : by
Richard Saunders
(Benjamin Franklin)
December 28, 1732

Televised LIVE on Channel 15



Keep up with Pinellas Park events
on Bright House Channel 15