

**TOWN OF ST. LEO  
COMMISSION MEETING  
February 10, 2014  
7:00 PM**

**OPENING** Mayor Gardner

**INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Hallett

**ROLL CALL** Donna DeWitt, O.S.B. – Commissioner  
James Wells – Commissioner  
Jack Gardner – Mayor  
James Hallett, O.S.B. – Commissioner  
Robert Inslee – Mayor Pro Tem

**STAFF** Joan Miller – Town Clerk  
Patricia Petruff, Esquire – Attorney  
Jan Norsoph – Planner

**GUESTS** Approximately 50 guests.

**MINUTES** **MOTION: TO APPROVE THE MINUTES OF JANUARY 13, 2014.**  
**MOTION BY:** Commissioner Inslee  
**SECOND:** Commissioner Wells  
Discussion.  
**VOTE:** Unanimous for Approval, 5/0

**EXPENSES AND BUDGET REVIEW**

**MOTION: TO ACCEPT FINANCIAL REPORT DATED FEBRUARY 10, 2014.**  
**MOTION BY:** Commissioner Wells  
**SECOND:** Commissioner Hallett  
Discussion.  
**VOTE:** Unanimous for Approval, 5/0

**PUBLIC COMMENT** - none

**MAYORS REPORT** –

**ORD 14-01** Clerk Miller read the first reading of Ordinance 14-01 by title only.  
**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA AMENDING THE SCHEDULE OF PROJECTS IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF ST. LEO COMPREHENSIVE PLAN-2025 PURSUANT TO FLORIDA STATUTES, CHAPTER 163, PART II (163.3177); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**  
There was no discussion.

**Pasco County Sheriff Office**

Mayor Gardner introduced Pasco County Deputy John Cross. Deputy Cross replaced Deputy Arnew who recently retired.

**COMMISSION REPORT**

**2014 Statement of Impact Form**

Commissioner Hallett presented the Statement of Impact Form he prepared with Clerk Miller.

**MOTION: TO AUTHORIZE COMPLETION OF THE ECONOMIC IMPACT STATEMENT BY COMMISSIONER HALLETT AND EXECUTION BY MAYOR AND COMMISSIONER HALLETT.**

**MOTION BY:** Commissioner Inslee

**SECOND:** Commissioner Wells

Discussion. Commissioner Wells suggested including, **IF UPON COMPLETION THE DOCUMENT IS SUBSTANTIALLY DIFFERENT THAN PROVIDED TODAY, IT WOULD AGAIN COME BEFORE THE COMMISSION FOR APPROVAL.**

Since the data is in its final form, Commissioner Wells withdrew his amendment to the motion.

**VOTE:** Unanimous for Approval 5/0

**ATTORNEY REPORT**

**January 21, 2014 request by Pasco County to make revisions to the Local House Bill.**

Pasco County Attorney Steinsnyder recently requested that the Town by way of added items to the Local House Bill, to revise the Lake Jovita Subdivision future land use designations and transfer Lake Jovita impact fees that are presently held by the Town of St. Leo to Pasco County. Discussion. It is difficult to assume that the land use classification designation suggested by the county is best suited for every individual within the subdivision. A memo written by Planner Norsoph (January 2014) to the Town Commission mentioned this topic.

Commissioner Inslee stated that he had “a couple” of meetings with Pasco County Commissioner Schrader. Inslee said that Commissioner Schrader made the argument that Pasco County should receive some or all of the impact fees that have not been returned to the residents. Lake Jovita residents outside of municipal limits have paid significantly more in fees, so in fairness; the Town Commission should agree to give impact fees that have not been expended to the County.

Discussion continued regarding the possibility of entering into an Interlocal agreement with the County or FDOT to spend the reserve funds on a local project that would benefit residents.

Direct transfer of the Road Impact fees to Pasco County would be in violation of Town Ordinance. Attorney Petruff said that the only way to undertake transferring the fees would be if the Town is indemnified.

Commissioner Wells thought that information stemming from individual discussions by Jan Norsoph and Ronnie Deese with Pasco County officials yielded conflicting information. Commissioner Wells said that he did not want to move forward with a de-annexation that would further encumber the residents that are being de-annexed.

Attorney Petruff suggested to the commission that the Local House Bill be left “as is” without the last minute changes requested by Pasco County.

**MOTION: TO REJECT PROVISIONS TO THE LOCAL HOUSE BILL AS REQUESTED BY PASCO COUNTY.**

**MOTION BY:** Commissioner Inslee

**SECOND BY:** Commissioner DeWitt

Discussion. At the March meeting the commission could discuss entering into an Interlocal agreement and concepts would be discussed at that time.

