

# City of Clearwater

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



## Meeting Minutes

Thursday, April 7, 2016

6:00 PM

Council Chambers

**City Council**

**Roll Call**

**Present:** 5 - Mayor George N. Cretekos, Councilmember Doreen Caudell, Councilmember Bob Cundiff, Councilmember Hoyt Hamilton and Councilmember Bill Jonson

**Also Present:** William B. Horne II – City Manager, Jill S. Silverboard – Assistant City Manager, Pamela K. Akin - City Attorney, and 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 – Fr. James Paris from Holy Trinity Greek Orthodox Church****3. Pledge of Allegiance – Councilmember Jay Polglaze****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 Farewell to Councilmember Jay Polglaze**

*Councilmembers thanked former Councilmember Polglaze for his dedication and service during his term on the City Council.*

*Vice Mayor Polglaze expressed appreciation to the City and Council. He said time was Council's friend and Council was blessed with a laundry list of opportunities. He reviewed several accomplishments and thanked his wife and family for their support.*

*The City Attorney described the Vice Mayor as energetic and robust. The City Manager said the Vice Mayor's passion for downtown will keep him involved going forward.*

*Frank Hibbard, Brian Aungst, Jr., Zack Thorn and David Loyd expressed their appreciation for Councilmember Polglaze's dedication.*

*Zev Buffman presented the Vice Mayor with a framed photo of the Capitol Theatre.*

*The Council recessed from 6:23 p.m. to 6:30 p.m.*

#### 4.2 Oath of Office to Mayor Cretekos and Councilmembers Caudell and Cundiff

*The City Clerk administered the Oath of Office to Mayor Cretekos and Councilmembers Caudell and Cundiff.*

#### 4.3 USCG Air Station Clearwater Awards

Petty Officer First Class Jose Ortiz (Enlisted Person of the Year)  
Chief Petty Officer Larry Peranto (Chief Petty Officer of the Year)  
Chief Warrant Officer Sean Cox (Officer of the Year)  
Lieutenant Commander J. D. Lentine (Department of the Year)

#### 4.4 Esophageal Cancer Awareness Month Proclamation, April 2016 - Stephanie Stutz, Legal Dept.

#### 4.5 Work Zone Safety Awareness Week Proclamation, April 11-15, 2016 - Chuck Lane, Risk Manager

#### 4.6 National Crime Victims' Rights Week Proclamation, April 10-16, 2016 - Yolanda Cowart, Springtime Club

### **5. Approval of Minutes**

#### 5.1 Approve the minutes of the March 17, 2016 City Council Meeting as submitted in written summation by the City Clerk.

**Councilmember Jonson moved to approve the minutes of the March 17, 2016 City Council Meeting 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**

*Martin Hughes supported regularly scheduled town hall style meetings to ensure meaningful interaction with citizen voters and opposed secret meetings, backroom deals, or bribes by the governing body.*

*Serge Baril expressed concerns with parking at Clearwater beach and suggested implementing additional advertising and signage for the water ferry. He recommended allowing parking along the causeway on really busy days.*

*Lena Basic expressed concerns with vehicular traffic and parking at Clearwater beach during Spring Break.*

## **7. Consent Agenda – Approved as submitted, less Item 7.5.**

- 7.1** Approve an annual blanket purchase order (contract) to Heath Consultants, Inc., in the annual amount of \$400,000, with the option for two, one-year term extensions to provide natural gas line locating services (ITB 15-16), and authorize the appropriate officials to execute same. (consent)
- 7.2** Approve a purchase order (contract) to Accela, Inc., San Ramon, CA for the period of April 1, 2016 through March 31, 2017 for software maintenance at a cost not to exceed \$105,268.11 in accordance with Sec. 2.564(1) (b) Code of Ordinances, sole source, and authorize the appropriate officials to execute same. (consent)
- 7.3** Approve a contract to Wannemacher Jensen Architects, Inc. (WJA), St. Petersburg, FL in the amount of \$97,718, which includes a 25% contingency, for architectural and engineering design services required to provide concept designs for the future development of Crest Lake Park, 201 Glenwood Ave and authorize the appropriate officials to execute same. (consent)
- 7.4** Approve the Florida Highway Beautification Council Grant (FHBCG) Landscape, Construction and Maintenance Memorandum of Agreement between the Florida Department of Transportation, District 7, and the City of Clearwater for the installation and maintenance of landscaped medians within the Missouri Avenue corridor (northern section) and authorize the appropriate officials to execute same. (consent)
- 7.5** Award a construction contract to David Nelson Construction Co. of Palm Harbor, Florida, for the Greenlea-Otten Neighborhood Traffic Calming, Roadway and Stormwater Improvements Project (10-0003-EN) in the amount of \$3,071,486.83, which is the lowest responsible bid received in accordance with plans and specifications, and authorize the appropriate officials to execute same. (consent)  
**See below.**
- 7.6** Approve Change Order 1 to Central Florida Contractors, Inc., of Seminole, Florida, for the 2015 Sidewalk Construction Project (14-0044-EN) in the amount of \$138,327.20; approve a time extension of 120 days for completion of additional work; and authorize the appropriate officials to execute same. (consent)

