

TOWN OF ST. LEO
REGULAR COMMISSION MEETING
August 13, 2012
7:00 PM

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Hamilton

ROLL CALL Donna DeWitt, O.S.B. – Mayor ProTem - absent
Richard Christmas – Commissioner
William Hamilton – Mayor
Jack Gardner - Commissioner
Robert Courtney - Commissioner

STAFF Patty Petruff – Attorney
Joan Miller, MMC

GUESTS Andrea Calvert – Assistant to the Clerk
James Hallett, O.S.B. – Saint Leo Abbey
Bruce Cavall
Steve Smith
Sharon and Terry Madden
Shelia and Greg Smith
Ken Posner
Jimmy Adcock
Kyle Christmas
Bob Hughes
Rich Denz
Steven Brathwaite
Mayor Tim Newlon
Faye McKean
Naomi Torres
Kevin Coogan
Deputy Barry Arnew - PCSO
Captain John Corbin - PCSO

MINUTES **MOTION: TO APPROVE THE MINUTES OF JULY 09, 2012.**
MOTION BY: Commissioner Christmas
SECOND: Commissioner Gardner
Discussion.
VOTE: Unanimous for approval – Adopted 4/0

EXPENSES AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED AUGUST 13, 2012.
MOTION BY: Commissioner Christmas
SECOND: Commissioner Gardner
Discussion.
VOTE: Unanimous for approval – Adopted 4/0

MAYOR'S REPORT

INTRODUCTION OF CAPTAIN JOHN CORBIN

Captain John Corbin replaced Captain Joe Frontz, heading our law enforcement district. He has 23 years experience in the PCSO and looks forward to serving us.

COMMISSION'S REPORT - none

PLANNERS REPORT

A Temporary Certificate of Occupancy (45 Day – TOC) was granted to Saint Leo University for the soccer field/parking garage project.

ATTORNEY REPORT –

Noise Ordinance and Public Boating Hours on Lake Jovita

Noise ordinances are difficult to enforce without clear standards. The main difficulty in case law is the constitutional right of freedom of speech. Any ordinance that is going to be enforced must be consistent and fair for all people involved.

Some standards that could be included in a noise ordinance may include:

Volume

Intensity

Background

Determination of usual or unusual nature

Proximity to residential sleeping facilities

Nature of zoning from which the noise is emerges

Nature of zoning noise from which it is received

Duration

Hours of operation – lawn care, sanitation pick up, etc.

Occurring from commercial or noncommercial sources

Hours of operation for construction activities

Discussion continued from both the audience and commission regarding decibel readings.

Faye McKean said that functions such as Relay For Life and other night functions should be considered allowable as normal noise events.

Bruce Cavall spoke giving some history of boat ramps on Lake Jovita.

Mayor Hamilton suggested that action be taken to allow limited public lake use from sunrise to sunset. Lakefront homeowners would have no restrictions.

Kyle Christmas spoke defending reasonable lake use by private lake front property owners.

Any boats that can be carried onto the lake are allowed to launch from the lakefront property owned by the City of San Antonio.

Shelia Smith stated that she felt that the best option for enforcement is by using a decibel meter. Though this type of meter can be used, Captain Corbin described difficulties that exist with decibel enforcement.

The attorney was not instructed to make any changes to the existing ordinances.

Fines represented in the noise ordinance and enforcement ordinance need to reflect one another. The attorney will prepare an ordinance for consideration at future meeting.

CLERK'S REPORT

Saint Leo University, Director of Student Activities, submitted a complete application for a Temporary Use Permit. Their intention is to have a Fall Festival on October 19 through October 20, 2012, fireworks will be included. The Town Commission approved this request.

Two Certificate of Deposits are maturing at the end of this month. After the commission was given options, they directed the Town Clerk to allow the CD's to roll over, and remain at the First National Bank of Pasco.

A thank you note was received from Cars Unlimited for our recent business.

OLD BUSINESS

Naomi Torres spoke on behalf of Doug Torres, Cup of Organic. She said that they are moving forward with plans and hope to open within three to six months. Naomi was reminded to provide site plans and required documents for review to the Town Clerk as soon as possible.

NEW BUSINESS

Bob Hughes from NOVA Engineering introduced his firm as one that would be interested in providing building inspections and plan review services for the Town.

The Town Attorney and Town Clerk will work together to create a RFP for this type of professional services contractor.

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 8:17 P.M.

MOTION BY: Commissioner Christmas

SECOND BY: Commissioner Gardner

VOTE: Unanimous for approval - Adopted 4/0

Respectfully,
Joan Miller, M.M.C.