**VOTE:** Unanimous for Approval 5/0

**TIFF Initiative – To Inform Families First**

The TIFF initiative program allows Floridians to voluntarily provide emergency contact information providing law enforcement immediate access to speak with loved ones faster in the event of an emergency. The Town Commission agreed to have this information available to the public in Town Hall.

**PLANNER REPORT**

**Saint Leo University Campus Master Plan PUD #10-A Major Modification #2 and Saint Leo University Plant Operations Facility SPR/VAR#14-A Public Hearings**

Those participating in the public hearing were sworn.

Dan Fowler explained the expansion of the Saint Leo University Campus. He briefly described the request by SLU for access to a proposed Plant Operations building from McMullen Drive via Pompanic Street.

Planner Norsoph gave his report. He described the requirements required to change the future land use map and zoning of the newly purchased west campus.

The Town Comprehensive Plan states that a University “use” must be in the Institutional category. The Land Development Code permits institutional uses within a Business Zoning District. Medium Density Residential cannot be used for Institutional purposes. Saint Leo University would have to amend the Future Land use map to show that the Business and Medium Density Residential areas would become Institutional to create compatibility and consistency with the comprehensive plan.

The location of the proposed Plant Operations facility is in the area of Peggy’s Hay Farm (a five lot single family subdivision approved and platted in 2010, zoned low density residential) and adjacent to McMullen Drive.

Pompanic Street (maintenance shared by the Town and City of San Antonio) and McMullen Drive (a platted right of way, owned and maintained solely by the City of San Antonio) both are considered local residential streets. However, since McMullen Drive is entirely within the Town of St. Leo, St. Leo has regulatory authority over it. Issues need to be addressed by both the Town of St. Leo and the City of San Antonio about the utilization of those two streets.

The site plan shows an internal road, for use by golf carts that would connect the proposed plant operations building and the old monastery building. There is the concern that this road would be used by larger vehicles in the future. There are currently material deficiencies at the intersection of Pompanic Street, SR52, and McMullen Drive which include paving widths, shoulder widths, drainage and traffic flow.

The two conditions include that prior to approval of construction plans are, the applicant shall provide to the Town of St. Leo a letter from the City of San Antonio agreeing to the use of McMullen Drive for use by the Plant Operations Facility, and prior to the approval of construction, the applicant shall provide to the Town of St. Leo a letter of no objection from the City of San Antonio for the use of Pompanic Street for use of access to the project. Alternatives suggested by Planner Norsoph were discussed. The two conditions were added, renumbered and listed in each of the proposed resolutions presented.

Attorney Petruff said that the road system should be a major concern. McMullen Drive was deeded to the City of San Antonio as public access to the lake (by conditional deed). Since McMullen Drive is owned by the City of San Antonio, San Antonio must have full knowledge and give consent to truck traffic that may occur as a result of the Plant Operations building.

Discussion was then opened to the public. Many residents of both St. Leo and the City of San Antonio spoke against the style of the proposed building and especially to the use of the local streets.

Mayor Newlon of San Antonio suggested that the Town of St Leo and City of San Antonio plan for future growth. He reiterated that Pompanic Street and McMullen Drive are residential streets. The Plant Operations building would be better served by an entrance from SR52.

Dennis Berberich (San Antonio resident, Pompanic Street) said that he would have appreciated receiving a notice for tonight's meeting. He questioned a statement found in both reports which is as follows (referring to McMullen Drive); "the Town of St. Leo has regulatory authority over its use, function and any required improvements related to and development approvals utilizing McMullen Drive for access". Attorney Petruff said that the City of San Antonio owns the road fee simple or by a warranty a deed to the road. Although the property is owned by a public agency, it is within the limits of the Town of St. Leo and the Town has regulatory authority over it. This statement was made in an email by Attorney Petruff concerning how to deal with a street located in Town limits, that is not a public street dedicated to the Town.

**MOTION: TO TABLE THE SAINT LEO UNIVERSITY CAMPUS MASTER PLAN PUD #10-A MAJOR MODIFICATION #2, UNTIL SAINT LEO UNIVERSITY MEETS THE CONDITIONS STATED, INCLUDING RECEIPT OF APPROVAL FROM THE CITY OF SAN ANTONIO.**

**MOTION BY:** Commissioner Wells  
**SECOND BY:** Commissioner Hallett

Discussion.

