

**CITY OF PINELLAS PARK, FLORIDA  
CITY COUNCIL AGENDA  
MAY 13, 2010**

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS**

**PROCLAMATIONS**

**PUBLIC WORKS EMPLOYEE OF THE YEAR  
Doyle “Max” Davis, Streets and Drainage Division**

**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 April 22, 2010.

**IV. PUBLIC HEARINGS**

**◆ COMMUNITY DEVELOPMENT**

**P1 ORDINANCE NO. 3727. ANNEXING INTO THE CITY OF PINELLAS  
PARK A CERTAIN PARCEL OF PROPERTY GENERALLY LOCATED  
AT 6131 107<sup>TH</sup> AVENUE NORTH - (Casey Krupp – AX10-9)**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner’s single family home is located on this site in the Northfield Manor Subdivision.

(reference material — ordinance, petition, map, Attorney approval letter, *CI on 4/22/2010 Council agenda*)

- P2     ORDINANCE NO. 3728. AN ORDINANCE AMENDING CHAPTER 4 “ALCOHOLIC BEVERAGES” OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 4-108 “PROXIMITY OF BUSINESS ESTABLISHMENTS DEALING IN ALCOHOLIC BEVERAGES TO EDUCATIONAL INSTITUTIONS (ELEMENTARY, MIDDLE AND SENIOR), YOUTH OR PUBLIC RECREATION CENTERS, PLAYGROUNDS, CHURCHES, TEMPLES AND SIMILAR RELIGIOUS INSTITUTIONS, HOSPITALS, AND CHILD CARE CENTERS; METHOD OF MEASUREMENT; EXCEPTIONS” BY ADDING CLUBS AND LODGES THAT MEET CERTAIN CRITERIA TO THE LIST OF EXEMPT ESTABLISHMENTS; ESTABLISHING THE COMMUNITY REDEVELOPMENT AGENCY (CRA) AS THE PERMITTING AUTHORITY FOR THE EXEMPTION AND ELIMINATING CERTAIN LANGUAGE QUALIFYING DRUGSTORES AND PRESCRIPTION SHOPS; RENUMBERING CHAPTER 4 AS APPROPRIATE; PROVIDING FOR CERTIFICATION BY THE CITY COUNCIL THAT THIS ORDINANCE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

**PUBLIC HEARING, SECOND AND FINAL READING**

NOTE: On April 6, 2010, the above subject item was discussed by Council. Council directed the City Manager to proceed with the proposed amendment. This item is scheduled to go before the Planning and Zoning Commission at its May 6, 2010 meeting.

(reference material — ordinance, Attorney approval letter, memorandum, *C3 on 4/22/2010 Council agenda*)

- P3     RESOLUTION NO. 10-11. A RESOLUTION VACATING AN UNIMPROVED RIGHT-OF-WAY, 102<sup>ND</sup> AVENUE NORTH, GENERALLY LOCATED WEST OF 28<sup>TH</sup> STREET NORTH. (V 2010-02 Pinellas County Utilities/James Meloy)**

**PUBLIC HEARING, FIRST AND FINAL READING**

NOTE: The applicant, Pinellas County Utilities, is requesting the vacation of the unimproved right-of-way of 102<sup>nd</sup> Avenue from 28<sup>th</sup> Street to 34<sup>th</sup> Street. The right-of-way is 30-foot-wide by approximately 2,562.75-foot-long. Pinellas County Utilities requires the land in order to meet State regulations for separation distances from the landfill to the property line of the facility. Progress Energy Transmission Department has facilities in the right-of-way; nonetheless, they have no objection provided a Progress Energy restricted easement is retained.

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**P3** Progress Energy requires a particular easement agreement specifying rights and privileges for the operation and maintenance of transmission lines. The restrictive easement agreement is being executed by a separate instrument. The remaining utility agencies and City Divisions have no objection to the proposed vacation. The Planning and Zoning Commission, at their meeting of April 1, 2010, recommended APPROVAL of the vacation, based on the following Findings of Fact:

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 provided a utility easement is retained over the entire right-of-way. A restricted easement between Progress Energy and the applicant, being executed by a separate instrument, will be retained. This agreement shall not interfere with other easements.

(reference material — staff report, resolution, Attorney approval letter, excerpts of the P&Z meeting of April 1, 2010, application, aerial)

**V. CONSENT AGENDA**

**◆ NEIGHBORHOOD SERVICES**

**C1 ORDINANCE NO. 3729. AMENDING CHAPTER 18, ARTICLE 15, SEC. 18-1507.5 – REGULATIONS FOR GARAGE SALES**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: Chapter 18, Article 15, Section 18-1507.5 – Regulations for Garage Sales is being amended by deleting subparagraph (B) requiring written authorization of a sale in progress.

