

**BUSINESS MINUTES
SEMINOLE CITY COUNCIL
December 12, 2017**

The Business Meeting of the Seminole City Council was held on Tuesday, December 12, 2017, at 6:00 p.m., in City Hall, City Council Chambers, 9199 - 113th Street North, Seminole, Florida.

Mayor Waters called the meeting to order at 6:00 p.m.

Councilor Quinn provided the invocation and the Pledge of Allegiance.

ROLL CALL:

Present were: Mayor Leslie Waters, Vice Mayor Roger Edelman, Councilor Trish Springer, Councilor James Quinn, Councilor Chris Burke, Councilor Thom Barnhorn, Councilor Bob Matthews, City Manager Ann Toney-Deal, City Attorney Jay Daigneault and City Clerk Patty Beliveau.

INTRODUCTIONS AND PRESENTATIONS:

- Proclamation – “Macedonian Delegation Day”
Mayor Leslie Waters presented the Macedonian Delegation Day Proclamation.
- Citizen CPR Recognition
Assistant Fire Chief Bill Morelli recognized local citizens, Emergency Medical Services (EMS) Sunstar Paramedics and Seminole Fire Rescue for providing aid and administering Cardio Pulmonary Resuscitation (CPR) to a citizen.

1. PUBLIC COMMENTS:

Reverend Tom Anastasia – address 9154 86th Avenue, Seminole, Florida 33777, support in support of Ordinance No. 12-2017, amending the Comprehensive Plan Future Land Use map for affordable housing on 9575 Seminole Boulevard.

Mary Ann Kirk – address 8075 112th Street North, Seminole, Florida 33772, explained concerns from the Seminole Garden Apartments residents regarding the noise level during the early and late hours from Seminole City Center businesses.

2. CONSENT AGENDA

Mayor Waters stated the Consent Agenda contains normal, routine business items that are very likely to be approved by the City Council. The items are not discussed, and may all be approved in a single motion. A Council Member may ask that an item be removed from the

Consent Agenda for discussion. Items removed will be discussed and action taken following the adoption of the Consent Agenda.

2.A. BUSINESS MEETING MINUTES; NOVEMBER 28, 2017

2.B. CONSIDER APPROVAL AND AUTHORIZATION BY THE CITY MANAGER FOR THE 2018 & 2019 POW WOW FESTIVAL WITH ARNOLD AMUSEMENTS FOR THE PROVISION OF A CARNIVAL MIDWAY. THE POW WOW FESTIVAL WILL BE HELD ON MARCH 9-11, 2018 AND MARCH 8-10, 2019.

2.C. CONSIDER THE RE-APPOINTMENT OF MRS. NORA CUSAMANO TO THE RECREATION ADVISORY BOARD FOR A TWO (2) YEAR TERM TO EXPIRE NOVEMBER 30, 2019.

2.D. CONSIDER THE RE-APPOINTMENT OF MR. BOB LIMA TO THE RECREATION ADVISORY BOARD FOR A TWO (2) YEAR TERM TO EXPIRE NOVEMBER 30, 2019.

2.E. CONSIDER THE RE-APPOINTMENT OF MR. JOHN MOSELEY TO THE RECREATION ADVISORY BOARD FOR A TWO (2) YEAR TERM TO EXPIRE DECEMBER 30, 2019.

2.F. CONSIDER THE RE-APPOINTMENT OF MR. KEN SWIERENGA TO THE RECREATION ADVISORY BOARD FOR A TWO (2) YEAR TERM TO EXPIRE DECEMBER 30, 2019.

2.G. CONSIDER THE RE-APPOINTMENT OF MISS JOHNETTE WILLIAMS TO THE RECREATION ADVISORY BOARD FOR A TWO (2) YEAR TERM TO EXPIRE DECEMBER 30, 2019.

2.H. CONSIDER APPROVAL AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH PINELLAS COUNTY FOR JOINT CONTROL OF POLLUTANTS WITHIN PINELLAS COUNTY IN ACCORDANCE WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM.

Motion made by Councilor Matthews seconded by Councilor Springer to approve the consent agenda.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

3. ACTION ITEMS

3.A. CONDUCT A PUBLIC HEARING. CONSIDER ON FIRST READING ORDINANCE NO. 12-2017 REGARDING AN AMENDMENT TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE PROPERTY LOCATED AT 9575 SEMINOLE BOULEVARD (CASE LU/Z 2017- 2).

City Clerk Beliveau read Ordinance No. 12-2017 and Ordinance No. 14-2017 by title only. Mayor Waters recognized City Attorney Daigneault to discuss the ex-parte communication.

City Attorney Daigneault asked Council to disclose any ex-parte communication regarding the Action Item 3A and 3B. Vice Mayor Edelman, Councilor Matthews, and Councilor Quinn explained that each of them met with the developer's representatives and that the information they were presented will not impair their ability to review and/or assess the material being presented. City Attorney Daigneault swore-in all potential speakers.

