

City of St. Petersburg
PUBLIC SERVICES & INFRASTRUCTURE COMMITTEE
Meeting of AUGUST 8, 2013 – 9:15 A.M.
City Hall, Room 100

Members and Alternates: Chair Bill Dudley; Vice-Chair, Jeff Danner, Council Members:
Wengay Newton, Steve Kornell and Karl Nurse (alternate)

Support Staff: David Dickerson, primary staff support; Ken Betz, backup staff support

- A. Call to Order
- B. Approval of Agenda
- C. Approval of Minutes
 - 1. [Minutes of July 18, 2013](#)
- D. New & Continued Business
 - 1. [Neighborhood Video Signs - Mark Winn](#)
 - 2. [After Hours Permits - Mark Winn](#)
- E. Upcoming Meetings:
 - 1. [August 29, 2013](#)
 - 2. [September 12, 2013](#)
- F. Adjournment -
 - 1. [Pending and Continuing Referral List](#)

Attached documents for item Minutes of July 18, 2013

CITY OF ST. PETERSBURG
PSI Committee Meeting Minutes
July 18, 2013 at 9:34 a.m.

PRESENT: Committee Members William Dudley, Chair; Jeff Danner, Vice Chair; Steve Kornell, Wengay Newton and Karl Nurse, Alternate.

ABSENT: None.

ALSO: Council Members Leslie Curran, James Kennedy, and Charlie Gerdes; City Administrator Tish Elston; Chief Assistant City Attorney Mark Winn; Assistant City Attorney Michael Dema, Planning and Economic Development Director Dave Goodwin; Zoning Official Philip Lazzara; Major Dee Carron; Sgt Morton; Sgt Lefkimiotis; Parking Manager Evan Mory; Primary Staff Support Codes Operations Manager David Dickerson; Deputy City Clerk Amelia Preston and others.

The meeting was called to order by Chair Dudley at 9:34 a.m. with the above members present.

In connection with the agenda for the June 13, 2013 meeting, Vice Chair Danner moved approval of the agenda as submitted. All were in favor of the motion. Absent Newton.

In connection with review of the minute of the June 13, 2013 Meeting, Vice Chair Danner moved that the minutes be approved as submitted. All were in favor of the motion. Absent Newton.

In connection with the agenda item relating Sidewalk Cafe update, Zoning Official Phil Lazzara provided an updated report on what has been done since the last meeting with outdoor use on both private and public sidewalks; sidewalk cafes; and commented briefly on the changes. He included in the summary information on over height clearance connectivity; delineation menu boards (for larger cafes) sidewalk conditions/repairs; noise and management of cafe area; and reference other applicable permits. It was shared that someone from the Police Department will show a brief video to describe some of their concerns. Committee Member Newton was reported present at 9:43 a.m.

Vice Chair Danner stated support of what was presented except felt Staff need to address the adjacent sidewalks streetscape which is the city's responsibility. He inquired about whether or not any of the business owners had been provided any of this information.

Committee Member Newton agreed with Vice Chair Danner regarding the sidewalks which are in disrepair. Council Member Curran inquired about the furniture being uniform; inquired if individuals are being informed; and stated that outdoor furniture needs to be addressed at the property.

Council Member Gerdes commented on issues regarding sidewalk Cafes and expressed concern regarding the pathways. Planning/Economic Development Director Dave Goodwin responded

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that they are looking at alternative for the pathways. There was discussion regarding the path of travel where sidewalk cafes are located and the number of tables and chairs.

Committee Member Newton inquired who would be responsible if someone tripped over something in front of the sidewalk. Mr. Winn responded that owners are required to have insurance and the owner would be liable and the city is also protected by their insurance.

Committee Member Kornell commented on a sidewalk and the use of common sense. It was shared that they should not completely block the sidewalk path of travel. Committee Member Newton commented on the difference between the street closure and sidewalks being blocked. Mr. Winn provided a response to his concern. Mr. Goodwin shared that they will get with public works and draft appropriate language.

Sgt Lefkimiotis from the Police Department showed a video where sidewalk cafes are an extension of bars; commented briefly on 1st Avenue North and the issues involved; commented on the two police officers where one located on each end of the sidewalk. He also commented that the sidewalk is an outside extension of a bar where people are just drinking but they are cooperating with the police department. Information was shared on 2nd Street where they have to block the street off; they are trying to educate everyone. There was discussion regarding bottles and glass which is on the street. Major Carron commented on the noise from the bars. There was discussion regarding the number of individuals that could be on the sidewalk and the need for dumpster being located in that area. The shift works from 6:p.m. to 4:00a.m. in the morning. There was also discussion regarding the beer bottles and glass along the streets and safety aspect. Vice Chair Danner asked if that was something that they can include in the ordinance to address the safety aspect. Mr. Winn commented that they can address something in the ordinance. It was shared that they all should be required to provide cleanup at the end of the night. It was asked if there is a way to regulate the occupancy. Mr. Winn commented that they can have an occupancy requirement in the evening. It was asked if they have talked to the businesses and given them the option to pull a permit.

