

TOWN OF ST. LEO
COMMISSION MEETING AND PUBLIC HEARING
June 13, 2016
7:00 PM

OPENING Mayor Richard Christmas

INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Smith

ROLL CALL Donna DeWitt, O.S.B. – Commissioner, absent
Gregory P. Smith – Mayor ProTem
Richard H. Christmas – Mayor
James Hallett, O.S.B. - Commissioner
Curtis Dwyer – Commissioner

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

GUESTS Deputy M. Merwin – Pasco County Sheriff’s Office
Judd Baggett, CPA PA – Baggett Reutimann & Associates
Lauren Geraci, Esq. – for Joel Tew, Esq. representing Saint Leo University
Faye McKean
Robert Christmas
David Parish – San Antonio resident
Barbara Berberich – San Antonio resident
Dennis Berberich – San Antonio resident

MINUTES **MOTION: TO APPROVE MINUTES OF THE MAY 9, 2016 COMMISSION MEETING.**
MOTION BY: Commissioner Hallett
SECOND BY: Commissioner Smith
Discussion
VOTE: Unanimous for Approval, 4/0

EXPENSE AND BUDGET REVIEW **MOTION: TO ACCEPT FINANCIAL REPORT DATED JUNE 13, 2016.**
MOTION BY: Commissioner Smith
SECOND BY: Commissioner Hallett
Discussion.
VOTE: Unanimous for Approval, 4/0

PUBLIC COMMENT
Dennis Berberich of 32952 Michigan Avenue, San Antonio asked if the Plant Operations Building at Saint Leo University had received a Certificate of Occupancy. Planner Norsoph answered that the Fire Marshall had not yet signed off on the project.

MAYOR,S REPORT

AUDIT General Purpose Financial Statements Y/E September 30, 2015 – Judd Baggett

Judd Baggett of Baggett Reutimann & Associates CPA’s PA, presented the Annual Town Independent Audit Report for the year ended September 30, 2015. 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, 2015 AS DELIVERED BY JUDD BAGGETT.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner Dwyer

Discussion.

VOTE: Unanimous for Approval, 4/0

Proclamation 16-01 125th Anniversary of Incorporation of the Town

Mayor Christmas read the Proclamation of the Town of St. Leo Florida Recognizing 125 Years of Incorporation.

MOTION TO ACCEPT PROCLAMATION 16-01 AS READ.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner Hallett

Discussion.

VOTE: Unanimous for Approval, 4/0

Proclamation 16-02 World Elder Abuse Awareness Day

MOTION TO ACCEPT PROCLAMATION 16-02 AS READ.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Dwyer

Discussion.

VOTE: Unanimous for Approval, 4/0

Final Reading of Ordinance 16-04 (RZ) #16-A

Ordinance 16-04 Saint Leo University Zoning Map Amendment for 2.87 acres.

Final Reading Ordinance 16-04 Saint Leo University Zoning Map Amendment for 2.87 acres.

Neither Planner Norsoph or Attorney Lauren Geraci had anything to add to the request.

Dennis Berberich asked to be sworn in. Berberich asked the Town Commission to verify that the Town has regulatory authority over the use of McMullen Drive, it’s function and any required improvements related to future development approvals utilizing McMullen Drive for access. Planner Norsoph replied that the Town has authority over McMullen Drive. What is requested and approved by future commissions is not in question this evening. There aren’t any other requests by Saint Leo University relative to McMullen Drive at this time.

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 ADOPT ORDINANCE 16-04 AS READ.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner Hallett

Discussion.

VOTE: Unanimous for Approval, 4/0

COMMISSIONER'S REPORT

Dunne Road The Interlocal Agreement prepared by Town Attorney Petruff hasn't been reviewed by Pasco County Attorneys. The draft agreement is available to review by the Town but this agenda item is being put on hold until July or once the Town receives a response from Pasco County and Attorney Petruff has had time to revisit the agreement.

