

MINUTES OF WORK SESSION OF THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA HELD AT TOWN HALL ON MAY 5, 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 7:20 pm.

CITIZENS' COMMENTS

There were no citizens' comments.

TOWN MANAGER'S REPORT

Mr. Maxwell stated that he had only a few comments to make; announced the on Wednesday, June 10th Tom Iovino from Pinellas County would provide a Hurricane Safety Work Shop at town hall; stated that Susan Lee was the employee of the month and commented on the success of the April 1st employee health fair organized by Susan.

TOWN ATTORNEY'S REPORT

Mr. Ottinger commented on the issue regarding the Seaside Marina; stated that the decision had not be made regarding the oral arguments on the petition for the Hotel; that he expected the decision to come soon; that the petitioners counsel had filed additional notice requesting judicial notice of additional information; that the town did not object but did file a supplemental authority; that there were other filings by the petitioners counsel.

MAYOR AND COMMISSIONERS' REPORT/BOARD AND COMMITTEE REPORTS

Commissioner Oddo had no report.

Commissioner Fowler expressed appreciation to town hall staff for the birthday card he received.

Commissioner Shelly stated that there was would not be a park and tree board meeting in May; that the next fire suppression meeting would be interesting.

Commissioner Rettstatt stated that the recreation board did not have a meeting; stated that 2009 was the 85th anniversary for the town; that they working on having a large event near the end of February 2010; discussed a proposed new logo for the town; that she would like input and suggestions from the other commissioner.

MAYOR AND COMMISSIONERS' REPORT (Continued)

Mr. Maxwell suggested that there should be more conversation at a later time based on the suggestions submitted by the commissioners; that the budget impact should also be discussed.

Discussions ensued regarding continued review of the proposed logo.

Mayor Katica commented on the special finance board meeting regarding the fire suppression contracts; expressed appreciation to the finance board members.

POLICE CHIEF'S REPORT

Chief Edwards reported on recent criminal activities in town regarding burglaries, vehicle thefts and traffic stops; commented on the illegal use of golf carts on streets.

Mr. Maxwell suggested that anyone seeing a golf cart on the streets should report to the police department.

FIRE CHIEF'S REPORT

Deputy Chief Bufo provide information regarding the activity of the fire department for the past month; commented on the complete training for firefighters.

Mayor Katica expressed appreciation Deputy Chief Bufo and the Belleair Bluffs fire department.

DISCUSSION OF SOLID WASTE

Mr. Maxwell commented on confusion by staff to send notices to increase rates monthly for single family homes to recapture required revenue and forego the 5% increase at the end of the year; stated that he would like clarification from the commission.

Discussions ensued regarding residents signing up for the side yard collection; regarding the authorization to also allow town personnel to enter the residents property to collect the solid waste; regarding the same rate increase would be charged to everyone; regarding exact use determination; regarding the expected date of service for new customers.

Commissioner Fowler stated that he felt so far the increase has been based on an educated guess on what the cost would be; that the increase should be initiated now to cover the costs of the scooters; that if needed could be adjusted at the end of the term.

Mayor Katica stated that he would defer to the town manager on the matter; that he liked the idea of keeping it simple.

DISCUSSION OF SOLID WASTE (Continued)

Commissioner Shelly stated that he was in favor the letter allowing access to the property; that the new residents would be notified on a commencement date for collection services.

Commissioner Rettstatt stated that the issue seemed to becoming confusing; that she was in favor of the increase at one time and decrease the rate at a later date if it was applicable.

Mr. Maxwell stated that it was his understanding that the \$7 increase would be implemented now and make any necessary adjustments at the end of the year.

Discussions ensued regarding the required notification to residents and the means of notifications.

Commissioner Shelly suggested that notification on the outside of the envelope indicate to the residents that a response was required.

DISCUSSION OF ADVISORY BOARD NOMINEES

Mr. Maxwell stated that the commissioner had been provided a list of nominees.

Commissioner Oddo, commission advisor for historic preservation, stated that Wayne Sincich had resigned; that Peter Marich, an architect had agreed to serve on the board; that Patricia Irwin had returned and would like to be re-appointed.

Commissioner Oddo, commission advisor for building board of adjustment and appeals, stated that Jordan D'Alessio had not returned her call and he might need to be replaced; asked if anyone had any suggestions for nominees.

