

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

January 12, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, William F. Mischler
Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Assistant City Manager/Community Development Administrator, Tom Shevlin – Assistant City Attorney, Regina Kardash – Government Relations Administrator, Tim Caddell – Police Chief, Dorene Thomas – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyiannis – Neighborhood Services Administrator, Susan Walker – Finance Administrator, Ron Miller – Human Resources Administrator, John Moore – Zoning Coordinator, Joe Aukstikalnis – Economic Development Specialist, Shannon Coughlin – Principal Planner, Joe Incorvia – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Pastor Henry Smith, 60th Street Baptist Church.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

NONE

II. PUBLIC COMMENT AND CORRESPONDENCE

NONE

STAFF MEMBERS WERE SWORN IN FOR QUASI JUDICIAL ITEMS.

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of December 8, 2011, as on file in the City Clerk's Office.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** the Regular Council Minutes of December 8, 2011, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

IV. PUBLIC HEARINGS

◆ HUMAN RESOURCES

P1 ORDINANCE NO. 3790 AMENDING CHAPTER 17 (PENSIONS AND RETIREMENT) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, PINELLAS PARK FIREFIGHTERS' PENSION FUND.

PUBLIC HEARING, SECOND AND FINAL READING

This Ordinance amends Article III, Chapter 17 (Pensions and Retirement) relating to the Pinellas Park Firefighters' Pension Fund. For service earned on or after December 28, 2011, the definition of Annual Compensation will now exclude pay for overtime hours in excess of 300 hours per calendar year; the benefit accrual rate will be 3% for each year of service; the COLA benefit will be a guaranteed 2% which will commence five years following the date a member retires or turns age 65, whichever comes first; and the DROP participation period will be limited to two years with an interest rate equal to the return experienced by the fund up to a maximum of a positive .75 percent (.75%) quarterly return and no limit on the maximum negative quarterly return (loss). Firefighters who become eligible for Normal Retirement prior to December 28, 2011, will not be affected by these changes.

The City Attorney read Ordinance No. 3790 by title only. Mayor Mischler opened the Public Hearing at 7:35 P.M.

There were no comments or objections.

Public Hearing was closed at 7:36 P.M.

MOTION was made by Councilman Taylor, and **SECONDED** by Vice-Mayor Bradbury to **PASS** Ordinance No. 3790.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

◆ **COMMUNITY DEVELOPMENT**

P2 ITEM WAS WITHDRAWN.

P3 CONSIDERATION OF AN EXPANSION TO AN EXISTING CONDITIONAL USE FOR A “RESIDENTIAL CARE FACILITY” IN THE “B-1” GENERAL COMMERCIAL DISTRICT WITH A WAIVER TO THE CONDITIONAL USE REQUIREMENT FOR OPEN SPACE FOR RESIDENTS AS WELL AS A VARIANCE TO DRIVE AISLE WIDTH AND A WAIVER TO LANDSCAPE BUFFER REQUIREMENTS, FOR A PROPERTY GENERALLY LOCATED AT 8701 49TH STREET. (CU 2011-17/BOA 2011-32/MS 2011-35 NRS Ventures LLC/King Engineering Associates, Inc.)

PUBLIC HEARING (QUASI-JUDICIAL)

The applicant is requesting the consideration of an expansion to an existing Conditional Use for a “Residential Care Facility” in the “B-1” General Commercial District on a 3.09 acre MOL parcel of land generally located at 8701 49th Street with a waiver to the Conditional Use requirement for open space for residents as well as a variance to drive aisle width and a waiver to landscape buffer requirements. Surrounding land uses are: to the north, Kids Christian Care Day Care and Single Family Dwelling; to the south, City Water Tower, American Cancer Society, “County Center” retail strip center; to the east, Single Family Dwellings; to the west, Saigon Plaza, Cutting Up Hair Salon and a retail plaza. 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 November 3, 2011, the Planning and Zoning Commission recommended approval of the above request with conditions.

Mayor Mischler opened the Public Hearing at 7:37 P.M.

ALL PARTIES WERE SWORN IN PRIOR TO THEIR TESTIMONY

Zoning Coordinator Aukstikalnis gave a presentation on this item.

Heath Johnson, 2930 University Parkway, stated he is representing the applicant and is available for any questions.

Public Hearing was closed at 7:41 P.M.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** An expansion to an existing Conditional Use for a “Residential Care Facility” in the “B-1” General Commercial Zoning District on a parcel of land generally located at 8701 49th Street with a waiver to the Conditional Use requirement for open space for residents as well as a variance to drive aisle width and a waiver to landscape buffer requirements, based on the staff report and the criteria found in Section 18-1531, subject to the following conditions:

1. The applicant shall, within 30 days of removal of any fencing located on adjoining properties to the north, install a six-foot-high, solid fence along the entire northern property line.
2. Applicant shall apply for permits to begin construction of therapy pool, as indicated on the site plan, prior to issuance of a Certificate of Completion of the proposed addition. If the pool is not constructed, then the applicant will be required to install an area that shall be landscaped and retained as usable open space for occupants, with adequate accommodations for wheelchair use.
3. Within 30 days of approval, the applicant shall reserve a 30-foot-wide portion of the property adjacent to 47th Street for right-of-way purposes. Easements will need to be granted to the City for all improvements within said portion of the property including but not limited to: water, sewer, drainage, ingress/egress and sidewalk. (Note: It cannot be determined at this time if the right-of-way was not previously dedicated. If the applicant can provide evidence that the right-of-way had been previously dedicated then this condition shall be considered null and void.)
4. The applicant shall install a six-foot-high, solid fence along the entire east property line, adjacent to 47th Street North.

The applicant has increased the two-way drive aisle width along the north property line to 20 feet where Code requires a minimum of 24 feet. This should improve traffic flow. The applicant has requested a waiver to reduce the landscape buffer in the area where the aforementioned, two-way drive aisle is being widened as only six inches will remain. Additionally, the Traffic Division recently installed signage that prohibits truck traffic on 47th Street North.

Council thanked everyone for working together to keep the residents happy.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

V. **CONSENT AGENDA**

◆ **POLICE**

C1 **AUTHORIZATION FOR THE POLICE DEPARTMENT TO UTILIZE THE SERVICES OF DR. JAMES T. HUMPHRIES TO DEVELOP AND ADMINISTER THE PROMOTIONAL PROCESS FOR LAW ENFORCEMENT SERGEANT AND LIEUTENANT**

Pursuant to Florida Statute 932.704(3)(a), this proposed payment complies with the state-required provisions for expenditure of these funds. There are sufficient monies in the Fund to cover this transaction.

Authorization for the Police Department to utilize the services of Dr. James T. Humphries, Testing and Management Consultant of Humphries and Associates, Inc., 6184 Hemlock Road, Ocala, Florida 34472, and to appropriate from the Confiscated Property Fund Balance to Confiscated Property Fund Operating Account 104-212-5-535-05 the amount of \$9,000 to pay for two promotional examinations.

◆ **LIBRARY AND RECREATION**

C2 **CHANGE ORDER NO. 2 AND FINAL PAYMENT FOR PROJECT 11/005 — SKYVIEW POOL RENOVATION — Pinellas Pools, Inc.**

Change Order No. 2 is recommended for approval so that final payment can be processed and the contract closed. The final contract amount represents a decrease of \$17,995.00 or 12.26% from the original contract amount of \$146,750.00. The final payment of \$12,875.50 will be charged to account 301-781-5738-08, Skyview Pool Renovation.

Authorization for approval and acceptance of Change Order No. 2, Project 11/005, Skyview Pool Renovation, a decrease in the contract amount of \$17,995.00, for a total adjusted contract amount of \$128,755.00, and authorization for final payment of \$12,875.50 to Pinellas Pools, Inc., to be charged to the appropriate account.

C3 CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 10-025 — DESIGN/BUILDING SERVICES AT SKYVIEW RECREATION CENTER AND FREEDOM LAKE CENTER

Change Order No. 1 is recommended for approval so that final payment can be processed and the contract closed. The final contract amount represents a decrease of \$12,836.00 or 2.36% from the original contract amount of \$544,003.79. The final payment of \$53,116.78 will be charged to accounts 301-781-5763-55, Freedom Lake Recreation Center, and 301-781-5789-71, Skyview Recreation Center.

Authorization for approval and acceptance of Change Order No. 1, Project 10/025, Design/Build Services at Skyview Recreation Center and Freedom Lake Center, a decrease in the contract amount of \$12,836.00, for a total adjusted contract amount of \$531,167.79, and authorization for final payment of \$53,116.78 to Caladesi Construction Company, Inc., to be charged to the appropriate accounts.

◆ **PUBLIC WORKS**

C4 AWARD OF BID 12/010 – PURCHASE OF 6 LIFT STATION MOTOR CONTROL PANELS AND JUNCTION BOXES — Technical Sales Corp.

Bids were legally advertised and bid invitations were mailed to 213 perspective bidders. Four (4) bids, and one (1) “no bid” were received with Technical Sales Corporation, 4621 N. Hale Avenue, Tampa, FL 33614 being the low bidder with a bid submittal of \$38,288.00. The estimated amount budgeted for this purchase is \$65,000.00, and is reflected as a portion of the Lift Station Rehabilitation Program, as shown on page 402 of the adopted FY 11/12 budget. The account to be charged for this purchase is 301-381-5-776-50.

Authorization to award bid 12/010 Purchase of 6 lift station motor control panels and junction boxes to Technical Sales Corporation, Tampa, FL in the amount of \$38,288.00 to be charged to the appropriate account.

C5 CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 11/016 — LED MESSAGE BOARDS UPGRADE — Thomas Sign and Awning Company, Inc.

Change Order No. 1 is recommended for approval so that the final payment can be processed and the contract closed out. The decrease in the contract amount represents a decrease of the original contract amount by 5.03%. The final payment of \$4,948.68 will be charged to account 301-175-5-744-10. The final contract is \$5,000.00 under the original contract amount.

Authorization for approval and acceptance of Change Order No. 1, Project 11/016 for the LED Message Boards Upgrade, a decrease in the contract amount of \$5,000.00 for a total adjusted contract amount of \$94,486.83 and authorization for final payment of \$4,948.68 to Thomas Sign and Awning Company, Inc., Clearwater, FL, to be charged to the appropriate account.

C6 AWARD OF BID 11/012 — ANNUAL SIDEWALK/RAMP & CRA SIDEWALK PROGRAM — Central Florida Contractors, Inc.

Bids were legally advertised and bid invitations were mailed to 222 perspective bidders. Seven (7) bids were received with Central Florida Contractors, Inc. (P.O. Box 3987, Seminole, FL, 33775) being the lowest bidder that met all of the bid requirements with a bid submittal of \$317,645.55. The amount budgeted for the Annual Sidewalk/Ramp Program is \$75,000.00 and the amount budgeted for the CRA Sidewalk Program is \$200,000.00 (both located on page 400 of the 11/12 adopted budget). The bid amount for the Annual Sidewalk /Ramp is \$120, 265.20 and the CRA portion is \$197,380.35. Additional funds for the Annual Sidewalk/Ramp Program in the amount of \$75,000.00 will be carried over from the FY 10/11 Annual Budget (see OMB Administrator memo dated 12/20/2011). The contract will be charged to accounts 301-481-5-736-18 and 301-481-5-737-17.

Authorization to award Bid 11/012 for the Annual Sidewalk/Ramp & CRA Sidewalk Program to Central Florida Contractors, Inc., Seminole, FL, in the amount of \$317,645.55 to be charged to the appropriate accounts.

C7 AUTHORIZATION FOR MAYOR TO SIGN A SITE AGREEMENT — With Progress Energy Corporation.

This authorizes the Mayor to sign an Electric Vehicle Supply Equipment Site Agreement between Progress Energy Service Company, LLC as agent for Florida Power Corporation d/b/a/ Progress Energy Florida, Inc. This agreement allows Progress Energy to install one Electric Vehicle Charging Station at each of these City facilities. The Library (7770 52nd Street N) and Park Station (5851 Park Blvd N). The term of this agreement shall commence on the date of installation and continue until April 27, 2013.

Authorization for the Mayor to sign the Electric Vehicle Supply Equipment Site Agreement with Progress Energy Service Company.

C8 AUTHORIZATION TO PURCHASE ENERGY EFFICIENT “GREEN” ATHLETIC FIELD LIGHTING FOR YOUTH PARK SOCCER COMPLEX FIELD #7 AND HELEN HOWARTH BASEBALL FIELDS #1, 2 AND 3 UNDER CLAY COUNTY CONTRACT 08/09-03 — Musco Sports Lighting

This purchase will be made under a Clay County Contract from Musco Sports Lighting, 2220 Cluster Oak Dr., #H, Clermont, FL 34711. The cost for the purchase and installation is \$79,600.00 for Youth Park and \$139,800.00 for Helen Howarth Park which will be charged to accounts 301-781-5-763-71 and 301-781-5-764-04 respectively. The amount budgeted for this project is \$85,700.00 and \$147,000.00 found on page 396 of the FY 11/12 adopted budget. This authorization is for purchase and installation of new energy efficient “green” light fixtures.

Authorization to purchase lighting and installation under Clay County Contract 08/09-03, from Musco Sports Lighting, Clermont, FL, in the amount of \$79,600.00 and \$139,800.00 to be charged to the appropriate accounts.

C9 AUTHORIZATION TO PURCHASE PLAYGROUND EQUIPMENT UNDER ST. JOHN’S COUNTY CONTRACT #11-60 — Playground Improvements for Youth Park Soccer Fields

This purchase will be made under a St. John’s County Contract from Advanced Recreational Concepts (ARC), LLC, 3125 Skyway Circle, Melbourne, FL 32934. The cost for the playground equipment and installation is \$38,193.20, which will be charged to account 301-781-5-787-16. The amount budgeted for this project is \$70,000.00 (to be split between the playground equipment and the safety surfacing) found on page 396 of the FY 11/12 adopted budget. This purchase is for replacement equipment.

Authorization to purchase playground equipment and installation under St. John’s County Contract 11/60, from ARC, LLC., Melbourne, FL, in the amount of \$38,193.20 to be charged to the appropriate account.

