

City of Clearwater

*City Hall
112 S. Osceola Avenue
Clearwater, FL 33756*



Meeting Minutes

Thursday, November 1, 2018

6:00 PM

Council Chambers

City Council

Roll Call

Present: 4 - Mayor George N. Cretekos, Councilmember Hoyt Hamilton,
Councilmember Bob Cundiff and Councilmember David Allbritton

Absent: 1 - Vice Mayor Doreen Caudell

Also Present: William B. Horne II – City Manager, Jill Silverboard – Deputy City Manager, Micah Maxwell – Assistant City Manager, Pamela K. Akin - City Attorney, Rosemarie Call - City Clerk and Nicole Sprague – Official Records and Legislative Services Coordinator

To provide continuity for research, items are listed in agenda order although not necessarily discussed in that order.

Unapproved

1. Call to Order – Mayor Cretekos

The meeting was called to order at 6:00 p.m. at City Hall.

2. Invocation – Pastor Steve Kreloff from Lakeside Community Chapel

3. Pledge of Allegiance – Councilmember Cundiff

4. Special recognitions and Presentations (Proclamations, service awards, or other special recognitions. Presentations by governmental agencies or groups providing formal updates to Council will be limited to ten minutes.) – Given.

4.1 October Employee of the Month

The employee of the month award was presented to Christa Smith, Library.

4.2 Suncoast Jazz Classic Weekend Proclamation, November 16-18, 2018 - Joan Dragon, Suncoast Jazz Classic Director

4.3 PSTA TRAC Star Award, Gloria Lepik Corrigan

Ms. Corrigan presented a PowerPoint presentation.

5. Approval of Minutes

5.1 Approve the October 18, 2018 City Council Meeting Minutes as submitted in written summation by the City Clerk.

Councilmember Cundiff moved to approve the October 18, 2018 City Council Meeting Minutes as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.

6. Citizens to be heard re items not on the agenda

Shirley Moran said she can now walk to City Hall and expressed her interest in becoming involved with the City again.

7. Consent Agenda – Approved as submitted.

- 7.1** Authorize the partial reimbursement to the United States Department of Housing and Urban Development (HUD) of \$130,000 for Fiscal Year 2000 Economic Development Initiative-Special Project Grant for the City of Clearwater, Number B-00-SP-FL-0088. (consent)
- 7.2** Authorize purchase orders to Rock Solid Home Inspections of Tampa, LLC, and NOVA Engineering and Environmental, LLC, both of Tampa, FL, for building inspections, reporting, and construction management services, in the annual amount of \$30,000 per vendor, for a one-year term with three annual renewal options at the City's discretion and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve a purchase order in the amount of \$840,000 to Unum Life Insurance Company of America for the period January 2019 through December 2020 for city paid life insurance and Long-Term Disability benefit and authorize the appropriate officials to execute same. (consent)
- 7.4** Accept a Florida Department of Health, Helping Emergency Responders Obtain Support (HEROS) Program grant, to update the Police Department's Naloxone (Narcan) supply in the valued amount of \$20,416 and authorize the appropriate officials to execute same. (consent)
- 7.5** Accept a 2016-2017 Edward Byrne Memorial Justice Assistance Grant in the amount of \$15,849 for a Mental Health Check Team Pilot program and authorize the appropriate officials to execute same. (consent)
- 7.6** Accept a Sidewalk Easement over a portion of Lot 2, Block 2, of C.E. Jackson's Subdivision (902 Engman Street), conveyed to the City by the Property Owner and authorize the appropriate officials to execute same. (consent)
- 7.7** Accept a Sidewalk Easement over a portion of Lot 2, Block J Fairmont Subdivision

(1159 Russell Street), conveyed to the City by the Property Owner, and authorize the appropriate officials to execute same. (consent)

- 7.8** Award a construction contract to GHD Services, Inc., of Tampa, FL, in the amount of \$960,575.83 for the Marshall Street Digester Demolition (09-0024-UT); approve Engineer of Record (EOR) Supplemental one Work Order from King Engineering in the amount of \$52,192; and authorize the appropriate officials to execute same. (consent)
- 7.9** Approve a contract to Sun Print Management of Tampa, FL in the annual amount of \$160,000.00 for printer hardware, supplies, and enterprise maintenance services for the period November 1, 2018 through October 31, 2019 with two one-year renewals in the same amount at the City's option, in accordance with Code of Ordinances Section 2.564(1)(d) Other Government Bid; increase current term Contract 900094 (ending October 31, 2018) with Sun Print Management by \$9,500 for a new total of \$134,500.00 and authorize the appropriate officials to execute same. (consent)
- 7.10** Approve the 2019 City Council Meeting Schedule. (consent)
- 7.11** Appoint two members to the Brownfields Advisory Board, Leedrilla Jenkins as the Resident representative and Mark T. Parry as the Government representative with terms to expire November 30, 2022. (consent)
- 7.12** Appoint Robert Prast and Jonathan Barnes to the Municipal Code Enforcement Board with terms to expire October 31, 2021. (consent)