Committee Member Newton commented on the ability to regulate with liquor stores being opened in the area; ability to trespass and require dress codes. He also inquired about the ability to enforce & prohibit smoking inside. Committee Member Newton expressed concern regarding the ability to serve drinks along the sidewalk and the ability to address window serving.

Council Member Kennedy commented that they need to separate the First Friday event from other days; suggested that they be careful not of over regulate; and would like to see something done regarding an open container.

He also suggested that Staff consider drawing a line regarding the same side of the streets and not have the ability to cross the street with an open container. He inquired what the obligation of the individuals with a sidewalk cafe and those with just had sidewalks in front of their establishment.

Committee Member Nurse commented on the high number of housing that is being build in the downtown area; expressed support of all of the recommendation that were offered by the Police Department; and expressed that he does not want to become another Ybor City.

Council Member Curran commented that there is some additional work that is needed for 1st Ave North; stated that First Friday night and other nights are two different things; and suggested cost for cleanup of the downtown and the cost to the city be evaluated. She expressed concern that all sidewalks should not be in disrepair.

Committee Member Kornell stated support of certain regulations, enforcement of the open container law and support establishments having the ability make sales but not allow individuals to drink outside the premises. He suggested that there be individual enforcement; and the professional crowds need to be educated. He stated support of the ability to trespass individuals from their property.

Chair Dudley suggested that the items be separated sidewalk cafes; after hours situation; over-regulating; commented on safety and Janus Landing helping with the cost of the dumpster. He stated that First Friday is cleaned up pretty quick. Committee Member Newton inquired about a capacity requirement for an after hour permit. It was asked if there is communication going on with the businesses. Sgt Lefkimiotis commented that they meet monthly with different business and shared what each experience has been about 8,000-10,000 people; shared that they do a great amount of education among the people that are in the downtown. There objective is to educate; and they are looking to set up a downtown webpage to inform individuals on what is going on in the downtown areas. Chair Dudley suggested that they have mandatory meetings. Major Carron shared that they will let the Council know when the meetings are scheduled.

Chief Assistant City Attorney Mark Winn commented briefly on the proposed pedestrian right of way and the open container ordinance. Assistant City Attorney Mike Dema provided a review of the submitted material. He highlighted cities such as Las Vegas; Memphis, Savannah; Kansas City and New Orleans. He shared that they all have the same problem with trash; commented that they are using wrist banding; and areas that should be band such as parks with adjacent sidewalks or right of way. He also commented on the maps which highlighted panhandling ban and the Development Services Department Downtown Center Core and Downtown Center -3 areas.

Committee Member Nurse stated that he would not support something of this magnitude at this time. Committee Member Newton inquired about other cities that were within our areas that are closer. Mr. Dema responded to his comments. Vice Chair Danner commented that he does not support going down this path also. Council Member Kennedy thanked them for the information and suggested discussion among the business and circulated the information that was shared

about the glass ban. Committee Member Kornell commented on the discussion that needs to be held among the owners; the ability to regulate; and would still like to talk about the after hour regulations and enforcement.

Council Member Gerdes stated that although he is not on the Committee that based upon observation and comments made today has gotten them farther from an ordinance; and would support a Committee of the whole meeting to further discuss. Chair Dudley suggested that they stick with the sidewalk cafe and separate the First Friday, and continue to work on the afterhours. Committee Member Newton moved to direct staff to continue on the path with the sidewalk cafes with inclusion of comments from this meeting and bring back as soon as possible to the Committee for further review. All were in favor of the motion. Due to time constraints, the After Hours Permits item will be reschedule to the next meeting.

The next meeting is scheduled for August 8, 2013.

There being no further business, the meeting was adjourned at 11:01: a.m.

Attached documents for item Neighborhood Video Signs - Mark Winn

M E M O R A N D U M

TO: The Honorable Chair and Members of the Public Services & Infrastructure Committee

FROM: Mark A. Winn, Chief Assistant City Attorney

DATE: May 28, 2013

RE: Neighborhood Video Signs

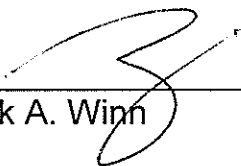
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Pursuant to your request, I have drafted amendments to the City Code to allow for 'neighborhood watch signs' and 'neighborhood video watch signs' and established a process for implementing both provisions.

