

**TOWN OF ST. LEO
REGULAR COMMISSION MEETING
December 10, 2012
7:00 PM**

OPENING Mayor Hamilton

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Pro Tem DeWitt

ROLL CALL Donna DeWitt, O.S.B. – Mayor Pro Tem
William E. Hamilton, - Mayor
John “Jack” Gardner – Commissioner
Robert Courtney – Commissioner

STAFF Joan Miller - Town Clerk
Patricia Petruff, Esquire – Attorney
Janet Kato – Records Manager

<u>GUESTS</u>	Frank Mezzanini	Deborah Brown
	Walter Brown	Jim Wells
	Robert Inslee	James Hallett, OSB
	Mike Sherman	Greg Smith
	Roger Thomas	Marie Oplesch
	Peggy Burns	Sean VanGuilder
	Kalvin Switzer	Tom Wieland
	Dennis Huffman	Deputy Ed Day
	Peggy Prather	Randy Wilson

MINUTES **MOTION: TO APPROVE THE MINUTES OF THE COMMISSION MEETING ON NOVEMBER 12, 2012.**

MOTION BY: Commissioner DeWitt

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 4/0

EXPENSES AND BUDGET REVIEW

MOTION: TO ACCEPT FINANCIAL REPORT DATED DECEMBER 10, 2012.

MOTION BY: Commissioner Gardner

SECOND: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 4/0

MAYORS REPORT

Open Commission Seat #3

The Town of St. Leo Charter states in: Art. III, Section 3.08, Vacancies
“A vacancy on the commission shall be filled by appointment by the mayor with the consent of a majority of the commission, of a qualified elector of the town.”

Mayor Hamilton spoke to the commissioners, community and guests in attendance. He stated that he appreciated the (nine) letters of interest for the open commission seat vacated by Richard Christmas.

The Mayor then recommended the appointment of Br. James Hallett, OSB for seat #3.

MOTION TO APPROVE APPOINTMENT OF THE RECOMMENDATION OF BR. JAMES HALLETT, O.S.B. TO FILL THE VACANT COMMISSION SEAT.

MOTION BY: Commissioner Gardner

SECOND: Commissioner DeWitt

Discussion.

Commissioner Courtney spoke in opposition stating that a resident of Lake Jovita Subdivision would be better suited for the position.

MOTION: TO TABLE SELECTION OF A NEW COMMISSIONER TO A LATER TIME.

MOTION BY: Commissioner Courtney

SECOND BY: None

Discussion.

Commissioner DeWitt said that someone who is familiar with critical issues is preferred. She noted that two commission seats are available in the spring and all interested parties could run for office at that time. Upon Courtney's request, Robert's Rules of Order were reviewed to verify if an item could be tabled solely based upon the request of one commissioner. It was confirmed that a second to a motion is required. Discussion continued about the definition of a qualified candidate and the legislative section of the Town Charter.

Without a second to the motion made by Commissioner Courtney the motion died. The existing motion on the floor was then voted upon.

VOTE: 3/1 Motion Passed
Aye - DeWitt, Gardner, Hamilton
Nay - Courtney

Robert Inslee, Jim Wells, and Dennis Huffinan gave their opinions as to the selection and timing of the decision made by Mayor Hamilton. The Mayor stood firm on his decision based on his responsibility as stated in the Town Charter.

Swearing In Br. James Hallett was sworn in as Commissioner by Joan Miller.

SPENDING AUTHORITY - RESOLUTION 13-05

The spending limit of \$1,500 has been problematic during recent purchases and the mayor asked for consideration to have this limit increased.

MOTION: TO APPROVE RESOLUTION 13-05, A RESOLUTION OF THE TOWN OF ST. LEO, FLORIDA PERTAINING TO DUTIES OF THE MAYOR; DELEGATING TO THE MAYOR THE AUTHORITY TO EXPEND PUBLIC FUNDS UP TO A DESIGNATED AMOUNT; ESTABLISHING PROCEDURES FOR EXPENDITURE OF SAID FUNDS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. INCREASING THE SPENDING AMOUNT FROM \$1,500 TO \$5,000.

MOTION BY: Commissioner Hallett
SECOND BY: Commissioner Gardner

Spending options were discussed. Commissioner Courtney said that \$5,000 is too high an amount for a commissioner to have the ability to spend without commission approval. Discussion to table.

MOTION: TO AMEND THE PREVIOUS MOTION TO INCREASE THE SPENDING AMOUNT TO \$3,500.

MOTION BY: Commissioner DeWitt
SECOND BY: Commissioner Gardner

Discussion.

VOTE: 4/1 Motion Passed
Aye - DeWitt, Gardner, Hamilton
Nay - Courtney

JOHN HENSON, CPA SERVICES

The annual engagement letter for accounting services was presented. There is a \$10 per month increase to the monthly fee. With no disapproval, the letter of engagement was executed.

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC – SANITATION RES 13-06

Choice Environmental has been purchased by Environmental Consulting & Tech, Inc., aka WSI. The following resolution is a formality only.