C10 AUTHORIZATION TO PURCHASE RAINBOW TURF POUR-IN-PLACE RUBBER SAFETY SURFACING UNDER MANATEE COUNTY SCHOOL BID #11-0014-MR — Playground Improvements for Youth Park Soccer Fields

This purchase will be made under a Manatee County School Bid # 11-0014-MR from Advanced Recreational Concepts (ARC), LLC., 3125 Skyway Circle Melbourne, FL 32934. The cost for the Rainbow Turf Pour-In-Place Rubber Safety Surfacing and installation is \$30,268.20, which will be charged to account 301-781-5-787-16. The amount budgeted for this project is \$70,000.00 (to be split between the playground equipment and the safety surfacing) found on page 396 of the FY 11/12 adopted budget.

Authorization to purchase safety surfacing and installation under Manatee County School Board Bid #11-0014-MR, from ARC, LLC., Melbourne, FL, in the amount of \$30,268.20 to be charged to the appropriate account.

◆ **COMMUNITY DEVELOPMENT**

- C11 ORDINANCE NO. 3792 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; UPDATING APPENDIX I, TABLES 1, 2, AND 3 OF THE PINELLAS PARK COMPREHENSIVE PLAN TO INCLUDE A REVISED SCHEDULE OF PROJECTS; PROVIDING FOR THE ANNUAL UPDATING BY REFERENCE OF THE SCHOOL DISTRICT'S FIVE-YEAR WORK PROGRAM.**

FIRST READING PRIOR TO PUBLIC HEARING

State statutes require the five-year capital improvement schedule of the Comprehensive Plan to be updated annually and adopted by City Council by Ordinance. This Ordinance brings the city in compliance with State comprehensive plan requirements. Upon approval of this item by City Council, the 5 year schedule of capital projects will be transmitted to the State Department of Economic Opportunity.

The Assistant City Attorney read Ordinance No. 3792 by title only.

◆ **CITY CLERK**

- C12 RESOLUTION NO. 12-01 A RESOLUTION AMENDING RESOLUTION NO. 11-01, BY AMENDING THE CITY'S ADMINISTRATIVE FEE SCHEDULE AS LISTED IN EXHIBIT "A"; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

FIRST AND FINAL READING

Amendments have been made to the Library and Recreation Services Department only.

The Assistant City Attorney read Resolution No. 12-01 by title only.

MOTION was made by Vice-Mayor Bradbury to Pass, Approve or Adopt, whichever is appropriate, Items C1 through C12 inclusive, with Item C11 being First Reading Prior to Public Hearing and Item C12 being First and Final Reading, and **SECONDED** by Councilman Taylor.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

VI. REGULAR AGENDA

NONE

VII. MISCELLANEOUS

M1 CONDOLENCES

Vice-Mayor Bradbury gave her condolences to the families of Mr. Bo Jackie and Mr. Bennett.

M2 NEW YEAR

Councilman Taylor stated the meeting was a great start to the New Year for City business.

M3 THOUGHTS

Mayor Mischler stated Denise, a past resident, was in a car accident and needs everyone's kind thoughts.

M4 CITY EVENTS

Mayor Mischler provided information on upcoming City events.

M5 GRAND PRIX

Council stated they had a great time at Grand Prix this past Monday.

M6 MOOSE LODGE

Councilman Butler stated the Moose Lodge has a soft opening Friday, January 13, 2012, at 5940 54th Avenue.

M7 HORSE SHOW

Office of Administration and Business Administrator Katsiyiannis stated there is a BAHA Horse Show Sunday, January 15, 2012, at Helen Howarth Park, 6301 94th Avenue.

ADJOURNMENT

Mayor Mischler adjourned the meeting at 7:58 p.m.

Attest:

Diane M. Corna
City Clerk

William F. Mischler
Mayor

/nlo

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

January 26, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, William F. Mischler
Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Assistant City Manager/Community Development Administrator, Tom Shevlin – Assistant City Attorney, Regina Kardash – Police Chief, Dorene Thomas – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyannis – Neighborhood Services Administrator, Susan Walker – Finance Administrator, Ron Miller – Human Resources Administrator, John Moore – Library Director, Karen Fortin – Economic Development Specialist, Shannon Coughlin – Principal Planner, Joe Incorvia – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Father Tobin, Sacred Heart Church.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

MAYOR’S CHOICE AWARDS

Steve Daniels – Yellow Crested Night Heron
Chuck Hager – New Smyrna Mornin’
Richard Jansen – High and Dry

SERVICE AWARD – RETIREMENT

Police Lieutenant Paul Andrews

SERVICE AWARD — 30 YEARS

Firefighter/Paramedic, Jerry Lubick

II. PUBLIC COMMENT AND CORRESPONDENCE

PC1 FRAUD IN THE GOVERNMENT

Tom Nocera, 3173 Drew Street, Clearwater, provided his opinion on fraud in the government.

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of January 12, 2012, as on file in the City Clerk's Office.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** the Regular Council Minutes of January 12, 2012, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

IV. PUBLIC HEARINGS

◆ **COMMUNITY DEVELOPMENT**

P1 ORDINANCE NO. 3792 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; UPDATING APPENDIX I, TABLES 1, 2, AND 3 OF THE PINELLAS PARK COMPREHENSIVE PLAN TO INCLUDE A REVISED SCHEDULE OF PROJECTS; PROVIDING FOR THE ANNUAL UPDATING BY REFERENCE OF THE SCHOOL DISTRICT'S FIVE-YEAR WORK PROGRAM.

PUBLIC HEARING, SECOND AND FINAL READING

State statutes require the five-year capital improvement schedule of the Comprehensive Plan to be updated annually and adopted by City Council by Ordinance. This Ordinance brings the city in compliance with State comprehensive plan requirements. Upon approval of this item by City Council, the 5 year schedule of capital projects will be transmitted to the State Department of Economic Opportunity.

The Assistant City Attorney read Ordinance No. 3792 by title only. Mayor Mischler opened the Public Hearing at 8:03 P.M.

There were no comments or objections.

Public Hearing was closed at 8:04 P.M.

MOTION was made by Councilman Mullins, and **SECONDED** by Councilman Butler to **PASS** Ordinance No. 3792.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

P2 ORDINANCE NO 3784 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING ORDINANCE NO. 3736; AMENDING THE FUTURE LAND USE ELEMENT TO UPDATE FLOODPLAIN AND HURRICANE EVACUATION POLICIES.

PUBLIC HEARING, SECOND AND FINAL READING

This Ordinance revises the Comprehensive Plan by updating the definition of the Coastal Storm Area, provides mitigative relief for hospitals, nursing homes, other like uses locating or expanding in an evacuation zone, and provides language referencing maps. The Planning and Zoning Commission reviewed the amendment at a public hearing held on October 6, 2011 and recommended approval. A first reading and public hearing by City Council occurred on October 27, 2011. As required by State Statues, the ordinance was forwarded to the State Land Planning Agencies and appropriate reviewing agencies.

The Florida Department of Economic Opportunity (DEO) and the Tampa Bay Regional Planning Council (TBRPC) suggested revisions and the following changes were made to the Ordinance:

1. At the Request of the State DEO changes were made to the original Ordinance by deleting revisions referencing evacuation times and by adding the adoption of an updated coastal storm area map.
2. At the request of the Tampa Bay Regional Planning Council, references to the storm modeling for “Pinellas County” were revised to the “Tampa Bay Basin”.

Upon approval of this item by City Council, the amendment becomes effective 31 days after the State Land Planning Agency determines the amendment package is complete and no timely challenge is filed by an affected party.

The Assistant City Attorney read Ordinance No. 3784 by title only. Mayor Mischler opened the Public Hearing at 8:05 P.M.

There were no comments or objections.

Public Hearing was closed at 8:06 P.M.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **PASS** Ordinance No. 3784.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

V. CONSENT AGENDA

◆ **OMB**

C1 ORDINANCE NO. 3791. AMENDING ORDINANCE 3780 ADOPTING THE BUDGET FOR FISCAL YEAR 2011/2012.

FIRST READING PRIOR TO PUBLIC HEARING

This budget amendment performs some minor maintenance in the General Fund in the City at Large account. In the CIP, funds are carried forward for various projects from the prior year and funds are appropriated for major repairs at Fire Station 35 and the Classical Christian School. Overall the City's budget for this year will increase by \$1,721,170.

The City Attorney read Ordinance No. 3791 by title only.

◆ **FIRE**

C2 AUTHORIZATION FOR FINAL PAYMENT ON CONTRACT 11/028 FOR PURCHASE AND INSTALLATION OF FIRE SPRINKLERS AT FIRE STATION #16 – Cox Fire Protection, Inc., Tampa, FL

This action is recommended so that final payment can be processed and the contract completed. The total amount of contract 11/028 is \$8,701.00 and the final amount of \$870.10 is to be charged to account number 301-282-5-748-14.

Authorization to make the final payment for the purchase and installation of sprinkler system at Station 16, contract 11/028, to Cox Fire Protection, Inc., Tampa, FL in the amount of \$870.10 to be charged to the appropriate account.

Cecil Bradbury, 9400 50th Way, asked if this is the Fire Department in Kenneth City?

City Manager Gustafson stated he was correct.

ITEM C3 WAS MOVED TO THE REGULAR AGENDA.

◆ **IT**

C4 AUTHORIZATION FOR THE PURCHASE OF NETAPP STORAGE APPLIANCE — Datalink Inc.

Authorization to purchase NETAPP Network Storage and Installation under state contract #250-000-09-1 at a cost of \$ 43,239.00 from (DataLink Inc. 8170 Upland Circle, Chanhassen, MN 55317). This project will be charged to account 501-851-5-621-08

Authorization to purchase NETAPP Network Storage and Installation from DataLink Inc. (Chanhassen, MN 55317) at a total cost of \$43,239.00 to be charged to the appropriate account.

◆ **POLICE**

C5 AUTHORIZATION FOR THE CITY OF PINELLAS PARK'S PARTICIPATION AS A SIGNATORY ON THE PINELLAS COUNTY HOMELESS LEADERSHIP BOARD INTERLOCAL AGREEMENT

The Homeless Leadership Network (HLN) is a network of public institutions, nonprofit entities and private sector organizations who have, over the past several years, worked together to examine the problems and find potential solutions to address the issue of homeless persons and families in Pinellas County. Solving homelessness requires effective services to individuals and families coupled with policy solutions in the fields of housing, health care, transportation and employment. The complexity of chronic homelessness and the need for comprehensive support systems within the community for chronic homelessness requires a collaborative effort.

State law and changes in federal law provides and encourages local governments to collaborate in addressing issues of homelessness. In order for the HLN to more efficiently and effectively benefit from this collaboration, the HLN has determined it is necessary to become more streamlined. In order to achieve this goal, the Pinellas County Coalition for the Homeless has agreed to reconstitute its Board of Directors to allow for no less than fifteen (15) and no more than (21) persons comprised of local Elected Officials and Community Leaders to serve as its new Board. The new name for this organization will be the Pinellas County Homeless Leadership Board and will replace the Homeless Leadership Network.

Approve or Deny the City of Pinellas Park's participation as a signatory on the Pinellas County Homeless Leadership Board Interlocal Agreement.

◆ **LIBRARY AND RECREATION**

C6 RECEIPT OF RESIGNATION FROM LIBRARY BOARD — Gary Henkel

Gary Henkel has asked to resign from the Library Board due to other commitments. Mr. Henkel has been an active member of the Board since September 2009, and his contributions will be missed. The term for this position expires June 30, 2013.

With regret, the resignation of Gary Henkel from the Library Board, effective January 26, 2012.

◆ **PUBLIC WORKS**

**C7 AUTHORIZATION TO PURCHASE UNDER PINELLAS COUNTY CONTRACT
— Traffic Marking Materials And Installation Services — AKCA, Inc.**

This item is for restriping and marking of various streets in the City. The supply, delivery, and installation will be provided by AKCA, Inc., 4603 Reece Road, Plant City, Florida 33567, who is currently under contract with Pinellas County. The total cost for this project is not to exceed \$51,000 and will be charged to account 301-481-5796-56, found on page 390 in the 2011/2012 budget book.

Authorization to purchase, supply, deliver, and install thermoplastic markings and raised pavement markers under the existing Pinellas County contract 078-0372-B(MW) from AKCA, Inc., Plant City, FL, in the amount not to exceed \$51,000 to be charged to the appropriate account.

◆ **COMMUNITY DEVELOPMENT**

**C8 RESOLUTION NO. 12-02 A RESOLUTION AUTHORIZING THE CITY
MANAGER TO ACCEPT THE COUNTY'S INVITATION TO ENTER INTO
NEGOTIATIONS FOR REACHING AN INTERLOCAL SERVICES BOUNDARY
AGREEMENT — COMMUNITY DEVELOPMENT**

FIRST AND FINAL READING

This authorizes the City Manager to enter into negotiations to provide for the annexation of property within an enclave that is not contiguous to the City. It also requires the City Manager to notify all the other municipalities and independent district that were notified by Pinellas County as part of this process. The properties are within the Pinellas Park Planning Boundaries.

The City Attorney read Resolution No. 12-02 by title only.

**C9 ORDINANCE NO. 3796 ANNEXING INTO THE CITY OF PINELLAS PARK
CERTAIN PORTIONS OF RIGHT-OF-WAY GENERALLY LOCATED ON 68TH
AVENUE NORTH FROM 66TH STREET NORTH TO 67TH WAY NORTH
(Pinellas County – AX12-5)**

FIRST READING PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 0.48 acres MOL of contiguous right-of-way property. Most of the surrounding right of way is in the City of Pinellas Park, and the majority of the abutting properties in the area have been annexed into the City.

The City Attorney read Ordinance No. 3796 by title only.

C10 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY TAMPA BAY WATER (AX11-39) — Annexation of 2.57 acres MOL of vacant property located west of 66th Street North and North of 102nd Avenue North

This is a voluntary annexation of 2.57 acres MOL of contiguous commercial property. These two vacant parcels are located west of 66th Street North and north of 102nd Avenue North. The Owner has no immediate plans for development of the property.

Tampa Bay Water Vacant – 66 th St. and 102 nd Ave.	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$0.00	\$0.00	\$0.00
There are no special provisions associated with this Annexation Petition.			

The voluntary annexation of 2.57 acres MOL of vacant property owned by Tampa Bay Water and located west of 66th Street North and north of 102nd Avenue North.