- 7.7 Approve General Utility Easements over the 400 Block of Cleveland Street, conveyed to the City by the Property Owner, and authorize the appropriate officials to execute same. (consent)
- 7.8 Approve a General Utility Easement over 1650 Elizabeth Lane, conveyed to the City by the Property Owner, and authorize the appropriate officials to execute same. (consent)
- 7.9 Authorize the City Manager to sign Hold Harmless/Indemnification Agreements with private property owners so that police and fire can conduct programs on the property, events pertaining to the health, safety and welfare of the public. (consent)

**Councilmember Caudell moved to approve the Consent Agenda as submitted, less Item 7.5, and authorize the appropriate officials to execute same. The motion was duly seconded and carried unanimously.**

- 7.5 Award a construction contract to David Nelson Construction Co. of Palm Harbor, Florida, for the Greenlea-Otten Neighborhood Traffic Calming, Roadway and Stormwater Improvements Project (10-0003-EN) in the amount of \$3,071,486.83, which is the lowest responsible bid received in accordance with plans and specifications, and authorize the appropriate officials to execute same. (consent)

This project involves construction of traffic calming features in the Greenlea-Otten Neighborhood envisioned by community residents at the Greenlea-Otten Traffic Calming Charrette and supported by a petition signed by owners of over 65% of the parcels in the project area.

The engineering plans were reviewed for faithfulness to their charrette vision by residents belonging to the Greenlea-Otten Tech Team at all project milestones. The Tech Team has kept the neighborhood informed about the project through personal contact.

Traffic calming features include single lane roundabouts, oval medians, speed tables, traffic separators, and landscaping. The project also includes stormwater improvements which consist of reconstruction of 1300 feet of roadway with a stormwater facility consisting of 1500 feet of storm pipes with sizes up to 24 inches per pipe.

Work will commence upon award and execution of the contract and will be completed within 435 calendar days.

Ongoing maintenance of the landscaping, roadway, and sidewalk elements of the project shall be provided by the Parks and Recreation Department. The landscaping was designed, with Parks Department input, for low maintenance. Street signage and pavement markings shall be maintained by the Traffic Operations Division. The stormwater system shall be maintained by Engineering's Stormwater Maintenance Division.

**APPROPRIATION CODE AND AMOUNT:**

0315-92276-563700-541-000-0000 \$ 2,589,738.53

0315-96169-563700-541-000-0000 \$ 481,748.30

Sufficient funds are available in capital improvement program projects in amounts of \$2,589,738.53 from 0315-92276, Traffic Calming Program and \$481,748.30 from 315-96169, Stevenson Creek to fund the contract.

*In response to questions, Senior Professional Engineer Himanshu Patni said the charettes were conducted in 2000. The project could be split into a stormwater project and a traffic calming project. Splitting the project would require a re-bid and would effect the current pricing based on the quantities and project overlap that currently exists. There are some serious stormwater issues and flooding in this area due to the flat grades and lack of stormwater facilities in most sections of the neighborhood. Mr. Patni said the department considered available grant opportunities; the grants were not pursued due to the costs associated with administering the grants. The project will be paid from the stormwater fees collected. Any problems associated with speeding would be addressed today with similar devices and treatments presented during the charettes.*

*A concern was expressed with the estimated total project cost; it was suggested that newer creative treatment methods should be considered.*

*Mr. Patni said initially, the speed tables shown in the design were oval medians. After further modeling, it was determined that in the north-south streets, speed tables would avoid additional ponding or flooding. The tech team has been the primary point of contact with the neighborhood, providing residents with updates as milestones are reached. The tech team is comprised of five individuals. There are approximately 500 homes with some type of traffic device along their street. There are some speed tables that were installed as part of the interim traffic calming program. The tech team believes the speed tables should remain and that additional tables should be installed at Murray Avenue. There are no tables on Linwood Drive. The traffic calming portion of the project is \$2.5 million; the overlap work is associated with the roadway work and stormwater improvements. If the projects were separated the stormwater project cost would increase. There have been some individuals who have opposed the roundabout.*

