

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
DECEMBER 10, 2009**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**SERVICE AWARDS (City Employees)**

**COUNCIL MEMBER TAYLOR'S 12<sup>TH</sup> ANNUAL STAYING AWAKE AWARD**

**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 November 24, 2009.

**IV. PUBLIC HEARINGS**

**◆ COMMUNITY DEVELOPMENT**

**P1 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)**

**CONTINUED PUBLIC HEARING, SECOND AND FINAL READING**

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, C8 on 11/12/2009 Council agenda, P2 on 11/24/2009 Council agenda - tabled)

- P2     ORDINANCE NO. 3709. 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 3791 118<sup>TH</sup> AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM "IH" HEAVY INDUSTRIAL TO "IH" HEAVY INDUSTRIAL WITH AN "IPUD" INDUSTRIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR AN "IPUD" INDUSTRIAL PLANNED UNIT DEVELOPMENT OVERLAY (PUD 2010-01 Frank and Hazel Adams/Housh Ghovae, Northside Engineering)**

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

NOTE: The applicant is requesting to rezone from "IH" Heavy Industrial Zoning District to "IH" Heavy Industrial Zoning District with an "IPUD" Industrial Planned Unit Development Overlay and adoption of a Master Plan on a 2.503 acre parcel of land generally located at 3791 118<sup>th</sup> Avenue. The applicant also requests a variance to lot coverage from 75% to 90% and a waiver to all landscape requirements. The proposal appears to be consistent with the Comprehensive Plan and should not lower adopted levels of service for City infrastructure. Surrounding businesses are: to the north, Wyoming Antelope Club; to the south, Preferred Concrete; to the east, Big Three Auto Parts; and to the west, unoccupied industrial property. At its meeting on November 5, 2009, the Planning and Zoning Commission recommended APPROVAL of the above request subject to conditions;

1. Minimum setbacks shall be as illustrated on the "IPUD" Industrial Planned Unit Development Master Plan (Exhibit "B") dated August 10, 2009.
2. Criteria assigned to subdivision in notes on submitted Site Plan, revised 8/10/2009, shall be accepted as governing regulations for the development. All regulations not addressed shall revert to Code in effect at the time of "IPUD" Industrial Planned Unit Development adoption.
3. The applicant shall be required to provide payment for 56 trees; 11 canopy, 17 intermediate and 28 understory, along with 452 hedge plants. The waiver shall not be in effect until such monies are deposited into the City's "Tree Bank" account or consistent with Section 18-1512.3, Certificate of Occupancy, a temporary Certificate of Occupancy may be issued by the Building Official and shall not become final until final payment of said monies is deposited into the "Tree Bank" account.

(reference material — ordinance, Attorney approval letter, excerpts of P & Z minutes of 11/05/09, staff report, application, map, master site plan, *C13 on 11/24/2009 Council agenda*)

◆ HUMAN RESOURCES

- P3 **ORDINANCE NO. 3710. AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE III, CIVIL TRIAL COMMISSION.**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: Ordinance amending Chapter 2 (Administration), Article III, Civil Trial Commission by deleting Article III. As a result of changes in the prior few years with regard to both the City's Personnel and Safety Rules and Regulations and Pension Ordinance Procedures, the duties previously performed by the commission are no longer required.

(reference material — ordinance, Attorney Letter, *C2 on 11/24/2009 Council agenda* )

- P4 **ORDINANCE NO. 3711. AMENDING CHAPTER 17 (PENSIONS AND RETIREMENTS), ARTICLE IV, PINELLAS PARK POLICE OFFICERS' PENSION FUND.**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: This ordinance amends Article IV of Chapter 17 (Pensions and Retirements), relating to the Pinellas Park Police Officers' Pension Fund to comply with recent changes to Florida Statute 185 and to implement the changes in police officer pension benefits which are set forth in the current collective bargaining agreement between the City and the FOP Lodge 43.

(reference material — ordinance, City attorney letter, *C3 on 11/24/2009 Council agenda*)

◆ NEIGHBORHOOD SERVICES

- P5 **ORDINANCE NO. 3712. AMENDING CHAPTER 12 (HEALTH AND SANITATION), ARTICLE I – PROHIBITED CONDITIONS**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: Chapter 12 (Health and Sanitation), Article I – Prohibited Conditions, is being amended by creating new Sections 12-111 through 12-121 relating to real property that is in mortgage default (foreclosures). The proposed new Sections require that mortgaged properties in default (foreclosures) be inspected, posted, registered, secured, and maintained by the mortgage company (mortgagee). The new Sections also require the mortgagee to name a local property manager who will be available to respond and to correct code violations when contacted by the City.