C11 ORDINANCE NO. 3793. ANNEXING INTO THE CITY OF PINELLAS PARK CERTAIN PARCELS OF VACANT LAND GENERALLY LOCATED WEST OF 66TH STREET NORTH AND NORTH OF 102ND AVENUE NORTH (TAMPA BAY WATER AX11-39)

FIRST READING PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 2.57 acres MOL of contiguous commercial property. These two vacant parcels are located west of 66th Street North and north of 102nd Avenue North. The Owner has no immediate plans for development of the property.

The City Attorney read Ordinance No. 3793 by title only.

C12 AUTHORIZATION FOR MAYOR TO SIGN ANNEXATION AGREEMENT WITH LION HOLDINGS GROUP, INCORPORATED (AX12-2) — Annexation of 3.5 acres MOL located at 7025 90th Avenue North

This is a voluntary annexation of 3.50 acres MOL of contiguous commercial property located at 7025 90th Avenue North in the Pinellas Farms Subdivision. The Owner’s are planning a phased development of the property to support their growing business, Global Frozen Trucking Incorporated.

Lion Holdings Group, Inc. 7025 90 th Avenue N.	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$8,312.88	\$0.00	\$40,000.00
The Annexation Agreement special provisions are:			
<ul style="list-style-type: none"> ◆ For a period of sixty (60) months from the date of execution of this Agreement, the City shall waive City land development fees applicable for the phased development of the Property, in an amount not to exceed Forty Thousand Dollars (\$40,000.00). 			

Authorization for Mayor to sign an Annexation Agreement with Lion Holdings Group, Incorporated for annexation of 3.5 acres MOL located at 7025 90th Avenue North.

C13 ORDINANCE NO. 3794 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 7025 90TH AVENUE NORTH (LION HOLDINGS GROUP, INC. AX12-2)

FIRST READING, PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 3.50 acres MOL of contiguous commercial property located at 7025 90th Avenue North in the Pinellas Farms Subdivision. The Owner’s are planning a phased development of the property to support their growing business, Global Frozen Trucking Incorporated.

The City Attorney read Ordinance No. 3794 by title only.

C14 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY JAMES E. WAGGONER (AX12-3) — Annexation of 0.18 acres MOL located at 6791 67th Way

This is a voluntary annexation of 0.18 acres MOL of contiguous residential property located at 6791 67th Way in the Alston Park Subdivision. The Owner’s single family home is located on this site.

James E. Waggoner 6791 67 th Way	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$729.80	\$0.00	\$0.00
There are no special provisions in this Annexation Petition.			

The voluntary annexation of 0.18 acres MOL of property owned by James E. Waggoner and located at 6791 67th Way.

C15 ORDINANCE NO. 3795. ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6791 67TH WAY (JAMES E. WAGGONER AX12-3)

FIRST READING, PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 0.31 acres MOL of contiguous residential property located at 6791 67th Way in the Alston Park Subdivision. The Owner’s single family home is located on this site.

The City Attorney read Ordinance No. 3795 by title only.

C16 APPROVAL OF VOLUNTARY ANNEXATION OF PROPERTY OWNED BY DAWN M. DILLON (AX12-6) — Annexation of 0.12 acres MOL located at 6764 67th Way

This is a voluntary annexation of 0.12 acres MOL of contiguous residential property located at 6764 67th Way in the Alston Park Subdivision. The Owner’s single family home is located on this site.

Dawn M. Dillon 6764 67 th Way	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$415.82	\$0.00	\$0.00
There are no special provisions in this Annexation Petition.			

The voluntary annexation of 0.12 acres MOL of property owned by Dawn M. Dillon and located at 6764 67th Way.

C17 ORDINANCE NO. 3797 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6764 67TH WAY (DAWN M. DILLON AX12-6)

FIRST READING, PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 0.18 acres MOL of contiguous residential property located at 6764 67th Way in the Alston Park Subdivision. The Owner's single family home is located on this site.

The City Attorney read Ordinance No. 3797 by title only.

◆ **CITY COUNCIL**

C18 RESOLUTION NO. 12-03 A RESOLUTION OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO OPPOSE HB 1063 AND SB 760 TO REPEAL LOCAL BUSINESS TAX RECEIPTS.

FIRST AND FINAL READING

The Local Business Tax allows cities to know what businesses are operating within their jurisdiction and enables cities to allocate municipal resources appropriately. The Elimination of the local business tax would cost the City of Pinellas Park approximately \$800,000. Annually.

The City Attorney read Resolution No. 12-03 by title only.

C19 RESOLUTION NO. 12-04 A RESOLUTION OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA SUPPORTING POLICE OFFICER AND FIREFIGHTER PENSION PLAN AND DISABILITY PRESUMPTION REFORMS TO MAKE THE PLANS SUSTAINABLE, SOUND AND SECURE FOR CURRENT AND FUTURE POLICE OFFICERS AND FIREFIGHTERS.

FIRST AND FINAL READING

The City of Pinellas Park opposes unfunded mandates from the Florida Legislature that have created a pension plan system for local police officers and firefighters that is unstable, unsustainable and unreliable for current and future police officers and firefighters.

The City Attorney read Resolution No. 12-04 by title only.

C20 RESOLUTION NO. 12-05 A RESOLUTION AUTHORIZING THE FLUORIDATION OF THE POTABLE WATER SUPPLY FOR THE CITY OF PINELLAS PARK; AND AUTHORIZING THE CITY MANAGER TO APPLY FOR GRANT FUNDING TO THE FLORIDA DEPARTMENT OF HEALTH TO ASSIST IN THE PURCHASE AND INSTALLATION OF EQUIPMENT FOR THE FLUORIDATION PROGRAM; PROVIDING FOR COMPLIANCE WITH THE STATE OF FLORIDA DEPARTMENT OF HEALTH REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

FIRST AND FINAL READING

Pinellas County has discontinued fluoridation of its potable water supply and fluoridation has been demonstrated to be the most cost-effective mechanism for preventing dental cavities. At the City Council Workshop of January 24, 2012, City Council decided to restore fluoride to the drinking water for the community

The City Attorney read Resolution No. 12-05 by title only.

Kurt Irmischer, 2300 Kent Place, Clearwater, President for Citizens' for Safe Water, spoke in opposition to the fluoridation program.

Tom Nocera, 3173 Drew Street, spoke in opposition to the fluoridation program.

MOTION was made by Vice-Mayor Bradbury to Pass, Approve or Adopt, whichever is appropriate, Items C1 through C20 inclusive, with Items C1, C9, C11, C13, C15, and C17 being First Reading Prior to Public Hearing and Item C8, and C18 through C20 being First and Final Reading, and Item C3 being moved to the Regular Agenda, and **SECONDED** by Councilman Taylor.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

VI. REGULAR AGENDA

◆ HUMAN RESOURCES

€3 R1A REAPPOINTMENT TO THE PINELLAS PARK GENERAL EMPLOYEES' PENSION BOARD OF TRUSTEES — One Council Appointed Member

The term of Mr. Alan Swartz as a member of the Pinellas Park General Employees' Pension Board expires January 31, 2012. Mr. Swartz is interested in continuing his service as a trustee. Members serve for a three-year term.

Council thanked Mr. Swartz, and other board members for volunteering their time and their dedication to the City.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** the reappointment of Alan Swartz to serve as a resident member of the Pinellas Park General Employee's Pension Board of Trustees with term to expire January 2015.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Voting Nay: Councilman, William E. Taylor
Mayor, William F. Mischler
Absent: None
Abstaining: None

MOTION CARRIED

◆ **LIBRARY AND RECREATION**

R1 RECEIPT OF 2011 LIBRARY ANNUAL REPORT

Section 2-504 of the City Code states that the Library Board will submit an annual report to the City Council each year.

Library Director Karen Fortin gave a presentation on the 2011 Library Annual Report.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** the 2011 Library Annual Report in accordance with Section 2-504 of the City Code requiring submission on a yearly basis.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

VII. MISCELLANEOUS

M1 THANK YOU

Vice-Mayor Bradbury thanked all of the volunteers and City staff who helped Community Spirit in the Park put up the lights.

M2 LIBRARY BOARD MEMBERS

Councilman Mullins thanked all of the Library Board members for their hard work.

M3 CAR SHOW

Councilman Mullins stated he is having a Car Show at his house, 7180 73rd Street, to benefit the Pinellas Park Thunderbirds on Saturday, February, 4, 2012, from 9 am to 3 pm.

M4 CITY EVENTS

Mayor Mischler provided information on upcoming City events.

M4 HAPPY BIRTHDAY

Council wished Mayor Mischler a Happy Birthday.

ADJOURNMENT

Mayor Mischler adjourned the meeting at 8:42 p.m.

Attest:

Diane M. Corna
City Clerk

William F. Mischler
Mayor

/nlo

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

February 9, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, William F. Mischler
Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Assistant City Manager/Community Development Administrator, Tom Shevlin – Assistant City Attorney, Regina Kardash – Government Relations Administrator, Tim Caddell – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyiannis – Finance Administrator, Ron Miller – Human Resources Administrator, John Moore – Assistant Human Resources Administrator, Lisa Hendrickson – Police Captain, John Green – Building Development Services Supervisor, Steve Lee – Economic Development Specialist, Shannon Coughlin – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Pastor Phil Lewis, Pinellas Park Wesleyan.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

NONE

II. PUBLIC COMMENT AND CORRESPONDENCE

NONE

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of January 26, 2012, as on file in the City Clerk's Office.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins, to **APPROVE** the Regular Council Minutes of January 26, 2012, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

IV. PUBLIC HEARINGS

◆ **OMB**

P1 ORDINANCE NO. 3791 AMENDING ORDINANCE 3780 ADOPTING THE BUDGET FOR FISCAL YEAR 2011/2012.

PUBLIC HEARING, SECOND AND FINAL READING

This budget amendment performs some minor maintenance in the General Fund in the City at Large account. In the CIP, funds are carried forward for various projects from the prior year and funds are appropriated for major repairs at Fire Station 35 and the Classical Christian School. Overall the City's budget for this year will increase by \$1,721,170.

The Assistant City Attorney read Ordinance No. 3791 by title only. Mayor Mischler opened the Public Hearing at 7:34 P.M.

There were no comments or objections.

Public Hearing was closed at 7:35 P.M.

MOTION was made by Councilman Taylor, and **SECONDED** by Vice-Mayor Bradbury to **PASS** Ordinance No. 3791.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler
Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

◆ **COMMUNITY DEVELOPMENT**

P2 ORDINANCE NO. 3796 ANNEXING INTO THE CITY OF PINELLAS PARK CERTAIN PORTIONS OF RIGHT-OF-WAY GENERALLY LOCATED ON 68TH AVENUE NORTH FROM 66TH STREET NORTH TO 67TH WAY NORTH (Pinellas County – AX12-5)

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 0.48 acres MOL of contiguous right-of-way property. Most of the surrounding right of way is in the City of Pinellas Park, and the majority of the abutting properties in the area have been annexed into the City.

The Assistant City Attorney read Ordinance No. 3796 by title only. Mayor Mischler opened the Public Hearing at 7:37 P.M.

There were no comments or objections.

Public Hearing was closed at 7:38 P.M.

MOTION was made by Councilman Mullins, and **SECONDED** by Councilman Butler to **PASS** Ordinance No. 3796.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

**P3 ORDINANCE NO. 3793 ANNEXING INTO THE CITY OF PINELLAS PARK
CERTAIN PARCELS OF VACANT LAND GENERALLY LOCATED WEST OF
66TH STREET NORTH AND NORTH OF 102ND AVENUE NORTH (TAMPA BAY
WATER AX11-39)**

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 2.57 acres MOL of contiguous commercial property. These two vacant parcels are located west of 66th Street North and north of 102nd Avenue North. The Owner has no immediate plans for development of the property.

The Assistant City Attorney read Ordinance No. 3793 by title only. Mayor Mischler opened the Public Hearing at 7:38 P.M.

There were no comments or objections.

Public Hearing was closed at 7:39 P.M.

MOTION was made by Councilman Mullins, and **SECONDED** by Councilman Butler to **PASS** Ordinance No. 3793.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
 Councilman, Rick Butler
 Councilman, Jerry A. Mullins
 Councilman, William E. Taylor
 Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

P4 ORDINANCE NO. 3794 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 7025 90TH AVENUE NORTH (LION HOLDINGS GROUP, INC. AX12-2)

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 3.50 acres MOL of contiguous commercial property located at 7025 90th Avenue North in the Pinellas Farms Subdivision. The Owner's are planning a phased development of the property to support their growing business, Global Frozen Trucking Incorporated.

The Assistant City Attorney read Ordinance No. 3794 by title only. Mayor Mischler opened the Public Hearing at 7:40 P.M.

There were no comments or objections.

Public Hearing was closed at 7:41 P.M.

MOTION was made by Vice-Mayor Bradbury, and **SECONDED** by Councilman Taylor to **PASS** Ordinance No. 3794.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
 Councilman, Rick Butler
 Councilman, Jerry A. Mullins
 Councilman, William E. Taylor
 Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

P5 ORDINANCE NO. 3795 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6791 67TH WAY (JAMES E. WAGGONER AX12-3)

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 0.31 acres MOL of contiguous residential property located at 6791 67th Way in the Alston Park Subdivision. The Owner's single family home is located on this site.

The Assistant City Attorney read Ordinance No. 3795 by title only. Mayor Mischler opened the Public Hearing at 7:42 P.M.

There were no comments or objections.

Public Hearing was closed at 7:43 P.M.

MOTION was made by Councilman Taylor, and **SECONDED** by Vice-Mayor Bradbury to **PASS** Ordinance No. 3795.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
 Councilman, Rick Butler
 Councilman, Jerry A. Mullins
 Councilman, William E. Taylor
 Mayor, William F. Mischler

Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

P6 ORDINANCE NO. 3797 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6764 67TH WAY (DAWN M. DILLON AX12-6)

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 0.18 acres MOL of contiguous residential property located at 6764 67th Way in the Alston Park Subdivision. The Owner's single family home is located on this site.

The Assistant City Attorney read Ordinance No. 3797 by title only. Mayor Mischler opened the Public Hearing at 7:44 P.M.

There were no comments or objections.

Public Hearing was closed at 7:45 P.M.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **PASS** Ordinance No. 3797.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
 Councilman, Rick Butler
 Councilman, Jerry A. Mullins
 Councilman, William E. Taylor
 Mayor, William F. Mischler

Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

P7 ORDINANCE NO. 3798 AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE) ARTICLE 6 “SIGNS” OF THE CITY OF PINELLAS PARK, FLORIDA.

