

MINUTES OF SPECIAL MEETING OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON OCTOBER 6, 2009 AT 5:30 PM

PRESENT: Mayor Gary Katica
Commissioners
Stephen Fowler
Tom Shelly
Karla Rettstatt
Stephanie Oddo

Town Manager Micah Maxwell
Town Attorney David Ottinger

Mayor Katica led the Pledge of Allegiance.

On roll call there was a quorum present with Mayor Katica presiding; the meeting was called to order at 5:30 pm.

MOWING RESOLUTION NO. 321

Mr. Ottinger read Mowing Resolution No. 321 for the record; stated that the affected properties were 221 Garden Circle owned by Mary and Russell Federspiel; 212 Garden Circle owned by Dale and Jean Mock.

Commissioner Fowler moved approval of Mowing Resolution No. 321 for properties stated. Motion seconded by Commissioner Shelly and approved unanimously.

CONTINUED RESOLUTION NO. 2009-34 – REGARDING REPLAT OF THOMAS PROPERTY

Mr. Maxwell stated that the Town attorney had been working with Mr. Watts, Mr. Thomas' attorney, to develop a resolution; asked Mr. Ottinger to provide information regarding the resolution.

Mr. Ottinger stated that he had been working on the final conditions with respect to the Thomas replat to combine two lots; stated that Mr. Watts had approved the draft as well as Mr. Ward, attorney on behalf of the neighbors; that the resolution did address the concerns of Mr. Fowler regarding the permitted structure being a single family residence, not an accessory structure; that there was also a provision that the house would not be used as a rental income property; that it did incorporate the site plan elevation, materials, and fence dimensions; stated that it addressed all the conditions that the commission wanted for approval of the replat.

Steve Watts, 1446 Court St., Clearwater, stated his client had satisfied the requirements and needs of everyone; stated that there would not be RV vehicles parked or stored there; stated that his client would not lease the structure; that he felt that they had an agreeable resolution.

Commissioner Fowler moved approval of Resolution 2009-34 regarding the replat of the Thomas property. Motion seconded by Commissioner Rettstatt.

CONTINUED RESOLUTION NO. 2009-34 – REGARDING REPLAT, continued

Discussion:

Mayor Katica stated that he thought that they were setting a dangerous precedent in Belleair approving a structure with a 1200 square footprint.

Roll call vote: Rettstatt, yes; Shelly, yes, Fowler, yes; Oddo, yes; Katica, no. Motion carried by a 4 to 1 vote.

APPROVAL OF MEMORANDUM OF UNDERSTANDING – GOVERNING TRANSPORTATION OF PERSONS TO BAKER ACT RECEIVING FACILITIES

Mr. Maxwell provided information regarding the Memorandum of Understanding between Pinellas County and each of the individual law enforcement agencies to set forth the standard for the transport of baker act individuals.

Chief Edwards stated that the Baker Act agreement was a State law that was passed to have a unified baker act transport; that the memorandum of understanding was for all law enforcement agencies in Pinellas County that transport Baker acts and the receiving facilities.

Commissioner Oddo moved approval of the Memorandum of Understanding for governing transportation of persons to Baker Act receiving facilities. Motion seconded by Commissioner Rettstatt and approved unanimously.

APPROVAL OF ANNUAL GENERAL PERMIT RENEWAL – PINELLAS COUNTY

Mr. Maxwell provided information regarding the Annual General Permit Renewal with Pinellas County; stated that the permit would allow the County to perform routine work in Town that would not require a major building permit.

Commissioner Fowler moved approval of the Annual General Permit Renewal with Pinellas County. Motion seconded by Commissioner Oddo and approved unanimously.

RESOLUTION NO. 2009-36 – APPOINTMENT OF MEMBER TO CODE ENFORCEMENT BOARD

Commissioner Oddo moved to nominate Don Newman to fill the position on the Code Enforcement board. Motion seconded by Commissioner Shelly.