Councilmember Hamilton moved to approve the Consent Agenda as submitted and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

Public Hearings - Not before 6:00 PM

8. Administrative Public Hearings

- 8.1** Declare surplus for the purpose of sale, through Invitation to Bid 01-19, Surplus Property-Engman Street, real property located at Greenwood Park No 2, Block D Lot 66; whereby the successful bidder will assemble the parcel with existing property creating a functional piece of property for use.

On April 3, 1967, the City of Clearwater acquired this small remnant parcel via Tax Deed. The adjacent property owner expressed interest in acquiring this piece of land to increase the size of their property.

This strip of land runs along the west side of Douglas Ave and is approximately 25 ft. by 91 ft. Its size imposes limitations on potential land uses. Any meaningful development of the property will require the use of adjacent lands. An independent appraisal was performed on the property on August 30, 2018 by Jim Millspaugh and Associates. This appraisal report determined that the fair market value is \$2,275.00. Per City Charter 2.01, real property declared surplus shall be sold to the party submitting the highest competitive bid above the appraised value whose bid meets the terms set by the Council and whose proposed use of the property is in accordance with the Council's stated purpose for declaring the property surplus.

One individual spoke in support.

Councilmember Allbritton moved to declare surplus for the purpose of sale, through Invitation to Bid 01-19, Surplus Property-Engman Street, real property located at Greenwood Park No 2, Block D Lot 66; whereby the successful bidder will assemble the parcel with existing property creating a functional piece of property for use. The motion was duly seconded and carried unanimously.

- 8.2** Approve the request from the owner of adjoining property to vacate a 50-foot Right of Way of East Avenue that abuts their property and pass Ordinance 9147-18 on first reading. (VAC2018-06)

The property owner has requested the City vacate a 50-foot Right of Way of East Avenue adjoining their property.

Said right-of-way is not necessary for municipal use and it is deemed to be in the best interest of the City and the general public that the same be vacated.

Councilmember Cundiff moved to approve the request from the owner of adjoining property to vacate a 50-foot Right of Way of East Avenue that abuts their property. The motion was duly seconded and carried unanimously.

**Ordinance 9147-18 was presented and read by title only.
Councilmember Hamilton moved to pass Ordinance 9147-18 on**

first reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

9. Second Readings - Public Hearing

- 9.1** Adopt Ordinance 9161-18 on second reading, amending the Community Development Code Appendix B, US 19 Zoning District relating to self-storage warehouses.

In response to a question, the City Attorney said, per City Council Rules, a 2-2 vote will refer Item 9.1 to the next council meeting.

Ordinance 9161-18 was presented and read by title only. Councilmember Allbritton moved to adopt Ordinance 9161-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 3 - Mayor Cretkos, Councilmember Hamilton and Councilmember Allbritton

Nays: 1 - Councilmember Cundiff

Motion carried.

- 9.2** Adopt Ordinance 9189-18 on second reading, amending the Community Development Code by repealing and replacing Chapter 51, Flood Damage Prevention; amending Chapter 47 to adopt local administrative and technical amendments to the Florida Building Code related to flood damage prevention.

Ordinance 9189-18 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 9189-18 on second and final reading. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

- 9.3** Withdrawn: Adopt Ordinance 9150-18 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to change the land use for certain real property whose post office address is 1510 Barry Road, Clearwater, Florida, from Residential/Office General (R/OG) and Residential Urban (RU) to Institutional (I).

AND

- 9.4 Withdrawn: Adopt Ordinance 9151-18 on second reading, amending the Zoning Atlas of the city by rezoning certain real property whose post office address is 1510 Barry Road, Clearwater, Florida, from Office (O) and Low Medium Density Residential (LMDR) to Institutional (I).

No Action.**10. City Manager Reports****10.1 Pit Gills, MD Helo Pad Request**

Dr. Gills reviewed his request and said the helicopter will be able to access his property without going over other homes. His property is located in Class G air space. If the City approves the request, he will seek approval from his Home Owners Association (HOA) and the Federal Aviation Administration (FAA). Dr. Gills said the City could use the helo stop for emergency evacuations.

