

**CITY OF PINELLAS PARK, FLORIDA
CITY COUNCIL AGENDA
OCTOBER 13, 2011**

**CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

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

II. APPROVAL OF MINUTES

Approval of Regular Council Minutes of September 22, 2011.

III. PUBLIC HEARINGS

◆ PUBLIC WORKS

P1 ORDINANCE NO. 3781, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE X, PARKS AND RECREATION, SECTIONS 2-1007 & 2-1014

PUBLIC HEARING, SECOND AND FINAL READING

NOTE: The Firearms Law was recently amended in Florida State Statutes and preempted all regulations of firearms and ammunition to the State. The amendments to Chapter 2, Article X, of the City Code of Ordinances delete regulations relating to firearms and provides consistency with the State preemption on the regulation of firearms.

(reference material — ordinance, 8/31/11 memorandum from City Attorney, C2 on 9/22/2011 Council agenda)

◆ COMMUNITY DEVELOPMENT

- P2 CONSIDERATION OF A CONDITIONAL USE FOR “OUTDOOR SALES OF BOATS, RECREATIONAL VEHICLES OR MOBILE HOMES” FOR A PROPERTY LOCATED IN THE “B-1” GENERAL COMMERCIAL DISTRICT WITH WAIVERS TO THE FOLLOWING CONDITIONAL USE REQUIREMENTS: STREETScape/LANDSCAPE BUFFER, STORAGE AREA SHIELDING AND ALLOWING OUTDOOR REPAIR ALONG WITH VARIANCES AS FOLLOWS: FENCE HEIGHT IN THE FRONT YARD, SETBACKS FOR STRUCTURES, SETBACKS FOR CONCRETE SLABS, AND LOT COVERAGE FOR A PARCEL OF LAND GENERALLY LOCATED AT 7498 PARK BOULEVARD. (CU 2011-21/BOA 2011-24 – MANNY GALVAO)

PUBLIC HEARING (QUASI-JUDICIAL)

NOTE: The applicant requests consideration of a Conditional Use for “Outdoor Sales of Boats, Recreational Vehicles or Mobile Homes” in the “B-1” General Commercial District on a 0.65 acre (MOL) parcel of land located at 7498 Park Boulevard. The application includes waiver requests to the following Conditional Use requirements: a 10-foot-wide landscape buffer along the entire right-of-way which provides the primary access to the site, outdoor storage area shielding requirements and outdoor repair restrictions. The site plan illustrates the outdoor storage and work areas. Boats, trailers, and a gantry crane will be typical items located in the outdoor storage area. Work performed in the outdoor work area will be installation of electronics, batteries, trailer tires and detailing. Variances have been requested to: increase the maximum permitted fence height in the front yard setback, setbacks for a steel canopy, a storage shed and equipment, lot coverage and setbacks for concrete slabs. Surrounding land uses are: to the north, (County) Rockin’ Cards & Gifts; to the south, single family dwelling; to the east, (County) ASC (Aluminum Specialty Contractors); and to the west, St. Petersburg Pediatrics and Allergy & Asthma Center. 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 September 1, 2011, the Planning and Zoning Commission recommended APPROVAL of the above request.

ACTION: (Approve – Deny) A request for a consideration of a Conditional Use for “Outdoor Sales of Boats, Recreational Vehicles or Mobile Homes” in the “B-1” General Commercial District with waivers to the following Conditional Use requirements: streetscape/landscape buffer, storage area shielding and outdoor repair restrictions with variances as follows: fence height in the front

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P2 yard, setbacks for structures, setbacks for concrete slabs, and lot coverage on a 0.65 acre (MOL) parcel of land located at 7498 Park Boulevard based on the staff report and the criteria found in Section 18-1531.10 subject to the following conditions:

1. There shall be no outdoor loud speaker/public address or outdoor phone ringer systems allowed.
2. A Business Tax Receipt must be obtained.
3. Building Permits must be obtained for the fence, storage building, equipment, concrete slab and steel canopy.
4. This Conditional Use is for the sale of boats only. Sale of RV's and mobile homes not permitted through this development order. A change of use to sell RV's and mobile homes will required an amendment to this Conditional Use with final approval required through City Council.

(reference material — staff report, excerpt from the September 1, 2011 Planning & Zoning meeting minutes, application, aerial and site plan)

P3 **RESOLUTION NO. 11-20. VACATION OF PORTIONS OF EASEMENTS WITHIN THE ST. HAGOP CHURCH SUBDIVISION PLAT. (V 2011-03 – ARMENIAN CHURCH OF AMERICA/LORI KATZMAN & JASON BESSE, THE RYLAND GROUP, INC.)**

PUBLIC HEARING, FIRST AND FINAL READING

NOTE: The applicant, The Ryland Group, is proposing the construction of single family dwellings on the vacant lots. The dwellings have a designed footprint width of 50 feet. In order to construct the homes as designed, the existing easements (between Lots 12 and 13 as well as Lots 16 and 17) that were created by plat must be reduced in width by five feet. The easements only serve this subdivision. 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, Attorney approval letter, staff report, application, map)

IV. CONSENT AGENDA

◆ CITY CLERK

- C1 ORDINANCE NO. 3782. 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 2012 General Election, qualifying dates and date on which Council Members take office.