Community Development Director Ely explained that a copy of the Staff Report, Attachments, Figures, the Applicant's Land Planning Report, and the Verbatim transcript of October 17th Developmental Review Board meeting has been filed with the City Clerk as part of the record for this meeting.

Director Ely stated that Pinellas County Housing Authority (PCHA) owns the property at 9575 Seminole Boulevard and is requesting that the City's Comprehensive Plan's Future Land Use Map be changed from Residential Low Medium (ten units per acre) to Residential Medium (fifteen units per acre). PCHA is also requesting changes to the Zoning Map, from Residential Medium - 10, to Residential Medium - 15 for the purpose of development of an affordable housing complex.

Director Ely stated if Council approves the requested density increase from 65 units to 87 units, that there will be no concurrency impact on public facilities, such as water, sewer or mass transit.

Director Ely stated that on October 16, 2017, the City's Development Review Board (DRB) held a public hearing and following the public hearing voted 5-0 to find the PCHA's request to amend the Future Land Use Map amendment to be inconsistent with the City's Comprehensive Plan. Staff is recommending denial of Ordinance No. 12-2017.

Dale Johnson, Director of Development & Construction for Primerica Group I – address 3629 Madaca Lane, Tampa, Florida 33618, stated that Primerica Group I and Norstar USA have partnered with the Pinellas County Housing Authority to develop an Affordable Housing development in the Seminole area. Ms. Johnson explained presented their "Request for Rezoning and Future Land Use Amendment."

Brain Evjen, Development Director for Norstar USA – address 3629 Madaca Lane, Tampa, Florida 66318, explained the history and specifics of the proposal. Mr. Evjen also noted the plan to build 87 units which will be deed restricted for individuals age 62 and above.

Attorney Mark Bentley for Norstar USA – address 401 East Jackson Street, Tampa, Florida 33602, represents the Pinellas County Housing Authority and discussed the City's Comprehensive Plan Future Land Use Map. Attorney Bentley shared information and expressed the position that the proposed density increase and the proposed Future Land Use Map designation of Residential Medium is compatible with the existing development pattern, existing densities, and Future Land Use categories near the subject amendment site and along the east side of Seminole Blvd.

Mayor Waters opened the Public Hearing.

Dan Hester – address 10050 Bayou Grande Avenue, Seminole, Florida 33772, spoke in opposition to the request to amend the City's Comprehensive Plan Future Land Use Map. City Attorney Daigneault swore-in Mr. Ed Neuhaus and Mr. Glen Schultz who were not previously sworn-in.

Ed Neuhaus – address 10564 94th Place North, Seminole, Florida 33773, spoke in opposition to the request to amend the City's Comprehensive Plan Future Land Use Map.

Glen Schultz – address 10561 94th Place, Seminole, Florida 33772, spoke in opposition to the Pinellas County Housing Authority proposal to amend the City's Comprehensive Plan Future Land Use Map.

Rick Borth – address 10580 94th Place, Seminole, Florida 33772 spoke in opposition to the request to amend the city's Comprehensive Plan Future Land Use Map.

REBUTTAL:

Attorney Bentley discussed the proposed property site plan and explained the proximity of the three-story building and the location of the retention pond.

Mayor closed the Public Hearing.

Debbie Johnson, Executive Director of the Pinellas County Housing Authority, stated they currently have the ability to place 65 apartments on the property and are requesting 22 additional units. The additional units will allow for the provision of more units at a more affordable rental rate.

Councilor Burke inquired: what guarantees does the city have that the development would remain housing for senior residents only; rental cost differential between the 65 units verses the 87 units, income level for potential residents, and is the property for sale?

Attorney Bentley stated an extended use agreement would be executed that would state the specific project restrictions and conditions to constrain the property for 30 years.

Debbie Johnson stated that the resident's monthly income will not be taken into consideration of their assets however; it will take into account the income from the assets. Also, the 9575 Seminole Boulevard property is for sale.

Councilor Barnhorn inquired about the rental cost for housing. Mr. Evjen stated the rental levels are established by the Florida Housing Finance Corporation annually and generally they will change with the cost of living index.

Attorney Daigneault summarized the discussion of Action Item No. 3A and 3B and what the Council should consider when voting on this matter.

Motion made by Councilor Burke seconded by Councilor Barnhorn to deny Ordinance No. 12-2017.

Roll Call

Councilor Springer	AYE	
Councilor Quinn	AYE	
Councilor Burke	AYE	
Vice Mayor Edelman		NAY
Councilor Barnhorn	AYE	
Councilor Matthews		NAY
Mayor Waters	AYE	

MOTION PASSED – 5 AYE and 2 NAY TO DENY ORDINANCE NO. 12-2017.

