

# City of Clearwater

*Main Library - Council Chambers  
100 N. Osceola Avenue  
Clearwater, FL 33755*



## Meeting Minutes

**Thursday, January 21, 2021**

**6:00 PM**

**Main Library - Council Chambers**

## **City Council**

## **Roll Call**

**Present:** 5 - Mayor Frank Hibbard, Councilmember Hoyt Hamilton, Vice Mayor David Allbritton, Councilmember Mark Bunker and Councilmember Kathleen Beckman

**Also Present:** William B. Horne II – City Manager, Micah Maxwell – Assistant City Manager, Michael Delk – Assistant City Manager, Pamela K. Akin City Attorney, Rosemarie Call – City Clerk, and Nicole Sprague – Deputy City Clerk.

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

Unapproved

### **1. Call to Order – Mayor Hibbard**

*The meeting was called to order at 6:00 p.m. in Council Chambers at the Main Library.*

### **2. Invocation – Rev. Norma Fontaine -Philbert of Garden of Grace Ministries**

### **3. Pledge of Allegiance**

### **4. Approval of Minutes**

- 4.1 Approve the minutes of the December 17, 2020 City Council Meeting as submitted in written summation by the City Clerk.

**Councilmember Bunker moved to approve the minutes of the December 17, 2020 City Council Meeting as submitted in written summation by the City Clerk. The motion was duly seconded and carried unanimously.**

### **5. Citizens to be heard re items not on the agenda**

*Eleanore Lyde thanked City Council, CRA staff, the Downtown Clearwater Merchants Association, and the Downtown Development Board for their support and efforts associated with closing Cleveland Street for outdoor dining. She has enjoyed the outdoor dining, the music, the CRA lighting and the Cleveland Street Sip and Stroll events.*

*Lina Teixeira thanked Council and staff for their continued support and assistance with the 400-500 block street closure on Cleveland Street, which has created a new synergy during the COVID pandemic. She said*

*the Downtown Clearwater Merchants Association and The District are holding fundraiser events on the 4th Thursday of every month; 10% of proceeds will support a local charity. She invited all to attend this month's Dine out for a Difference that will benefit the Strategic Alliance to Fight Exploitation (SAFE); the organization provides safe housing for victims of human trafficking.*

*Susan Hester-Carillo thanked the City for sunshine. She said tourism is a great aspect of Florida and supported Clearwater's policies on tourism and the environment. She requested more funding for clean water filtration technologies, water filtration plants and clean water initiatives.*

## **6. Consent Agenda – Approved as submitted less Item 6.2.**

- 6.1** Approve a revocable sub-license agreement between the City of Clearwater, Clearwater Historical Society, a non-profit corporation, and Kairoi Performing Arts Cultural Center, Inc. (Kairoi), a non-profit corporation, for use of the Plumb House and authorize the appropriate officials to execute same. (consent)
- 6.2** Approve a Management Agreement between the City of Clearwater and The Greater Clearwater Regional Chamber of Commerce dba AMPLIFY Clearwater to provide visitor information services at the Clearwater Beach Visitor Information Center (BVIC) for the period February 1, 2021 through September 30, 2025 at a cost not to exceed \$317,265 and authorize the appropriate officials to execute same. (consent)

### **Item pulled by staff**

- 6.3** Approve the Contract for Purchase of Real Property by the City of Clearwater of certain real property located at 1011 Engman Street, with a purchase price of \$350,000 and total expenditures not to exceed \$391,000, authorize the appropriate officials to execute same, together with all other instruments required to affect closing, and approve the transfer of \$391,000 from general fund reserves at first quarter to cover the cost of the purchase. (consent)
- 6.4** Approve the reallocation of funds budgeted for co-sponsorship events that were canceled due to Covid-19 and allow funds to be used for newly requested smaller special events that meet Covid-19 protocols and authorize the appropriate officials to execute same. (consent)
- 6.5** Approve not-to-exceed increase of \$160,000 to Hilltop Securities Inc. (Hilltop) for spring training deal structure consulting services provided by ICON Venue Group, LLC d/b/a CAA ICON (CAA ICON) as subconsultant to Hilltop and authorize the appropriate officials to execute same. (consent)

- 6.6** Approve purchase order(s) to Miracle Recreation Equipment Co. of Monett, OH, for the purchase of playground equipment in an amount of \$136,894.18, pursuant to Clearwater Code of Ordinances 2.564 (1) (d) Other Government Entities, and authorize the appropriate officials to execute same. (consent)
- 6.7** Approve the Pinellas County Combined Mutual Aid Agreement for law enforcement services for the period February 1, 2021 through January 31, 2025 and authorize the appropriate officials to execute same. (consent)
- 6.8** Approve a Memorandum of Agreement (Agreement) between Bob Gualtieri, as Sheriff of Pinellas County, Florida (Sheriff) and the City of Clearwater Police Department to establish a Pilot Co-Responder Program to handle mental health related calls for service and authorize the appropriate officials to execute same. (consent)
- 6.9** Award a construction contract to Central Florida Contractors, Inc. of Seminole, Florida, per Invitation to Bid (ITB) 20-0026-EN for the 2021 Sidewalks project, in the amount of \$750,000 for an initial one-year term with an option to renew for three, one-year renewal terms on a unit price basis and authorize the appropriate officials to execute same. (consent)
- 6.10** Approve an Easement Subordination to Florida Department of Transportation (FDOT) for the purpose of maintaining a Digital Message Sign (DMS) in the vicinity of Nursery Road and U.S. 19 North and authorize the appropriate officials to execute same. (consent)
- 6.11** Authorize an increase to Contract 901066 to Florida Department of Management Services Contract DMS-08/09-071, for SUNCOM long distance service, State AIN Centranet lines, and toll-free lines, in an amount of \$30,000 for a new not to exceed amount of \$164,220 for the period October 1, 2020 through September 30, 2021, pursuant to Clearwater Code of Ordinances Section 2.564 (1)(d) Other Government Entities and authorize the appropriate officials to execute same. (consent)

**Councilmember Hamilton moved to approve the Consent Agenda, less Item 6.2, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

### **Public Hearings - Not before 6:00 PM**

## **7. Administrative Public Hearings**

- 7.1** Continue to February 4, 2021: Approve staff request to vacate an alley located within the Clearwater Gas Complex at 777 Maple Street, described as, All of the platted alley lying within Block 10 of Jones Subdivision of Nicholson Addition to Clearwater Blocks 7, 8, 9

and 10, as recorded in Plat Book 4, Page 82, of the Public Records of Hillsborough County, which Pinellas County was once part, and pass Ordinance 9434-21 on first reading.