(reference material — ordinance, attorney approval letter)

**◆ PUBLIC WORKS**

**C2 AWARD OF BID AND APPROVAL OF CHANGE ORDER NO. 1 FOR 10/023 – ANNUAL CLEANING, INSPECTION & REHABILITATION OF STORMWATER CULVERT PIPES – Reynolds Inliner, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 164 perspective bidders. Three (3) bids were received with Reynolds Inliner, Inc. (2531 Jewett Lane, Sanford, FL 32771) being the low bidder with a bid submittal of \$468,243.50. The amount budgeted for this project is \$500,000.00 (pg. 385 of the FY 09/10 adopted budget). This project will be charged to account 301-382-5-761-65. The bid amount is \$31,756.50, or 6.8% below the budgeted amount. It is recommended that Change Order No. 1 be approved along with the award of bid, increasing the contract amount up to the budgeted amount in order to take

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- C2** advantage of attractive bid pricing. This will allow for additional stormwater culvert pipes to be rehabilitated.

ACTION: (Approve-Deny) Authorization to award Bid 10/023 for the Annual Cleaning, Inspection and Rehabilitation of Stormwater Culvert Pipes to Reynolds Inliner, Inc., Sanford, FL, and approval of Change Order No. 1 increasing the contract to the budgeted amount, for a total adjusted contract amount of \$500,000 to be charged to the appropriate account.

(reference material — bidders list, change order, bid book available for review)

- C3** **AWARD OF BID AND APPROVE CHANGE ORDER NO. 1 FOR 10/021 – ANNUAL CLEANING, INSPECTION & REHABILITATION OF SANITARY SEWERS**  
– Reynolds Inliner, Inc.

NOTE: Bids were legally advertised and bid invitations were mailed to 162 perspective bidders. Five (5) bids were received with Reynolds Inliner, Inc. (2531 Jewett Lane, Sanford, FL 32771) being the low bidder with a bid submittal of \$470,202.50. The amount budgeted for this project is \$550,000.00 (pg. 386 of the FY 09/10 adopted budget). This project will be charged to account 301-381-5-755-89. The bid amount is \$79,797.50, or 14.5% below the budgeted amount. It is recommended that Change Order No. 1 be approved along with the award of bid, increasing the contract amount up to the budgeted amount in order to take advantage of attractive bid pricing. This will allow for approximately 2,000 feet of additional sanitary sewers to be rehabilitated.

ACTION: (Approve-Deny) Authorization to award Bid 10/021 for the Annual Cleaning, Inspection and Rehabilitation of Sanitary Sewers, including up to two (2) renewals to Reynolds Inliner, Inc., Sanford, FL, and approve Change Order No. 1 increasing the contract to the budgeted amount, for a total adjusted contract amount of \$550,000 to be charged to the appropriate account.

(reference material — bidders list, bid book available for review)

◆ **COMMUNITY DEVELOPMENT**

- C4** **ORDINANCE NO. 3731. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6602 PINECREST LANE (CHRISTINE VASAT AX10-11)**

**FIRST READING, PRIOR TO PUBLIC HEARING**

NOTE: This is a voluntary annexation of 0.16 acres MOL of contiguous residential property located at 6602 Pinecrest Lane in the Bonnie Bay Subdivision. The Owner's single family home is located on this site.

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**C4** (reference material — ordinance, petition, map, Attorney approval letter)

**C5** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY CHRISTINE VASAT (AX10-11) — Annexation of 0.16 acres MOL located at 6602 Pinecrest Lane**

NOTE: This is a voluntary annexation of 0.16 acres MOL of contiguous residential property located at 6602 Pinecrest Lane in the Bonnie Bay Subdivision. The Owner’s single family home is located on this site.

Christine Vasat 6602 Pinecrest Lane	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$852.21	\$0.00	\$0.00
There are no special provisions associated with this Annexation Petition.			

ACTION: (Approve - Deny) The voluntary annexation of 0.16 acres MOL of property owned by Christine Vasat and located at 6602 Pinecrest Lane.

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

**C6** **ORDINANCE NO. 3730. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF PROPERTY GENERALLY LOCATED AT 11315 66<sup>TH</sup> STREET NORTH - (John Costello and Doug Costello – AX09-31)**

**FIRST READING PRIOR TO PUBLIC HEARING**

NOTE: This is a voluntary annexation of 1.41 acres MOL of contiguous commercial property. The Owners’ auto repair business is located on this site located at 11315 66<sup>th</sup> Street North.

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

**C7** **APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY JOHN COSTELLO AND DOUG COSTELLO (AX09-31) — Annexation of 1.41 acres MOL located at 11315 66<sup>th</sup> Street North.**

NOTE: This is a voluntary annexation of 1.41 acres MOL of contiguous commercial property located at 11315 66<sup>th</sup> Street North.

John Costello and Doug Costello 11315 66 <sup>th</sup> Street North	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$3,476.08	\$0.00	\$0.00
This is an annexation by petition only. There are no “Special Provisions”.			