**Councilmember Hamilton moved to award a construction contract to David Nelson Construction Co. of Palm Harbor, Florida, for the Greenlea-Otten Neighborhood Traffic Calming, Roadway and Stormwater Improvements Project (10-0003-EN) in the amount of \$3,071,486.83, which is the lowest responsible bid received in accordance with plans and specifications, and authorize the appropriate officials to execute same. The motion was duly seconded and upon the vote being taken:**

**Ayes:** 4 - Mayor Cretkos, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

**Nays:** 1 - Councilmember Caudell

**Motion carried.**

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

#### **8. Administrative Public Hearings – None.**

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

**9.1** Adopt Ordinance 8789-16 on second reading, annexing certain real property located on the west side of McMullen Booth Road approximately 1,054 feet south of East Enterprise Road, which parcel is currently unaddressed, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Item withdrawn. No action taken.**

**9.2** Adopt Ordinance 8790-16 on second reading, annexing certain real property whose post office address is 2425 McMullen Booth Road, Clearwater, Florida 33759, together with certain abutting right-of-way of McMullen Booth Road, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Item withdrawn. No action taken.**

**9.3** Adopt Ordinance 8828-16 on second reading, annexing certain real property whose post office address is 3128 Johns Parkway, Clearwater, Florida 33759 together with all right-of-way of Johns Parkway abutting Lot 2 of Johns Parkway Subdivision, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 8828-16 was presented and read by title only.**

**Councilmember Cundiff moved to adopt Ordinance 8828-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

- 9.4** Adopt Ordinance 8829-16 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 3128 Johns Parkway, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Urban (RU).

**Ordinance 8829-16 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8829-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

- 9.5** Adopt Ordinance 8830-16 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 3128 Johns Parkway, Clearwater, Florida 33759, upon annexation into the City of Clearwater as Low Medium Density Residential (LMDR).

**Ordinance 8830-16 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8830-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

- 9.6** Adopt Ordinance 8839-16 on second reading, annexing certain real property whose post office address is 2823 St. John Drive, Clearwater, Florida 33759, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 8839-16 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 8839-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff,

Councilmember Hamilton, and Councilmember Jonson

- 9.7** Adopt Ordinance 8840-16 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 2823 St. John Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater, as Residential Low (RL).

**Ordinance 8840-16 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 8840-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

- 9.8** Adopt Ordinance 8841-16 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office address is 2823 St. John Drive, Clearwater, Florida 33759, upon annexation into the City of Clearwater as Low Medium Density Residential (LMDR).

**Ordinance 8841-16 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8841-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

- 9.9** Adopt Ordinance 8842-16 on second reading, annexing certain real properties whose post office addresses are 2124 and 2125 Bell Cheer Drive and 2143 and 2147 Pleasant Parkway, all within Clearwater, Florida 33764, together with certain right-of-way of Bell Cheer Drive and all right-of-way of Pleasant Parkway, into the corporate limits of the city and redefining the boundary lines of the city to include said addition.

**Ordinance 8842-16 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8842-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff,

Councilmember Hamilton, and Councilmember Jonson

**9.10** Adopt Ordinance 8843-16 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 addresses are 2124 and 2125 Bell Cheer Drive and 2143 and 2147 Pleasant Parkway, all within Clearwater, Florida 33764, upon annexation into the City of Clearwater, as Residential Low (RL) and Preservation (P).

**Ordinance 8843-16 was presented and read by title only. Councilmember Caudell moved to adopt Ordinance 8843-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

**9.11** Adopt Ordinance 8844-16 on second reading, amending the Zoning Atlas of the city by zoning certain real property whose post office addresses are 2124 and 2125 Bell Cheer Drive and 2143 and 2147 Pleasant Parkway, all within Clearwater, Florida 33764, upon annexation into the City of Clearwater as Low Medium Density Residential (LMDR).

**Ordinance 8844-16 was presented and read by title only. Councilmember Cundiff moved to adopt Ordinance 8844-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

**9.12** Adopt Ordinance 8883-16 on second reading, amending the Operating Budget for the Fiscal Year ending September 30, 2016 to reflect increases and decreases in revenues and expenditures for the General Fund, Special Development Fund, Special Program Fund, Solid Waste and Recycling Fund, Marine Fund, and Parking Fund.

**Ordinance 8883-16 was presented and read by title only. Councilmember Hamilton moved to adopt Ordinance 8883-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretekos, Councilmember Caudell, Councilmember Cundiff,

Councilmember Hamilton, and Councilmember Jonson

- 9.13** Adopt Ordinance 8884-16 on second reading, amending the Capital Improvement Budget for the Fiscal Year ending September 30, 2016 to reflect a net increase of \$3,380,879.