FIRST READING AND FIRST PUBLIC HEARING

This Ordinance Amends Chapter 18 (Land Development Code) Article 6, “Signs” of the Code of Ordinances of the City of Pinellas Park, Florida. It was determined by the City Attorney and Staff to update the Sign Code and reflect what is actually being enforced in the City or to relax the Sign Code to help local businesses in these hard economic times by amending Section 18-603 “Definitions”, by creating new Definitions for Inflatable Sign, Wind Sock and Walking Signs, and amending the Definitions of Banner, Abandoned or Discontinued Sign or Structure, Changeable Message Sign, Flashing Sign, Frontage, Intermittent Sign, Temporary Sign, Vehicle Sign and Wind Signs, and deleting the Definition of Grand Opening Sign; by amending Section 18-606 “Prohibited Signs,” to include Walking Signs, Wind Signs and Wind Socks; by amending Section 18-613, “Sign Permit Required,” to include fees; by amending Section 18-614, “Sign Permit Application and issuance of Sign Permit,” to delete certain application information requirements; by amending Section 18-628, “All Districts,” to change requirements pertaining to Free Expression Signs, Garage Sale Signs, Temporary Signs and Vehicle Signs; by amending Section 18-629. “Residential Zoning Districts: F, RE, RR, R-1, R-2, R-3, R-4, R-5, R-6, R-7, T-1 and T-2,” by changing the Residential Sign Regulations; by creating a new Subsection 18-629(d); by amending Section 18-630, “Public/Semipublic, Commercial and Industrial Zoning Districts: ROR, CN, GO, B-1, CH, M-1, IH, P, PRES, OS, MXD, MXD-1, MXD-2, and TC,” to delete References to MXD-1 and MXD-2, and increase square footage for Menu/Display Signs for Drive-Thru Establishments.

Building Development Services Supervisor Steve Lee gave a presentation on Ordinance No. 3798.

The Assistant City Attorney read Ordinance No. 3798 by title only. Mayor Mischler opened the Public Hearing at 7:53 P.M.

Cecil Bradbury, 9400 50th Way, asked Council to consider changing the address minimum height requirement to 5 inches for properties set over 25 feet back rather than 3 inches?

Council agreed with Mr. Bradbury.

Mr. Bradbury addressed his concerns with the political signs section.

City Manager Gustafson stated the code has to be followed across the board and can't be different for just political signs.

Public Hearing was closed at 8:07 P.M.

MOTION was made by Vice-Mayor Bradbury, and **SECONDED** by Councilman Taylor to **PASS** Ordinance No. 3798.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

V. CONSENT AGENDA

◆ COMMUNITY DEVELOPMENT

C1 ACCEPTANCE OF A QUIT CLAIM DEED FOR PUBLIC MAINTENANCE PURPOSES FROM M/I HOMES OF TAMPA, LLC – Heritage Reserve

The property owner has requested that the City take this 25 foot wide segment of land along the rear of Lot 14, Heritage Reserve Subdivision. This parcel of land is already part of a drainage easement provided for the maintenance of Pinellas Park Water Management District Channel 1. The City of Pinellas Park currently owns both pond parcels south of Heritage Reserve which includes a portion of the concrete lined drainage channel. Accepting ownership of this segment of property would insure access for public maintenance purposes.

Authorization for City Council to accept a Quit Claim Deed for public maintenance purposes from M/I Homes of Tampa, LLC.

C2 ORDINANCE NO. 3799 AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1537 VARIANCES, BY CREATING A NEW SUBSECTION 18-1537.5, APPEAL OF BOARD OF ADJUSTMENT DECISIONS, BY INCLUDING A PROCESS FOR APPEAL OF BOARD OF ADJUSTMENT VARIANCE DECISIONS TO THE CITY COUNCIL, PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE LAND DEVELOPMENT CODE; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.(LDC 2012-02)

FIRST READING PRIOR TO PUBLIC HEARING

This amendment was initiated by City Council and was workshopped on October 11, 2011. The amendment reworks the appeal process for Board of Adjustment decisions by establishing City Council as an appeal authority. Landowners of real property located within 300 feet of the parcel of land that is the subject of the appeal, the landowner BOA applicant, City Council or the City Manager may request an appeal. The fee for filing an appeal is \$250 with City Council and the City Manager exempt. The amendment does not deny an aggrieved applicant to have an appeal decided by the circuit court. Approval of the ordinance will provide a more affordable appeal path for the appellant, however, variance decisions will become effective 10 days after a decision to recognize the 10 day appeal period.

The City Attorney read Ordinance No. 3799 by title only.

Mike Silcott, 7641 65th Way, spoke in opposition to the Ordinance amendment.

Councilman Butler stated this amendment is to give the residents another change to state their case before having to spend money on legal and court fees.

Cecil Bradbury, 9400 50th Way, spoke in opposition to the Ordinance amendment.

Councilman Butler stated this decision is to not turn over every BOA decision but for the residents to have another alternative before going to court.

Vice-Mayor Bradbury stated she hopes all of the board members know how much Council appreciates the time and commitment the members give to the City.

- C3 RESOLUTION NO. 12-06 GRANTING CERTAIN PERMIT FEE WAIVERS TO OWNERS OF A SINGLE-FAMILY DWELLING DURING A THREE WEEK PERIOD BEGINNING MONDAY, MARCH 5, 2012 THROUGH FRIDAY, MARCH 23, 2012, IN CONJUNCTION WITH PRIDE IN THE PARK ACTIVITIES; PROVIDING PERMITS ISSUED WITHOUT CHARGE SHALL BE VALID PER SECTION 18-906 OF THE LAND DEVELOPMENT CODE; PROVIDING THAT PERMIT FEE WAIVERS SHALL ONLY BE GRANTED FOR SINGLE-FAMILY DWELLINGS.**

FIRST AND FINAL READING

This resolution provides a waiver of certain permit fees for the purpose of encouraging owners of a single-family dwelling to undertake renovation projects in conjunction with the community's Pride in the Park celebration.

The City Attorney read Resolution No. 12-06 by title only.

- C4 AUTHORIZATION FOR THE MAYOR TO SIGN AN ADDENDUM TO THE CONTRACT FOR SALE OF REAL PROPERTY BY THE CITY OF PINELLAS PARK, FLORIDA DATED OCTOBER 13, 2011 BETWEEN THE CITY OF PINELLAS PARK AND BELLEAIR DEVELOPMENT, LLC — For surplus property located on Park Boulevard three lots east of 43rd Street North.**

The City of Pinellas Park and Belleair Development, LLC entered into a real estate contract for purchase of surplus property located on Park Boulevard three lots east of 43rd Street North. The closing date of this transaction was to be on or before January 13, 2012. The contract provided for an extension of up to 30 days which Belleair Development, LLC did exercise, changing the closing date to on or before February 13, 2012. A \$10,000 deposit is being held in escrow. Belleair Development has requested an additional 120 days to close this transaction. The proposed Addendum to the contract provides for an additional 120 days to close the transaction (on or before June 13, 2012), an additional \$10,000 deposit to be held in escrow (for a total of \$20,000), and the deposit is now non-refundable should the Buyer default.

Authorization for the Mayor to sign an addendum to the Contract For Sale of Real Property by The City of Pinellas Park, Florida dated October 13, 2011 between The City of Pinellas Park, Florida and Belleair Development for the surplus property located on Park Boulevard three lots east of 43rd Street North.

◆ **FINANCE**

C5 AUTHORIZATION TO DONATE SURPLUS FIRE TRUCK AND SURPLUS FIRE HOSE - To Holly Springs Fire and Rescue Department, Springville, Alabama

The vehicle, asset 9610, has been declared surplus property due to its age, and has an estimated value of \$6,500.00. It was purchased new on September 26, 1990 and has served for approximately 20 years as a front line unit. The surplus fire hose consists of three pallets.

Authorization to donate one 1990 Quality Manufacturing Inc. fire truck and three pallets of surplus fire hose to the Holly Springs Fire and Rescue Department of Springville, AL at no charge to the Holly Springs Fire and Rescue Department, and contingent upon their signing a release acknowledging that the fire truck is being donated in as-is condition with no claims, warranties, or guarantees being made by the City of Pinellas Park regarding the condition of, or fire-protective effectiveness of, the donated fire truck.

◆ **GOVERNMENT RELATIONS**

C6 AUTHORIZATION FOR THE PURCHASE OF AND INSTALLATION OF TV STUDIO EQUIPMENT FOR CITY HALL CHAMBER — Encore Broadcast Equipment Sales

Authorization for the purchase and installation of TV Studio Equipment for City Hall Chamber from Encore Broadcast Equipment Sales, Inc. (2104 West Kennedy Blvd., Tampa, FL 33606-1535) under Hillsborough County School Bid #9156-EST, in the amount of \$203,159.60. The amount budgeted in account 501-741-5621-08 for this expenditure is \$250,000.00 and can be found in the 2011-2012 Budget Book on page 412 and 413.

Authorization for the purchase and installation of TV Studio Equipment for City Hall Chamber from Encore Broadcast Equipment Sales (2104 West Kennedy Blvd., Tampa, FL 33606-1535) at a total cost of \$203,159.60.

◆ **PUBLIC WORKS**

C7 **CHANGE ORDER NO. 2 AND FINAL PAYMENT FOR PROJECT 11/019 - ANNUAL PAVING/RESURFACING PROJECT – Ajax Paving Industries of Florida, LLC**

Change Order No. 2 is recommended for approval so that final payment can be processed and the contract closed out. This Change Order of \$16,028.81 represents a decrease of 5.3% to the budgeted amount, for an adjusted contract amount of \$283,971.19. The account to be charged will be 301-481-5-714-06.

Authorization for approval and acceptance of Change Order No. 2, Project 11/019, Annual Paving/Resurfacing Project, a decrease in the contract in the amount of \$16,028.81, for a total adjusted contract amount of \$283,971.19, and authorization for final payment of \$28,397.13 to Ajax Paving Industries of Florida, LLC, to be charged to the appropriate account.

C8 **RESOLUTION NO. 12-07 AUTHORIZING THE MAYOR TO SIGN A CONTRACT RENEWAL FOR A MAINTENANCE AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**

FIRST AND FINAL READING

This is an authorization for the Mayor to sign a contract renewal to the Maintenance Agreement with the Florida Department of Transportation (FDOT) dated March 25, 2011 for the City of Pinellas Park to perform routine maintenance work on the State highway system, all of which is within the City's corporate limits with the exception of the area along Gandy Boulevard between 28th Street and the gore of the ramp onto I-275. FDOT agrees to pay the City an annual sum of \$152,976.52.

The City Attorney read Resolution No. 12-07 by title only.

MOTION was made by Vice-Mayor Bradbury to Pass, Approve or Adopt, whichever is appropriate, Items C1 through C8 inclusive, with Items C2 being First Reading Prior to Public Hearing and Items C3 and C8 being First and Final Reading, and **SECONDED** by Councilman Taylor.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

VI. REGULAR AGENDA

NONE

VII. MISCELLANEOUS

M1 THANK YOU

Councilman Mullins thanked everyone for their support for the Pinellas Park Thunderbirds at the car show.

M2 WELCOME

Mayor Mischler introduced some guests who attended the meeting from Nova Scotia and New Finland.

M3 CITY EVENTS

Mayor Mischler provided information on upcoming events.

ADJOURNMENT

Mayor Mischler adjourned the meeting at 8:36 p.m.

Attest:

Diane M. Corna
City Clerk

William F. Mischler
Mayor

/nlo

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

February 23, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, William F. Mischler
Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Police Chief, Dorene Thomas – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyiannis – Finance Administrator, Ron Miller – Human Resources Administrator, John Moore – Assistant Human Resources Administrator, Lisa Hendrickson – Assistant Community Development Administrator/Building Development Director, Patrick Murphy – Building Development Services Director, Steve Lee – Neighborhood Services Manager, Cara Reed – Zoning Director, Dean Neal – Principal Planner, Joe Incorvia – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Pastor Victor Ramos, Las Pisadas Del Mastro Church.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SERVICE AWARD 10 YEARS

Crossing Guard George Polinsky

SERVICE AWARD – RETIREMENT

Engineering Inspector Robert Potter

II. PUBLIC COMMENT AND CORRESPONDENCE

PC1 THANK YOU

Rick Frazee, 8065 62nd Lane, stated he is proud to be a Pinellas Park resident and thanked council and staff for working hard through the hard times.

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of February 9, 2012, as on file in the City Clerks Office.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** the Regular Council Minutes of February 9, 2012, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3798 AN ORDINANCE AMENDING CHAPTER 18 (LAND DEVELOPMENT CODE) ARTICLE 6 “SIGNS” OF THE CITY OF PINELLAS PARK, FLORIDA.

SECOND PUBLIC HEARING, SECOND AND FINAL READING

This Ordinance Amends Chapter 18 (Land Development Code) Article 6, “Signs” of the Code of Ordinances of the City of Pinellas Park, Florida. It was determined by the City Attorney and Staff to update the Sign Code and reflect what is actually being enforced in the City or to relax the Sign Code to help local businesses in these hard economic times by amending Section 18-603 “Definitions”, by creating new Definitions for Inflatable Sign, Wind Sock and Walking Signs, and amending the Definitions of Banner, Abandoned or Discontinued Sign or Structure, Changeable Message Sign, Flashing Sign, Frontage, Intermittent Sign, Temporary Sign, Vehicle Sign and Wind Signs, and deleting the Definition of Grand Opening Sign; by amending Section 18-606 “Prohibited Signs,” to include Walking Signs, Wind Signs and Wind Socks; by amending Section 18-613, “Sign Permit Required,” to include fees; by amending Section 18-614, “Sign Permit Application and issuance of Sign Permit,” to delete certain application information requirements; by amending Section 18-628, “All Districts,” to change requirements pertaining to Address Numbers, Free Expression Signs, Garage Sale Signs, Temporary Signs and Vehicle Signs; by amending Section 18-629. “Residential Zoning Districts: F, RE, RR, R-1, R-2, R-3, R-4, R-5, R-6, R-7, T-1 and T-2,” by changing the Residential Sign Regulations; by creating a new Subsection 18-629(d); by amending Section 18-630, “Public/Semipublic, Commercial and Industrial Zoning Districts: ROR, CN, GO, B-1, CH, M-1, IH, P, PRES, OS, MXD, MXD-1, MXD-2, and TC,” to delete References to MXD-1 and MXD-2, and increase square footage for Menu/Display Signs for Drive-Thru Establishments. This was approved at the February 2, 2012 Planning & Zoning Commission meeting.

