

SECOND AND FINAL READING - ORDINANCE NO. 464 - AUTHORIZING STAYS ON APPEALS

Mr. Ottinger provided background information on Ordinance No. 464; stated that it was the ordinance making permanent the legislation passed by emergency ordinance regarding quasi-judicial decisions made by the commission.

Mr. Ottinger read Ordinance No. 464 creating Section 1-16 establishing automatic stays on quasi-judicial decision on appeal by title only.

Commissioner Shelly moved approval of Ordinance No. 464 creating Section 1-16 establishing automatic stays on quasi-judicial decision on appeal on second and final reading. Motion seconded by Commissioner Oddo.

Vote on the motion was: ayes; Commissioner Rettstatt, Commissioner Shelly, Commissioner Oddo and Deputy Mayor Fowler. Motion carried unanimously.

CONTINUED FIRST READING - PROPOSED ORDINANCE - REGULATING THE MAINTENANCE OF ABANDONED FORECLOSING PROPERTIES

Mr. Ottinger stated that the ordinance was patterned after many adopted throughout the state; that it was the intent of the ordinance to impose an obligation to have a local agent of any abandoned or foreclosing property due to the inability to have someone responsible for the property.

Mr. Maxwell stated that the commission had discussed the ordinance and June and the commission decided to have the planning and zoning board review the changes to the draft; that the planning and zoning board did review and discuss the amendments at their last meeting; provided a review of the amendments.

Commissioner Oddo moved approval of Ordinance No. 465, as amended, on first reading. Motion seconded by Commissioner Shelly.

Discussions: Commissioner Shelly stated that Clearwater was reviewing a similar ordinance and would be charging \$1,000 registration fee and he felt that the representative should be locally in Pinellas County only.

Discussions ensued regarding restricting the property representative be located in Pinellas County only.

Commissioner Rettstatt inquired about impact for property that is maintained but the property manager was located in another county.

PROPOSED ORDINANCE - REGULATING ABANDONED FORECLOSING PROPERTIES

Discussions ensued regarding the required monthly inspections; regarding the penalties imposed by code enforcement liens of court imposed fines for violations of the ordinance and which would be most effective.

Commissioner Oddo amended the motion to include the fine to be imposed for violation of the ordinance and to provide 15 days in which to submit inspection affidavit. Motion seconded by Commissioner Rettstatt.

Vote on the motion was: ayes: Commissioner Rettstatt, Commissioner Shelly, Commissioner Oddo, Deputy Mayor Fowler. Motion carried unanimously.

CONTINUED FIRST READING - PROPOSED ORDINANCE - REGARDING THE REGULATION OF RENTAL PROPERTIES

Mr. Ottinger stated the purpose of the ordinance and that it was patterned after ordinances from several other municipalities; that the proposed ordinance was not as strict as ordinances from other municipalities; that the planning and zoning board proposed relax the provisions for the number of occupants and the duration and frequency of permitted rentals; that other amendments from planning and zoning dealt with enforcement of the ordinance.

Deputy Mayor Fowler inquired about the definition of family; that he would like to have that definition.

Mr. Maxwell stated that the planning and zoning board had recommended the removal of the inspection requirement for the rental properties; that he felt that the owner should be required to perform some sort of inspection on the property; commented on the original intent for the duration of the lease.

Commissioner Rettstatt commented on the duration of tenancy and the number of allowed occupants.

Commissioner Shelly concurrent with comments made by Commissioner Rettstatt

Discussions ensued regarding background checks for tenants; regarding lease period and number of tenants; regarding the requirement of inspections and inspection reports for rental properties.

Patricia Henning, 400 Ponce de Leon Blvd., suggested that the commission develop a citizen study committee to review and have input on the proposed ordinance.

Commissioner Oddo moved approval of proposed Ordinance No. 466 on first reading to include amendment in Section 5 to read "each tenant for a minimum of a 7 month term and there shall be no more that 2 separate tenancies at any residential property during a 12 month period; that in Section 6

CONTINUED FIRST READING, PROPOSED ORDINANCE (Continued)

residential rental properties shall have a maximum dwelling ratio of no more than 2 adult persons and that the rest of the sentence be struck; that Section 7 to maintain quarterly basis for inspections with a signed affidavit 15 days after the inspection and to include one annual inspection with a town representative in addition to previous new rental term; that Section 10 to read “within ten (10) working days”. Motion seconded by Commissioner Shelly.

Discussion: Commissioner Oddo commented on the proposed language for Section 6 and referred to the HUD definitions; that the language stated that the number of tenants per dwelling allowed two adults or persons per room with one infant with parents or guardians if the infant was 6 months or younger. Commissioner Shelly stated that two persons per room was sufficient to include the infant of up to 6 months of age.

Patricia Irwin, 1466 Orange Avenue, commented on the rental property at 418 Woodlawn; stated that the house was in foreclosure and was currently being used as rental property; that she felt the property needed to be inspected and was overgrown; that the property on the corner of Overbrook and Woodlawn that was at least three different groups of people living in the house; further commented on the number of and safety of the children in the neighborhood.

Vote on the motion was: ayes; Commissioner Rettstatt, Commissioner Shelly, Commissioner Oddo, Deputy Mayor Fowler.

CITIZENS' COMMENTS

There were no citizens' comments.

CONSENT AGENDA - APPROVAL OF MINUTES

Deputy Mayor Fowler stated that the commission had for consideration approval of Minutes for the June 2, 2009 special meeting and work session and the June 16, 2009 regular meeting.