City staff recommends the alley vacation within the Clearwater Gas Complex. Said alley 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 Beckman moved to continue Item 7.1 to February 4, 2021. The motion was duly seconded and carried unanimously.**

- 7.2** Approve the annexation, initial Future Land Use Map designations of Residential Low (RL) and Water/Drainage Feature Overlay and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 2776 N. Terrace Drive, and pass Ordinances 9419-21, 9420-21 and 9421-21 on first reading. (ANX2020-10011)

This voluntary annexation petition involves 0.204-acres of property consisting of one parcel of land occupied by a single-family dwelling. The parcel is located on the north side of N. Terrace Drive approximately 120 feet west of El Trinidad Drive E. The applicants are requesting annexation in order to receive sanitary sewer and solid waste service from the City. The property is contiguous to existing city limits in all directions and the annexation will eliminate an enclave. It is proposed that the property be assigned Future Land Use Map designations of Residential Low (RL) and Water/Drainage Feature Overlay and a Zoning Atlas designation of Low Medium Density Residential (LMDR).

The Planning and Development Department determined that the proposed annexation is consistent with the provisions of Clearwater Community Development Code Section 4-604.E as follows:

- The property currently receives water service from Pinellas County. Collection of solid waste will be provided to the property by the City. The closest sanitary sewer line is located in the N. Terrace Drive right-of-way. The owners are aware of the sewer impact and assessment fees that must be paid in full prior to connection and of the additional costs to extend City sewer service to the property. The property is located within Police District III and service will be administered through the district headquarters located at 2851 N. McMullen Booth Road. Fire and emergency medical services will be provided to this property by Station #49 located at 565 Sky Harbor Drive. The City has adequate capacity to serve this property with sanitary sewer, solid waste, police, fire and EMS service. Water service will continue to be provided by Pinellas County. The proposed annexation will not have an adverse effect on public facilities and their levels of service; and
- The proposed annexation is consistent with and promotes the following objectives and policy of the Clearwater Comprehensive Plan:

Objective A.6.4 Due to the built-out character of the City of Clearwater, compact urban development within the urban service area shall be promoted through application of the Clearwater Community Development Code.

Objective A.7.2 Diversify and expand the City's tax base through the annexation of a variety of land uses located within the Clearwater Planning Area.

Policy A.7.2.3 Continue to process voluntary annexations for single-family residential properties upon request.

- The proposed Residential Low (RL) Future Land Use Map category is consistent with the current Countywide Plan designation of the property. This designation primarily permits residential uses at a density of 5 units per acre. The proposed Water/Drainage Feature Overlay recognizes the drainage easement along the northern boundary of the property. The proposed zoning district to be assigned to the property is Low Medium Density Residential (LMDR). The use of the subject property is consistent with the uses allowed in the District and the property exceeds the District's minimum dimensional requirements. The proposed annexation is therefore consistent with the Countywide Plan and the City's Comprehensive Plan and Community Development Code; and
- The property proposed for annexation is contiguous to existing city limits in all directions. Therefore, the annexation is consistent with Florida Statutes Chapter 171.044.

**Councilmember Bunker moved to approve the annexation, initial Future Land Use Map designations of Residential Low (RL) and Water/Drainage Feature Overlay and initial Zoning Atlas designation of Low Medium Density Residential (LMDR) District for 2776 N. Terrace Drive. The motion was duly seconded and carried unanimously.**

**Ordinance 9419-21 was presented and read by title only. Councilmember Hamilton moved to pass Ordinance 9419-21 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman**

**Ordinance 9420-21 was presented and read by title only. Vice Mayor Allbritton moved to pass Ordinance 9420-21 on first reading. The**

**motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

**Ordinance 9421-21 was presented and read by title only.**

**Councilmember Beckman moved to pass Ordinance 9421-21 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 7.3** Approve a Future Land Use Map amendment from the Residential Medium (RM) and Residential Urban (RU) categories to the Residential Low Medium (RLM) category for two parcels located at 1280 and 1298 Lakeview Road and pass Ordinance 9425-21 on first reading. (LUP2020-10001)

This Future Land Use Map amendment involves an 8.908-acre property consisting of two parcels located on the north side of Lakeview Road, approximately 950 feet east of Missouri Avenue. The parcels are currently occupied by a mobile home park (Parcel No. 1, as depicted on Map 2 of the Community Development Board Staff Report) on the 8.767-acre parcel and a one-story office building (Parcel No. 2, also on Map 2) on the 0.141-acre parcel. The applicant, Cobblestone I CTC, LLC, is requesting to amend the future land use designations of Residential Medium (RM) (Parcel No. 1) and Residential Urban (RU) (Parcel No. 2) to Residential Low Medium (RLM). The applicant has submitted a Zoning Atlas amendment for Parcel No. 2, which is being processed concurrently with this case (see REZ2020-10001).