Address Numbers have been revised to meet the Florida Building Code and the Florida Fire Prevention Code. A minimum size of 4 inches in height for residential structures and 6 inches in height for all other structures.

The City Attorney read Ordinance No. 3798 by title only. Mayor Mischler opened the Public Hearing at 7:51 P.M.

Building Development Services Director Steve Lee gave a presentation on Ordinance No. 3798.

Councilman Taylor asked if the signs covering windows are now legal by the new sign code?

City Manager Gustafson stated yes.

Attorney Denhardt stated Council's requests are included in the amended Ordinance.

Public Hearing was closed at 7:59 P.M.

MOTION was made by Councilman Mullins, and **SECONDED** by Councilman Butler to **AMEND** Ordinance No. 3198, to comply with the version before us tonight, as advertised, and as described by Director Steve Lee, and as amended that we **PASS** Ordinance No. 3798, on Second and Final Public Hearing, with the same Findings of Fact as included on the passage on First Reading.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

P2 ORDINANCE NO. 3800 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING ORDINANCE NO. 3736; AMENDING THE WATER ELEMENT.

**FIRST PUBLIC HEARING AND FIRST READING
SECOND PUBLIC HEARING AND FINAL READING APRIL 26, 2012**

This Ordinance revises the Comprehensive Plan by updating the Potable Water Element. The Southwest Florida Water Management District updated the Regional Water Supply Plan on July 26 2011. State statutes require the Comprehensive Plan Water Element to be updated at least every 5 years; or within 18 months after SWFWMD updates the Regional Water Supply Plan.

The Pinellas Park Water Element is required to be consistent with the Water Supply Plans of SWFWMD, Tampa Bay Water (TBW) and Pinellas County (PC). The Element projects needs and capacities through the year 2025. The City is a wholesale purchaser of water from the County and its role in the water supply chain is limited to storage and distribution to retail customers.

The updated Water Element includes revisions to the City water level of service standards. The City has sufficient contract capacity agreements and facilities in place to meet water supply needs through 2025. SWFWMD, TBW and PC have each certified that 2025 water needs can be met by the plan.

The Planning and Zoning Commission reviewed the amendment at a public hearing held on February 2, 2012 and recommended approval. Following the first reading and public hearing by City Council, the ordinance will be forwarded to the State Land Planning Agencies and appropriate reviewing agencies as is required by State statute.

Principle Planner Joe Incorvia gave a presentation on Ordinance No. 3800.

The City Attorney read Ordinance No. 3800 by title only. Mayor Mischler opened the Public Hearing at 8:04 P.M.

There were no comments or objections.

Public Hearing was closed at 8:05 P.M.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **PASS** Ordinance No. 3800.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

P3 ORDINANCE NO. 3799 AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING ARTICLE 15, ZONING, SECTION 18-1537 VARIANCES, BY CREATING A NEW SUBSECTION 18-1537.5, APPEAL OF BOARD OF ADJUSTMENT DECISIONS, BY INCLUDING A PROCESS FOR APPEAL OF BOARD OF ADJUSTMENT VARIANCE DECISIONS TO THE CITY COUNCIL, PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE LAND DEVELOPMENT CODE; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.(LDC 2012-02)

PUBLIC HEARING, SECOND AND FINAL READING

This amendment was initiated by City Council and was discussed at the workshop on October 11, 2011. The amendment reworks the appeal process for Board of Adjustment decisions by establishing City Council as an appeal authority. Landowners of real property located within 300 feet of the parcel of land that is the subject of the appeal, the landowner BOA applicant, City Council or the City Manager may request an appeal. The fee for filing an appeal is \$250 with City Council and the City Manager exempt. The amendment does not deny an aggrieved applicant to have an appeal decided by the circuit court. Approval of the ordinance will provide a more affordable appeal path for the appellant, however, variance decisions will become effective 10 days after a decision to recognize the 10 day appeal period. At its meeting on February 2, 2012, the Planning and Zoning Commission recommended DENIAL of the requested amendment.

Zoning Director Neal gave a presentation on Ordinance No. 3799.

The City Attorney read Ordinance No. 3799 by title only. Mayor Mischler opened the Public Hearing at 8:14 P.M.

The following residents spoke in opposition to Ordinance No. 3799:

- Rick Frazee, 8065 62nd Lane.
- Mike Silcott, 7641 65th Way.
- Cecil Bradbury, 9400 50th Way.
- Ed Kosinski, 7615 62nd Street.

Public Hearing was closed at 8:22 P.M.

Attorney Denhardt stated he has written up an amended motion to delete the City Council members to be the appellant and for everyone to be required to pay the fee.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins as to ordinance 3799, I move that we amend the Ordinance by deleting the words “or City Council” in the top line of paragraph A on page 1, by deleting the comma and the words “City Council” on top line of paragraph B1 on page 1, the sentence at the bottom of Page 1 starting with “the City Council and ending with the word “Requirement”. And that we adopt Ordinance 3799, as amended, on second and final reading.

Vice-Mayor Bradbury stated Council usually goes with Planning and Zoning Commission’s recommendation, and they recommended denial, so she will not be supporting Ordinance No. 3799.

Councilman Taylor stated he does not support Ordinance No. 3799.

Councilman Butler stated he appreciates all that the boards do for the City, but he is looking out for the financial interest of the residents, and does not see the problem with giving them a second chance to state their case.

Councilman Mullins stated all other cities in the County have this second step before the court process.

Mayor Mischler stated he understands both sides.

Roll Call Vote:

Voting Yea: Councilman, Rick Butler
Councilman, Jerry A. Mullins
Mayor, William F. Mischler
Voting Nay: Vice-Mayor, Sandra L. Bradbury
Councilman, William E. Taylor
Absent: None
Abstaining: None

MOTION CARRIED

COUNCILMAN BUTLER LEFT MEETING AT 8:35 P.M.

V. CONSENT AGENDA

◆ PUBLIC WORKS

C1 AWARD OF BID 12/011 — PURCHASE & INSTALLATION OF SHADE STRUCTURES FOR DAVIS FIELD BLEACHERS — Creative Shade Solutions, Inc.

Bids were legally advertised and bid invitations were mailed to 60 prospective bidders. Six (6) bids were received with Creative Shade Solutions, Inc. (651 Kenneth Way, Tarpon Springs, FL) being the low bidder with a bid submittal of \$53,000.00. This project will be charged to account 301-781-5-737-74. The amount budgeted for this project is \$53,000.00 found on page 396 of the FY 11/12 adopted budget.

Authorization to award bid 12/011 for Purchase & Installation of Shade Structures for Davis Field Bleachers to Creative Shade Solutions, Inc., Tarpon Springs, FL in the amount of \$53,000.00.

C2 CHANGE ORDER NO. 2 AND FINAL PAYMENT FOR PROJECT 11/027 — 66TH STREET LANDSCAPE IMPROVEMENTS 62ND AVENUE TO BRYAN DAIRY ROAD — Ameri-Pride, Inc.

Change Order No. 2 is recommended for approval so that the final payment can be processed and the contract closed out. The change order represents two changes, the addition of sodding material for \$309.76 and the sod watering in the amount of \$60.00 necessary to complete the contract for an increase of \$369.76 resulting in a new total contract amount of \$149,347.72. This bid was awarded to Ameri-Pride, Inc. (16604 US Highway 19 North, Clearwater, FL) on August 25, 2011. This project is being funded by a Landscape Reimbursement and Maintenance Memorandum of Agreement by the Florida Department of Transportation in an amount not to exceed \$150,000.00. This project will be charged to account 301-781-5-735-01.

Authorization to make the final payment and approve change order #2 for 66th Street Landscape Improvements 62nd Avenue to Bryan Dairy Road to Ameri-Pride, Inc. 16604 US Highway 19 North, Clearwater, FL in the amount of \$369.76 for a final payment of 15,578.70 to be charged to the appropriate account.

C3 CHANGE ORDER NO. 2 AND FINAL PAYMENT FOR PROJECT 11/015 — ANNUAL CLEANING, INSPECTION AND REHABILITATION OF STORMWATER PIPES — Reynolds Inliner, Inc.

Change Order No. 2 is recommended for approval so that final payment can be processed and the contract closed out. The decrease represents a decrease to the adjusted contract amount of \$1,606.25, for an adjusted contract amount of \$82,725.25. The account to be charged will be 301-382-5-761-65.

Authorization for approval and acceptance of Change Order No. 2, Project 11/015, Annual Cleaning, Inspection and Rehabilitation of Stormwater Pipes, a decrease in the adjusted contract in the amount of \$1,606.25, for a total adjusted contract amount of \$82,725.25, and authorization for final payment of \$8,272.50 to Reynolds Inliner, Inc., to be charged to the appropriate account.

◆ **COMMUNITY DEVELOPMENT**

C4 AUTHORIZATION FOR MAYOR TO SIGN PINELLAS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Pinellas County Community Development issued its Notice of Funding Availability for the Community Development Block Grant (CDBG) Program on February 3, 2012. Applications will be accepted until Friday, March 2, 2012. The City will seek funding to continue the multi-year program for construction of sidewalks in the Community Redevelopment Area. Matching funds for this application will be provided utilizing funds which are already earmarked for CDBG Grants and CRA Sidewalk Improvements in the Capital Improvements Program (CIP). This action authorizes the Mayor to sign the City's annual application for funding through the Pinellas County CDBG Program.

Authorization for the Mayor to sign the Pinellas County Community Development Block Grant Application.

C5 AUTHORIZATION FOR MAYOR TO SIGN ANNEXATION AGREEMENT WITH JSJ HOLDINGS, LLC (AX12-4) — Annexation of 7.9 acres MOL located at 12290 U.S. Highway 19 North

This is a voluntary annexation of 7.9 acres MOL of contiguous commercial property located at 12290 U.S. Highway 19 North in the Pinellas Groves Subdivision. The Owner plans to use the property to expand his existing business, Interprint.

JSJ Holdings, LLC 12290 U.S. Highway N.	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$14,031.79	\$0.00	\$10,000.00

The Annexation Agreement special provisions are:

- ◆ For a period of sixty (60) months from the date of execution of this Agreement, the City shall waive City land development fees, applicable for the phased development of the Property, in an amount not to exceed Ten Thousand Dollars (\$10,000.00).
- ◆ When the Property is annexed into the City of Pinellas Park, the City shall consider the current and existing legal use of the Property (manufacturing and warehouse storage), the current and existing legal outdoor storage, and the current and existing legal parking to be grandfathered under applicable City rules, regulations, laws, codes or ordinances which may impact the Property.

Authorization for Mayor to sign an Annexation Agreement with JSJ Holdings, LLC for annexation of 7.9 acres MOL located at 12290 U.S. Highway 19 North.

C6 ORDINANCE NO. 3801 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12290 U.S. HIGHWAY 19 NORTH (JSJ HOLDINGS, LLC AX12-4)

FIRST READING, PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 7.75 acres MOL of contiguous commercial property located at 12290 U.S. Highway 19 North in the Pinellas Groves Subdivision. The Owner plans to use the property to expand his existing business, Interprint.

C7 AUTHORIZATION FOR MAYOR TO SIGN ANNEXATION AGREEMENT WITH JOHN FRANCIS BURKITT (AX12-9) — Annexation of 0.14 acres MOL located at 6113 103rd Avenue North

This is a voluntary annexation of 0.14 acres MOL of contiguous residential property. The Owner plans to either have a new single-family home built on the property, or to have a mobile or modular home placed on this currently vacant lot. The property is located at 6113 103rd Avenue North, in the Northfield Manor Subdivision.

John Francis Burkitt 6113 103 rd Avenue N.	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$726.02	\$0.00	\$2,500.00

The Annexation Agreement special provisions are:

- ◆ For a period of twelve (12) months from the date of execution of this Agreement, the City shall waive all City land development fees applicable for the placement of a new mobile or modular home, or the construction of a new single-family home, on the currently vacant property. This waiver of fees is estimated to be, and not to exceed, Two Thousand Five Hundred Dollars (\$2,500.00).

Authorization for Mayor to sign an Annexation Agreement with John Francis Burkitt for annexation of 0.14 acres MOL located at 6113 103rd Avenue North.

C8 ORDINANCE NO. 3802 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6113 103RD AVENUE NORTH (JOHN FRANCIS BURKITT AX12-9)

FIRST READING, PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6113 103rd Avenue North in the Northfield Manor Subdivision. The Owner plans to either have a new single-family home built on the property, or to have a mobile or modular home placed on this currently vacant lot.

◆ **POLICE**

C9 AUTHORIZATION FOR TEN IN-CAR VIDEO SYSTEMS FROM THE 2011/12 BYRNE JUSTICE ASSISTANCE GRANT AND CONFISCATED PROPERTY FUND.

On July 14, 2011, City Council authorized the police department to make application to the Florida Department of Law Enforcement (FDLE) for the Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Countywide Solicitation through the Pinellas County Department of Justice & Consumer Services for qualified law enforcement program purposes. The Pinellas Park Police Department proposed to purchase in-car video systems in ten vehicles. On September 15, 2011, FDLE approved the grant request and appropriated \$45,000 towards this purchase.

This Agenda Item authorizes the purchase of ten in-car video systems from Kustom Signals, Inc., 9652 Loiret Blvd., Lenexa, KS 66219-2406. \$45,000 of this purchase will be appropriated from the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) and \$7,780 of this expenditure will be appropriated from the confiscated property fund.

The total cost for this purchase is \$52,780.

Pursuant to Florida Statute 932.704(3)(a), this is to certify that this proposed expenditure complies with the State – required provisions for expenditure of these funds.

Authorization to purchase ten in-car video systems from Kustom Signals, Inc., 9652 Loiret Blvd., Lenexa, KS 66219-2406 at a cost of \$52,780 and will be appropriated from the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) and the Confiscated Property Fund.

◆ **LIBRARY AND RECREATION**

C10 AUTHORIZATION FOR MAYOR TO SIGN AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND THE PINELLAS COUNTY HOMELESS LEADERSHIP BOARD, INC.

