

**TOWN OF ST. LEO**  
**COMMISSION MEETING AND EXECUTIVE SESSION**  
**December 8, 2014**  
**7:00 PM**

**OPENING** Mayor Richard Christmas

**INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Richard Christmas

**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  
Robert Knight, Special Counsel

**GUESTS** Barbara Berberich  
Dennis Berberich – San Antonio Commissioner  
Roy Pierce – San Antonio Commissioner  
David Parrish  
Lynn Timmons  
Edward Timmons  
Deputy John Windsor – Pasco County Sheriff Office  
Lieutenant Strube  
Joel Tew, SLU Attorney  
Deborah Gillars  
Geoff Fox – Tampa Tribune

**MAYOR CHRISTMAS REQUESTED TO AMEND THE ORDER OF AGENDA AND ALLOW ATTORNEY JOEL TEW TO ADDRESS THE COMMISSION. THE COMMISSION APPROVED.**

**REQUEST TO SPEAK**

Joel Tew spoke to the Commission at the request of Saint Leo University President Dr. Kirk. He said that Saint Leo University has been considering a complete reconstruction from SR 52 to McMullen intersection to include the full 24 foot road width. He communicated with Mayor Newlon and Attorney Bolves encouraging them to participate as joint participants. Saint Leo University has prepared a preliminary road design with permitting costs to determine that what else would be required and what the financial expense would be. He said that the University had WRA Engineering prepare a written conceptual agreement. Under existing approval the University is not required to upgrade Pompano until a second west campus project is brought forward, however, the University has decided to move forward with the upgrade as soon as it has been engineered and permits issued. He then asked the Town to approve the conceptual agreement.

Mr. Lincoln asked Joel Tew what his understanding is of the position of the City of San Antonio regarding the conceptual agreement. Tew said that he had permission to represent San Antonio Attorney Bolves and Mayor Newlon in saying that they were officially recommending approval as drafted and based on preliminary sessions would have commission approval of it also. Tew said the agreement with Bolves confirms that Saint Leo University could proceed with the issuance of permits (including SWFWMD) to allow the site work to begin prior to delivery of the building. Once San Antonio, St. Leo and the University agree, the University will start vertical construction of the Plant Operations building. If there is no agreement between the three parties then the University will request court approval to build.

Petruff said that the WRA Engineering conceptual plan did not use the existing platted right of way to the west right of way line, and the right of way impact to the Town is unreasonable as shown.

#### Executive Meeting

Pursuant to Section 286.011(8)(d), Florida Statutes, the Town Commission wishes to hold an Attorney-Client Session for the purposes set forth in the statute as requested by the Town Attorney to discuss: City of San Antonio, Florida vs. Town of St. Leo, Florida, case number 51-2014 CA3295ES (filed September 5, 2014 in Pasco County).

Mayor Christmas announced that the attendees of the meeting are: Mayor Richard Christmas, Donna DeWitt OSB, Gregory P. Smith, James Hallett OSB, Arnold Curington, Town Attorney Patricia Petruff and Special Counsel Robert Lincoln. Upon its conclusion, the meeting will be reopened, and the termination of the “attorney client session”, will be announced. A certified court reporter will be present to take minutes. Hearing no objection to having an Executive Session, at 7:25 PM, the Town Clerk and citizens left the room.

Mayor Christmas commenced the Executive Session.

The General Session reconvened at 8:35PM. Mayor Christmas stated that the Executive Session was terminated at 8:32PM.

#### MINUTES

#### **MOTION: TO APPROVE MINUTES OF THE COMMISSION MEETING HELD ON NOVEMBER 10, 2014.**

**MOTION:** Commissioner Curington

**SECOND:** Commissioner Hallett

Discussion.

**VOTE:** Unanimous for Approval, 5/0

**EXPENSES AND BUDGET REVIEW**

**MOTION: TO ACCEPT FINANCIAL REPORT DATED  
DECEMBER 8, 2014.**

**MOTION:** Commissioner Hallett

**SECOND:** Commissioner Smith

Discussion.

**VOTE:** Unanimous for Approval, 5/0

**PUBLIC COMMENT** – None

**MAYOR'S REPORT**

Zephyr Stripe 'N Seal

A quote for sealcoating Fire Lane, Wichers Road and Christmas Drive totaling \$7,285.00 was reviewed.

**MOTION: TO APPROVE THE EXPENDITURE OF \$7,285.00 TO  
SEALCOAT EXISTING PAVEMENT ON WICHERS ROAD,  
CHRISTMAS DRIVE AND FIRE LANE, WITH 2 COATS OF BARSPRAY  
COLD TAR SEALER WITH SAND & LATEX WHICH INCLUDES A 12  
MONTH WARRANTY.**

**MOTION BY:** Commissioner Hallett

**SECOND BY:** Commissioner Curington

Discussion.

**VOTE:** Unanimous for Approval 5/0

Two other quotes included in tonight's packet are for repairing and upgrading Lemon Street. Commissioner Smith volunteered to work with Clerk Miller to narrow down issues that require further discovery on this road. The topic will be discussed again during the January meeting.

Rural Boundary Annexation

Prior to updating Town boundary maps, Planner Norsoph previously asked if there might be any voluntary annexations to be added. As a courtesy to citizens and in order to obtain degree of interest, a draft letter to property owners was prepared and is included in the commission packet. The commission decided not to act on this topic.

**COMMISSIONER'S REPORT**

Noise Complaints – Citizens should report unacceptable noise levels originating from Saint Leo University to the on-campus Security Office. If the noise continues, then follow up with the Pasco County Sheriff Office for resolution.

**ATTORNEY REPORT**

**Interlocal Agreement for Pompanic Street from SR52 to the south right of way line of McMullen**

The Interlocal agreement discussed tonight is based on a 2010 draft originating from the Town of St Leo. Attorney Petruff discussed changes to the document

made by Gerald Buhr, representing the City of San Antonio. The Town Commission directed Attorney Petruff to make additional updates to the document and continue communication with Attorney Buhr.

**Permitting Liaison from the Town to Saint Leo University**

A Saint Leo University representative requested that a permitting liaison be appointed by the Town. The commissioners decided that Clerk Miller should continue attending these types of meetings and participate as liaison.

**CLERK'S REPORT –**

Audit - The annual audit is taking place and included in tonight's packet is a letter breaking down documents that the auditor routinely reviews.

Skivvies for Tots –The Rotary Club of San Antonio is collecting underwear and socks for children in need. All items donated will be given to children in our East Pasco County communities. Town Hall is a collection site and everyone is encouraged to donate items to this cause.

Home Health Care – Hilda Hellwig is a local citizen who provided pamphlets regarding health care services available from Griswold Home Care.

**NEW BUSINESS**

A letter was received from Accountant John Henson stating that there will be a \$10.00 monthly increase for services. This increase was considered during the 2014/2015 budget process.

Deputy Windsor reported that the Jiffy Food Store in San Antonio was burglarized last week.

Deputy Windsor visited Saint Leo University to discuss the previously referenced noise complaint with Campus Security. The University assured Windsor that they will monitor offensive noise and act to avoid future complaints.

Deborah Gillars asked if firework events could be advertised. Clerk Miller will add this type of information on the Town website.

**ADJOURNMENT**

**MOTION: TO ADJOURN MEETING AT 9:33 P.M.**

**MOTION BY:** Commissioner Smith

**SECOND BY:** Commissioner Curington

Discussion.

**VOTE:** Unanimous for Approval, 5/0

Respectfully, Joan Miller, M.M.C.