Parcel No. 1 is an existing mobile home park with 113 dwelling units and a clubhouse/office. The applicant recently purchased Parcel No. 2 and intends to combine the parcels and convert the existing office building to a clubhouse for the use of the residents. The current future land use designation of Parcel No. 1 as Residential Medium (RM) allows moderate to high density residential to a maximum of 15 dwellings units per acre but is inconsistent with the existing Mobile Home Park (MHP) zoning designation, which must be retained to allow for the existing use of the property. The current future land use designation for Parcel No. 2 as Residential Urban (RU) allows for urban low density residential to a maximum density of 7.5 dwelling units per acre. The proposed Residential Low Medium (RLM) category allows for low to moderate density residential and residential equivalent uses at a maximum density of 10 dwelling units per acre. The requested amendment would bring consistency between the future land use and zoning designations for Parcel No. 1 and allow the proposed clubhouse on Parcel No. 2 to be included in the overall mobile home park. The applicant also requested to terminate the existing mobile home park's non-conformities related to density and setbacks which the Community Development Board approved at its December 15, 2020 meeting (FLD2020-09018), dependent on City Council approval of LUP2020-10001 and REZ2020-10001. Should the site

be redeveloped in the future, this amendment will reduce the maximum number of units that could be constructed on the property from 132 dwelling units to 89 dwelling units.

The Planning and Development Department has determined that the proposed future land use amendment is consistent with the provisions of the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding properties and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

The underlying *Countywide Plan Map* Category for Parcel No. 1 is Residential Medium (RM) and for Parcel No. 2 is Residential Low Medium (RLM). In accordance with the Countywide Plan Rules, the land use plan amendment for Parcel No. 1 is subject to the approval of Forward Pinellas, in its role as the Pinellas Planning Council, and the Board of County Commissioners acting as the Countywide Planning Authority. Since the proposed City of Clearwater future land use designation of Residential Low Medium (RLM) for Parcel No. 2 is consistent with the underlying Countywide Plan Map category, no amendment is required to the Countywide Plan Map for Parcel No. 2. The application is a small-scale amendment so review and approval by the Florida Department of Economic Opportunity is not required.

The Community Development Board reviewed this application at its December 15, 2020 public hearing and made a unanimous recommendation of approval to the Council.

**Councilmember Bunker moved to approve a Future Land Use Map amendment from the Residential Medium (RM) and Residential Urban (RU) categories to the Residential Low Medium (RLM) category for two parcels located at 1280 and 1298 Lakeview Road. The motion was duly seconded and carried unanimously.**

**Ordinance 9425-21 was presented and read by title only.**

**Councilmember Hamilton moved to pass Ordinance 9425-21 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman**



**7.4 Approve a Future Land Use Map Amendment from the Residential Suburban (RS) category to the Residential Urban (RU) category for 2250 Nursery Road and pass Ordinance 9427-21 on first reading. (LUP2020-10002)**

This Future Land Use Map amendment involves a 0.875-acre property on the north side of Nursery Road approximately 645 feet east of Belcher Road. The parcel is currently owned by Larry L. and Gladys N. Hilkert, as trustees under the trust dated the 30th day of August, 2005. The applicant is requesting to amend the future land use designation from Residential Suburban (RS) to Residential Urban (RU). The applicant has submitted a Zoning Atlas amendment, which is being processed concurrently with this case (see REZ2020-10002).

The property is currently a residential use and includes two buildings which were annexed into the City in 1999 as two residential units. Although the applicant has indicated that three attached dwelling units and one detached dwelling unit are located on the site, staff has reviewed building permit records and determined that only two of the units were permitted. The current future land use designation of Residential Suburban (RS) allows for a maximum density of 2.5 dwelling units per acre. The proposed Residential Urban (RU) category primarily allows urban low density residential and residential equivalent uses at a maximum density of 7.5 dwelling units per acre. There would be an increase in development potential of four units, from two units to six, under this proposed amendment. The requested amendment would allow the property to become conforming in terms of density and could allow the property owner to request redevelopment as attached dwellings in the future through the Residential Infill Project use. There has been no site development application submitted at this time.

The Planning and Development Department has determined that the proposed Future Land Use Map amendment is consistent with the provisions of the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Countywide Plan Rules.
- The proposed amendment is compatible with the surrounding properties and character of the neighborhood.
- Sufficient public facilities are available to serve the property.
- The proposed amendment will not have an adverse impact on the natural environment.
- The proposed amendment will not have an adverse impact on the use of property in the immediate area.

The underlying Countywide Plan Map category of Residential Low Medium (RLM) on the proposed amendment area is consistent with the proposed City of Clearwater future land use designation of Residential Urban (RU); therefore, no amendment is required to the Countywide Plan Map. The application is a small-scale amendment so review and approval by the Florida Department of Economic Opportunity is not required.

The Community Development Board reviewed this application at its December 15, 2020 public hearing and made a unanimous recommendation of approval to the Council.

*In response to questions, Planning and Development Director Gina Clayton said if the land use plan amendment is passed, the allowable development potential would increase so that the existing units are allowed, but the Applicant does not have building permits on file, showing the units were legally constructed. There are penalties and code enforcement action for the unpermitted units. She said if the Applicant wishes to keep the units, documentation confirming the units meet the building code will be required. When the property was annexed in 1999, there were two units on the property.*

*One individual spoke in opposition.*

*In response to questions, the City Attorney said staff is aware of the code enforcement fines. Assistant City Attorney Mike Fuino said the code enforcement case named the wrong offender; the notice of violation was addressed to an individual instead of the trust. The information obtained from the Pinellas County Property Appraiser was incorrect and the reason why the case was dismissed. It is his understanding, as of today, there are no active code enforcement issues on the property. A visual inspection was conducted today. Ms. Clayton said code inspectors do not access the property; the inspection was done from the street. Code Inspectors have tried to verify with the Applicant the number of units on the property; there are four mailboxes and two utility accounts. She said the Applicant verified in December that there are four units on the property. Ms. Clayton said there is a triple fee for work completed without a permit. Mr. Fuino said the \$500,000 lien accrued over a four-year period. There are two meters and two legally permitted units located on the property.*