Commissioner Oddo stated that she wanted someone from the RPD to serve on the board.

Commissioner Rettstatt moved to nominate Bryce Barnes to fill the position on the Code

RESOLUTION NO. 2009-36 – APPOINTMENT, continued

Enforcement Board. Motion seconded by Commissioner Fowler.

Commissioner Rettstatt stated that Mr. Barnes also lived in the RPD.

Discussion ensued as to voting by ballot; regarding nominations for both boards.

Mr. Maxwell stated that both Mr. Newman and Mr. Barnes wanted to serve on the board.

Commissioner Fowler moved to close the floor for nominations. Motion seconded by Commissioner Rettstatt and approved unanimously.

Vote on nominations were taken by ballot. Vote on the nominations were: Votes for Mr. Newman, 3; Votes for Mr. Barnes, 2.

Commissioner Oddo moved approval of Resolution No. 2009-36 appointing Don Newman to serve on the Code Enforcement board. Motion seconded by Commissioner Shelly and approved unanimously.

RESOLUTION NO. 2009-37– APPOINTMENT OF MEMBER TO FINANCE BOARD

Commissioner Fowler stated that chair wanted to entertain a motion for nominations to appoint a member to the Finance Board.

Commissioner Rettstatt moved to nominate Mike Wilkinson to serve on the Finance board. Motion was seconded by Commissioner Shelly.

Commissioner Oddo moved to nominate Bryce Barns to serve on the Finance board. Motion Seconded by Commissioner Fowler.

Commissioner Fowler moved to close the floor for nominations to the Finance board. Motion was seconded by Commissioner Shelly.

Discussion:

Mr. Maxwell stated that he had spoken with Mr. Wilkinson; stated that Mr. Wilkinson understood his duties as a board member.

Vote on nominations were taken by ballot. Vote on the nominations were: Mike Wilkinson 3 votes; Bryce Barns 2 votes.

Commissioner Rettstatt moved approval of Resolution No. 2009-37 – Appointing Mike Wilkinson to serve on the Finance board. Motion seconded by Commissioner Shelly and approved unanimously.

APPOINTMENT OF MEMBERS TO THE 85TH ANNIVERSARY COMMITTEE

Commissioner Rettstatt stated that there had been two members who had resigned from the committee; stated that the commission needed to appoint two new members; stated that she had two individuals who wanted to serve on the committee; that Jeanine Blake and Kathy Ross-Johnson had both worked on large events and knew what it took to get things completed.

Commissioner Rettstatt moved to appoint Jeanine Blake and Kathy Ross-Johnson to serve on the 85th Anniversary Committee. Motion seconded by Commissioner Oddo and approved unanimously.

RESOLUTION NO. 2009-38 – ESTABLISHING AUDIT COMMITTEE FOR THE TOWN OF BELLEAIR

JP Murphy, Assistant Town Manager provided background regarding establishing an audit committee; stated that the State mandated that the Town should have an audit committee to select auditors; that committee would also review the CAFR and financial statements; that the governing body, Government Officers Finance Association recommended that the commission served as the audit committee; that the Town’s Charter stated that the commission could served as the audit committee; stated that in the future the commission could add members to the committee; that the finance board could act in an advisory capacity as well.

Commissioner Fowler moved to approve Resolution No. 2009-38 – Establishing audit committee for the Town of Belleair. Motion seconded by Commissioner Oddo and approved unanimously.

AUTHORIZATION TO DISPOSE OF SURPLUS ASSETS – WATER DEPARTMENT

Mr. Murphy stated that the red F-150 water meter truck was in considerable disrepair and needed to be disposed.

Commissioner Oddo moved approval of disposal of asset A-0019, a 1993 Ford F-150. Motion seconded by Commissioner Rettstatt and approved unanimously.

ADJOURNMENT

There being no further business to come before the commission the special meeting was adjourned in due form at 5:50 pm.

Town Clerk

APPROVED:

Mayor