The Pinellas County Homeless Leadership Board, Inc., formerly known as the Pinellas County Coalition for the Homeless, Inc. (PCCH), is the administrative agency for the Pinellas County Homeless Leadership Network and its 10-Year Plan to End Homelessness in Pinellas County, to which the City of Pinellas Park is a signatory. The City of Pinellas Park has budgeted \$15,000 to contribute to the administrative costs of the agency during FY 2011-2012, renewing support initially granted in FY 2006-2007. The proposed Agreement establishes the terms and conditions of this funding and the authorized purposes of the funding.

Authorization for the Mayor to sign an Agreement between the City of Pinellas Park and the Pinellas County Homeless Leadership Board, Inc. for FY 2011-2012, providing for a grant amount of \$15,000.00 and establishing terms and conditions for such grant.

◆ **CITY CLERK**

C11 RESOLUTION NO. 12-08 APPROVING THE UTILIZATION OF THE COUNTY APPOINTED POLLING PLACES AND POLLWORKERS FOR THE GENERAL ELECTION TO BE HELD ON TUESDAY, MARCH 13, 2012.

FIRST AND FINAL READING

This Resolution is for the purpose of approving the County appointed polling places and pollworkers for the General Election of the City of Pinellas Park, Florida to be held on Tuesday, March 13, 2012.

MOTION was made by Vice-Mayor Bradbury to Pass, Approve or Adopt, whichever is appropriate, Items C1 through C11 inclusive, with Items C6 and C8 being First Reading Prior to Public Hearing and Item C11 being First and Final Reading, and **SECONDED** by Councilman Taylor.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: Councilman, Rick Butler

Abstaining: None

MOTION CARRIED

COUNCILMAN BUTLER RETURNED TO MEETING AT 8:42 P.M.

◆ **LIBRARY AND RECREATION**

VI. REGULAR AGENDA

R1 AUTHORIZATION FOR MAYOR TO SIGN INTERLOCAL AGREEMENT BETWEEN THE CITY OF PINELLAS PARK AND THE CITY OF LARGO, FLORIDA

The proposed Interlocal Agreement between the City of Pinellas Park and the City of Largo, Florida allows residents of both cities to participate in recreation programs within the other city for the established “resident” program rates, so that each city may provide additional services to its residents. The City of Pinellas Park will offer to Largo residents the opportunity to register for a Pinellas Park Recreation ID Card for the established resident rate of \$5.00. The City of Largo will offer to Pinellas Park residents the opportunity to obtain a Largo Recreation Card for the established resident rate of \$10.00, and to register for individual classes and programs at established resident rates.

Library and Recreation Services Administrator Debra Rose gave a presentation on the item.

MOTION was made by Councilman Taylor, and **SECONDED** by Vice-Mayor Bradbury to **APPROVE** authorization for the Mayor to sign an Interlocal Agreement between the City of Pinellas Park and the City of Largo, Florida.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

VII. MISCELLANEOUS

M1 BRODERICK RECREATION CENTER

Councilman Mullins stated he visited Broderick Recreation Center and it seemed all of the kids were having a great time and it is a great facility.

M2 CITY EVENTS

Mayor Mischler gave information on upcoming City events.

M3 RIBBON CUTTING CEREMONY

Mayor Mischler visited Lockheed Martin for their ribbon cutting ceremony on Wednesday, February 22, 2012.

M4 PINELLAS PARK HIGH SCHOOL

Mayor Mischler stated the City Staff and Council visited Pinellas Park High School for the 9/11 Monument dedication.

ADJOURNMENT

Mayor Mischler adjourned the meeting at 8:52.

Attest:

Diane M. Corna
City Clerk

William F. Mischler
Mayor

/nlo

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

March 8, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, William F. Mischler
Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Assistant City Manager/Community Development Administrator, Tom Shevlin – Government Relations Administrator, Tim Caddell – Police Chief, Dorene Thomas – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyiannis – Neighborhood Services Administrator, Susan Walker – Finance Administrator, Ron Miller – Human Resources Administrator, John Moore – Economic Development Specialist, Shannon Coughlin – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Mayor Mischler.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATION

Girl Scouts 100th Year

EMPLOYEE OF THE YEAR

Senior Utilities Technician Terry Tuggle

RECOGNITION

Mayor Mischler introduced Boy scouts who were present from Calvary Chapel Troop 375, Timothy Nixon, Jesse Pinou, and Mark Pinou for their Citizenship in the Community Badge, and Jonathon Roshaun for his Communications Badge.

II. PUBLIC COMMENT AND CORRESPONDENCE

PC1 THANK YOU

Eddie Kosinski, 7615 62nd Street, thanked the Police Department for their recent efforts in his neighborhood.

PC2 HAPPY BIRTHDAY

Council wished Mike Scavelli a Happy Birthday.

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of February 23, 2012, as on file in the City Clerk's Office.

MOTION was made by Councilman Butler, and **SECONDED** by Councilman Mullins to **APPROVE** the Regular Council Minutes of February 23, 2012, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

IV. **PUBLIC HEARINGS**

◆ **COMMUNITY DEVELOPMENT**

P1 **ORDINANCE NO. 3801 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 12290 U.S. HIGHWAY 19 NORTH (JSJ HOLDINGS, LLC AX12-4)**

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 7.75 acres MOL of contiguous commercial property located at 12290 U.S. Highway 19 North in the Pinellas Groves Subdivision. The Owner plans to use the property to expand his existing business, Interprint.

The City Attorney read Ordinance No. 3801 by title only. Mayor Mischler opened the Public Hearing at 7:50 P.M.

There were no comments or objections.

Public Hearing was closed at 7:51 P.M.

MOTION was made by Councilman Mullins, and **SECONDED** by Councilman Butler to **PASS** Ordinance No. 3801.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

P2 ORDINANCE NO. 3802 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 6113 103RD AVENUE NORTH (JOHN FRANCIS BURKITT AX12-9)

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 0.14 acres MOL of contiguous residential property located at 6113 103rd Avenue North in the Northfield Manor Subdivision. The Owner plans to either have a new single-family home built on the property, or to have a mobile or modular home placed on this currently vacant lot.

The City Attorney read Ordinance No. 3802 by title only. Mayor Mischler opened the Public Hearing at 7:52 P.M.

There were no comments or objections.

Public Hearing was closed at 7:53 P.M.

MOTION was made by Councilman Taylor, and **SECONDED** by Vice-Mayor Bradbury to **PASS** Ordinance No. 3802.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
 Councilman, Rick Butler
 Councilman, Jerry A. Mullins
 Councilman, William E. Taylor
 Mayor, William F. Mischler

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

V. **CONSENT AGENDA**

◆ **PUBLIC WORKS**

C1 **AWARD OF BID 12/012 – Re-Roof of Forbes Recreation Center — Ramcon, LLC.**

Bids were legally advertised and bid invitations were mailed to 57 prospective bidders. Eight (8) bids were received, with Ramcon, LLC. (5902 Breckenridge Parkway, Tampa, FL 33610) being the lowest qualified bidder with a bid submittal of \$74,085.00. The amount budgeted for this project is \$120,000.00 and is identified in the 2010/2011 amended budget. This project will be charged to account 301-781-5763-97.

Authorization to award the Bid 12/012 for the Forbes Recreation Center – Reroofing Project to Ramcon, LLC, Tampa, FL. in the amount of \$74,085.00 to be charged to the appropriate account.

C2 **AUTHORIZATION FOR NEGOTIATIONS — DESIGN SERVICES FOR THE YOUTH PARK PARKING LOT EXPANSION AND A LEFT TURN LANE AT 49 STREET AND 110 AVENUE**

The Selection Board, in accordance with Resolution 09-17, has reviewed the proposals submitted and recommends three consultants in the following order: 1) Bayside Engineering, Inc. 2) Cardno TBE 3) Wade Trim. Upon Council's recommendation and authorization, the City Manager will negotiate competitively with the most qualified firm and should he fail to reach an agreement, he will then negotiate with the remaining firms in order of preference in accordance with Section 287.055, Florida Statutes.

Authorization for City Manager to negotiate with the firms recommended by the Selection Board, in order of preference as recommended, for design services.

ITEMS C3 AND C4 WERE WITHDRAWN PRIOR TO COUNCIL MEETING

City Manager Gustafson stated Items C3 and C4 were withdrawn due to City finances being ahead of schedule and staff sees no need to increase fees at this time.

◆ **FIRE**

C5 AUTHORIZATION TO PURCHASE UNDER FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES AND FLORIDA FIRE CHIEFS' ASSOCIATION CONTRACT 11-19-0907-QE510 — One 56KW Fixed Site Generator – For Fire Dept

The Fire Department has identified the need for a 56kw fixed facility generator at the Kenneth City Fire Station. The addition of this generator and automated transfer switch will ensure uninterrupted service at this location. The amount budgeted in account 301-282-5-748-14 for this generator is \$72,000, with the remainder of funds going towards rehabilitating this station. These funds are available through a Fire Act Grant.

Authorization to purchase under Florida Sheriff's Association, Florida Association of Counties and Florida Fire Chief's Association, Contract 11-19-0907-QE510 – One 56KW fixed site generator from Tradewinds Power Corp., Miami, Florida, at a total cost of \$32,834 to be charged to the appropriate account.

MOTION was made by Vice-Mayor Bradbury to Pass, Approve or Adopt, whichever is appropriate, Items C1, C2, and C5, with Items C3 and C4 being withdrawn, and **SECONDED** by Councilman Taylor.

Roll Call Vote:

Voting Yea: Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, William F. Mischler

Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

VI. REGULAR AGENDA

NONE

VII. MISCELLANEOUS

M1 COUNTRY IN THE PARK

Councilman Butler stated Kentucky Head Hunters will be performing at Country in the Park and they are a great band.

Councilman Mullins stated Kiwanis will be serving drinks.

M2 CITY EVENTS

Mayor Mischler provided information on upcoming City events.

M3 GENERAL ELECTION

City Clerk Diane Corna stated the General Election will be held on Tuesday, March 13, 2012, for City Council Seat #2.

M4 FREE BUILDING PERMITS

City Manager Gustafson stated there are free permits available until Friday, March 16, 2012.

ADJOURNMENT

Mayor Mischler adjourned the meeting at 8:12 p.m.

Attest:

Diane M. Corna
City Clerk

William F. Mischler
Mayor

/nlo

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

March 22, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, William F. Mischler
Vice-Mayor, Sandra L. Bradbury
Councilman, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Assistant City Manager/Community Development Administrator, Tom Shevlin – Government Relations Administrator, Tim Caddell – Police Chief, Dorene Thomas – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyiannis – Neighborhood Services Administrator, Susan Walker – Finance Administrator, Ron Miller – Human Resources Administrator, John Moore – Zoning Director, Dean Neal – Community Planning Director, Bob Bray – Library Director, Karen Fortin – Risk Management Director, Lisa Hendrickson – Real Estate Coordinator, Bud Wortendyke – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna – Deputy City Clerk, Christine Gardner, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Father Tobin, Sacred Heart Church.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

SPECIAL PRESENTATION

City of Pinellas Park Ministerial Association presented Mayor Mischler with a bible to thank him for his years of service.

II. OATHS OF OFFICE

The City Attorney administered the following Oaths of Office:

**CITY COUNCIL SEAT #3 – RICK BUTLER
CITY COUNCIL SEAT #4 – JERRY A. MULLINS
CITY COUNCIL SEAT #2 – PATRICIA JOHNSON
MAYOR – SANDRA L. BRADBURY**

SPECIAL PRESENTATION

Mayor Bradbury presented Former Mayor, Bill Mischler, with a Mayor’s Choice Award picture, his parking sign, and his retirement pin and envelope.

FORMER MAYOR, BILL MISCHLER, LEFT THE MEETING.

III. SELECTION OF VICE-MAYOR AND OATH OF OFFICE

Selection of Council Member Rick Butler to serve as Vice-Mayor with term to run from March 22, 2012 through March 28, 2013.

MOTION was made by Councilman Taylor, and **SECONDED** by Councilwoman Johnson to **APPROVE** the selection of Council Member Rick Butler to serve as Vice-Mayor with term to run from March 22, 2012 through March 28, 2013.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor Sandra L. Bradbury
Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

Attorney Denhardt swore in Councilman Butler as Vice-Mayor.

IV. PUBLIC COMMENT AND CORRESPONDENCE

PC1 THANK YOU

Muriel Bruno, 4121 69th Avenue, congratulated the elected and re-elected council, and thanked Administrator Debra Rose for the great presentation she gave at her work.

PC2 CONGRATULATIONS

Pastor Jon Farris, 11225 U.S. Highway 19 North, stated he would like to congratulate the elected and re-elected Council on behalf of the Gateway Chamber of Commerce.

V. APPROVAL OF MINUTES

Approval of Regular Council Minutes of March 8, 2012, as on file in the City Clerk's Office.

MOTION was made by Councilman Taylor, and **SECONDED** by Councilman Mullins to **APPROVE** the Regular Council Minutes of March 8, 2012, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

VI. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 ORDINANCE NO. 3805 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO LAND DEVELOPMENT REGULATIONS, AMENDING ORDINANCE NO. 3748 OF THE CITY OF PINELLAS PARK, FLORIDA, AS ENACTED ON OCTOBER 28, 2010, AND EFFECTIVE NOVEMBER 1, 2010; SPECIFICALLY REENACTING AND RENUMBERING CERTAIN PROVISIONS OF THE CITY'S LAND DEVELOPMENT REGULATIONS; CORRECTING SCRIVENER'S ERRORS CONCERNING SUCH PROVISIONS; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR RETROACTIVITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC 2012-03)

**FIRST READING AND FIRST PUBLIC HEARING
SECOND AND FINAL PUBLIC HEARING (April 12, 2012)**

This proposed amendment is a reenactment of previously existing sections of Code erroneously omitted in the adoption of Ordinance 3748 and generally relating to the procedures of the Planning and Zoning Commission and the adoption of the City's Redevelopment Plan.

Zoning Director Neal gave a presentation on Ordinance No. 3805.

The City Attorney read Ordinance No. 3805 by title only. Mayor Bradbury opened the Public Hearing at 8:04 P.M.

There were no comments or objections.

Public Hearing was closed at 8:05 P.M.