*Applicant representative Housh Ghovaei reviewed the request to amend*

*the land use that is currently consistent with Pinellas County. If approved by Council, the Applicant will not have to go Pinellas County and seek a land use amendment. The Applicant is wishing to demolish the buildings, which are in bad shape, and improve the property, which will require the project to go before Community Development Board. He said the land use is consistent with the neighborhood and would be a good transition to its surroundings.*

*In response to a question, Mr. Ghovae said Applicant plans to build six townhome units. Owner representative Travi Hott said there are two sheds on the property; the third shed was removed because it was not permitted. When the property was annexed, there were two units above the garage and property owner removed them when informed they were not permitted. The attorney did not handle the code enforcement matter and that is why the fines accrued. He said antique furniture is stored in the area above the garage. Mr. Hott does not know why the city code inspectors have not been given access to the property.*

*Discussion ensued with concerns expressed that city code inspectors have not been given access to the property to confirm the status of the code issues. It was suggested the property owner allow the code inspectors access to the property and into the buildings to confirm the status of the code violations.*

**Councilmember Hamilton moved to continue Item 7.4 to February 4, 2021. The motion was duly seconded and carried unanimously.**

## **8. Quasi-Judicial Public Hearings**

- 8.1** Approve a Zoning Atlas amendment from the Medium Density Residential (MDR) District to the Mobile Home Park (MHP) District for 1298 Lakeview Road and pass Ordinance 9426-21 on first reading. (REZ2020-10001)

This Zoning Atlas amendment involves a 0.141-acre property on the north side of Lakeview Road, approximately 1250 feet east of Missouri Avenue. The parcel is currently owned by Cobblestone I CTC, LLC. The applicant is requesting to rezone the property from the Medium Density Residential (MDR) District to the Mobile Home Park (MHP) District. The applicant has submitted a Future Land Use Map amendment, which is being processed concurrently with this case (see LUP2020-10001).

The proposed Mobile Home Park (MHP) District is compatible with the surrounding zoning districts and single-family and multifamily uses in the vicinity of the subject property. The applicant's intent is to convert the existing office

building on the property to a clubhouse for use by the residents of the abutting 113-unit mobile home park, while making minor improvements to the site. The requested amendment could allow the parcel to be redeveloped with one dwelling unit or limited non-residential uses, including retail or office uses intended to serve the residents of the mobile home park.

The Planning and Development Department has determined that the proposed Zoning Atlas amendment is consistent with the provisions of the Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.
- The proposed amendment is compatible with the surrounding properties and character of the neighborhood.
- The available uses in the Mobile Home Park (MHP) District are compatible with the surrounding area.
- The proposed amendment will not adversely impact or unreasonably affect the use of other property in the area.
- The proposed amendment will not adversely burden public facilities, including traffic carrying capabilities of streets in an unreasonably or disproportionate manner, and
- The proposed Mobile Home Park (MHP) District boundaries are appropriately drawn in regard to location and classification of street, ownership lines, existing improvements and the natural environment.

The Community Development Board reviewed this application at its December 15, 2020 public hearing and made a unanimous recommendation of approval to the Council.

**Vice Mayor Allbritton moved to approve a Zoning Atlas amendment from the Medium Density Residential (MDR) District to the Mobile Home Park (MHP) District for 1298 Lakeview Road. The motion was duly seconded and carried unanimously.**

**Ordinance 9426-21 was presented and read by title only.**

**Councilmember Beckman moved to pass Ordinance 9426-21 on first reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 8.2 Approve a Zoning Atlas amendment from the Low Density Residential (LDR) District to the Medium Density Residential (MDR) District for 2250 Nursery Road and pass Ordinance 9428-21 on first reading. (REZ2020-10002)**

This Zoning Atlas amendment involves a 0.875-acre property on the north side of Nursery Road approximately 645 feet east of Belcher Road. The parcel is currently owned by Larry L. and Gladys Hilkert, as trustees under the trust dated the 30th day of August, 2005. The applicant is requesting to rezone the property from the Low Density Residential (LDR) District to the Medium Density Residential (MDR) District. The applicant has submitted a Future Land Use Map amendment, which is being processed concurrently with this case (see LUP2020-10002).

The property is currently a residential use and includes two buildings which were annexed into the City in 1999 as two residential units. Although the applicant has indicated that three attached dwelling units and one detached dwelling unit are located on the site, staff has reviewed building permit records and determined that only two of the units were permitted. The proposed Medium Density Residential (MDR) District is compatible with the surrounding zoning districts and single family and multi-family uses that exist in the vicinity of the subject property. The requested amendment could allow the property owner to request redevelopment as attached dwellings in the future through the Residential Infill Project use. There has been no site development application submitted at this time.

The Planning and Development Department has determined that the proposed Zoning Atlas amendment is consistent with the Clearwater Community Development Code as specified below:

- The proposed amendment is consistent with the Comprehensive Plan and the Community Development Code.
- The proposed amendment is compatible with the surrounding property properties and character of the neighborhood.
- The available uses in the Medium Density Residential (MDR) District are compatible with the surrounding area.
- The proposed amendment will not adversely or unreasonably affect the use of other property in the area.
- The proposed amendment will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonably or disproportionate manner; and
- The proposed Medium Density Residential (MDR) District boundaries are appropriately drawn in regard to location and classification of streets, ownership lines, existing improvements, and the natural environment.

The Community Development Board reviewed this application at its December 15, 2020 public hearing and made a unanimous recommendation of approval to the Council.