**CITY COUNCIL AGENDA**

**DECEMBER 10, 2009**

**PAGE 4**

**P5** (reference material — ordinance, attorney approval letter, *C4 on 11/24/2009 Council agenda*)

**V. CONSENT AGENDA**

◆ **MIS**

**C1 AUTHORIZATION FOR THE PURCHASE OF RECREATION SOFTWARE AND HARDWARE — Vermont Systems, Dell**

NOTE: Authorization to purchase recreation software under contract with Village of Lincolnwood, Illinois at a cost of \$52,576.00 from Vermont Systems, Inc. (12 Market Place, Essex Junction, VT 05452) and two (2) Dell PowerEdge R710 servers under state contract 250-000-01-1 at a cost of \$13,822.60 from Dell Corporation (One Dell Way, Round Rock, TX 78682) for a total cost of \$66,398.60 to be charged to account 501-851-5-621-08.

ACTION: (Approve-Deny) Authorization to purchase recreation software from Vermont Systems, Inc. (Essex Junction, VT 05452) and (2) Dell PowerEdge R710 servers from Dell Corporation (Round Rock, TX 78682) at a total cost of \$66,398.60 to be charged to the appropriate accounts.

(reference material — Price quotes, Purchasing letter, City Attorney Approval, Vermont Systems, Inc. Contract)

◆ **NEIGHBORHOOD SERVICES**

**C2 ORDINANCE NO. 3713. AMENDING CHAPTER 1 (GENERAL PROVISIONS), SEC. 1-110.**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: Chapter 1 (General Provisions) Section 1-110 – Amending “Code Enforcement Specialists” to “Community Compliance Specialists” and to include Land Development Code in Section 1-110 of the Code of Ordinances.

(reference material — ordinance, attorney approval letter)

**C3 AUTHORIZATION FOR CITY MANAGER TO SIGN AGREEMENT FOR REGISTRATION OF FORECLOSED PROPERTIES – with Federal Property Registration Corporation (FPRC)**

NOTE: This authorizes the City Manager to sign an agreement with Federal Property Registration Corporation (FPRC) – 6767 N. Wickham Rd., Suite 400, Melbourne, FL 32940 – for the annual registration of foreclosed properties located in the City as required in Section 12-114(E) of the Code of Ordinances.

**CITY COUNCIL AGENDA**

**DECEMBER 10, 2009**

**PAGE 5**

- C3** There is no cost to the City. Each month, FPRC will provide the City with payment of one-half of each annual City registration fee and access to a current, electronic list of registered City properties. The initial term of this agreement is one (1) year, but it can be canceled at any time with 60 days' written notice.

**ACTION:** (Approve – Deny) Authorization for the City Manager to sign an agreement with Federal Property Registration Corporation (FPRC), Melbourne, FL, for the annual registration of foreclosed properties located in the City.

(reference material — agreement, attorney approval letter)

◆ **CITY COUNCIL**

- C4** **RESOLUTION NO. 09-40.** A RESOLUTION OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, SUPPORTING THE TAMPA BAY REGIONAL PLANNING COUNCIL AS HOSTS OF THE 2012 NATIONAL ASSOCIATION OF REGIONAL COUNCILS ANNUAL CONFERENCE; PROVIDING FOR AN EFFECTIVE DATE.

**FIRST AND FINAL READING**

**NOTE:** This resolution was prepared to support the Tampa Bay Regional Planning Council's request for sponsorship in the amount of \$1,000.00 in hosting the 2012 National Association of Regional Councils Annual Conference & Exhibition.

(reference material — resolution; e-mail from TBRPC)

**VI. REGULAR AGENDA**

◆ **NEIGHBORHOOD SERVICES**

- R1** **REAPPOINTMENT TO THE CODE ENFORCEMENT BOARD** — **Connie Garriques, Roberta Loe, and Edson Eugene Webb, PhD**

**NOTE:** The terms of Connie Garriques, Roberta Loe, and Edson Eugene Webb, PhD will expire December 31, 2009. Ms. Garriques was first appointed in January 2003, Mrs. Loe in February 2001, and Mr. Webb in January 2006. They have expressed a desire to continue to serve on the Code Enforcement Board for a three-year term, expiring December 31, 2012.

**ACTION:** (Approve-Deny) The reappointments of Connie Garriques, Roberta Loe, and Edson Eugene Webb PhD to serve as a member of the Code Enforcement Board for a three-year term to expire December 31, 2011.