MOTION: TO APPROVE RESOLUTION 13-06, A RESOLUTION OF THE TOWN OF ST. LEO, FLORIDA CONSENTING TO THE PURCHASE OF CHOICE ENVIRONMENTAL SERVICES, INC. BY WASTE SERVICES OF FLORIDA, INC.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 5/0 vote

COMMISSION REPORT

McKean Property / A Cup of Organic

Commissioner Gardner met with Mrs. McKean and discussed her difficulties obtaining permission from FDOT approving use of existing driveways. Commissioner Garner asked the commission to request Attorney Petruff to write a letter to the Florida Department of Transportation on behalf of the Town. Consensus of the commission was made and, direction was given to Petruff. She will write a letter based on the Towns limited interest and standing on the matter.

RFP 12-01 Professional Building Inspection and Building Plan Review Report

Commissioner Gardner reported that after careful consideration a short list has been chosen from the original six received. They include:

1. Choice Consulting and Inspection Services, Inc.
2. City of Dade City Building Department
3. Nova Engineering and Environmental Services

Each commissioner has been provided with documents from the three applicants to review. A **special meeting** will be held at 6 PM on January 14th to interview and discuss the three proposals.

ATTORNEY REPORT

SLU Temporary Units

SLU Resolution 11-06 TUP

Res 11-06 TUP expires on 12/31/2012. As stated in the resolution (previously accepted and understood by SLU) a single six month extension can be requested and potentially be approved at a public meeting. Written applications have been received to convert the temporary units to permanent. Planner Norsoph has not completed review of those applications.

MOTION: TO EXTEND THE TEMPORARY USE OF THE TEMPORARY USE OF THE UNITS FOR A PERIOD OF SIX MONTHS TO ALLOW TIME FOR THE PENDING APPLICATIONS TO BE REVIEWED.

MOTION BY: Commissioner Hallett
SECOND: Commissioner Garner
VOTE: Unanimous for Approval 5/0

Saint Leo University Greenhouse – Resolution 13-07

An application to build a Greenhouse has been received and reviewed by Planner Norsoph. Due to the size of the greenhouse and because it was not included on the Master Plan provided to the town, he determined that approval should be made by the commission.

MOTION: TO APPROVE RESOLUTION 13-07. A RESOLUTION OF THE TOWN OF ST. LEO, APPROVING PUD #10-A-MINOR MODIFICATION #3: SAINT LEO UNIVERSITY CAMPUS MASTER PLAN RELATED TO THE ADDITION OF A GREENHOUSE PROJECT.

MOTION BY: Commissioner Courtney
SECOND BY: Commissioner Hallett
Discussion. The greenhouse will be located north of Dechantel Hall
VOTE: Unanimous for Approval 5/0

Environmental Consulting & Technology, Inc Agreement

Attorney Petruff presented a draft agreement from Environmental Consulting that requires some changes before consideration of execution. This firm may be representing the town to study flood mapping. The final contract will be prepared for discussion and will be in final form for the January meeting.

Fire Code Violation Fee Ordinance

Fire Inspector Barnett is working with the Clerk and Attorney to create additional fees for multiple re-inspections and flagrant violation of fire code requirements. Inspector Barnett addressed this issue because of continued frustration that even after multiple recommendations to comply, non-compliance continues. Having been given direction, the attorney will draft an ordinance to reflect these changes for the January meeting.

Relocation of Holy Name Monastery

A pre-application meeting took place last week and it was determined that approximately nine acres of thirty-six acres will be needed for the new complex. Communication, availability of water, sewer, and traffic impact were a few of the topics of discussion. Additionally, the comprehensive plan and the rezoning process were reviewed to determine the most efficient method to move forward with the project.

One of the outcomes of the meeting is that the Monastery only wishes to change the zoning on a portion (nine acres plus or minus) of total acreage. This change will require a small-scale comprehensive plan amendment.

CLERKS NOTES

Grass Carp Administrative paperwork continues to obtain the required permit to put the grass carp into Lake Jovita.

The City of San Antonio has given the Town a check in the amount of \$500 to assist in the fish purchase.

National Flood Insurance Program

Joy Duperrault, State Floodplain Manager, has offered to attend a commission meeting to give a presentation about benefits of the program.

UNFINISHED BUSINESS

SLU Practice Field

Memorandums from Planner Norsoph, dated December 3rd and December 10th were presented. The memos presented his findings of the landscaping in the area of the practice field to comply with TRP #11-A Variance Practice Field Trees.

Tom Wieland and Frank Mezzanini each spoke acknowledging that some of the landscaping was planted in the wrong place.

MOTION TO DIRECT THE TOWN CLERK TO ISSUE THE CERTIFICATE OF COMPLETION FOR THE PRACTICE FIELD, BASED UPON THE ACCEPTANCE OF THE LANDSCAPING AS PLANTED BY SAINT LEO UNIVERSITY AS PART OF THE PRACTICE FIELD TREE REPLACEMENT PLAN TRP 11-A.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval 5/0

NEW BUSINESS

Elections The Town Clerk noted that two commission seats will be open in April. Qualifying period to run for election will be in February. Information will be available both in the Tampa Bay Times and on the Town of St. Leo website.

Thank You Commissioner Hallett thanked the Mayor and commissioners for their support and confidence in him to serve again on the Town Commission.

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 8:30 P.M.

MOTION BY: Commissioner DeWitt

SECOND BY: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 5/0

Respectfully, Joan Miller, M.M.C.