

**MINUTES OF SPECIAL MEETING OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON SEPTEMBER 3, 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 lead 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.

**PUBLIC HEARING - APPROVAL OF TENTATIVE MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2009-2010**

J P Murphy, finance director, provided information regarding the effects of Amendment 1 and the impact on the ad valorem funds received by the town; explained the ad valorem process for Belleair; provided a summary review and explanation of the general fund and the merging of the finance department and support services department; provided a review and explanation for the merging of parks and streets and public works departments; provided a review of the expected revenues for the next fiscal year; stated that there would not be a COLA or merit increase for 2009-2010; provided a review of proposed budgets for each department in the general fund; discussed the cost for the teen camp program for 2009-2010.

Mr. Murphy provided a review of the enterprise funds for solid waste and water departments; discussed tiering of billing for conservation; discussed expenditures and revenues for enterprise funds.

John Dimarzio, 1708 Cypress Avenue, inquired about the new electronic meter reading program; commented that he thought the new position in the water department seemed unnecessary.

David Brown, water department supervisor, explained the process for the electronic meter reading equipment; stated that the new position was for the purpose of maintaining and updating the water system.

Mr. Maxwell further added information regarding pipe replacement, adding that the individual could assist in completing line replacements at a lower cost since the work would be done "in house".

Mr. Dimarzio asked the cost of the new system and why it was needed.

Mr. Murphy explained the equipment and the advantaged to residents; that the new system would also allow for electronic billing and other system efficiencies for the town.

**PUBLIC HEARING - APPROVAL OF TENTATIVE MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2009-2010 (Continued)**

Mr. Murphy provided a review of the capital improvement projects for the next fiscal year.

Discussions ensued regarding the reimbursement of fire funds from Belleair Bluffs.

Fred Thomas, One Seaside Lane, asked about the Bayview Project.

Mr. Maxwell stated that the project was in the permitting process and expected the project to start in February or March and expected to take about two years for completion; that the restoration of the bluff area was included.

Commissioner Shelly moved approval of the tentative millage rate of 4.5605 for fiscal year 2009-2010. Motion seconded by Commissioner Rettstatt.

Vote on the motion was: ayes; Rettstatt, Shelly, Fowler, Oddo, Katica. Motion carried unanimously.

Commissioner Oddo moved approval of the tentative budget for fiscal year 2009-2010 to be amended to include funds for the recreation department to provide teen camp for the next summer camp program. Motion seconded by Commissioner Fowler.

Vote on the motion was: ayes; Rettstatt, Shelly, Fowler, Oddo, Katica. Motion carried unanimously.

**PUBLIC HEARING - MOWING RESOLUTION**

There was no mowing resolution.

**PUBLIC HEARING - CONTINUED REQUEST FOR REPLAT - 145 BAYVIEW DRIVE & 152 PALMETTO ROAD - FRED & JOY THOMAS**

Mr. Maxwell stated that it was a continuance of the requested replat for property owned by Mr. & Mrs. Thomas; stated that the request was for property located at 145 Bayview Drive and 152 Palmetto Road; that the zoning designation for the property was R-1 residential; provided information regarding updates and renovations for the property located at 145 Bayview Drive; that the house located at 152 Palmetto Road was demolished in 2005; stated that the applicant was proposing to replat the two lots into one lot to allow for an accessory structure to be constructed on the Palmetto property.

Persons planning to speak regarding the request for replat were sworn in by the town clerk; there were no ex parte communications reported.

**PUBLIC HEARING - CONTINUED REQUEST FOR REPLAT (Continued)**

Mr. Maxwell stated that additional drawings regarding the replat request had been provided by the applicant.

Stephen Watts, attorney for applicant, stated that the applicant had redesigned the proposed structure; that Mr. Thomas had discussed the proposed structure with the surrounding neighbors and they were satisfied with the revised drawings; that the applicant would be installing a paver driveway and entrance gates at the Palmetto Road entrance.