In response to questions, Dr. Gills said the helicopter is permanently parked at the Clearwater Airpark. He typically flies out on Wednesdays. The HOA would establish the parameters on when the helo stop may be used. He said his house is built on one lot with a volleyball court on an adjacent lot. The adjacent property owner uses the residence three weeks of the year. Planning and Development Director Michael Delk said the City does not regulate occupancy. A city ordinance can be drafted to allow helo stops in one zoning district or in all zoning districts. The ordinance can have various criteria, such as setbacks from residential property, for different zoning districts. He said Dr. Gills' property is located in the LMDR (Low Medium Density Residential) zoning district. Mr. Delk said staff believes the subject property is too constrained to be a helo stop. He said staff did not research the FAA's criteria for helo stops.

In response to a concern, Dr. Gills said the helo stop will be 180 ft. from the property line. The design of the helo stop will be pursued after receiving the FAA's approval, which will outline required parameters.

The City Attorney said the City cannot establish zoning requirements for one property; the zoning requirements must apply citywide. Council has the ability to establish a lower distance requirement that will not be

consistent with other jurisdictions. A helo stop cannot be constructed without the FAA's approval.

Discussion ensued with consensus not to pursue a zoning code amendment until Dr. Gills receives FAA approval and it is known where the helo stop will be from the property line.

10.2 Approve assignment of the name Mulberry Alley to this previously unnamed alley and adopt Resolution 18-19.

The City of Clearwater received a request from the Clearwater Historical Society to assign a name to an improved 10-foot wide alley that was apparently recognized many years ago as Mulberry Lane. This East/West alley is between Lime Street and Orange Avenue and between Bay Avenue and Fort Harrison Avenue. The alley name will assist the Clearwater Historical Society with parking directions when the historic South Ward School renovation is complete and opens as a history museum later this year.

The Alley name "Mulberry Lane" (the alley between South Ward School and first United Methodist Church) was used by the original land owners, Taylor, Turner and Whitehurst dating back to 1854 as a North / South property line.

The tract of land, 160 acres total, encompassed the area west of Ft. Harrison, south of Laura to Jeffords.

The 160 acres was purchased in 1854 from Taylor by Whithurst and Turner where Turner took the northern part.

The Clearwater Historical Society is requesting the name designation to identify with the history of the City of Clearwater.

Councilmember Hamilton moved to approve assignment of the name Mulberry Alley to this previously unnamed alley. The motion was duly seconded and carried unanimously.

Resolution 18-19 was presented and read by title only.

Councilmember Allbritton moved to adopt Resolution 18-19. The motion was duly seconded and upon roll call, the vote was:

Ayes: 4 - Mayor Cretkos, Councilmember Hamilton, Councilmember Cundiff and Councilmember Allbritton

10.3 Approve a Deed Modification for certain real property located at 41 Devon Dr., legally described as Lot 1, less the West 110 feet thereof, Block B, Columbia Subdivision,

extending the time-period to commence construction until August 26, 2020 and authorize the appropriate officials to execute same.

The City conveyed to Decade Sea Captain LLC (Decade), certain real property known as 41 Devon Drive pursuant to a Special Warranty Deed dated January 24, 2017.

The Special Warranty Deed granted to the City a right to repurchase the Property if vertical construction of a parking garage was not commenced on or before the expiration of the Construction Commencement Period, which was August 26, 2018. Decade has secured a Development Order to proceed with said construction; therefore, the City has determined an extension of the Construction Commencement Period would be in the best interest of the City. To that end, the City and Decade desire to modify the Special Warranty Deed to extend the Construction Commencement Period for a term of two years to expire on August 26, 2020.

In response to a question, the City Attorney said staff spoke with the property owner's representative regarding the public parking. The hotel only parking sign has been corrected and the public parking spaces have been delineated. If there is no parking attendant on site, individuals using the public parking spaces will need to go to the hotel and pay the parking fee.

Councilmember Allbritton moved to approve a Deed Modification for certain real property located at 41 Devon Dr., legally described as Lot 1, less the West 110 feet thereof, Block B, Columbia Subdivision, extending the time-period to commence construction until August 26, 2020 and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.

11. City Attorney Reports – None.

12. Closing comments by Councilmembers (limited to 3 minutes)

Councilmember Cundiff invited all to the annual Veteran's Day celebration and said it is the 100th anniversary of the Armistice. He said a plaque can still be purchased to support Veteran's Plaza.

Councilmember Hamilton encouraged all to vote on Tuesday, November 6th and said he is relieved hemorrhoid cream and toilet paper commercials will take place of the political ads on tv after the election.

Councilmember Allbritton said the Clearwater Historical Society is hosting a fish fry at Ross Norton on Saturday November 10th at 11:00.

13. Closing Comments by Mayor

Mayor Cretokos reviewed recent and upcoming events and encouraged all to vote on November 6.

14. Adjourn

The meeting adjourned at 6:58 p.m.

Attest

Mayor
City of Clearwater

City Clerk