

MINUTES OF SPECIAL MEETING OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON APRIL 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

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

SWEARING IN OF ELECTED OFFICIALS

Judge Dee Anna Farnell was present to swear in Mayor Gary Katica and Commissioner Stephen Fowler and Commissioner Stephanie Oddo.

Mayor Katica expressed appreciation to Judge Farnell for taking the time to attend the meeting for the swearing in of Commissioners Fowler and Oddo and himself.

Recess was called at 5:40 pm and reconvened at 5:50 pm.

PUBLIC HEARING - MOWING RESOLUTION NO. 310

Mr. Ottinger read Mowing Resolution No. 310 into the record; stated that the property was located at 349 Barbara Circle and owned by Mabel Castaneda.

Commissioner Fowler moved approval of Mowing Resolution No. 310 regarding property located at 349 Barbara Circle owned by Mabel Castaneda. Motion seconded by Commissioner Shelly and carried unanimously.

PUBLIC HEARING - FIRST READING - ORDINANCE NO. 459 - AMENDING PARKING FINES (APPENDIX B)

Mr. Maxwell stated that the fines had been previously discussed by the commission and approved at that time; that the amendment was for the fine structure.

Commissioner Oddo moved approval of Ordinance No. 459, on first reading, amending parking fines as outlined in Appendix B. Motion seconded by Commissioner Shelly.

Roll call vote on the motion was: ayes, Commissioners Rettstatt, Shelly, Fowler, Oddo and Mayor Katica. The vote was unanimous.

DISCUSS AND APPROVE BRIDGE REPAIRS AT NORTH PINE CIRCLE BRIDGE

Mr. Maxwell stated that the North Pine Circle Bridge had been identified by Florida Department of Transportation as deficient and Tampa Bay Engineering had provided an estimate for repairs in the range of \$50,000 to \$100,00; that the commission had for approval an estimate for engineer costs in the amount of \$41,390; that the services provided for preparation of bid documents needed to bid the project in order to have the repairs completed as soon as possible; that funds for the project for both engineering and bridge construction would come from two places, the Local Option Gas Tax and bridge repair funds that were reserved of the period of the last three years in the amount of \$35,00 per year; that the project funds would be short and a budget resolution would be presented to the commission for approval in May to take funds from a future project.

Commissioner Shelly moved approval of the engineering proposal in the amount of \$41,390 for the repairs to the North Pine Circle Bridge. Motion seconded by Commissioner Oddo.

Discussions: Commissioner Fowler commented on the engineering proposal and suggested that JSS Property Management have the opportunity to review the bridge and documents and provide an estimate for the repairs. Commissioner Shelly asked if bids should be received from other firms; inquired about the urgency of the project. Mr. Maxwell stated that the repairs should be done as soon as possible; that he felt a two week delay to allow JSS the opportunity to review the bridge would not be a problem; that he stated that the town would soon be preparing documents for a new engineer of record or retaining Tampa Bay Engineering; that it was his suggestion that Tampa Bay Engineering continue with the bridge repair project.

Commissioner Shelly withdrew the motion to approve the engineering proposal for Tampa Bay Engineering. Motion seconded by Commissioner Oddo and carried unanimously.

Commissioner Fowler moved to table approval of the project for two weeks to allow JSS Property Management an opportunity to review the project. Motion seconded by Commissioner Rettstatt and carried unanimously.

PROCLAMATION DECLARING ARBOR DAY

Mr. Maxwell stated that it was the annual Proclamation declaring Arbor Day and was part of the Tree City ,USA requirement; that Arbor Day would be the same day as the Spring Fest that would be held on Saturday, April 11, 2009.

Commissioner Shelly moved approval of the Proclamation declaring Arbor Day. Motion seconded by Commissioner Rettstatt and carried unanimously.

RESOLUTION NO. 2009-08 - ESTABLISHING LINE OF SUCCESSION

Mr. Maxwell stated that it was the annual establishing line of succession for the commissioners; that the current line of succession was Mayor Katica, Deputy Mayor Fowler, Commissioner Shelly, Commissioner Rettstatt and Commissioner Oddo; that the current line of succession was based on seniority.

Commissioner Rettstatt moved approval of Resolution No. 2009-08 establishing line of succession for the elected officials; that the succession remain that being Mayor Katica, Deputy Mayor Fowler, Commissioners Shelly, Rettstatt and Oddo. Motion seconded by Commissioner Oddo and carried unanimously.

DISCUSSION AND APPROVAL OF PHASE IV WATER RESTRICTIONS

Mr. Maxwell stated that SWFWMD had recommended that the counties within their jurisdiction adopt the Phase IV water restrictions; that Belleair was not held to those same restrictions because the town has their own water system and was still in Phase III restrictions; that he wanted the commission to have the opportunity to discuss the issue and determine wether to move into the Phase IV restrictions.

Mr. Maxwell further discussed ensued regarding the differences in the Phase III and Phase IV restrictions; that the biggest differences were the change to only four hours to water that being from midnight to 4:00 am for properties less than an acre; that for properties 1 acre and more from midnight to 4:00 am and/or 8:00 pm to midnight; that basically the watering time was reduced from eight hours to four hours; that the other issue was that residential car washing and decorative fountains would not be allowed.

Discussions ensued regarding the impact on the town's water system with the change in watering times; regarding residential car washing and residential pressure washing; regarding commercial uses.

Mr. Maxwell stated that it was his recommendation that the town adopt the Phase IV water restrictions proposed by SWFWMD.

Commissioner Oddo stated that she felt Belleair should follow suit of other cities; that the current drought and that water supply was a serious problem in the state.

Commissioner Shelly moved to adopt the Phase IV restrictions to be effective April 15, 2009 through June 15, 2009. Motion seconded by Commissioner Rettstatt.

Discussions: Commissioner Shelly stated that he would like to stay with June 15th as the rainy season usually started around June 1st. Commissioner Oddo stated that she would like to do what the other communities were doing until June 30th.

DISCUSSION AND APPROVAL OF PHASE IV WATER RESTRICTIONS (Continued)

Commissioner Shelly amended the motion to have water restrictions effective through June 30, 2009. Motion seconded by Commissioner Fowler and carried unanimously.

Vote on the original motion was unanimous.

ADJOURNMENT

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

Town Clerk

APPROVED:

Mayor

Approved: 5/19/2009