3.B. CONDUCT A QUASI-JUDICIAL PUBLIC HEARING. CONSIDER ON FIRST READING ORDINANCE NO. 14-2017 REGARDING AN AMENDMENT TO THE OFFICIAL ZONING MAP FOR THE PROPERTY LOCATED AT 9575 SEMINOLE BOULEVARD (CASE LU/Z 2017- 2).

Motion made by Councilor Burke seconded by Councilor Quinn to deny Ordinance No. 14-2017

Roll Call

Councilor Springer	AYE	
Councilor Quinn	AYE	
Councilor Burke	AYE	
Vice Mayor Edelman		NAY
Councilor Barnhorn	AYE	
Councilor Matthews		NAY
Mayor Waters	AYE	

MOTION PASSED – 5 AYE and 2 NAY TO DENY ORDINANCE NO. 14-2017.

3.C. CONSIDER APPROVAL AND AUTHORIZE THE CITY MANAGER TO EXPEND CAPITAL IMPROVEMENT PROJECT (CIP) FUNDS FOR FY18 ROADWAY RESURFACING.

City Manager Toney-Deal explained that Council approved the Fiscal Year (FY)2018 Capital Improvement Project (CIP) budget for the street resurfacing of 84th Avenue, 106th Avenue, 106th Court, 108th Avenue, 108th Court, 108th Street, 108th Way, 109th Court, 109th Street, 109th Way, 110th Terrace, 111th Terrace, 112th Avenue, 117th Lane, 117th Street, 117th Way and 118th Street. Staff request Council's approval to expend funds for the 2018 resurfacing program.

Motion made by Councilor Quinn seconded by Councilor Matthews to authorize the City Manager to utilize Polk County Bid # 15-601 and expend Penny for Pinellas Street

Resurfacing CIP funds in the amount of \$139,987.55 to contract with Asphalt Paving Systems, Inc. to resurface and restripe the roadways identified in the 2018 resurfacing program.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

3.D. CONSIDER APPROVAL AND AUTHORIZE THE CITY MANAGER TO EXPEND CAPITAL IMPROVEMENT PROJECT (CIP) FUNDS FOR THE REHABILITATION OF STORMWATER CONVEYANCE PIPES.

City Manager Toney-Deal explained that Council approved the Fiscal Year (FY)2018 Capital Improvement Project (CIP) budget for the rehabilitation of stormwater pipes which convey drainage from 91st Street to 76th Avenue and 78th Avenue to 78th Place. Staff request Council's approval to expend funds for the rehabilitation of the stormwater pipes project.

Motion made by Councilor Springer seconded by Councilor Burke to authorize the City Manager to expend CIP funding in the amount of \$149,524, to contract with Layne Inliner, LLC to rehabilitate the identified stormwater conveyance pipes utilizing Polk County contract bid # 17-326.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

4. CITY COUNCIL REPORTS

Motion made by Vice Mayor Edelman seconded by Councilor Springer to defer City Council Reports to the next business meeting.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

5. CITY MANAGER REPORT

City Manager Toney-Deal will defer City Manager Report to the next business meeting (Items 5A, 5B, 5C and 5D).

Reminder - Winterfest Tree Lighting will be at 6:30 p.m. on Saturday, December 16th.

Motion made by Vice Mayor Edelman seconded by Councilor Burke to close city hall on Friday, December 15th from 12 p.m. to 1 p.m. for an Employee Holiday Luncheon.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

Motion made by Councilor Matthews seconded by Vice Mayor Edelman to place a temporary moratorium of Section 62-36 Land Use Regulations (Reforestation) on the enforcement of the wording "within designated area of the property" until Council can discuss at a later time.

MOTION PASSED 5 AYE and 2 NAY (COUNCILOR BARNHORN AND COUNCILOR BURKE).

6. OLD BUSINESS

~none~

7. NEW BUSINESS

Mayor Waters advised that the Firefighters will be collecting toys for the Saint Vincent de Paul CARES Homeless Shelter by hosting "Fill the Fire Boat" on Saturday, December 16th from 9 a.m. to 5 p.m. at the Bay Pines Walmart.

Councilor Matthews distributed literature on the Tampa Bay Region Post Hurricane Irma Report.

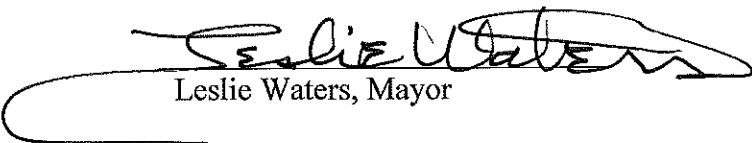
8. CONSIDER A MOTION FOR ADJOURNMENT

Council consensus to adjourn the meeting at 8:55 p.m.

ALL IN FAVOR. MOTION PASSED UNANIMOUSLY

Date Approved: 1/9/18

Patricia Beliveau
Minutes prepared by City Clerk
Patricia Beliveau


Leslie Waters, Mayor