

**MINUTES OF SPECIAL MEETING OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON JULY 7, 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 - MOWING RESOLUTION NO. 316**

Mr. Ottinger read Mowing Resolution No. 316 for the record; stated that the effected properties were located at 221 Garden Circle and owned by Russell and Mary Federspiel and property located at 212 Garden Circle owned by Dale and Jean Mock.

Commissioner Fowler moved approval of Mowing Resolution No. 316 as read by Attorney Ottinger. Motion seconded by Commissioner Shelly and carried unanimously.

**PUBLIC HEARING - CONTINUED SECOND AND FINAL READING - ORDINANCE NO. 461 PROVIDING CLARIFICATION OF WATER RATES**

Mr. Maxwell stated that it was the second reading for the clarification of water rates; that there was a change in Section 1 which was the fee schedule changing some commercial rates to the level they should be.

Commissioner Oddo moved approval of Ordinance No. 461 on second and final reading. Motion seconded by Commissioner Rettstatt.

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

**PUBLIC HEARING - FIRST READING - ORDINANCE NO. 463 - AMENDING CHAPTER 74-332 - PERTAINING TO HISTORIC PRESERVATION**

Mr. Maxwell stated that the amendments to Section 74-332 of the Code of Ordinances was required in order for the town to submit the application to become a Certified Local Government with regard to historic preservation;

**PUBLIC HEARING - FIRST READING - ORDINANCE NO. 463 (Continued)**

Commissioner Oddo stated that the historic preservation board had unanimously recommended approval of Ordinance No. 463.

Commissioner Rettstatt moved approval of Ordinance No. 463 amending Chapter 74 Section 332 pertaining to historic preservation on first reading. Motion seconded by Commissioner Fowler.

Vote on the motion to approve Ordinance No. 463 was: ayes; Commissioner Rettstatt, Commissioner Shelly, Commissioner Fowler, Commissioner Oddo, Mayor Katica. Motion carried unanimously.

**PUBLIC HEARING - FIRST READING - ORDINANCE NO. 464 - AUTHORIZING STAYS ON APPEAL**

Mr. Ottinger stated that the commission did pass emergency ordinance adopting a new administrative section to stay any quasi-judicial decision that was appealed; the town Charter provided that an emergency ordinance was effective for only 60 days; that the ordinance would make permanent the adoption of the new Section 1-16 imposing an automatic stay on effective date of appeal on a quasi-judicial decisions.

Commissioner Rettstatt moved approval of Ordinance No. 464, authorizing stay of appeal of quasi-judicial decisions, on first reading. Motion seconded by Commissioner Fowler.

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

**RESOLUTION NO. 2009-26 - AMENDING WATERING RESTRICTIONS**

Mr. Maxwell provided background information regarding the voluntary extended restrictions; stated that in April the town followed the guide of SWFWMD and adopted the Phase IV watering restrictions; that SWFWMD had extended the Phase IV restrictions through July 31<sup>st</sup>; that he was asking if the commission would like to do the same.

Discussions ensued regarding the current restrictions and the status of water table for the town.

Commissioner Shelly moved approval of Resolution No. 2009-26 amending watering restrictions. Motion seconded by Commissioner Oddo.

Discussions: Mayor Katica asked Mr. Maxwell his recommendation regarding amending the restrictions. Mr. Maxwell stated that staff felt comfortable in making the amendments; that is was more of a social issue for the commission rather than a matter of supply at this time. Commissioner Oddo stated that she was supportive of the amendments.

**RESOLUTION NO. 2009-26 - AMENDING WATERING RESTRICTIONS (Continued)**

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

**AUTHORIZATION TO DISPOSE OF SURPLUS ASSETS - RECREATION DEPARTMENT**

Mr. Maxwell stated that the recreation department had an older pool table that they wanted to dispose of in order to make more room for the game room.

Mr. Murphy stated that the table had been donated to the town; that the table was scheduled to be donated to another recreation center.

Commissioner Oddo moved to authorize the disposal of the pool table. Motion seconded by Commissioner Rettstatt and carried unanimously.

**ADJOURNMENT**

There being no further business to come before the commission the special meeting was adjourned in due form at 5:40 pm.

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**Town Clerk**

**APPROVED:**

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**Mayor**