

**TOWN OF ST. LEO
COMMISSION MEETING
April 13, 2015
7:00 PM**

OPENING Mayor Christmas

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor ProTem Hallett

ROLL CALL Donna DeWitt, O.S.B. – Commissioner
Gregory P. Smith - Commissioner
Richard H. Christmas – Mayor
James Hallett, O.S.B. - Mayor Pro Tem
C. Arnold Curington – Commissioner

STAFF Joan Miller, MMC - Town Clerk
Patricia Petruff, Esquire
Jan Norsoph, Planner

GUESTS James Adcock
David Parrish
William Hamilton
Doug Torres
Noemi Torres
Luckson Abraham – Saint Leo University
Saint Leo University fraternity student guest
Deputy John Windsor – Pasco County Sheriff Office
Lieutenant Strube – Pasco County Sheriff Office

MINUTES **MOTION: TO APPROVE MINUTES OF THE MARCH 09, 2015 COMMISSION MEETING.**
MOTION: Commissioner Hallett
SECOND: Commissioner Smith
Discussion.
VOTE: Unanimous for Approval, 5/0

EXPENSE AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED APRIL 13, 2015.

MOTION: Commissioner Curington

SECOND: Commissioner Smith

Discussion. The commission requested the Town Clerk to renew the next two Certificates of Deposits that mature, each for a period of twelve months.

VOTE: Unanimous for Approval, 5/0

PUBLIC COMMENT – none

MAYORS REPORT

AUDIT Judd Baggett of Baggett Reutimann & Associates CPAs PA, presented the Annual Town Independent Audit Report for the year ended September 30, 2014. Mr. Baggett reviewed the Financial Statements with the commission, section by section, and stated that there were no deficiencies, remarks or irregularities to report.

MOTION: TO ADOPT THE GENERAL PURPOSE FINANCIAL STATEMENTS YEAR ENDING SEPTEMBER 30, 2014 AS DELIVERED BY JUDD BAGGETT.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Curington

Discussion.

VOTE: Unanimous for Approval, 5/0

MAYOR'S REPORT

Resolution 15-02 Intent to join National Flood Insurance Program

Clerk Miller read Resolution 15-02 by title only.

Mayor Christmas explained that by adoption of this resolution, residents that may live in a flood zone are eligible to obtain flood insurance through the National Flood Insurance Program.

MOTION: TO APPROVE RESOLUTION 15-02 LETTER OF INTENT BY THE TOWN OF ST. LEO TO JOIN THE NATIONAL FLOOD INSURANCE PROGRAM.

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Hallett

Discussion.

VOTE: Unanimous for Approval, 5/0

Pompanic Street Maintained Right-of-Way Map

The Pompanic Street Maintained Right-of-Way Map was received by the Town and signed by both the Mayor and Town Clerk. The map will be filed with Pasco County once a mylar copy has been acquired.

Pompanic Street Interlocal Agreement

Attorney Petrucci reported that San Antonio Attorney Gerald Buhr said that he hadn't received feedback from the City of San Antonio regarding the Interlocal agreement. This good faith agreement originates from the Settlement and Road Improvement Agreement. Although the agreement was signed in January, the lawsuit has not been dismissed by the City of San Antonio.

Lemon Street

DC Johnson completed the Lemon Street right-of-way survey. This survey was requested to determine the maintained right-of-way and the exact placement of the proposed apron as discussed in December of 2014. Due to increased commercial traffic and camphor tree roots, the road requires repair.

The survey indicates that the street is on an angle from the northeast to the southwest. The question arose as to whether the street should be made perpendicular to SR 52 before it is repaired. All agreed that the camphor tree located on the west side in the right-of-way should be removed and the stump ground.

Additional comments included whether the entire road or just the west side of the street should be the focus of adding asphalt improvements. Planner Norsoph stated that since we are not adding lanes and only upgrading the quality of the existing road, a stormwater pond would not be required if the entire road was moved.

There is concern because residents on the east side of the road have landscaping in the Town right-of-way. Clerk Miller was directed to have two twelve foot lanes in the center of the 50 right-of-way staked in order to give a visual concept of how a new road would look. The survey also shows power poles that would also have to be moved. James Adcock (TECO) will find out who would be financially responsible for that work.

Attorney Petruff suggested that a letter should be sent to Lemon Street residents saying that the Town is not adverse to landscaping in the right-of-way, however the residents must acknowledge that the right-of-way is owned by the Town and the Town can change it as necessary. A discussion included the concept of right-of-way permits. Right-of-way use permits come with an acknowledgement that the Town maintains the right-of-way. For our purposes, a letter should be written to property owners on other streets placing them on notice, that landscaping within platted right-of-ways is subject to removal without reimbursement by the Town.