**APPROPRIATION CODE AND AMOUNT: N/A**

**USE OF RESERVE FUNDS: N/A**

**Councilmember Bunker moved to continue Item 8.2 to February 4, 2021. The motion was duly seconded and carried unanimously.**

## **9. Second Readings - Public Hearing**

- 9.1** Adopt Ordinance 9416-21 on second reading, annexing certain real property whose post office address is 1266 Sedeeva Circle North, Clearwater, Florida 33755, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9416-21 was presented and read by title only.**

**Councilmember Hamilton moved to adopt Ordinance 9416-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 9.2** Adopt Ordinance 9417-21 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for certain real property whose post office address is 1266 Sedeeva Circle North, Clearwater, Florida 33755, upon annexation into the City of Clearwater, as Residential Urban (RU).

**Ordinance 9417-21 was presented and read by title only. Vice Mayor Allbritton moved to adopt Ordinance 9417-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 9.3** Adopt Ordinance 9418-21 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 1266 Sedeeva Circle North, Clearwater, Florida 33755, upon annexation into the City of Clearwater, as Low Medium Density Residential (LMDR).

**Ordinance 9418-21 was presented and read by title only.**

**Councilmember Beckman moved to adopt Ordinance 9418-21 on second and final reading. The motion was duly seconded and upon**

**roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 9.4** Adopt Ordinance 9422-21 on second reading, annexing a portion of real property whose post office address is 2970 Gulf to Bay Boulevard, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 9422-21 was presented and read by title only.**

**Councilmember Bunker moved to adopt Ordinance 9422-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 9.5** Adopt Ordinance 9423-21 on second reading, amending the future land use plan element of the Comprehensive Plan of the city to designate the land use for a portion of real property whose post office address is 2970 Gulf to Bay Boulevard, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as US 19 - Regional Center (US 19-RC).

**Ordinance 9423-21 was presented and read by title only.**

**Councilmember Hamilton moved to adopt Ordinance 9423-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

- 9.6** Adopt Ordinance 9424-21 on second reading, amending the Zoning Atlas of the city by zoning a portion of real property whose post office address is 2970 Gulf to Bay Boulevard, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as US 19.

**Ordinance 9424-21 was presented and read by title only. Vice Mayor Allbritton moved to adopt Ordinance 9424-21 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

## **10. City Manager Reports**

### **10.1 Confirm COVID-19 Emergency Proclamation and adopt Resolution 21-01.**

**Councilmember Beckman moved to confirm COVID-19 Emergency Proclamation. The motion was duly seconded and carried unanimously.**

**Resolution 21-01 was presented and read by title only. Councilmember Bunker moved to adopt Resolution 21-01. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

### **10.2 Amend Clearwater Code of Ordinances Section 6.29, Alcoholic Beverages - Closing Hours, prohibiting the sale of alcoholic beverages by alcoholic beverage establishments between the hours of 1:00 a.m. to 8:00 a.m. in Clearwater Beach, Sand Key, and Island Estates and pass Ordinance 9435-21 on first reading.**

Clearwater Police District I encompass Clearwater Beach, Sand Key, and Island Estates. This area is predominantly a tourism district that includes residential property, and unique circumstances exist that require special considerations to avoid breeches of the peace.

An analysis of police calls for service revealed the calls for service in Police District I maintain a consistent level from 11 p.m. until 4 a.m., while calls for service in Police District II and Police District III begin to sharply decline at 12 a.m. through 4 a.m. A further analysis of the calls in District I revealed many of the calls were disturbances and calls for service where alcohol is a factor.

Pinellas County Code 6-29 prohibits the sale of alcoholic beverages between the hours of 3:00 a.m. to 8:00 a.m. It is allowable for the City of Clearwater to establish closing hours that are more restrictive than Pinellas County Code.

Amending 6.29 to reflect a prohibition of the sale of alcoholic beverages by alcoholic beverage establishments between the hours of 1:00 a.m. to 8:00 a.m. in Clearwater Beach, Sand Key, and Island Estates is recommended to balance the interests of all parties in this geographic area with unique needs and challenges.

*In response to questions, Police Chief Daniel Slaughter said providing*



*the establishments a 3-month period to address the matter would be insufficient to put measures in place and would put the comparative time in the middle of Spring Break. He recommended a 6-month period.*

*One individual supported the 6-month period. He said all of the operations that serve alcohol after 1:00 a.m. are working together to address the matter and have a plan in place. They are listening and want to be part of the solution. He said if the operators determine their plan is not working, they will advise the City prior to the 6 months.*

*One eComment was received in support which was read into the record by the City Clerk (see page 28).*

*Chief Slaughter said he shared correspondence with the city manager late this afternoon from Shephard's management, which has taken a leadership role to create a coalition of the bar operators. They are working through the ideas but need additional time to provide Council a deliverable document. Shephard's General Manager Paul Andrews said the coalition is beginning to communicate with each other and working through ideas, such as undergoing alcohol awareness training by the State. The response to the suggested training has been positive. The coalition of the barkeepers will meet regularly and monthly when in season.*

*Discussion ensued with comments made that the City must protect the brand of Clearwater Beach, which is an important economic engine for Clearwater and that all must work together and self police. A concern was expressed that details on how the disturbances will be addressed have not been provided. Support was expressed to provide the establishments six months to address the matter.*

**Councilmember Hamilton moved to deny Item 10.2. The motion was duly seconded and carried with the following vote:**

**Ayes:** 4 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton and Councilmember Beckman

**Nays:** 1 - Councilmember Bunker

### **10.3 Disband the Affordable Housing Advisory Committee and adopt Resolution 21-02.**

On September 23, 2020, the City Council adopted Resolution 20-50 which

appointed the Neighborhood and Affordable Housing Advisory Board (NAHAB) and four additional members as the Affordable Housing Advisory Committee (AHAC). This action was necessary to comply with Florida Statute 420.9076. The AHAC reviewed the city's policies, procedures, and land development regulations and provided recommendations in advance of city staff's preparation of the Local Housing Assistant Plan. The AHAC's objective was to recommend specific actions or initiatives to encourage or facilitate affordable housing. The AHAC's recommendations were presented to the City Council December 17. The AHAC has completed its work for Fiscal Year 2020-2021 and therefore, the Council may sunset the committee.