Commissioner Oddo moved approval of the Minutes for the June 2, 2009 special meeting and work session and the June 16, 2009 regular meeting, as distributed. Motion seconded by Commissioner Rettstatt and carried unanimously.

RESOLUTION NO. 2009-27 - RECOGNIZING AND HONORING GEORGE MALLORY

Mr. Maxwell stated that Mayor Katica had requested that Resolution No. 2009-27 recognizing and honoring George Mallory be continued to the August 4th special meeting.

Commissioner Oddo moved to continue consideration of Resolution No. 2009-27 to the August 4th special meeting. Motion seconded by Commissioner Shelly and carried unanimously.

PRESENTATION BY TAMPA BAY AREA REGIONAL TRANSPORTATION AUTHORITY

John Bradley of Gannett Fleming, Inc. made the presentation on behalf of TBARTA; stated that the purpose of the presentation was to present the public with information for long range public transportation; provided a review of the regional master plan; stated that the Tampa area was one of two major cities without a regional transportation plan; explained the criteria for creating a master plan; discussed possible financing of the project.

Lil Cromer, 4 Belleview Blvd., asked if financing of the project included any of the proposed stimulus funding.

Mr. Bradley stated that they would be applying for such funding.

Deputy Mayor Fowler expressed appreciation to Mr. Bradley for his presentation.

RESOLUTION NO. 2009-28 - SUPPORTING DEVELOPMENT OF A HIGHSPEED RAIL NETWORK

Commissioner Shelly had requested that the commission adopt a resolution in support of the highspeed rail network.

Commissioner Shelly moved approval of Resolution No. 2009-28 providing support for the development of a highspeed rail network in Florida. Motion seconded by Commissioner Rettstatt and carried unanimously.

RESOLUTION NO. 2009-29 - ESTABLISHING A PLANNING AND COORDINATION GROUP FOR THE 85TH ANNIVERSARY CELEBRATION FOR TOWN OF BELLEAIR

Mr. Maxwell stated that as discussed at the last meeting staff wanted to start moving forward with the 85th anniversary celebration committee; that discussions had ensued regarding the establishment of the committee and outlining the duties and responsibilities; providing names of individuals to serve on the committee; that the resolution would create the committee.

Commissioner Oddo moved approval of Resolution No. 2009-29 establishing a planning and coordination group for the 85th anniversary celebration for town of Belleair. Motion seconded by Commissioner Rettstatt.

Discussion: Commissioner Shelly suggested that the residents to serve on the committee be named.

Commissioner Rettstatt stated that the following named individuals were interested in serving on the committee, Bonnie Sue Brandvik from the planning and zoning board, Natalie Moyles and Cheryl

RESOLUTION NO. 2009-29 (Continued)

Franzese from the recreation board, and Judy Hanks and Barbara Chapman from the Belleair Garden Club, Sandy Tuten from the Civic Association.

Commissioner Shelly named Amy Welch from the park and tree board and resident Steve Castner.

Commissioner Oddo stated that Kathy Gaston from the historic preservation board had stated an interest in serving on the committee.

It was the consensus of the commission that Commissioner Rettstatt would serve as the commission advisor for the committee.

APPROVAL OF BANNER FOR GRACIE'S BIG SPLASH

Mr. Maxwell stated that the recreation board had requested authorization to place the banner announcing Gracie's Big Splash be placed across Indian Rocks Road two weeks prior to the event; that the event was to take place on August 9th.

Approval for placement of the banner was granted by consensus of the commission.

AUTHORIZATION TO SERVE BEER AND WINE FOR GRACIE'S BIG SPLASH

Mr. Maxwell stated that a request had been made to serve beer and wine at Gracie's Big Splash; that the drinks would not be sold.

Approval to serve beer and wine at Gracie's Big Splash was granted by consensus of the commission.

APPROVAL OF INTERLOCAL AGREEMENT WITH PINELLAS COUNTY SHERIFF'S OFFICE

Chief Edwards provided background information regarding the interlocal agreement; stated that the agreement was for the transportation of prisoners should the police department require such service; that the cost was based on an as used basis; that he did not anticipate a major need for the service but felt it necessary to have the agreement in place at such time as the service was required.

Commissioner Rettstatt moved approval of the interlocal agreement with Pinellas County Sheriff's Office for the transportation of prisoners. Motion seconded by Commissioner Oddo and carried unanimously.

APPROVAL OF TRAFFIC ENFORCEMENT AGREEMENT BETWEEN BELLEVIEW BILTMORE HOMES ASSOCIATION AND TOWN OF BELLEAIR

Mr. Maxwell provided background information regarding the traffic enforcement agreement; stated that Chief Edwards and members of the Homes Association had been working on the agreement for some time and had reached an agreement on terms and conditions of the agreement.

Chief Edwards suggested that the time period for the agreement be five (5) years since that had been left blank on the agreement.

Discussions ensued regarding including the Belleair Country Club and the Belleview Biltmore Hotel in the agreement.

Commissioner Rettstatt moved approval of the traffic enforcement agreement between Belleview Biltmore Homes Association and Town of Belleair for a period of five (5) years. Motion seconded by Commissioner Shelly and carried unanimously

ADJOURNMENT

There being no further business to come before the commission the meeting was adjourned in due form at 9:25 pm.

Town Clerk

APPROVED:

Deputy Mayor