

**TOWN OF ST. LEO
COMMISSION MEETING
April 11, 2016
7:00 PM**

OPENING Mayor Christmas

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor 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
Curtis Dwyer – Commissioner

STAFF Joan Miller, MMC - Town Clerk
Andrea Calvert, CMC – Deputy Clerk
Patricia Petruff, Esquire – Town Attorney
Jan Norsoph – Town Planner

GUESTS Deputy C. Cloversettle – Pasco County Sheriff’s Office
Sister Roberta Bailey, O.S.B. – Prioress Holy Name Monastery
William Hamilton
Lauren Geraci, Esq. – for Joel Tew, Esq. representing Saint Leo University
Edward and Lynn Timmons
Debra Gillars – San Antonio resident
David Parish – San Antonio resident
Ted Stephens – San Antonio resident
Barbara Berberich – San Antonio
Commissioner Dennis Berberich – San Antonio
and three additional guests

MINUTES **MOTION: TO APPROVE MINUTES OF THE MARCH 14, 2016 COMMISSION MEETING.**

MOTION BY: Commissioner Smith
SECOND BY: Commissioner DeWitt

Discussion

VOTE: Unanimous for Approval, 5/0

EXPENSE AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED APRIL 11, 2016.

MOTION BY: Commissioner Hallett
SECOND BY: Commissioner Smith

Discussion.

VOTE: Unanimous for Approval, 5/0

CD maturing on 6/19/2016 will roll over in First National Bank of Pasco.

PUBLIC COMMENT – none

MAYOR'S REPORT

Pompanac Street

Correspondence was received from San Antonio Commissioner Dennis Berberich listing twelve issues of concern he and San Antonio Maintenance person John Weaver believe pertain to the Pompanac Street upgrade. Clerk Miller shared the letter via email with Eric Weekes of Saint Leo University and his email reply was read by Mayor Christmas.

In conclusion, Saint Leo University and its contractors are working diligently to complete the upgrade project and fulfill all the requirements of the settlement agreement relative to the Pompanac upgrade engineered drawing. A letter from the engineer of record will serve as certification of the completed project with as-built drawings.

Those involved are encouraged to reacquaint themselves with the Pompanac Street upgrade agreement to ensure that the road has been completed correctly.

Planner Norsoph conducted an inspection and that perimeter landscaping meets the specifications of the approved Landscape Plan for Plant Operations.

Ordinance #16-02 Holy Name Monastery Voluntary Annexation

The final reading of this ordinance will be continued at the May Town Commission meeting.

Town of St. Leo 125th Anniversary

A letter was sent to all St. Leo residents and business owners requesting feedback relating to the 125th celebration of incorporation. A commemorative booklet and a barbeque picnic had the greatest interest. Prioress Bailey invited the Town to have a picnic on property owned by the Benedictine Sisters in the area of the tennis courts on Wichers Road. Abbot Isaac previously offered to have the barbeque on Abbey property near the Post Office. Other ideas would be to produce a commemorative t-shirt or mug. All agreed that this is an important event that should be celebrated. Past Mayor William Hamilton said that a barbeque would be a great way for citizens to meet. Prioress Bailey said that from memory it was because the Abbey alone did not want to maintain roads that a petition was created to form a town (so that the town would be responsible). A workshop to begin planning the event will be held on a yet to be determined date and time. A member of the Benedictine Abbey and Monastery will participate. A letter welcoming participation from citizens will be mailed and it will also be posted on the Town website.

COMMISSIONER'S REPORT

Dunne Road Commissioner Smith learned that he or another Town Commissioner could not serve as petition leader. Pasco County requires that the petition leader must be one of the affected property owners in unincorporated Pasco County.

Smith also learned that the Town would receive credit for using gas tax dollars if the Town decided to improve Dunne Road. Recalculation of the reallocation of gas tax dollars occurs every five years, the next review cycle being in 2018 which would identify the expenditures that the Town spent on streets.

Attorney Petruff contacted Pasco County Attorney Jeffrey Steinsnyder about a potential interlocal agreement but he still hasn't replied. It is the Town's position that the roadway needs to be completed at this time or the road will continue to deteriorate and the expense of reconstruction will only increase.

Commissioner Hallett stated that the commission should continue to pursue all avenues to determine what the most appropriate action for Town should be. He said that it is important to remember that there are two jurisdictions that neither have complete control of or interest in the road. The worst option would be to do nothing.