Per Florida Statutes, the AHAC must be appointed annually to review the Local Housing Incentives Strategies.

Resolution 21-02 acknowledges the work of the AHAC has been completed and terminates their appointments.

**Vice Mayor Allbritton moved to disband the Affordable Housing Advisory Committee. The motion was duly seconded and carried unanimously.**

**Resolution 21-02 was presented and read by title only. Councilmember Beckman moved to adopt Resolution 21-02. The motion was duly seconded and upon roll call, the vote was:**

**Ayes:** 5 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker and Councilmember Beckman

**10.4** Appoint Lindsay Dicus-Harrison to the Neighborhood and Affordable Housing Advisory Board to fill the remainder of an unexpired term through June 30, 2022.

#### **APPOINTMENT WORKSHEET**

**BOARD:** Neighborhood and Affordable Housing Advisory Board (NAHAB)

**TERM:** 4 years

**APPOINTED BY:** City Council

**FINANCIAL DISCLOSURE:** Not Required

**RESIDENCY REQUIREMENT:** N/A (See Special Qualifications)

**MEMBERS:** 7

**CHAIRPERSON:** Peter Scalia

**MEETING DATE:** 2nd Tues. most months

**PLACE:** Main Library

STAFF LIAISON: Chuck Lane  
APPTS. NEEDED: 1

**SPECIAL QUALIFICATIONS:** Board to have 1 member in each: Real Estate Professional in Connection with Affordable Housing; Clearwater Resident; Residential Home Building Industry; Advocate for Low Income Housing; Not-For-Profit Provider of Affordable Housing; Banking/Mortgage Industry; Employer's Representative.

THE FOLLOWING ADVISORY BOARD MEMBER WILL BE RESIGNING AND NOW REQUIRES REPLACEMENT BY A NEW APPOINTEE:

1. Peggy Cutkomp - 1955 McKinley St., 33765 - **Real Estate Agent**  
Original appointment: 6/18/98  
(currently serving 5th term until 6/30/22)

**(Citizen who is actively engaged as a real estate professional in connection with affordable housing)**

THE NAME BELOW IS BEING SUBMITTED FOR CONSIDERATION TO FILL THE ABOVE VACANCY:

1. Lindsay Dicus-Harrison - 12400 Chickasaw Trail, Largo, FL 33774 - **Real Estate Broker**

**(Citizen who is actively engaged as a real estate professional in connection with affordable housing)**

Zip codes of current members:

1 - 33703  
1 - 33711  
1 - 33755  
2 - 33756  
1 - 33765  
1 - 34222

**Current Special Qualifications:**

1 Citizen actively engaged as an advocate for low-income persons in connection/affordable housing  
1 Citizen actively engaged in the banking/mortgage Industry in connection/affordable housing  
1 Citizen actively engaged as a not-for-profit provider of affordable housing  
1 Citizen actively engaged as a real estate professional in connection/affordable housing  
1 Citizen actively engaged in the residential home building industry in connection/affordable housing

- 1 Citizen who resides within the City of Clearwater
- 1 Citizen who represents employers within the City of Clearwater

**Councilmember Beckman moved to appoint Lindsay Dicus-Harrison to the Neighborhood and Affordable Housing Advisory Board to fill the remainder of an unexpired term through June 30, 2022. The motion was duly seconded and carried unanimously.**

- 10.5** Appoint one member to the Parks and Recreation Board with term to expire January 31, 2025.

**APPOINTMENT WORKSHEET**

BOARD: **Parks and Recreation Board**

TERM: 4 years

APPOINTED BY: City Council

FINANCIAL DISCLOSURE: Not Required

RESIDENCY REQUIREMENT: City of Clearwater

SPECIAL QUALIFICATIONS: None

MEMBERS: 7

Chairperson: Mark Rodriguez

MEETING DATES: Quarterly (4th Tues.) - Jan., April, July, Oct.

PLACE: Main Library - 6:30 p.m.

APPTS. NEEDED: 1

THE FOLLOWING ADVISORY BOARD MEMBER HAS A TERM THAT WILL BE EXPIRING AND NOW REQUIRES REPLACEMENT BY NEW APPOINTEE:

1. Jennifer Christou-Wood - 940 Lantana Ave., 33767 - **Interior Design**

Original Appointment: 08/16/17

(0 Absences in the past year)

(currently filling an unexpired term until 01/31/21)

Interest in reappointment: **No** - (does not wish to serve another term per email confirmation)

THE NAMES BELOW ARE BEING SUBMITTED FOR CONSIDERATION TO FILL THE ABOVE VACANCY:

- 1. Martin Armstrong - 3420 Deerfield Ln., 33761 - Environmental Consultant
- 2. Beth Davis - 1962 Harding Plaza, 33765 - VP Macy's Countryside

3. John Devoti - 151 Marina Del Rey Ct., 33767 - Retired/Company Owner

4. Robert Farrer - 3359 Wind Chime Dr., 33761 - Financial Advisor

Zip codes of current members on board:

1 at 33755

1 at 33756

1 at 33761

2 at 33765

2 at 33767

**Councilmember Beckman moved to appoint Beth Davis to the Parks and Recreation Board with a term to expire January 31, 2025. The motion was duly seconded and failed with the following vote:**

**Ayes:** 2 - Councilmember Bunker and Councilmember Beckman

**Nays:** 3 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton

**Councilmember Hamilton moved to appoint Robert Farrer to the Parks and Recreation Board with term to expire January 31, 2025. The motion was duly seconded and carried with the following vote:**

**Ayes:** 4 - Mayor Hibbard, Councilmember Hamilton, Vice Mayor Allbritton, Councilmember Bunker

**Nays:** 1 – Councilmember Beckman

#### **10.6 Approve the 2021 State Legislative Agenda.**

Each year, the City submits a list of legislative priorities for consideration by the state legislature during their annual 60-day session in Tallahassee. The City's legislative liaison works closely with city staff and the City's lobbying team in Tallahassee to draft a package that is beneficial to Clearwater, and to lobby that package locally and in Tallahassee. Preparation of the package involves determining areas of need, researching funding availability, identifying needed legislation, monitoring and evaluating current legislative issues.