Proclamation 15-06, April 2015, Water Conservation Month

April is often considered “Water Conservation Month”, which is also when water demands are most acute. Everyone is called upon to help protect this precious resource.

Proclamation 15-07, Donate Life Month

April is proclaimed “Donate Life Month”, encouraging all residents to consider giving life through organ donation and to sign up on Florida’s organ and tissue donor registry.

Mirada Project (formerly known as Cannon Ranch) Phase 1 and Phase II

Pasco County asked the Town to comment on Mirada Phase I and II development projects. The major concerns expressed this evening involve the impact of increased transportation on local roads. The Town Clerk will create a letter that includes the input of comments on the proposed new development.

Appreciation to Andrea Calvert

Mayor Christmas apologized for not giving appreciation sooner to Andrea Calvert for all her diligence to organize the community fair booth. Christmas said that the booth was very nice and that Andrea worked hard create the display.

COMMISSIONER’S REPORT

Senate Bill 1216C1 – Connected Corridors Pasco County

James Adcock (TECO) shared Senate Bill 1216C1 with the Town. Senator Simpson filed this bill which appears to be tied into transportation and high technology jobs. This bill may give special opportunity for developers in the Mirada project discussed earlier, such as including exempting the development of regional impact (DRI) process and allowing creation of Community Development Districts (CDDs). Clerk Miller will obtain a summary of the bill to give to the commissioners.

ATTORNEY’S REPORT

Interlocal Agreement with San Antonio for Water Service

An addendum was received to the 2010 Interlocal Agreement. The purpose is to authorize connection of the Plant Operations Building. The City is only authorizing service for a two year time frame. The City wanted the University to loop the water line and Saint Leo University may not want to spend the funds to do this. Attorney Petruff advised the Town to not sign the agreement until Saint Leo University and the City of San Antonio resolve their differences.

Some of the language appears to be inconsistent and requires clarification. This Agreement will likely be on the May agenda.

Legislative updates

Attorney Petruff mentioned House and Senate bills that will continue to be watched to see if and how they may have an effect on the Town.

PLANNER'S REPORT

A Cup of Organic

Doug Torres said that he would like to stay in the Town and would hopefully agree to requirements made by the Town. Planner Norsoph suggested that one option for the Commissioners is to extend the current Temporary Use Permit until June of 2016. Torres agreed to a timeframe for when certain landscaping, parking and paving and new signage to be completed. Attorney Petruff suggested that if this idea was acceptable to the Town Commission, a Resolution should be approved during the May Commission meeting.

The Comprehensive Plan Workshop - Postponed from tonight until the May 11, 2015 meeting.

Temporary Use Permit Requests

Saint Leo University Moonlight Breakfast – This event will be held on April 22nd .

Saint Leo University Kappa Alpha Psi Scholarship Celebration – This event is planned for Wednesday, April 15th, an alternative day was approved in case of inclement weather.

Both applicants assured the Town that the noise ordinance would be respected and the Commission approved each event.

GIS Mapping of Town Boundary

Several years ago the Town worked on correcting boundary maps to reflect the Town Charter, however it is apparent by the Pasco County Property Appraisers Office website that the changes were not recorded. Attorney Petruff suggested that they be notified again and asked that that their maps and tax bills are corrected prior to the next tax cycle. It may be possible that property owners can ask for and receive a refund of taxes retroactively for up to four years. Although some liability exists, the Town does not proactively have a duty to refund property owners but should acknowledge that refunds may be required.

An official letter will be written to Holy Name Monastery and Saint Leo Abbey to advise them that they are paying taxes yet are outside of the Town and that they must annex if it is their wish. Mr. Sanders will be notified that he is in the Town and he should plan to pay taxes next year. The Property Appraiser will be notified that with the exception of a small piece, the balance of the Iafrate property is not within the Town. Attorney Petruff will write the necessary correspondence.

Pasco County will assist the Town by creating a GIS map of the municipal boundaries once corrected.

Saint Leo University Plant Operations

Samples of the exterior colors of the new Plant Operations building were provided for review and are acceptable to the Town.

CLERK'S REPORT

Ethics Training – Clerk Miller provided a handout regarding up and coming Ethics Training dates and locations.

Security System Grant

The matching grant application was sent to the Florida Municipal Insurance Trust for a new building security system.

OLD BUSINESS - none

NEW BUSINESS

Open Commission Seat

Mayor Christmas spoke to Curtis Dwyer who is interested in occupying Commission Seat #4. Curtis lives at 12950 Christmas Drive in a house owned by Jimmy Sutton.

Pasco County Sheriff Office

Deputy Merwin is back into service after his recent illness.

ADJOURNMENT

MOTION: TO ADJOURN THE MEETING AT 8:49 P.M.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 5/0

Joan Miller, MMC