MOTION was made by Vice-Mayor Butler, and **SECONDED** by Councilman Mullins to **PASS** Ordinance No. 3805.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

VII. CONSENT AGENDA

◆ PUBLIC WORKS

C1 ORDINANCE NO. 3806 AN ORDINANCE AMENDING CHAPTER 9 (TRAFFIC) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SEC. 9-113 “GOLF CARTS ON CITY ROADWAYS”; PROVIDING FOR THE OPERATION OF GOLF CARTS UPON DESIGNATED STREETS; REQUIRING CONSISTENCY WITH STATE STATUTES; PROVIDING FOR PENALTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR RESOLUTION PREVIOUSLY ADOPTED BY THE CITY REGARDING THE OPERATION OF GOLF CARTS ON CITY STREETS, RIGHTS-OF-WAY, SIDEWALKS OR OTHER PORTIONS OF THE CITY.

FIRST READING PRIOR TO PUBLIC HEARING

This change would expand on the designated streets and permitted crossings for golf carts throughout the City. The City Clerk’s Office will possess a map of designated streets and a list of permitted crossings.

The City Attorney read Ordinance No. 3806 by title only.

C2 CHANGE ORDER NO. 1 AND FINAL PAYMENT FOR PROJECT 11/017 — UNITED COTTAGES IMPROVEMENTS — R.A.M. Excavating, Inc.

Change Order No. 1 is recommended so that the final payment can be processed and the contract closed out. The amount represents an increase of the original contract amount by 8.3%. The total adjusted contract amount is \$210,717.58 and the final payment of \$25,972.63 is to be charged to account 301-175-5-744-26. The final contract amount is \$16,140.58 more than the original contract amount.

Authorization for approval and acceptance of Change Order No. 1, Project 11/017, United Cottages Improvements, an increase in the contract amount of \$16,140.58, for a total adjusted contract amount of \$210,717.58 and authorization for final payment of \$25,972.63 to R.A.M. Excavating, Inc. to be charged to the appropriate account.

◆ **COMMUNITY DEVELOPMENT**

C3 ORDINANCE NO. 3807 AN ORDINANCE AMENDING THE LAND USE PLAN MAP FOR THE CITY OF PINELLAS PARK BY PROVIDING FOR A CHANGE IN THE LAND USE FROM COMMERCIAL GENERAL (CG) TO INDUSTRIAL LIMITED (IL), FOR A CERTAIN PARCEL OF LAND GENERALLY LOCATED ON THE NORTHEAST CORNER OF BRYAN DAIRY ROAD AND 69TH STREET (LUPA 2012-01 – Bryan Dairy Acquisitions, LLC)

**FIRST READING PRIOR TO PUBLIC HEARING
(FINAL PUBLIC HEARING May 24, 2012)**

The applicants are requesting consideration of a request to amend the Comprehensive Land Use Plan Map from (CG) Commercial General to (IL) Industrial Limited for six (6) parcels of land totaling 3.93 acres generally located at the northeast corner of Bryan Dairy Road and 69th Street. The northern most parcel currently is developed with parking for Regent Commerce Center. The lot south of this parcel is developed with a law office and the remaining parcels are vacant, undeveloped land. Land to the north, south, and west is classified and developed with industrial uses. Land to the east is (RM) Residential Medium and (CG) Commercial General. The (RM) land is developed as Park Center Condominium, a residential condo and the (CG) parcel, fronting on Bryan Dairy Road, is vacant. All the subject parcels were platted as Pinellas Industrial Center East and this amendment will return the land to its previous classification for industrial uses. At its meeting of March 1, 2012, the Planning and Zoning Commission recommended approval of the request. The request appears to be consistent with the Comprehensive Plan and should not present a negative impact to surrounding property owners or City infrastructure.

The City Attorney read Ordinance No. 3807 by title only.

**C4 ORDINANCE NO. 3808 REZONING CERTAIN PARCELS OF LAND
GENERALLY LOCATED NORTH OF BRYAN DAIRY ROAD AND EAST OF
69TH STREET AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A,"
ATTACHED HERETO AND MADE A PART HEREOF FROM "B-1" GENERAL
COMMERCIAL DISTRICT TO "M-1" LIGHT INDUSTRIAL DISTRICT. (Z
2012-01 – Bryan Dairy Acquisitions, Mildred Larson Trust and Regent Properties)**

**FIRST READING PRIOR TO PUBLIC HEARING
(Public Hearing, May 24, 2012 - QUASI- JUDICIAL)**

The applicants are requesting consideration of a rezoning from "B-1" General Commercial District to "M-1" Light Industrial District for six (6) parcels of land totaling 3.93 acres generally located at the northeast corner of Bryan Dairy Road and 69th Street. The northern most parcel currently is developed with parking for Regent Commerce Center. The lot south of this parcel is developed with a law office and the remaining parcels are vacant, undeveloped land. Land to the north, south and west is zoned and developed with industrial uses. Land to the east is "B-1" General Commercial District and "RPUD" Residential Planned Unit Development with "B-1" General Commercial District underlying. The "B-1" General Commercial land is developed as Park Center Condominium, a residential condo and the "RPUD" parcel, fronting on Bryan Dairy Road, is vacant, undeveloped land. All the subject parcels were originally platted as Pinellas Industrial Center East and this rezoning will return the land to its previous zoning for industrial uses. At its meeting of March 1, 2012, the Planning and Zoning Commission recommended approval of the request. The request appears to be consistent with the Comprehensive Plan and should not present a negative impact to surrounding property owners or City infrastructure.

The City Attorney read Ordinance No. 3808 by title only.

- C5** **ORDINANCE NO. 3809 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 AT 9893 66TH STREET AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF; FROM "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL DISTRICT TO "GO" GENERAL OFFICE DISTRICT. (Z 2012-02 Pavona Proprietary Ltd. and Plantation Condominium Association/Susan B. Powers)**

**FIRST READING PRIOR TO PUBLIC HEARING
(FINAL PUBLIC HEARING April 12, 2012 - QUASI-JUDICIAL)**

The applicant is requesting the rezoning of a 0.34 acre parcel of land generally located at 9893 66th Street from "R-6" Multi-Family Residential/Commercial District to "GO" General Office District. The applicant is proposing a dental lab. At its meeting of March 1, 2012, the Planning and Zoning Commission recommended APPROVAL of the rezoning based on the application's consistency with the review criteria of Section 18-1539.3.(B) 1-10.

The abutting Zoning Districts are to the north, "B-1" General Commercial District; to the south "B-1" General Commercial District; to the west "R-1" Single Family Residential District; and to the east, "F" Farm District.

The City Attorney read Ordinance No. 3809 by title only.

- C6** **RESIGNATION FROM THE BOARD OF ADJUSTMENT — Derek Kantaskas**

There is one vacancy on the Board of Adjustment created by the resignation of Mr. Derek Kantaskas. Mr. Kantaskas was appointed to the Board of Adjustment September 25, 2008. Mr. Kantaskas submitted his resignation from the Board of Adjustment by letter on January 24, 2012.

With regret, the resignation of Mr. Kantaskas from the Board of Adjustment.

◆ **OMB**

- C7** **REAPPOINTMENT TO THE CITIZENS' BUDGET ADVISORY COMMITTEE —Nancy Hodges, Jerry Garner, and Ethel Mudd**

Ms. Hodges has served on the Committee since April, 1997, Mr. Garner has served on the Committee since April, 2008, and Ms. Mudd also has served on the Committee since April, 2008, and each one has indicated that they are interested in continuing to serve on this Committee.

Reappointment of Nancy Hodges, Jerry Garner, and Ethel Mudd to serve as regular members of the Citizens' Budget Advisory Committee with terms to expire April 2014.

◆ **FIRE**

C8 AUTHORIZATION FOR MAYOR TO SIGN ANNEXATION AGREEMENT WITH KANA HOTEL GROUP, LLC D/B/A ECONOLODGE (AX12-13) — Annexation of 2.63 acres MOL located at 3910 Ulmerton Road

This is a voluntary annexation of 2.63 acres MOL of contiguous commercial property located at 3910 Ulmerton Road. The Owner's 53,282 sq ft Econolodge is located on the site.

Kana Hotel Group, LLC d/b/a Econolodge 3910 Ulmerton Road	City Projected Annual Revenue	City Funds Expended	City Fees Waived
1-Year Projected Total	\$23,102.00	\$0.00	\$0.00
The Annexation Agreement special provisions are:			
◆ As a consideration of this Agreement, CITY shall waive the requirement of a deposit by OWNER on the Waste Management solid waste collection accounts for the recently annexed property located at 13280 34 th Street North, d/b/a Super 8 Hotel, and for the subject Property located at 3910 Ulmerton Road, d/b/a Econolodge.			

Authorization for Mayor to sign an Annexation Agreement with Kana Hotel Group, LLC for annexation of 2.63 acres MOL located at 3910 Ulmerton Road.

C9 ORDINANCE NO. 3804 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 3910 ULMERTON ROAD (KANA HOTEL GROUP, LLC D/B/A ECONOLODGE AX12-13)

FIRST READING PRIOR TO PUBLIC HEARING

This is a voluntary annexation of 2.63 acres MOL of contiguous commercial property located at 3910 Ulmerton Road. The Owner's 53,282 sq ft Econolodge is located on the site.

The City Attorney read Ordinance No. 3804 by title only.

◆ **CITY COUNCIL**

C10 APPOINTMENT TO THE METROPOLITAN PLANNING ORGANIZATION — Sandra L. Bradbury

Due the retirement of Bill Mischler effective March 22, 2012, a new representative needs to be appointed to fill the unexpired term to expire of September 2012. Mayor Bradbury has expressed an interest to serve as the City's representative on this board.

Appointment of Sandra L. Bradbury to the Metropolitan Planning Organization to fill the unexpired term of Bill Mischler with a term to expire September 2013.

C11 APPOINTMENT TO PINELLAS SUNCOAST TRANSIT AUTHORITY (PSTA)

The term of Councilman Mullins on the Pinellas Suncoast Transit Authority (PSTA) will expire on September 30, 2013. At this time, Councilwoman Johnson has expressed an interest to be the City's representative and fill the unexpired term of Councilman Mullins through September 30, 2013.

The appointment of Patricia F. Johnson to represent the City of Pinellas Park on the Pinellas Suncoast Transit Authority to fill the unexpired term of Councilman Mullins through September 30, 2013.

MOTION was made by Councilman Taylor to Pass, Approve or Adopt, whichever is appropriate, Items C1 through C11 inclusive, with Items C1, C3, C4, C5, and C9 being First Reading Prior to Public Hearing, and **SECONDED** by Vice-Mayor Butler.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury
Voting Nay: Councilman, Jerry A. Mullins
Absent: None
Abstaining: None

MOTION CARRIED

VIII. REGULAR AGENDA

NONE

IX. MISCELLANEOUS

M1 FAMILY NEWS

Councilman Taylor announced he is now a proud grandfather of twin baby girls.

Council gave their condolences to Councilwoman Johnson on the passing of her mother.

Vice-Mayor Butler stated he has a new JackChi.

M2 THANK YOU

Councilwoman Johnson thanked everyone for the opportunity to serve and stated she is always available.

Vice-Mayor Butler thanked everyone for their faith in him and appreciates the opportunity to serve the City.

Councilman Mullins congratulated Councilwoman Johnson on being elected and stated everyone will make her feel comfortable and will help her out.

M3 CHILI BLAZE

Mayor Bradbury thanked Staff and everyone involved in the Chili Blaze and Country in the Park for making it a huge success.

M4 CITY EVENTS

Mayor Bradbury provided information on upcoming City Events.

ADJOURNMENT

Mayor Bradbury adjourned the meeting at 8:28p.m.

Attest:

Diane M. Corna
City Clerk

Sandra L. Bradbury
Mayor

/nlo

CITY OF PINELLAS PARK, FLORIDA

REGULAR COUNCIL MEETING

MINUTES

April 12, 2012
Council Chambers

Meeting was called to order at 7:30 P.M.

PRESENT: Mayor, Sandra L. Bradbury
Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor

ABSENT: NONE

Also present were: City Attorney, James Denhardt – City Manager, Michael Gustafson – Assistant City Manager/Community Development Administrator, Tom Shevlin – Government Relations Administrator, Tim Caddell – Police Chief, Dorene Thomas – Fire Chief, Doug Lewis – Public Works Administrator, Tom Nicholls – Library and Recreation Services Administrator, Debra Rose – IT Administrator, Dan Speaker – Office of Management and Budget Administrator, Dan Katsiyannis – Assistant Human Resources Administrator, Lisa Hendrickson – Assistant Finance Administrator, Sonny Kotala – Human Resources Administrator, John Moore – Zoning Director, Dean Neal – Library Director, Karen Fortin – Neighborhood Services Manager, Cara Reed – Real Estate Coordinator, Bud Wortendyke – Economic Development Specialist, Shannon Coughlin – Public Activities Manager, Joel Garren – Government Relations Specialist, Pam Roberts – City Clerk, Diane M. Corna, and Senior Office Specialist, Nichole Orr.

INVOCATION was given by Pastor Phil Lewis, Park Place Wesleyan Church.

PLEDGE OF ALLEGIANCE was led by Council.

I. DECLARATIONS, PROCLAMATIONS AND PRESENTATIONS

PROCLAMATIONS

Library Week, April 8 – 14, 2012

National Telecommunicators Week, April 8 – 14, 2012

SPECIAL PRESENTATION

Presentation of APPLE Graduates to City Council

CONGRATULATIONS

Mayor Bradbury congratulated Kurt Lehmann on becoming an Eagle Scout.

II. PUBLIC COMMENT AND CORRESPONDENCE

NONE

STAFF MEMBERS WERE SWORN IN FOR QUASI JUDICIAL ITEMS.

III. APPROVAL OF MINUTES

Approval of Regular Council Minutes of March 22, 2012, as on file in the City Clerk's Office.

MOTION was made by Councilwoman Johnson, and **SECONDED** by Councilman Taylor to **APPROVE** the Regular Council Minutes of March 22, 2012, as on file in the City Clerk's Office.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

IV. PUBLIC HEARINGS

◆ COMMUNITY DEVELOPMENT

P1 **ORDINANCE NO. 3805 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA, PERTAINING TO LAND DEVELOPMENT REGULATIONS, AMENDING ORDINANCE NO. 3748 OF THE CITY OF PINELLAS PARK, FLORIDA, AS ENACTED ON OCTOBER 28, 2010, AND EFFECTIVE NOVEMBER 1, 2010; SPECIFICALLY REENACTING AND RENUMBERING CERTAIN PROVISIONS OF THE CITY'S LAND DEVELOPMENT REGULATIONS; CORRECTING SCRIVENER'S ERRORS CONCERNING SUCH PROVISIONS; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR RETROACTIVITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC 2012-03)**

SECOND READING AND SECOND AND FINAL PUBLIC HEARING PUBLIC

This proposed amendment is a reenactment of previously existing sections of Code erroneously omitted in the adoption of Ordinance 3748 and generally relating to the procedures of the Planning and Zoning Commission and the adoption of the City's Redevelopment Plan.