Mayor ProTem Smith said that there appears to be differences of opinion among Pasco County staff regarding allowing the Town to use the expended funds be used in the recalculation of distribution of Local Option Gas Tax moneys which will come up in 2018. Budget Pasco County Director Mike Garrett said that Town expended funds would qualify in the recalculation. However Mike Garrett said that it would only be included if the Town took ownership of the road. The Town Commission will discuss ownership and liability at a future meeting

Town of St. Leo 125th Anniversary Update

The next workshop for the 125th Anniversary event will be held on June 29th at 6 pm

Pasco County Rural Protection Area – Greg Smith

Smith addressed the potential growth of North East Pasco County. He reported that the Pasco County Development Review Board has proposed ordinances limiting the type of development to be allowed in a defined area of East Pasco. The ordinance would preclude large, high density developments. If this ordinance is not passed, the character of the Town could be adversely affected if high density developments were built in our immediate vicinity. He encouraged the public to be aware of what changes may be happening and to voice concerns directly to the Pasco County Board of Commission.

PLANNER'S REPORT

First Reading of Ordinance 16-05 (RZ 16-B)

Saint Leo University Request for a Future Land Use Map Amendment and Rezoning for 4.65 acre tract.

Planner Norsoph reviewed the request for rezoning. The amendment is being submitted to bring the land use into greater consistency with the comprehensive plan. The underlying land use is institutional but it is zoned medium density residential.

Existing nonconformities will become legal nonconformities as a result of the rezoning. Reuse of vacant buildings or change of uses or building additions may trigger open space requirements with possible landscape buffer requirements.

Lauren Geraci, Esq. (for Joel Tew, Esq.) representing Saint Leo University had no additional testimony.

The Public Hearing was opened. There were no comments or questions the public hearing was closed.

MOTION: TO CONTINUE THE PUBLIC HEARING ORDINANCE 16-05 TO THE JULY 11, 2016 MEETING.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Smith

Discussion.

VOTE: Unanimous for Approval, 4/0

OLD BUSINESS – The Town has received certification from Rich Kelly, project manager of WRA Engineering, that the upgrade of Pompanic Street from SR 52 to McMullen Street has been completed. The invoice from Saint Leo University for the agreed amount of \$94,500 can be paid.

MOTION: TO DIRECT THE TOWN CLERK TO PREPARE A CHECK IN THE AMOUNT OF \$94,500 FOR THE UPGRADE AND IMPROVEMENT OF POMPANIC STREET FROM SR 52 TO MCMULLEN DRIVE.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Smith

Discussion.

VOTE: Unanimous for Approval, 4/0

NEW BUSINESS -

Budget Workshop - July 11th at 6pm will be the next FY 2016/2017 Budget Workshop.

Lincoln Agreement - The hourly rate of \$275 will be honored by Robert Lincoln to represent the Town of St. Leo for any litigation.

MOTION: TO AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT WITH THE LAW OFFICE OF ROBERT K. LINCOLN.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner Hallett

Discussion.

VOTE: Unanimous for Approval, 4/0

Streets During the budget meeting resealing the roads was a topic of conversation. Mayor Christmas will contact Mayor Newlon of San Antonio to see if they wish to share the cost of resealing Pompanic Street during the new fiscal year. All other Town roads will be inspected to determine when they should be done.

MOTION: TO RESEAL LEMON STREET USING ZEPHYR STRIPE AND SEAL AND TO INSPECT ALL OTHER ROADS TO SEE IF THEY ALSO SHOULD BE RESEALED.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner Dwyer

Discussion

VOTE: Unanimous for Approval, 4/0

San Antonio - Jiffy Store

Dennis Berberich mentioned that Mark Jones hasn't been in communication with Saint Leo University regarding improving the apron to his business on Pompanic Street. Mayor Christmas suggested that Mark Jones contact Saint Leo University about this matter.

ADJOURNMENT

MOTION: TO ADJOURN THE MEETING AT 8:10 P.M.

MOTION BY: Commissioner Smith

SECOND BY: Commissioner Hallett.

Discussion.

VOTE: Unanimous for Approval, 4/0

Joan Miller, MMC