(reference material — attendance record)

◆ **LIBRARY AND RECREATION**

**R2     REAPPOINTMENT TO RECREATION BOARD — Dean Braden, Connie Bruce, Mary Ann Smith and Barbara VanCamp**

NOTE: The terms of Dean Braden, Connie Bruce, Mary Ann Smith and Barbara VanCamp will expire December 31, 2009. Mr. Braden, Ms. Bruce, Ms. Smith and Ms. VanCamp have expressed an interest in continuing to serve on the Recreation Board for two-year terms. Mr. Braden, Ms. Bruce, Ms. Smith and Ms. VanCamp have been Board members since August 2009, December 2007, December 2007 and February 2008 respectively. Mr. Braden, Ms. Bruce, Ms. Smith and Ms. VanCamp have good attendance records and the Board recommends their reappointment for two-year terms.

ACTION: (Approve-Deny) Reappointment of Dean Braden, Connie Bruce, Mary Ann Smith and Barbara VanCamp to serve as members of the Recreation Board with terms to expire December 2011.

(reference material — attendance records)

◆ **COMMUNITY DEVELOPMENT**

**R3     REAPPOINTMENT TO THE BOARD OF ADJUSTMENT — Derek Kantaskas and Charles Wasson**

NOTE: The terms for Mr. Derek Kantaskas and Charles Wasson expired on November 30, 2009. Mr. Kantaskas and Mr. Wasson have expressed an interest in continuing to serve on the Board of Adjustment.

ACTION: (Approve - Deny) The reappointment of Mr. Derek Kantaskas and Mr. Charles Wasson to serve as members of the Board of Adjustment with terms to expire November 2012.

(reference material — attendance record, letters expressing interest in reappointment to the Board)

**R4     REAPPOINTMENT TO THE BOARD OF ADJUSTMENT — Ed Corrao**

NOTE: The term for Mr. Ed Corrao will expire on December 31, 2009. Mr. Corrao has expressed an interest in continuing to serve on the Board of Adjustment.

ACTION: (Approve - Deny) The reappointment of Mr. Ed Corrao to serve as a member of the Board of Adjustment with a term to expire December 2012.

(reference material — attendance record, an e-mail expressing interest in reappointment to the Board)

- R5 **CONSIDERATION OF A PRELIMINARY SITE PLAN FOR A PARCEL OF LAND LOCATED IN THE “M-1” LIGHT INDUSTRIAL ZONING DISTRICT FUNCTIONALLY ABUTTING RESIDENTIALLY ZONED PROPERTY GENERALLY LOCATED AT 8311 63<sup>RD</sup> WAY NORTH. (MS 2010-08 E.L. Shearer Concrete & Masonry/Edwin L. Shearer, Jr.)**

**QUASI-JUDICIAL**

NOTE: On January 8, 2009, City Council approved Case No. V 2008-08, the vacation of a portion of 84<sup>th</sup> Avenue. The right-of-way was divided between the applicant and the property owner to the north, per the original plat. The applicant purchased said portion of vacated right-of-way from the property owner to the north. With the addition of the vacated right-of-way to his property the applicant is proposing improvements to the overall property such as; the completion of the eight-foot-high, solid wall that encloses a portion of the existing property, the addition of two storage buildings to the site, and modifications to an existing storage building. Pinellas Park Water Management District has voiced concerns regarding access to their property to the north of the applicants. The applicant has agreed to install a man gate to allow access. The property is located within the “M-1” Light Industrial District and abuts a residentially zoned parcel to the west. The parcel, a 1.38 acre (MOL) parcel of property generally located north at 8311 63<sup>rd</sup> Way North, functionally abuts a residential subdivision to the west. 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 abut or functionally abut 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 Preliminary Site Plan Approval in the “M-1” Light Industrial District that functionally abuts a residential zoning district for a parcel of land generally located at 8311 63<sup>rd</sup> Way North subject to the following condition:

1. The applicant shall provide access to the PPWMD parcel to the north, via a minimum three-feet-wide man gate.

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

**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.



***HAPPY HOLIDAYS***

# 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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DECEMBER 2009

FEBRUARY

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Brush Site Closed  
No Commercial Trash  
Pick-Up Today

Kwanzaa Ends

New Year's Day  
City Offices & Library  
Closed

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Epiphany

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16

7:30 PM City Council  
Workshop

Pancake Breakfast  
Senior Center - 9 AM

7:00 PM Agenda Session  
\*7:30 PM City Council  
Meeting

17

18

19

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21

22

23

Martin Luther King's  
Birthday (observed)  
City Offices & Library  
Closed

Organ Concert  
City Auditorium

\*6:00 PM "Meet Your  
Mayor & Council"

24

25

26

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30

Jukebox Saturday  
Night - Performing  
Arts Center

31

7:30 PM City Council  
Workshop

7:00 PM Agenda Session  
\*7:30 PM City Council  
Meeting

THINGS TO DO

THINGS TO DO

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