

**TOWN OF ST. LEO
REGULAR COMMISSION MEETING
February 11, 2013
7:00 PM**

OPENING Mayor Hamilton

INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Hamilton

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

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

GUESTS Jim Wells Robert Inslee
Tom Wieland Jacqueline Bayliss
Sean VanGuilder Peggy Prather
Donna Swart David Barbie
Fay McKean Paul Midili
Nancy Lail
Approximately 20 other unidentified guests

MINUTES **MOTION: TO APPROVE THE MINUTES OF THE SPECIAL
COMMISSION MEETING ON JANUARY 14, 2013.**

MOTION BY: Commissioner Hallett

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 4/0

**MOTION: TO APPROVE THE MINUTES OF THE REGULAR
COMMISSION MEETING ON JANUARY 14, 2013.**

MOTION BY: Commissioner Hallett

SECOND: Commissioner Gardner

Discussion.

VOTE: Unanimous for Approval, 4/0

EXPENSES AND BUDGET REVIEW

**MOTION: TO ACCEPT FINANCIAL REPORT DATED
FEBRUARY 11, 2013.**

MOTION BY: Commissioner Hallett

SECOND: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 4/0

A 1st quarter financial comparison was presented by Commissioner Hallett. His report compared the first quarter this year to last year. At a glance the report does not appear good, but he added that the significant differences can be easily explained and are not yet cause for concern.

MAYORS REPORT

Proclamation 13-01 Prodigy Cultural Arts Month

Jacqueline Bayliss accepted the Proclamation read by Mayor Hamilton.

Ms. Bayliss presented the Mayor a Certificate of Appreciation on behalf of Prodigy thanking the Town for their support.

Second Reading of Ordinance 13-03

Planner Norsoph gave a brief presentation.

The Mayor read Ordinance 13-03 by title only.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA AMENDING PART III LAND DEVELOPMENT CODE OF THE TOWN OF ST. LEO CODE OF ORDINANCES, ARTICLE III. DEFINITIONS, ARTICLE VII. ZONING DISTRICT AND ARTICLE X. DEVELOPMENT REVIEW PROCEDURES AND DEVELOPMENT STANDARDS AND GUIDELINES FOR GENERAL SITE PLANS AND PLANNED UNIT DEVELOPMENTS; AND PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The Mayor opened the public hearing.

Having no discussion the public hearing was closed.

MOTION: TO APPROVE ORDINANCE 13-03 AS READ.

MOTION BY: Commissioner Hallett

SECOND: Commissioner Gardner

Discussion.

VOTE: Passed 4/0 DeWitt-aye, Hallett-aye, Gardner-aye, Hamilton-aye

First Reading of Ordinance 13-04

Mayor Hamilton read Ordinance 13-04 by title only.

AN ORDINANCE OF THE TOWN OF ST. LEO, FLORIDA, AMENDING ORDINANCE 10-02 BY PROVIDING FOR A SEPARATE SCHEDULE FOR RE-INSPECTION FEES; DELETING THE FEE UNDER INSEPCTION FEE TYPE LABELED "RE-INSPECTION (OTHER THAN ANNUAL)"; PROVIDING A SEPARATE SCHEDULE FOR FEES FOR COMMENCING WORK OR CONDUCTING AN EVENT WITHOUT A PERMIT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion. The second and final reading will be held during the March 11th meeting.

COMMISIONERS REPORT

Commissioner Gardner reported that after inspecting the erosion of the hill on the south side of Town Hall he recommends that the paving be extended a few feet and erect a short retaining wall.

Gardner also suggested that repairs to Christmas Drive be reconsidered during the next year.

Mayor Hamilton suggested that the Commission should consider removing the planted area and hedge to the west of Town Hall. Paving that area could add as many as three additional parking spaces.

ATTORNEYS REPORT

Attorney Petruff said that the contract agreement with Environmental Consulting & Technology, Inc. (ECT), is near completion.

Correspondence has been received from Florida Department of Environmental Protection. This notification states that we are required to obtain a municipal storm sewer permit or request a waiver. Since the Town may qualify for a waiver, the Clerk is asked to contact this entity to begin this process.

PLANNERS REPORT

A Cup of Organic- TUP 13-A, Public Hearing

Planner Norsoph outlined the two requests by Doug Torres. The first request is for a Temporary Use Permit for a period of one year. The second request is for a Sign Variance.

All persons wanting to speak were sworn in.
Doug Torres explained his project and spoke in defense of his requests.

The Florida Department of Transportation awarded a permit to use the existing west driveway and to share access with the On Q Smokehouse Grill. Norsoph stated that traffic circulation and safety concerns are of utmost importance, a scaled drawing of the plan is necessary for final approval. A survey of the property can be used. Traffic cones, adequate signs and a handicap space with painted timbers are required. Planner Norsoph provided three alternatives for Commissioners to consider.

The Public Hearing was opened.

Nancy Lail (San Antonio) requested the commission reject the entire request by A Cup of Organic for safety reasons.

Paul Midili (San Antonio) stated that safety is a concern for that intersection, however speed limit signs in that area of SR 52 are appropriate and another business would be welcome in this location.

Faye McKean (property owner) said that the parcel of property has been used throughout the years for business purposes and asked that the request by Doug Torres be approved.

Clerk Miller stated that 14 (fourteen) letters have been received about this agenda item. 12 (twelve) are in favor of the coffee shop and 2 (two) are against.

The Public Hearing was closed.

MOTION: TO APPROVE ALTERNATIVE #2 RESOLUTION 13-09 APPROVING THE CUP OF ORGANIC TEMPORARY USE (TUP #13-A) VAIANCE APPLICATION FOR A PERIOD OF UP TO SIX (6) MONTHS AND DENYING THE SIGN VARIANCE WITH CONDITIONS.

MOTION BY: Commissioner Hallett

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Passed 4/0 DeWitt-aye, Hallett-aye, Gardner-aye, Hamilton-aye

Florida Department of Economic Opportunity (DEO)

A letter was received from DEO stating that the State Land Planning Agency will not conduct a compliance review or issue a Notice of Intent regarding the adopted Ordinance 13-01, Small Scale Development Plan Amendment.

Having received this correspondence, Holy Name Monastery can be given the go ahead to file a completed application for their new Monastery building.

CLERKS NOTES

Annual Spring Fling

The Town Commission approved the Saint Leo University Spring Fling application. It was noted that fireworks will not be included at this event.

NEW BUSINESS

Cyclists

Scott Peter (San Antonio) described his frustration with cyclists that come to this part of the county and choke the roads by riding three abreast. He considers this a safety issue, and hopes that the Commission will address this if given the opportunity.

Jeb Bush

Past Governor Jeb Bush will be speaking at Saint Leo University on February 13th at 7:30 pm. This event is open to the public and tickets are available through the University.

ADJOURNMENT

MOTION: TO ADJOURN MEETING AT 8:15 P.M.

MOTION BY: Commissioner Gardner

SECOND BY: Commissioner DeWitt

Discussion.

VOTE: Unanimous for Approval, 4/0

Respectfully, Joan Miller, M.M.C.