(reference material — proposed ordinance; City Attorney approval)

◆ PUBLIC WORKS

- C2 AUTHORIZATION FOR MAYOR TO SIGN — **Renewal for Contract 10/026 — Aquatic Vegetation Control Contract, Krause Grove Services Inc.**

NOTE: This authorizes the Mayor to sign renewal for contract 10/026 - Aquatic Vegetation Control contract with Krause Grove Services, Inc. (2807 Ralph Johns Road, Wauchula, FL 33873). The amount reflects the same cost and conditions as the original contract 10/026 of \$59,493.36 to be charged to account 001-414-5-435-04. The amount budgeted for this project is \$60,000.00 (pg. 312 of the FY 2011/2012 adopted budget).

ACTION: (Approve-Deny) Authorization for the Mayor to sign Renewal Contract for aquatic vegetation control with Krause Grove Services, Inc., Wauchula, FL for up to two (2) renewals at a cost of \$59,493.36 annually to be charged to the appropriate account.

(reference material — renewal contract available for review)

◆ COMMUNITY DEVELOPMENT

- C3 **RESOLUTION NO. 11-21. DECLARING THAT CERTAIN CITY-OWNED REAL PROPERTY GENERALLY LOCATED ON PARK BOULEVARD APPROXIMATELY 380 FEET EAST OF 43RD STREET NORTH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES; ESTABLISHING THE FAIR MARKET VALUE OF SAID REAL PROPERTY; AUTHORIZING THE TRANSFER OF OWNERSHIP OF SUCH REAL PROPERTY UPON SPECIFIED TERMS AND CONDITIONS; AUTHORIZING THE MAYOR OR DESIGNEE AND THE CITY CLERK TO TAKE SUCH ACTIONS AS MAY BE NECESSARY AND PROPER TO EFFECT THE TRANSFER OF OWNERSHIP OF THE REAL PROPERTY; PROVIDING THAT ALL CLOSING DOCUMENTS SHALL BE SUBJECT TO THE FINAL APPROVAL OF THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.**

FIRST AND FINAL READING

NOTE: This resolution declares City-owned property located on Park Boulevard, three lots east of 43rd Street North, to be surplus, and authorizes the City Manager to proceed with its sale to Belleair Development, LLC for the current fair market value of the real property in the amount of \$675,000 as indicated by an appraisal performed by Valuation Services, Inc. This resolution is in compliance with Florida Statutes requiring that a resolution be prepared authorizing each sale of city-owned property.

(reference material — resolution, Attorney approval letters, Contract for Purchase Agreement, map)

- C4 ORDINANCE NO. 3783. AN ORDINANCE AMENDING CHAPTER 18, SECTION 18-1501.5, 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 NORTH OF GANDY BOULEVARD, SOUTH OF GATEWAY BOULEVARD, EAST OF SUNSET PALMS MOBILE HOME PARK AND WEST OF GRAND AVENUE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", WHICH IS ATTACHED HERETO AND MADE A PART THEREOF; FROM "M-1" LIGHT INDUSTRIAL DISTRICT TO "M-1" LIGHT INDUSTRIAL DISTRICT WITH AN "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY AND "B-1" GENERAL COMMERCIAL DISTRICT TO "B-1" GENERAL COMMERCIAL DISTRICT WITH AN "RPUD" RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY AND ADOPTING A MASTER PLAN AND SUPPORTING DOCUMENTATION FOR A MULTIFAMILY APARTMENT COMMUNITY; IMPOSING CONDITIONS OF DEVELOPMENT; CERTIFYING CONSISTENCY WITH THE CITY'S ADOPTED COMPREHENSIVE PLAN AND THE COUNTYWIDE RULES CONCERNING THE ADMINISTRATION OF THE COUNTYWIDE FUTURE LAND USE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (PUD 2011-02/MS 2011-27/CU 2011-13/BOA 2011-27)**

**FIRST READING PRIOR TO PUBLIC HEARING
(PUBLIC HEARING OCTOBER 27, 2011 – QUASI JUDICIAL)**

NOTE: The applicant is requesting consideration of a rezoning from "M-1" Light Industrial District and "B-1" General Commercial District to "M-1" Light Industrial District and "B-1" General Commercial District with a Residential Planned Unit Development Overlay ("RPUD") for a 38.97 acre m.o.l. parcel of land generally located at the southwest corner of Gateway Centre Boulevard and Gateway Center Parkway within the Gateway Centre DRI. The Master Plan calls for the development of 432 multifamily rental apartments with amenities. Approval of the project is conditioned on the approval by the Countywide Planning Authority of a Master Plan addressing the development of residential in the IL future land use category as required by the Countywide Rules. This Master Plan is scheduled to be heard by the Countywide Planning Authority on October 11, 2011 and will be a companion case to this case scheduled for October 27, 2011 City Council meeting. Also being considered in the staff report are proposed changes to the Covenants, Conditions and Restrictions (CC&R's) for Gateway Centre. Of particular note is a request for an increase in allowable building height from 20 feet to 50 feet in Parcel LI-3, a restricted development parcel as defined in the CC&R's. The request appears to be consistent with the Comprehensive Plan and will not lower adopted levels of service for City infrastructure. Surrounding development includes: to the north, Polypack and