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- C7** ACTION: (Approve - Deny) The voluntary annexation of 1.41 acres MOL of contiguous commercial property owned by John Costello and Doug Costello located at 11315 66<sup>th</sup> Street North.

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

**VI. REGULAR AGENDA**

◆ **NEIGHBORHOOD SERVICES**

- R1 AUTHORIZATION TO ACCEPT REDUCED PAYMENT FOR SATISFACTION OF CODE ENFORCEMENT BOARD (CEB) LIEN NO. 05-08-03**

NOTE: Private Investor's Group, LLC (Joel Soloman and Robert Broderick), Owner and Owner's Agent for the property located at 6341 76th Avenue, filed an application to appeal the \$32,100.00 Code Enforcement Board (CEB) Lien No. 05-08-03 on this property. The City's estimated cost in handling this case is \$3,483.85. Prior to the appeal hearing, Private Investor's Group, LLC made a payment of \$2,803.58 towards the City's costs. The Code Enforcement Board recommended this lien be reduced to the City's total estimated costs of \$3,483.85. Private Investor's Group, LLC has submitted a check to the City for \$680.57, which is the remainder of the City's estimated costs.

ACTION: (Approve-Deny) Authorization to accept the reduced payment of \$3,483.85 for satisfaction of CEB Lien No. 05-08-03.

(reference material — 4.27.10 recommendation letter from Code Enforcement Board Chairman; 3.31.10 memo from Neighborhood Services Administrator; 1.22.10 receipt for payment of \$2,803.58 from Private Investor's Group, LLC)

◆ **COMMUNITY DEVELOPMENT**

- R2 REAPPOINTMENTS TO THE PLANNING & ZONING COMMISSION - Two Members**

NOTE: The terms for Mr. William Delong and Mr. Dennis Shelley will expire on May 31, 2010. Mr. Delong and Mr. Shelley have expressed an interest in continuing to serve on the Board. The Planning and Zoning Commission, at their meeting of April 1, 2010, recommended APPROVAL of the reappointments of Mr. William Delong and Mr. Dennis Shelley.

ACTION: (Approve - Deny) The reappointments of Mr. William Delong and Mr. Dennis Shelley to serve as members of the Planning and Zoning Commission with terms to expire July 2013.

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- R2** (reference material — attendance records, letters expressing interest in reappointment to the Board, excerpts of Planning & Zoning minutes of 4/01/2010)

◆ **FINANCE**

- R3** **RECEIPT OF THE 2008-2009 FINANCIAL AUDIT** – Cherry, Bekaert and Holland, St. Petersburg

NOTE: Representatives from the City's independent auditors, Cherry, Bekaert and Holland, will present the 2008-2009 Auditor's Report. The Finance Administrator will present a brief summary of the City's fiscal year 2008-2009 Financial Statements.

ACTION: (Accept-Refuse) The 2008-2009 Financial Statement and Auditor's Report as presented by Cherry, Bekaert and Holland.

(reference material — 2008-2009 Financial Statements which include the Auditor's Report; Auditor's Management Letter; Auditor's Report on Internal Control.)

**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.

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<p><b>APRIL</b></p> <p>S M T W T F S</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p>	<p><b>JUNE</b></p> <p>S M T W T F S</p> <p>1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30</p>					1
2  Orchestra Concert Performing Arts Center	3	4	5  Cinco de Mayo	6	7	8
9  Mother's Day	10	11  7:30 PM City Council Workshop	12  Pancake Breakfast Senior Center - 9 AM	13  Ascension Day Ascension Eastern Orthodox 7:00 PM Agenda Session *7:30 PM City Council Meeting	14  Coast-2-Coast Hittsville USA Performing Arts Center	15  Asian Pacific Rim Festival England Bros. Band Shell Coast-2-Coast Hittsville USA Performing Arts Center
16  Asian Pacific Rim Festival England Bros. Band Shell Coast-2-Coast Hittsville USA Performing Arts Center	17	18  Organ Concert City Auditorium	19  Shavuot Begins	20  Shavuot Ends *6:00 PM "Meet Your Mayor & Council"	21	22
23  Pentecost Eastern Orthodox Whit Sunday (Pentecost)	24	25	26	27	28	29
30  Trinity Sunday	31 Brush Site Closed Memorial Day (obsvd) City Offices & Library Closed	7:30 PM City Council Workshop		7:00 PM Agenda Session *7:30 PM City Council Meeting		

May

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday



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Kiwanis Club of Pinellas Park Fishing Derby

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Orchestra Concert Performing Arts Center

7:30 PM City Council Workshop

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

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Flag Day

Organ Concert City Auditorium

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

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21

22

23

24

25

26

Father's Day

Summer Begins

7:30 PM City Council Workshop

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

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MAY

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JULY

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June

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO

THINGS TO DO