The amendment establishes the traditional neighborhood watch program which is based on the current model the City uses. In addition, it establishes a neighborhood video watch program. It goes on to create an application process for the installation of the crime watch signs based on the direction you provided at the last meeting on this topic.

I would recommend that you review the ordinance attached hereto and, at your convenience schedule another PSI meeting to discuss the proposal and determine if it meets the intent of the Committee and if you have any changes or further direction. If it meets your intent, you can forward to City Council for their consideration.

If you have any questions, please feel free to contact me.



Mark A. Winn

AMENDING THE ST. PETERSBURG CITY CODE TO
PROVIDE FOR REGULATION OF NEIGHBORHOOD
WATCH SIGNS; AUTHORIZING NEIGHBORHOOD VIDEO
WATCH SIGNS; AND PROVIDING AN EFFECTIVE DATE

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The St. Petersburg City Code is hereby amended to add a new Section 23-20 to read as follows:

Section 23-20. *Neighborhood Watch Signs.*

The following regulations apply to the placement of signs which provide notice of a neighborhood watch program identified by the City.

1. *Neighborhood Watch Programs* are those programs which are initially found to be in compliance with the requirements established by the Police Chief for such programs and which are listed on the most recent registry of Neighborhood Watch Programs maintained by the Chief's designee (currently the Crime Prevention Unit). Such programs are not supervised or reviewed by the City after the initial determination that they have met the eligibility for the program. Approvals of each program are issued for one year and must be renewed annually to be current.

2. *Traditional Neighborhood Watch* is a neighborhood watch program which was initially found to apply the techniques and methods promoted by the City. Traditional Neighborhood Watch programs may request that the POD install a Neighborhood Watch Sign(s) at specific locations on the right of way.

a. *Neighborhood Watch Sign.* Neighborhood Watch Signs shall be of a standard design prepared by the City and shall be no more than 4 square feet. They may be placed on the right of way within the designated crime watch area, subject to approval of the specific locations by the POD. Only signs issued and installed by the POD may be used. Alternative signs are not permitted.

3. *Neighborhood Video Watch* is a neighborhood crime watch program area, which, in addition to meeting the requirements of a Traditional Neighborhood Watch program and having neighborhood watch signs, may also contain residents who may have private video monitoring systems. Such a Neighborhood Watch program may apply to the POD for a Neighborhood Video Watch Sign.

a. *Neighborhood Video Watch Sign.* Neighborhood Video Watch Signs shall be of a standard design prepared by the City, shall be no more than 2 square feet, shall state that “There may be private video surveillance cameras in this crime watch neighborhood which may or may not be recording activities on the public right of way or private property”, and shall be affixed with the upper edge of the Neighborhood Video Watch Sign immediately below the Neighborhood Crime Watch Sign. Only signs issued and installed by the POD may be used. Alternative signs are not permitted.

4. *Application and Costs.* In order to request the installation of either of these signs, the following application process and costs shall be followed:

a. Application for a Neighborhood Watch Sign(s) shall be made by filing a request in writing or by e-mail to the Chief’s designee. The cost of the sign(s) may be funded by the City from the Forfeiture Grant Fund if funds are available and appropriated for that purpose. Neighborhood Crime Watch programs (or any person) may pay for additional signs. Neighborhood Crime Watch signs shall be approved and installed at the discretion of the POD and may be rejected for any reason. Any Neighborhood Crime Watch sign is subject to removal without notice.

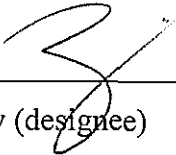
b. Application for a Neighborhood Video Watch Sign(s) shall be made by filing a request in writing or by e-mail to the Chief’s designee. Sign(s) shall be approved for a one year period only and must be renewed annually. Applicants shall only be a currently (as of the date this section was initially adopted, June __, 2013) active Neighborhood Crime Watch program that has residents who have private video monitoring systems at the time of application, must sign a hold harmless agreement with the City, and must agree that the residents with such private video monitoring systems shall provide unrestricted access to video recordings to any law enforcement agency requesting copies. Only Neighborhood Crime Watch Signs existing on the date this

section is initially adopted may receive a Neighborhood Video Watch Sign. The application fee for each Neighborhood Video Watch Sign is \$100. No application shall be accepted unless accompanied with the application fee. The renewal application fee for each Neighborhood Crime Watch program is \$25.00 annually. Any Neighborhood Video Watch sign for which a renewal application fee is not received in a timely manner shall be subject to removal without notice. A new application shall be necessary to reinstall another sign if a sign is removed. Approval of the application is at the discretion of the Chief's designee and the POD and may be rejected for any reason. No approval shall be granted unless the application contains all required materials. No City grants or other City funds may be used to pay for any of the costs (design, production, delivery, installation, etc.) of the Neighborhood Video Watch Signs.