Petruff was directed to draft a letter from the Mayor to Pasco County Administrator Michelle Baker suggesting that the Town would like to enter into an Interlocal agreement with Pasco County in which the Town would pay for the cost of resurfacing the section of roadway without the need for residents in either the Town or the county to be assessed. The Town hopes that the County would be willing to further discuss the logistics of improving the section of the road even at the Town's expense. Knowing that there are possible maintenance issues and right-of-way disputes, Petruff strongly recommended that it would be best for the Town to have Pasco County repair and maintain ownership of Dunne Road.

Hallett also prepared a handout read by Commissioner Smith for the meeting packet regarding a summary of five current Pasco County Paving Assessments being reviewed by the Board of County Commissioners.

Pasco County Animal Control Services

Mayor Pro Tem Hallett and Clerk Miller attended a meeting on April 4, 2016, with Manager Mike Shumate and Assistant Manager David Paloff at Pasco County Animal Control in Land O'Lakes. A power point presentation focusing on cat and dog spay and education program funding and the overall balance of the Animal Control budget was discussed.

Commissioner Hallett requested that the Interlocal agreement with the Town be updated to include clarification of services provided by the Animal Control Services contract and after-hours services. Additionally, Mike Shumate will schedule a meeting with Saint Leo University to discuss services for them.

Handouts received from Mike Shumate were included in the packet and response protocol was discussed tonight.

PLANNER'S REPORT

Public Hearing on Institutional future land use designation with the Town Commission acting as the Land Planning Agency (LPA). Saint Leo University Requesting a Future Land Use Amendment and Rezoning Planner Norsoph spoke. The Plant Operation project was approved on August 11, 2014 as part of the modification to Saint Leo University PUD-#10A, Modification #2. The Plant Operations site has a future land use designation of Business. Its zoning is also Business, which permits institutional uses as a permitted use. However, pursuant to the Town's Comprehensive Plan 2025 Future Land Use Element, institutional uses, which include universities, should be designated with the Institutional land use category. Therefore, as a condition of the approval for PUD #10-A, Major Modification # 2 and the Plant Operations Facility, the University agreed to submit a comprehensive plan future land use map (FLUM) amendment to designate the site with the Institutional land use category to create consistency with the Comprehensive Plan. The University was also required to submit a rezoning of the site to the Institutional zoning district. The Plant Operations facility was approved on a 3.4 Acre site and has been constructed. The proposed FLUM amendment tract is only 2.87+/- acres.

Pursuant to Section 163.3187, Florida Statutes, local governments may process "small scale" comprehensive plan amendments on land ten (10) acres or less through an expedited process.

Lauren Geraci, Esq. for Joel Tew, Esq. representing Saint Leo University, explained that the application requirements have been filed and she asked for approval of the University's request.

Staff Recommendation to the Local Planning Agency

Based on the analysis provided, Norsoph recommended that the Local Planning Agency approve the proposed Future Land Use Map amendment from the Business future land use category to the Institutional future land use category as being consistent with and further the goals, objectives and policies of the Town of St. Leo Comprehensive Plan-2025.

Mayor Christmas opened the Public Hearing and questions were acknowledged. Norsoph will revise the documents to reflect that Pompanic Street is not yet completed. Mayor Christmas and Deborah Gillars asked questions.

MOTION: TO APPROVE RESOLUTION 16-07, A RESOLUTION BY THE TOWN OF ST. LEO TOWN COMMISSION ACTING AS THE LOCAL PLANNING AGENCY PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, RECOMMENDING THAT THE TOWN OF ST. LEO TOWN COMMISSION ADOPT A SMALL SCALE PLAN AMENDMENT TO THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 FUTURE LAND USE MAP (FLUM) FOR AN APPROXIMATE 2.87 ACRE TRACT LOCATED GENERALLY AT THE SOUTHEAST CORNER OF POMPANIC STREET AND MCMULLEN DRIVE FROM THE BUSINESS FUTURE LAND USE CATEGORY TO THE INSTITUTIONAL FUTURE LAND USE CATEGORY.

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Hallett

Discussion.

VOTE: Unanimous for Approval, 5/0

Mayor Christmas closed the Public Hearing.

Neither Planner Norsoph nor Lauren Geraci, Esq. had anything further to report to the Town Commission.

Mayor Christmas opened the Public Hearing.

Recommendation to the Town Commission from Planner Norsoph and the Local Planning Agency

Based on the analysis provided, Planner Norsoph and the Local Planning Agency recommended that the Town Commission approve and adopt the FLUM amendment Ordinance and that said ordinance and staff report be transmitted to the state planning agency pursuant to Sections 163.3184 (11) and 163.3187, Florida Statutes.