*Discussion ensued with council consensus to add the following items*

*Issues to Support:*

- *Additional funding for workforce and vocational training*
- *Continued funding for Visit Florida*
- *Increased funding for early learning programs for K-3 and VPK programs for public schools.*
- *Funding for the PSTA Depot*
- *Renewal of the Qualified Target Industry (QTI) tax credit program that is scheduled to expire in 2022.*
- *Under intergovernmental coordination that supports sustainability, add following: clean energy, land conservation, smart growth, advocating for a planned transition to a 100% renewable energy goals, preserve open spaces and wetlands, to identify and address the impacts of climate change and sea level rise on natural resources and man-made infrastructure*

*Under Issues to Oppose:*

*Oppose expanding M-CORES (Multi-use Corridors of Regional Economic Significance) toll roads into rural Florida that would create more urban sprawl and ruin unspoiled part of the state.*

**Councilmember Beckman moved to approve the 2021 State Legislative Agenda, as amended. The motion was duly seconded and carried unanimously.**

**10.7** Recommend Rev. Alethea Winston as the Clearwater at-large representative on the Pinellas Opportunity Council.

After serving several terms on the Pinellas Opportunity Council (POC), Jeanette Crabbe no longer wishes to serve on the Council.

The City must identify an individual who will serve as the Clearwater representative. The appointment will be confirmed prior to the POC's January 26 meeting.

**Councilmember Beckman moved to recommend Rev. Alethea Winston as the Clearwater at-large representative on the Pinellas Opportunity Council. The motion was duly seconded and carried unanimously.**

**10.8** Call-ins during COVID pandemic Update

*IT Director Dan Mayer said staff researched the following alternatives: 1) Granicus, the City's agenda management system, provides an option if the council meetings are streamed live, 2) Zoom offers a call-in center, allowing individuals to call a dedicated number and leave voice message. The individuals will be required to identify themselves and the agenda item they are addressing. Staff will then listen to the message, identify the agenda item and caller, rename the digital audio files and order the files according to the agenda. He said staff cannot control the length of the voice message. The licensing fee is \$6,000 annually. If the City chooses to use a special vanity number (i.e., 562-TALK), there will be an additional cost. Mr. Mayer said staff believes it can implement the Zoom option but it will take a lot of staff hours to prep the calls. The other concern would be the length of the meeting; Pinellas County experienced longer meetings during the pandemic due to the number of call-ins.*

*In response to a question, Mr. Mayer said staff estimates 15 to 20 calls can be prepped in an hour.*

*Discussion ensued with comments made that hearing someone's voice is important and that the public have opportunities to email or submit eComments if they are unable to attend the meetings. A concern was expressed with the cost and staff time associated with the call-in option. There was council consensus to not proceed with the call-in option.*

*The Council recessed from 8:06 a.m. to 8:15 a.m.*

#### **10.9 PSTA/Clearwater Ferry Partnership**

*Vice Mayor Allbritton said he would like to provide an update on PSTA at every council meeting. PSTA is looking for funding for the Intermodal Center. President Biden's American Rescue Plan includes \$20 billion for transit and FDOT has committed matching funds for the Intermodal Center. He said PSTA has selected an architect to design the Intermodal Center, which will be approved in February. Vice Mayor Allbritton said he has asked several community stakeholders to submit letters supporting federal funding for the Intermodal Center. AVA is still running in St. Petersburg. PSTA is seeking additional funding to move AVA to Clearwater and Dunedin. The autonomous vehicle will head to Clearwater after Dunedin. The Clearwater*

*route will be vetted by Planning; recent discussions have focused on the south Clearwater Beach area. He said there is federal funding for water taxi services. PSTA staff have approached the local operators to consider the waterborne transportation as a form of public transportation.*

#### **10.10 Demolition of Old City Hall**

*The Vice Mayor requested consideration to move forward with the demolition of city hall to show progress on Imagine Clearwater.*

*Discussion ensued with comments made that developers know the City is serious with moving forward with Imagine Clearwater since the RFP for the bluff properties has been released, and that developers may want to reuse some of the demolished rubble as infill. A concern was expressed with the cost associated with demolishing city hall.*

*In response to a question, Assistant City Manager Micah Maxwell said estimated cost to demolish city hall is \$529,993; the demolition would be completed in 140 days. The estimated reduction in utilities costs is estimated at \$14,000 annually. Mr. Maxwell said the current utility costs is approximately \$26,000.*

*There was no council consensus to pursue any action.*

#### **10.11 Forward Pinellas Update**

*Vice Mayor Allbritton said Forward Pinellas is a combination of the MPO and PPC. The Metropolitan Planning Organization has a direct route to federal funding for highways. He was appointed to the regional Tampa Bay Transportation Management Area, which is a regional MPO consisting of three counties (Hillsborough, Pasco and Pinellas). He will provide updates on the TMA as they begin to meet.*

#### **10.12 Discuss strategic visioning process.**

*The City Manager said staff received resumes from individuals experienced*



*in conducting strategic planning sessions. The intent tonight is to open the conversation and hold a deeper discussion at the next work session.*