SECTION 2. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional it shall not affect the constitutionality of any other portion of this ordinance.

SECTION 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:



City Attorney (designee)

Attached documents for item After Hours Permits - Mark Winn

Attached documents for item August 29, 2013

Attached documents for item September 12, 2013

Attached documents for item Pending and Continuing Referral List

PENDING / CONTINUING REFERRALS

		TOPIC	DATE REFERRED	REFERRED BY	MEETING DATE(S)	RETURN DATE	STAFF	SPECIAL NOTES
1	Public Safety	Public Safety <i>(From Goal Setting Workshop)</i>	06/11/12	Council	06/14/12 – Video	Date to be obtained by CM Dudley	<i>SPPD</i> Chief Harmon	A presentation responding to select public safety items discussed during City Council's Goal Setting Workshop. Items extracted from that list for discussion include: 1) drug activity; 2) proactive policing; 3) expansion of uniformed personnel; 4) citizen involvement (volunteers) / crime watch.
2	Code Change	Mobile Food Trucks	10/20/11	Curran	11/03/11 12/08/11 - Video 02/23/12 - Video 03/22/12 - Video 05/30/13 - Video		<i>Planning & EcoDev</i> Goodwin Kilborn	http://www.stpete.org/LegisStream/MG278556/AS278557/AS278571/AI284216/DO284217/DO_284217.PDF An overview of "mobile food trucks" and options for allowing their operation in St. Petersburg.
3	Code Change	Towing Ordinance	04/19/12	Newton				http://www.stpete.org/LegisStream/MG297464/AS297465/AS297479/AI300260/DO300261/DO_300261.PDF
4	Code Change	Urban Farming	07/12/12	Nurse	06/13/13 - Video		<i>Planning & EcoDev</i> Goodwin Lazzara Kilborn	http://www.stpete.org/LegisStream/MG305037/AS305038/AS305052/AI306877/DO306878/DO_306878.PDF A discussion of urban farms including an update and itemized list of existing community gardens.
5	Code Change	Yard Signs	11/2/12 (email)	Council & Staff			<i>Planning & EcoDev</i> Goodwin Gerdes Lazzara	Discussion on restricting signage in yards other than the front, allowing signs to remain when brought into compliance, allowing text on murals/artwork.
6	Code Change	Sign Ordinance	11/2/12 (email)	Council & Staff		Nov 2013	<i>Planning & EcoDev</i> Goodwin Gerdes	Discussion on how the changes made to the sign regulations are working.
7	Policy or Program Change	Sidewalk Cafes	6/21/12	Danner	05/09/13 - Video 07/18/13		<i>Planning & EcoDev</i> Lazzara	

PENDING / CONTINUING REFERRALS

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8	Policy or Program Change	Summer Jobs	12/6/12	Nurse			Sanitation Department Shirley	http://www.stpete.org/LegisStream_CMx/3223734/3223735/3223748/3228558/3228559/summer%20jobs3228559.doc
9	Policy or Program Change	Unimproved Alleys	12/20/12	Nurse			Zoning Department Lazzara	http://www.stpete.org/LegisStream_CMx/3228966/3228967/3228980/3232567/3232568/alleys3232568.doc
10	Policy or Program Change	Yellow Light Study	4/4/13	Gerdes	06/13/13 - Video		Trans.Parking Mgt. Kubicki	http://www.stpete.org/LegisStream_CMx/3302082/3302083/3302096/3320716/3320723/Yellow%20Light3320723.docx
11	Capital Projects	Downtown Intermodal Facility Study	10/07/09	Staff	10/22/09 02/11/10 07/29/10 08/12/10 - Video	Date to be obtained by CM Dudley	Trans.Parking Mgt. Kubicki	Report on site evaluations and RFP. CM Danner gave brief update on 3/28/13. Tabled until early 2014 / late 2015.
12	Public Safety	Golf Carts	05/16/13	Dudley	06/13/13 - Video		Legal/ Trans.Prkg Mgt. Proano/Kubicki	http://www.stpete.org/LegisStream_CMx/3389106/3389107/3389120/3402146/3402195/golf%20cart3402195.docx Discussion on the use of "golf carts" and/or similar vehicles on City streets/roadways
13	Policy or Program Change	After Hours Permits	06/06/13	Kornell		08/08/13	Legal Winn	http://www.stpete.org/LegisStream_CMx/3399339/3399340/3399353/3441170/3441176/After%20Hours3441176.docx
14	Policy or Program Change	City Vehicle Use	07/11/13	Newton				http://www.stpete.org/LegisStream_CMx/3468552/3468553/3468566/3477064/3477287/take%20home%20vehicle23477287.docx