**VOTE:** Unanimous for Approval 5/0

**MOTION: TO TABLE THE SAINT LEO UNIVERSITY PLANT OPERATIONS FACILITY SPR/VAR #14-A UNTIL SAINT LEO UNIVERSITY MEETS THE CONDITIONS STATED AND TO RECEIVE APPROVAL FROM THE CITY OF SAN ANTONIO.**

**MOTION BY:** Commissioner Wells  
**SECOND BY:** Commissioner Inslee

Discussion.

**VOTE:** Unanimous for Approval 5/0

5 Minute break.

**CLERK NOTES**

**Saint Leo University Temporary Use Permit- Spring Fling, March 7 and 8, 2014**

A completed application for the Saint Leo University Spring Fling event was received by the Clerk's Office.

**MOTION: TO APPROVE THE SAINT LEO UNIVERSITY APPLICATION FOR THE 2014 SPRING FLING.**

**MOTION BY:** Commissioner Inslee

**SECOND BY:** Commissioner DeWitt

Discussion. Kelly Hill, new General Council for Saint Leo University introduced herself to the commission.

**VOTE:** Unanimous for Approval 5/0

**Sanitation RFP**

Progressive Waste Solutions is the incumbent hauler and only contractor that replied to the Town's RFP for Sanitation Service. Ian Boyle, Government Affairs Manager for Progressive Waste Solutions, was present to speak to the commission. The proposal decreases the present cost for services. The bid required a performance bond; the Commission decided to remove this requirement thus reducing the monthly cost of service.

**MOTION: TO WAIVE THE REQUIREMENT FOR A PERFORMANCE BOND**

**MOTION BY:** Commissioner Inslee

**SECOND BY:** Commissioner Hallett

Discussion.

**VOTE:** Unanimous for Approval 5/0

Discussion. Commissioner amended the motion.

**MOTION: TO WAIVE THE PERFORMANCE BOND REQUIREMENT AND REQUEST PROGRESSIVE WASTE SOLUTIONS TO PREPARE A CONTRACT FOR ATTORNEY PETRUFF TO REVIEW PRIOR TO EXECUTION.**

**MOTION BY:** Commissioner Inslee

**SECOND BY:** Commissioner Wells

Discussion.

**VOTE:** Unanimous for Approval 5/0

**Citizen Involvement Survey**

Clerk Miller reported she had an excellent return thus far surveys from citizens. More than half of those returned included thought-provoking comments. This survey was approved by the Mayor prior to mailing. As in the past, the intent of the survey was to encourage open communication with property owners, residents and businesses with Town Hall.

Commissioner Inslee requested that commissioners participate with preparation of all future surveys. Commissioner Wells said that in his opinion, "the Mayor does not have the power to authorize a survey", and that in the future the commission should authorize them and not the Mayor.

**MOTION: THAT ALL SURVEYS AND CORRESPONDENCE SENT TO THE GENERAL POPULATION OF THE TOWN BE APPROVED BY THE TOWN COMMISSION.**

**MOTION BY:** Commissioner Wells

**SECOND BY:** Commissioner Inslee

Discussion for future surveys included adding additional surveys per household, adding self-addressed envelopes and additional space for comments.

**VOTE:** Approved by 3/0 vote.  
Commissioner Wells – aye  
Commissioner Inslee – aye  
Commissioner Gardner - aye

**UNFINISHED BUSINESS**

Commissioner Hallett asked for suggestions as to how the Town can move forward with Pasco County Commissioner Schrader's position with road impact fees and land use discussed earlier during tonight's meeting. Hallett claimed he is not in favor of amending the local bill but stressed that the door should be left open for ideas to resolve the topics discussed.

Attorney Petruff suggested that she contact Carol Clarke, Pasco County Zoning Administrator, to obtain information and clarify answers to questions addressed during this Commission meeting.

Discussion regarding return of Road Impact Fees.

**MOTION: TO REFUND IMPACT FEES TO RESIDENTS AT THE MATURATION DATE (ANNIVERSARY DATE) OR A REASONABLE TIME THEREAFTER.**

**MOTION BY:** Commissioner Wells

**SECOND BY:** Commissioner Hallett

**VOTE:** Unanimous for Approval 5/0 vote

**NEW BUSINESS** - none

**ADJOURNMENT**

**MOTION: TO ADJOURN MEETING AT 9:43 P.M.**

**MOTION BY:** Commissioner Hallett

**SECOND BY:** Commissioner Inslee

Discussion.

**VOTE:** Unanimous for Approval, 5/0