**Ordinance 8884-16 was presented and read by title only. Councilmember Jonson moved to adopt Ordinance 8884-16 on second and final reading. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

## **10. City Manager Reports**

- 10.1** Approve the District Seven Highway Landscape Reimbursement and Maintenance Memorandum of Agreement between the Florida Department of Transportation and the City of Clearwater for the installation and maintenance of landscaped medians within the Missouri Avenue corridor (southern section), authorize the City Manager to execute all documents related to the agreement, and adopt Resolution 16-09.

The Florida Department of Transportation has notified the City of the award of up to \$99,500 to assist in the development of landscape medians in the Missouri Avenue corridor from Kingsley Street south to Bayview Drive through the Highway Landscape program.

The Resource Committee approved applying for the grant at their August 5, 2015 meeting. This project was brought to the City Council for guidance for project submission at the August 20, 2015 meeting. This project was not funded through the initial funding proposed through the 2015/16 Florida Highway Beautification Council Grant (FHBCG), but received award through the FDOT District 7 reimbursement program.

The award will fund up to \$99,500 for the design, purchase, installation and establishment of plant materials for the 5 medians in the project area. Although matching is not required by the instrument, the reimbursement will not fund irrigation, which will be provided in the project.

This section consists of 5 medians, and is estimated to cost approximately \$157,275 or \$31,455 per median.

The agreement is for a period of 10 years, with renewal options. If the City terminates the agreement, the City will be responsible for the removal of the project.

**APPROPRIATION CODE AND AMOUNT:**

The City's match was provided by a FY14-15 third quarter budget amendment allocating General Fund reserves in the amount of \$190,000 to Capital Improvement Project 315-93322, Missouri Avenue Median Beautification.

**Councilmember Caudell moved to approve the District Seven Highway Landscape Reimbursement and Maintenance Memorandum of Agreement between the Florida Department of Transportation and the City of Clearwater for the installation and maintenance of landscaped medians within the Missouri Avenue corridor (southern section), authorize the City Manager to execute all documents related to the agreement. The motion was duly seconded and carried unanimously.**

**Resolution 16-09 was presented and read by title only. Councilmember Caudell moved to adopt Resolution 16-09. The motion was duly seconded and upon roll call, the vote was:**

**Ayes: 5** - Mayor Cretkos, Councilmember Caudell, Councilmember Cundiff, Councilmember Hamilton, and Councilmember Jonson

**10.2 Elect Vice Mayor**

The Charter requires, at the first meeting in April, the Council to appoint one of its members as Vice-Mayor.

**Councilmember Hamilton moved to elect Councilmember Jonson to serve as the Vice Mayor. The motion was duly seconded and carried unanimously.**

*The City Manager said a confirmed EF-0 tornado moved through the City this morning with winds reaching 76 mph. 15 structures were effected in the area of McMullen Booth Road and Drew Street. He said those that received the weather alert found it helpful and the notification framework that is being perfected does have some effect.*

**11. City Attorney Reports – None.****12. Other Council Action – None.**

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

*Councilmember Caudell cautioned the public regarding hiring unlicensed general contractors and arborists. She encouraged all to visit the Department of Professional Regulations website to verify a licensed contractor. She reported that Senator Latvala was able to secure \$500,000 for the Clearwater Historical Society and encouraged St. Petersburg College and local schools to support the historical society.*

*Vice Mayor Jonson thanked Council for the election to Vice Mayor. He congratulated the Mayor and Councilmember Caudell for their re-election and said he looked forward to working with Councilmember Cundiff. He said he is optimistic about the ability of Council to serve and respond to citizens.*

*Councilmember Hamilton recognized the passing of Dan Carlisle and Dick Jacobson. They were instrumental and contributed to local charities and organizations. Clearwater is a better place because of them.*

*Councilmember Cundiff thanked Council and staff for their help during his first week. He thanked all who wished him well during this transition. He said one of his goals is to be a voice for Clearwater, to listen to residents and learn new ideas.*

**14. Closing Comments by Mayor**

*Mayor Cretokos reviewed recent and upcoming events, welcomed Dr. Cundiff to the City Council, and said the Clearwater City Council is an open government body that operates in the Sunshine and does not participate in backroom deals or bribes as alluded earlier.*

**15. Adjourn**

*The meeting adjourned at 7:56 p.m.*

Attest

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Mayor  
City of Clearwater

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City Clerk