*In response to questions, the City Manager said the Institute of Government is a separate entity from the University of South Florida. The City Clerk said Mr. Karas' team includes a female-owned business; Firefly Productions handles the community engagement component. The Florida Institute of Government recently completed the City of Belleair's strategic plan. She said all individuals were asked to provide the same information; the Institute was working on a proposal for another municipality and provided that information. Mr. Horne said the City has worked with Mr. Streitmatter previously. The City Attorney said the strategic sessions are public; councilmembers may meet one-on-one with the facilitators.*

*Staff was directed to obtain detailed proposals from Messrs. Karas and Streitmatter and to request a list of references (municipal and county organizations) from all respondents.*

#### **11. City Attorney Reports – None.**

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

*Vice Mayor Allbritton shared a fun fact that at 9:21 p.m. in military time it will be 21:21 on 1/21/21.*

*Councilmember Beckman thanked the citizens who watched or attended the meeting. She said Imagine Clearwater is breaking ground and the RFP is out for the bluff properties, the Strategic Plan and Greenprint are being updated this year, the City will have a new agreement with the Phillies, the City Manager and City Attorney will be retiring, and there will be new North Greenwood CRA; she encouraged all to stay engaged and stay informed. She said she would like to discuss the proposed reductions for the park portion of Imagine Clearwater since \$1.3 million is being considered for the Memorial Causeway bridge lighting project. She would also like to schedule a discussion regarding sustainable buildings and what LEED certifications mean.*

*Councilmember Hamilton expressed concern over information not provided to Council as it related to a Land Use/Rezoning cast that was presented tonight. He recognized Council's Executive Assistant Patty Kuligowski who is retiring next week. He said he enjoyed working with her and looks forward to seeing her out in the community. He thanked her for everything she has done for all Council. He wished the Buccaneers good luck in the NFC Championship against Green Bay this weekend.*

*Councilmember Bunker said he has enjoyed working with Patty Kuligowski, she was a highlight of his day in the office. He said with all the turmoil over the last several weeks in the Country, there was a breathtaking tribute to the victims who lost their lives to COVID, it was a touching and moving event and a nice way to usher in a new way forward. He said he hopes we can all come together and make progress in the City and across the Country.*

### **13. Closing Comments by Mayor**

*Mayor Hibbard reviewed recent and upcoming events and said the Cleveland Street closures in the 400 and 500 blocks have been extended to April 16, 2021. He said the City has issued the RFP on the bluff properties and he described the request. He said pool lifeguards are being recruited. He said key events are being cancelled due to COVID, including the Sugar Sand and Sea Blues Festivals. He thanked the NAACP for their outstanding virtual Martin Luther King, Jr. Day celebration. He thanked Executive Assistant Patty Kuligowski for her years of service and said her job is not easy as she dealt with difficult citizens who are nasty on the phone with her. He said he hopes for more civility in the Country going forward. He said the Humane Society is breaking ground tomorrow on a new facility to help save animals in the County. He passed on his condolences to the family of Suzanne Ruley who lost her battle with COVID. He said her spirit was amazing and she always had a smile and positive attitude and always had a song in her heart and on her lips.*

### **14. Adjourn**

*The meeting adjourned at 9:02 p.m.*

Attest

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor  
City of Clearwater

# City Council on 2021-01-21 6:00 PM

Meeting Time: 01-21-21 18:00

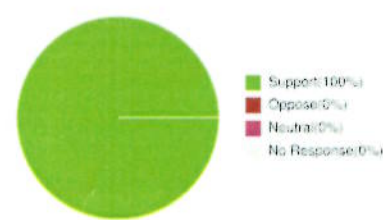
## eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
City Council on 2021-01-21 6:00 PM	01-21-21 18:00	52	1	1	0	0

### Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



## City Council on 2021-01-21 6:00 PM

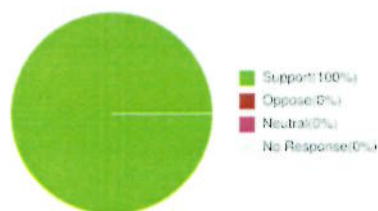
01-21-21 18:00

Agenda Name	Comments	Support	Oppose	Neutral
10.2 9435-21 Amend Clearwater Code of Ordinances Section 6.29, Alcoholic Beverages - Closing Hours, prohibiting the sale of alcoholic beverages by alcoholic beverage establishments between the hours of 1:00 a.m. to 8:00 a.m. in Clearwater Beach, Sand Key, and Island Estates and pass Ordinance 9435-21 on first reading.	1	1	0	0

### Sentiments for All Agenda Items

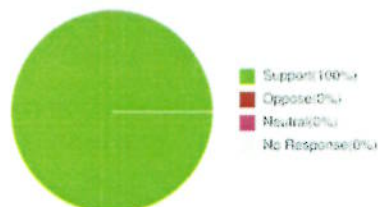
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

#### Overall Sentiment



Agenda Item: eComments for 10.2 9435-21 Amend Clearwater Code of Ordinances Section 6.29, Alcoholic Beverages - Closing Hours, prohibiting the sale of alcoholic beverages by alcoholic beverage establishments between the hours of 1:00 a.m. to 8:00 a.m. in Clearwater Beach, Sand Key, and Island Estates and pass Ordinance 9435-21 on first reading.

#### Overall Sentiment



### Jana Wiggins

Location:

Submitted At: 6:03pm 01-21-21

Hello, I live on Somerset St and Mandalay. Sadly the amount of noise coming from the Shipwreck Bar has quite the history. Residents and guests that live and stay in that area are continually awakened by the ongoing noise that comes from that business. There have been many complaints over the years and as a resident, I would like to be able to leave my windows open during nice weather. Not to mention that the bar promotes quite the variety of patrons that tend to wander the streets late into the night. For noise and safety purposes I would agree that stopping the alcohol consumption to at least 1 am. These types of places should never have been allowed in a residential neighborhood. Thank you. I can only imagine what happens near the other businesses serving alcohol later than 1 am. I support the change to 1 am.