First Reading Ordinance #16-03 Future Land Use Map

AN ORDINANCE PURSUANT TO SECTION 166.041, FLORIDA STATUTES, ADOPTING AN AMENDMENT TO THE TOWN OF ST. LEO ZONING MAP FOR AN APPROXIMATE 2.87 ACRE TRACT LOCATED GENERALLY AT THE SOUTHEAST CORNER OF POMPANIC STREET AND MCMULLEN DRIVE FROM THE BUSINESS ZONING DISTRICT TO THE INSTITUTIONAL ZONING DISTRICT; PROVIDING

FOR CONFLICT AND SEVERABILITY; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE.

Discussion.

MOTION TO CONTINUE THE PUBLIC HEARING TO THE MAY 9, 2016 COMMISSION MEETING.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Dwyer

Discussion.

VOTE: Unanimous for Approval, 5/0

The Quasi-Judicial Hearing began, Planner Norsoph and Lauren Geraci Esq. were sworn in by Clerk Miller.

Amendment to the Town of St. Leo Zoning Map, Case: Rezoning (RZ) #16-A

Planner Norsoph gave an overview of the Saint Leo University Application.

The Plant Operations project was approved on August 11, 2014 as part of the modification to the Saint Leo University PUD #10-A, Major Modification #2. The Plant Operations site has a future land use designation of Business. Its zoning is also Business, which permits institutional uses as a permitted use. However, pursuant to the Town's Comprehensive Plan 2025 Future Land Use Element, institutional uses, which include universities, should be designated with the Institutional land use category. Therefore, as a condition of the approval for the Plant Operations Facility, the University agreed to submit a comprehensive plan future land use map (FLUM) amendment to designate the site with the Institutional future land use category to create consistency with the Comprehensive Plan and submit a rezoning of the site to the Institutional zoning district.

Based on the analysis provided, the proposed rezoning from the Business District to the Institutional District is consistent with and furthers the goals, objectives and policies of the Town of St. Leo Comprehensive Plan-2025 and the LDC. Planner Norsoph recommended that the rezoning ordinance be approved.

Lauren Geraci, Esq. reiterated that the rezoning application has been filed in compliance with the PUD requirements and ask for approval based on staff recommendations.

Discussion included the swearing in of San Antonio citizen Barbara Berberich. Berberich asked the Saint Leo Town Commission to not approve the rezoning on the Saint Leo University parcel until the completion of the Pompano Street upgrade and the spirit of the Interlocal agreement has been met.

First Reading Ordinance 16-04 Zoning Map Amendment

Mayor Christmas read Ordinance 16-04.

AN ORDINANCE PURSUANT TO SECTION 166.041, FLORIDA STATUTES, ADOPTING AN AMENDMENT TO THE TOWN OF ST. LEO ZONING MAP FOR AN APPROXIMATE 2.87 ACRE TRACT LOCATED GENERALLY AT THE SOUTHEAST CORNER OF POMPANIC STREET AND MCMULLEN DRIVE FROM THE BUSINESS ZONING DISTRICT TO THE INSTITUTIONAL ZONING DISTRICT; PROVIDING

FOR CONFLICT AND SEVERABILITY; PROVIDING FOR FINDINGS OF FACT; AND PROVIDING AN EFFECTIVE DATE.

Discussion.

MOTION: TO CONTINUE THIS PUBLIC HEARING TO THE JUNE 13, 2016 MEETING.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Dwyer

Discussion.

VOTE: Unanimous for Approval, 5/0

Resolution #16-08 Approving Sign Placement by Holy Name Monastery

Temporary signs are regulated in the Land Development Code. A complete application by the Benedictine Sisters of Florida was received and reviewed by Planner Norsoph.

RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION APPROVING THE BENEDICTINE SISTERS OF FLORIDA, INC. TEMPORARY SIGN APPLICATION. MOTION TO APPROVE RESOLUTION 16-08 AS READ.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Dwyer

There was discussion regarding the purpose and duration of the proposed sign.

VOTE: Unanimous for Approval, 5/0

Debra Gillars asked to comment and complimented the Town for having codes in place that allows citizens to advertise special events and said that it was nice to see local government helping people.

CLERK'S REPORT

Deputy Clerk Calvert received a scholarship from the Municipal Clerks Education Foundation (MCEF) to financially assist her attendance at the June Florida Association of City Clerks Conference in Palm Beach Gardens. The classes are intensive and attendance is carefully monitored. The Town Commission encouraged Calvert to attend.

Pumpkin Patch – The Commission approved participation in the 2016 Rattlesnake Festival and a budget of \$100.00 to be spent for supplies. The 125th year logo will be used when possible.

ADJOURNMENT

MOTION: TO ADJOURN THE MEETING AT 9:07 P.M.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 5/0

Joan Miller, MMC