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- C4** vacant industrial land; to the south, Sunset Palms MHP, Dew Cadillac, Dew Eurocars and the future WaWa convenience mart/gas station; to the east, the Armed Forces Reserve Command Center and vacant industrial land; and to the west, Sunset Palms MHP. The Planning and Zoning Commission recommended approval at its September 1, 2011 meeting.

(reference material — ordinance, Attorney approval, staff report, excerpt from the September 1, 2011 Planning & Zoning meeting minutes, application, aerial map, Eighth Amendment to the CC&R's, and master site plan)

◆ **FIRE**

- C5** **AUTHORIZATION FOR MAYOR TO SIGN MEMORANDUM OF UNDERSTANDING - United States Coast Guard**

NOTE: This memorandum of understanding sets forth guidelines for cooperation between the United States Coast Guard Air Station at the St. Petersburg Clearwater Airport and the Pinellas Park Fire Department

ACTION: (Approve – Deny) Authorization for the City Manager to sign Memorandum of Understanding with the United States Coast Guard.

(reference material — memorandum of understanding, 9/16/11 letter from City Attorney)

- C6** **AWARD OF BID 11/028 – PURCHASE AND INSTALLATION OF FIRE SPRINKLER SYSTEM AT FIRE STATION 16 – Cox Fire Protection, Inc.**

NOTE: Bids were legally advertised and bid invitations were mailed to 12 prospective bidders. Two bids were received with Cox Fire Protection, Inc. (7910 Professional Place, Tampa, FL 33637) being the low bidder with a bid submittal of \$8,701.00 for the project. The amount budgeted in account 301-282-5-748-14 for the sprinkler portion of this grant is \$28,000. The funds for this project are from the Fire Act Grant with the matching funds from Kenneth City.

ACTION: (Approve – Deny) Authorization to award Bid 11/028 for the purchase of fire sprinkler system at Fire Station #16 to Cox Fire Protection, Inc. in the amount of \$8,701.00 to be charged to the appropriate account.

(reference material — memo dated 9/19/2011 from Bill Santhouse)

◆ HUMAN RESOURCES

- C7 **RESOLUTION NO. 11-22. ADOPTING A THREE YEAR AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), LOCAL 2193; WHICH AGREEMENT IS FOR THE PERIOD OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2014; PROVIDING FOR AN EFFECTIVE DATE.**

FIRST AND FINAL READING

NOTE: This resolution adopts a three year labor Agreement between the City of Pinellas Park and the International Association of Firefighters, concerning the wages, hours and other terms and conditions of employment, to be effective October 1, 2011 or as otherwise specified in the Agreement. The contract has been ratified by the members of the bargaining unit.

(reference material — resolution, summary of major changes, proposed contract)

- C8 **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 2011, and he is interested in continuing this service. Members serve for a four-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 2015.

(reference material — attendance record for past term)

- C9 **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 four-year term. At their meeting on September 21, 2011, 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 2015.

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C9 (reference material — attendance record for past term)

C10 **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 four-year term. At their meeting on September 14, 2011, the Firefighters' Pension Board approved the reappointment of Mr. Arthur Winquist to serve as their fifth member. Mr. Winquist has been serving on this board since its creation in 1999.

ACTION: (Approve-Deny) The reappointment of Arthur Winquist to serve as the fifth trustee on the Pinellas Park Firefighters' Pension Board of Trustees with term to expire October 2015.

(reference material — attendance record for past term)

V. REGULAR AGENDA

◆ COMMUNITY DEVELOPMENT

R1 **AUTHORIZATION FOR THE MAYOR TO SIGN A CONTRACT TO PURCHASE REAL PROPERTY FROM COLLEEN DENISE LIBBY – Residential property located at 5181 81st Avenue North**

NOTE: This property is located at 5181 81st Avenue North, directly across from the City's England Brother's Park, and could be used to expand the park. The Owner has agreed to a purchase price of \$52,000.00 which is supported by an appraisal performed by Daniel J. Kane, SRA. The property is located in the City's Community Redevelopment District and the purchase would be charged to account #301-175-5727-92.

ACTION: (Approve - Deny) Authorization for the Mayor to sign a Contract to Purchase Real Property from Colleen Denise Libby in the amount of \$52,000.00 plus closing costs to be charged to the appropriate account, subject to the closing documents being acceptable to the City Attorney.

(reference material — contract, map, Attorney approval letter)

VI. COMMENTS BY COUNCIL MEMBERS AND QUESTIONS – COUNCIL TO COUNCIL

VII. ADJOURNMENT

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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.