Carlton Ward, attorney representing several neighbors on Palmetto Road; stated that the redesign was acceptable to the neighbors; that the proposed paver, fence design and landscaping were also acceptable; that there were several conditions to the acceptability of the plan; that Mrs. Douglas had requested that the lighting code be enforced so as to prohibit an overflow on the lighting onto her property and had also inquired about the screening of the fencing along her property line.

Mr. Thomas stated that the backside of the Douglas property was landscaped with existing plant and that he did not intend to install a fence along that property line; that he would be putting fencing along the south side of his property.

Mr. Ward recommended approval of the redesign for the structure and planned landscaping.

Karen Bravo, 153 Palmetto Road; stated that she was interested in supporting the project as long as the submitted plan was followed; stated that her concerns were for the entire neighborhood and that she did not want it changed in any way.

Mr. Maxwell read into the record letters received from citizens who wanted to withdraw their original opposition to the project.

Mr. Watts state that Mr. Thomas was interested in being a good neighbor.

Mr. Thomas stated that he was not sure of the materials to be used for the gate but that it would fit with the surrounding properties.

Mr. Watts stated that Mr. Thomas would accept the terms of approval for the request.

Mayor Katica asked Mr. Thomas the purpose of the proposed structure and if he was currently living in the house on Bayview Drive.

Mr. Thomas stated that he planned to move into the house within the next three weeks; that he wife was ill and that the structure would be used to house a caregiver.

**PUBLIC HEARING - CONTINUED REQUEST FOR REPLAT**

Commissioner Oddo asked if the pavers used for the Palmetto property would be the same as those used at the Bayview property.

Mayor Katica stated that he was concerned about the proposed structure and the impact on the surrounding properties on Palmetto Road.

Commissioner Fowler provided a property sketch and stated that his concerns were for the fencing along the secondary frontage property line; provided photos of fences on secondary lots and asked about the possibility of an agreement; that he was not opposed to the replat.

Discussions ensued regarding the secondary front property lines and allowing fencing along that property line; that a condition could be imposed requiring the removal of the fencing along Palmetto Road should the property ever be split into two lots; that language also stated that the structure was not be used to store recreational vehicles.

Mr. Thomas stated that he was not opposed to conditions; that the post for the fence would be light yellow with white caps or vice versa; that the fencing materials would be wrought iron.

Commissioner Shelly asked that the conditions for approval be submitted to the commission in writing so they could review at a future commission meeting.

Commissioner Rettstatt stated that she would like to hear comments from other neighbors before commenting.

Donna Harper, 150 Palmetto Road, stated that she would like to see the proposed fencing color be compatible with other fencing that would be continuous with the neighboring property to the north since that fencing was a dark color.

Commissioner Rettstatt inquired about landscaping along the property lines.

Ms. Harper stated that she would like as much landscaping as possible; that she would also like restricted lighting on the property.

Maggie Douglas, 151 Bayview Drive, stated that she would like as much landscaping as possible along the north side of the Thomas property.

Commissioner Fowler moved approval of the proposed replat pending satisfactory conditions. Motion seconded by Commissioner Rettstatt.

**PUBLIC HEARING - CONTINUED REQUEST FOR REPLAT**

Discussions: Mr. Ottinger stated the conditions would be listed and recorded in public record to the extent that should the property ever be separated the setbacks along the Palmetto property would be restored; that a resolution be drafted and presented to the commission at the regular meeting scheduled for September 17<sup>th</sup>.

Vote on the motion was: ayes, Rettstatt, Shelly, Fowler, Oddo; nays, Katica.

Mr. Ottinger stated that he would work with Mr. Watts to draft the resolution of conditions for the approval of the replat and have available for the next meeting.

**ADJOURNMENT**

There being no further business to come before the commission the special meeting was adjourned in due form at 7:00 pm.

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**Town Clerk**

**APPROVED:**

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**Mayor**