The City Attorney read Ordinance No. 3805 by title only. Mayor Bradbury opened the Public Hearing at 7:48 P.M.

Attorney Denhardt stated this ordinance has previously been passed and staff has suggested the following adjustments to the ordinance:

1. Fifth line on the top of the fifth page, the reference to Section 18-1531.1, should be amended to read 18-1501.32
2. Page 15, Section 3 of the Ordinance should be deleted in its entirety and Sections 4 through 7 being renumbered as Sections 3 through 6.

Zoning Director Neal gave a presentation on Ordinance No. 3805.

Public Hearing was closed at 7:49 P.M.

MOTION was made by Vice-Mayor Butler, and **SECONDED** by Councilman Mullins to **PASS** Ordinance No. 3805, with the following amendments:

1. Fifth line on the top of the fifth page, the reference to Section 18-1531.1, should be amended to read 18-1501.32
2. Page 15, Section 3 of the Ordinance should be deleted in its entirety and Sections 4 through 7 being renumbered as Sections 3 through 6.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

P2 ORDINANCE NO. 3809 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 AT 9893 66TH STREET AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF; FROM "R-6" MULTIFAMILY RESIDENTIAL/COMMERCIAL DISTRICT TO "GO" GENERAL OFFICE DISTRICT. (Z 2012-02 Pavona Proprietary Ltd. and Plantation Condominium Association/Susan B. Powers)

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

The applicant is requesting the rezoning of a 0.34 acre parcel of land generally located at 9893 66th Street from "R-6" Multi-Family Residential/Commercial District to "GO" General Office District. The applicant is proposing a dental lab. At its meeting of March 1, 2012, the Planning and Zoning Commission recommended APPROVAL of the rezoning based on the application's consistency with the review criteria of Section 18-1539.3.(B) 1-10.

The abutting Zoning Districts are to the north, "B-1" General Commercial District; to the south "B-1" General Commercial District; to the west "R-1" Single Family Residential District; and to the east, "F" Farm District.

The City Attorney read Ordinance No. 3809 by title only. Mayor Bradbury opened the Public Hearing at 7:51 P.M.

ALL PARTIES WERE SWORN IN PRIOR TO THEIR TESTIMONY

Zoning Director Neal gave a presentation on Ordinance No. 3809.

Public Hearing was closed at 7:53 P.M.

MOTION was made by Councilman Mullins, and **SECONDED** by Vice-Mayor Butler to **PASS** Ordinance No. 3809.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

◆ **PUBLIC WORKS**

P3 ORDINANCE NO. 3806 AN ORDINANCE AMENDING CHAPTER 9 (TRAFFIC) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SEC. 9-113 "GOLF CARTS ON CITY ROADWAYS"; PROVIDING FOR THE OPERATION OF GOLF CARTS UPON DESIGNATED STREETS; REQUIRING CONSISTENCY WITH STATE STATUTES; PROVIDING FOR PENALTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR RESOLUTION PREVIOUSLY ADOPTED BY THE CITY REGARDING THE OPERATION OF GOLF CARTS ON CITY STREETS, RIGHTS-OF-WAY, SIDEWALKS OR OTHER PORTIONS OF THE CITY.

PUBLIC HEARING, SECOND AND FINAL READING

This change would expand on the designated streets and permitted crossings for golf carts throughout the City. The City Clerk's Office will possess a map of designated streets and a list of permitted crossings.

The City Attorney read Ordinance No. 3806 by title only. Mayor Bradbury opened the Public Hearing at 7:54 P.M.

Public Works Administrator Nicholls gave a presentation on Ordinance No. 3806.

Councilman Mullins asked if this is just expanding the designated golf cart use?

Administrator Nicholls stated yes.

Public Hearing was closed at 7:56 P.M.

MOTION was made by Vice-Mayor Butler, and **SECONDED** by Councilwoman Johnson to **PASS** Ordinance No. 3806.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury
Voting Nay: Councilman, Jerry A. Mullins
Absent: None
Abstaining: None

MOTION CARRIED

◆ **FIRE**

P4 ORDINANCE NO. 3804 ANNEXING INTO THE CITY OF PINELLAS PARK A CERTAIN PARCEL OF LAND GENERALLY LOCATED AT 3910 ULMERTON ROAD (KANA HOTEL GROUP, LLC D/B/A ECONOLODGE AX12-13)

PUBLIC HEARING, SECOND AND FINAL READING

This is a voluntary annexation of 2.63 acres MOL of contiguous commercial property located at 3910 Ulmerton Road. The Owner's 53,282 sq ft Econolodge is located on the site.

The City Attorney read Ordinance No. 3804 by title only. Mayor Bradbury opened the Public Hearing at 7:57 P.M.

Real Estate Coordinator Wortendyke gave a presentation on Ordinance No. 3804.

Public Hearing was closed at 7:59 P.M.

MOTION was made by Vice-Mayor Butler, and **SECONDED** by Councilman Mullins to **PASS** Ordinance No. 3804.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury

Voting Nay: None

Absent: None

Abstaining: None

MOTION CARRIED UNANIMOUSLY

V. **CONSENT AGENDA**

◆ **NEIGHBORHOOD SERVICES**

C1 **RECEIPT OF RESIGNATION FROM CODE ENFORCEMENT BOARD — Patricia Johnson**

Mrs. Patricia Johnson submitted her letter of resignation from the Code Enforcement Board effective March 19, 2012. Mrs. Johnson has served on the Code Enforcement Board since October 26, 2006, and her term was to expire December 31, 2014.

Resignation of Patricia Johnson from the Code Enforcement Board with deep regret, effective March 19, 2012.

◆ **LIBRARY AND RECREATION**

C2 **APPOINTMENT TO THE LIBRARY BOARD — One Regular Member**

A vacancy on the Library Board was created by the resignation of Mr. Gary Henkel. One applicant for this position was interviewed. The Library Board recommends the appointment of Ms. Elithia V. Stanfield.

The appointment of Ms. Elithia V. Stanfield to the Library Board with a term to expire June 30, 2013.

◆ **PUBLIC WORKS**

C3 **AWARD OF BID AND CHANGE ORDER NO. 1 FOR PROJECT 11/002— FABRICATION AND INSTALLATION OF FOUR (4) LED MESSAGE BOARD EVENT SIGNS — Thomas Sign & Awning Company, Inc.**

Bids were legally advertised and bid invitations were mailed to 31 prospective bidders. Two (2) bids were received with Thomas Sign and Awning Company, Inc. (4590 118th Avenue North, Clearwater, FL 33762) being the low bidder with a bid submittal of \$176,658.86. The amount budgeted for this project is \$297,940.00 (pg. 392 of the FY 11/12 amended budget). This project will be charged to account 301-175-5-742-85 and 301-175-5744-18. The bid amount is \$121,281.14 or 59.3% below the budgeted amount. It is recommended that Change Order No. 1 be approved along with the award of bid, increasing the contract amount by 20.6% or \$36,306.88, for a total adjusted contract amount of \$212,965.74 in order to take advantage of attractive bid pricing. This will allow for one additional 14' high pylon sign with full color reader board at the Performing Arts Center entrance on 78th Avenue North.

Authorization to award Bid 11/002 for the Fabrication and Installation of Four (4) LED Message Board Event Signs, to Thomas Sign & Awning Company, Inc, Clearwater, FL, and approve Change Order No. 1 increasing the contract by \$36,306.88, for a total adjusted contract amount of \$212,965.74 to be charged to the appropriate account.

C4 AMENDING CHANGE ORDER NO. 2 AND FINAL PAYMENT FOR PROJECT 11/015 — ANNUAL CLEANING, INSPECTION AND REHABILITATION OF STORMWATER PIPES TO CORRECT SCRIVENER’S ERROR — Reynolds Inliner, Inc.

At the City Council meeting on February 23, 2012, item C3, Change Order No. 2 and Final Payment for Project 11/015 Annual Cleaning, Inspection, & Rehabilitation of Stormwater Culvert Pipes, the amount indicated for the adjusted contract amount was \$82,725.25. The corrected adjusted contract amount should be \$82,725.00 and authorization for final payment of \$8,272.50 to Reynolds Inliner, Inc., to be charged to account 301-382-5-761-65.

Amending Change Order No. 2 and Final Payment for Project for 11/015 Annual Cleaning, Inspection, & Rehabilitation, for a total adjusted contract amount of \$82,725.00, and authorization for final payment of \$8,272.50 to Reynolds Inliner, Inc., to be charged to the appropriate account.

◆ **COMMUNITY DEVELOPMENT**

C5 RESIGNATION FROM THE BOARD OF ADJUSTMENT — Michael Silcott

There is one vacancy on the Board of Adjustment created by the resignation of Mr. Michael Silcott. Mr. Silcott was appointed to the Board of Adjustment June 9, 2011. Mr. Silcott submitted his resignation from the Board of Adjustment by letter on March 14, 2012.

Resignation of Mr. Silcott from the Board of Adjustment with deep regret.

C6 AUTHORIZATION FOR CITY MANAGER TO SIGN A DISTRIBUTION EASEMENT WITH FLORIDA POWER CORPORATION D.B.A PROGRESS ENERGY FLORIDA, INC. ON CITY-OWNED PROPERTY — St. Giles Manor II, Inc.

Florida Power Corporation d.b.a. Progress Energy Florida, Inc. has requested a ten (10) foot Distribution Easement from the City to accommodate proposed utility equipment and street lights, and for the future maintenance and operation of said equipment on City-owned property currently occupied by St. Giles Manor II, Inc.

Authorization for City Manager to sign a Distribution Easement with Florida Power Corporation d.b.a. Progress Energy Florida, Inc. on City-owned property currently occupied by St. Giles manor II, Inc.

◆ **FINANCE**

- C7 **RESOLUTION NO. 12-10 A RESOLUTION REPEALING RESOLUTION NO. 03-04 IN ITS ENTIRETY; REDESIGNATING DEPOSITORIES AND AUTHORIZING SIGNATURES FOR THE BANK ACCOUNTS OF THE CITY OF PINELLAS PARK, FLORIDA; REVOKING ALL PRIOR AUTHORIZATION; AUTHORIZING THE USE OF A SIGNATURE FACSIMILE; REPEALING ALL RESOLUTION OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.**

FIRST AND FINAL READING

This resolution is due to the fact that a new Mayor has recently assumed office, it is necessary to re-designate and authorize the current Mayor and Finance Administrator to sign upon the bank accounts in the name of the City of Pinellas Park, Florida.

The City Attorney read Resolution No. 12-10 by title only.

◆ **HUMAN RESOURCES**

- C8 **RECEIPT OF RESIGNATION FROM PINELLAS PARK FIREFIGHTERS' PENSION BOARD OF TRUSTEES — Alex Arvizu**

Mr. Arvizu has submitted his resignation from the Pinellas Park Firefighters' Pension Board of Trustees effective immediately. Mr. Arvizu has served as a trustee since 2010.

Resignation of Alex Arvizu as a citizen and Council appointed member of the Pinellas Park Firefighters' Pension Board of Trustees), with deep regret.

◆ **CITY COUNCIL**

- C9 **APPOINTMENT TO PINELLAS PLANNING COUNCIL (PPC)**

The term of Mayor Bradbury on the Pinellas Planning Council (PPC), which she has been serving on since April 2002, will expire in December 2012. Mayor Bradbury is resigning from the PPC due to her appointment on the Metropolitan Planning Organization (MPO). Council Member Councilman Mullins has expressed an interest as the City's representative and will fill the unexpired term of Mayor Bradbury through December 2012.

The appointment of Councilman Mullins to fill the unexpired term representing the City of Pinellas Park on the Pinellas Planning Council with a term to expire December 2012.

C10 RESOLUTION NO. 12-11 A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF PINELLAS PARK, FLORIDA; WITHDRAWING THE DESIGNATION OF REGINA A. KARDASH AS AN ASSISTANT CITY ATTORNEY, DUE TO HER NO LONGER BEING EMPLOYED IN THE OFFICE OF CITY ATTORNEY JAMES W. DENHARDT; PROVIDING FOR AN EFFECTIVE DATE.

FIRST AND FINAL READING

This resolution is due to the fact Regina A. Kardash is no longer employed in the office of City Attorney James W. Denhardt, and to express the gratitude of the City Council to Regina for her service as Assistant City Attorney and to wish her well in the future.

The City Attorney read Resolution No. 12-11 by title only.

MOTION was made by Councilwoman Johnson to Pass, Approve or Adopt, whichever is appropriate, Items C1 through C10 inclusive, with Item C7 and C10 being First and Final Reading, and **SECONDED** by Vice-Mayor Butler.

Roll Call Vote:

Voting Yea: Vice-Mayor, Rick Butler
Councilwoman, Patricia F. Johnson
Councilman, Jerry A. Mullins
Councilman, William E. Taylor
Mayor, Sandra L. Bradbury
Voting Nay: None
Absent: None
Abstaining: None

MOTION CARRIED UNANIMOUSLY

VI. REGULAR AGENDA

NONE

VII. MISCELLANEOUS

M1 PICTURE

Councilman Taylor shared a picture of his granddaughters.

M2 SACRED HEART SPRING FLING FESTIVAL

Councilman Taylor stated the Sacred Heart Spring Fling Festival will start on Wednesday, April 18, 2012, at Sacred Heart Catholic Church, 8001 46th Street.

Vice-Mayor Butler stated there will be smoked mullet at the festival.

M3 CONDOLENCES

Council sent their condolences to the family of long time resident Billy Cartier.

M4 WORM GRUNTIN FESTIVAL

Vice-Mayor Butler stated he will be traveling this weekend to Sopchoppy, Florida for a Worm Gruntin' Festival.

M5 EVENTS

Mayor Bradbury provided information on upcoming City Events.

ADJOURNMENT

Mayor Bradbury adjourned the meeting at 8:12 p.m.

Attest:

Diane M. Corna
City Clerk

Sandra L. Bradbury
Mayor

/nlo