Commissioner Fowler stated that there was one vacancy on the planning and zoning board; that Brian Battaglia was resigning; that he would like to nominate Jim Millsbaugh; that Peter Marich would be serving another term.

Mayor Katica stated that there were no vacancies on the finance board as all members had expressed a desire to serve another term.

Commissioner Shelly stated that there no vacancies of the part and tree board as all members had expressed a desire to serve another term.

Commissioner Rettstatt stated that there no vacancies of the recreation board as all members had expressed a desire to serve another term; commented on having residents serving on more than one board at a time; that other residents should have an opportunity to serve if they wanted.

DISCUSSION OF ADVISORY BOARD NOMINEES (Continued)

Commissioner Fowler stated that unfortunately Peter Marich was the only other architect in town and that in order for the town to become a certified government regarding historic preservation it was necessary to have an architect serving on that board.

DISCUSSION OF FINANCE SOFTWARE

Mr. Murphy provided information for the proposed upgrade of software equipment for the finance department; that the upgrade was based more on necessity rather than want; that the current software was 25 years old; that there were some concerns regarding the degradation of data and software support; that the current system was based in California and only available 3 hours a day for support; that support services department had reviewed 20 different software packages; that a short list of 3 companies were presented to the finance board for a recommendation; that Black Mountain Software was selected; that it was his recommendation that Black Mountain would be a better fit for the town; discussed other positive aspects of the software; that the cost was \$91,000 and had been budgeted in the 2008-2009 budget.

It was the consensus of the commission that approval of purchase of the Black Mountain Software be placed on the next agenda.

CONTINUED DISCUSSION OF BOARD PROCEDURES

Mr. Maxwell stated staff had presented suggestions for board procedures; that there were some additional suggestions provided by the town clerk providing time limits for speakers at public hearings; that the review could go through changes as well as commissioner comments; that the information would codify a number of procedures currently used as well as any additional procedures.

Commissioner Shelly stated that on page 2 regarding 12 hours written notice for special work shops did meet Sunshine Laws; commented on the efficiency proposed for consent agendas.

Commissioner Rettstatt commented on the proposal to rotate the deputy mayor position annually; that she felt the deputy mayor was a matter of prestige and longevity had its merits; that she was not in favor of a rotation of the position.

Discussions ensued regarding the deputy mayor position.

Discussions ensued regarding time permitted for citizens' comments; that currently 3 minutes and additional time allowed at the discretion of the mayor.

CONTINUED DISCUSSION OF BOARD PROCEDURES (Continued)

Mr. Ottinger provided comment on the quasi-judicial procedures and a possible recommendation to

delete the procedures; that it was the responsibility of the commission to ensure that due process was allowed.

Discussions ensued regarding the period of time and number of times citizens are allowed to speak.

Discussions ensued regarding placing items on the agenda for commission consideration; regarding what member of the commission would present items on the agenda; suggestion that items for the agenda be accomplished by consensus of the commission; suggestions that should a commission wish to have a particular item placed on the agenda then a call should be made to the town manager with such request; regarding the change of agenda order by consensus of the commission.

Commissioner Oddo stated that she would like to add three things; that she felt town attorney should be reviewed in the manner as the town manager; suggested term limits for elected officials since the change to three year terms; asked if the commissioner advisor for advisory board could act as chairman of the board in the absence of the chairman.

Discussions ensued regarding the commission advisor acting as chair of a board meeting.

It was the consensus that the commission advisor not act a chair for advisory boards.

CONTINUED DISCUSSION OF TOWN MANAGER'S EVALUATION FORMAT

Mr. Maxwell stated he had just received the information today that he distributed regarding the manager's evaluation format; that he would provide a brief review; that he used several evaluations from ICCMA and one from City of Dunedin; that he had complied the information into a format that used for other town employees.

It was the consensus to continue the discussion and review to the June 2 work session.

ESTABLISH AGENDA FOR REGULAR MEETING - MAY 19, 2009 AT 7:30 PM

Mayor Katica announced the following items scheduled for public hearing at the May 19, 2009 regular meeting at 7:30 pm:

1. Mowing Resolution.

On motion duly made and seconded the following agenda was established as amended for the regular meeting for May 19, 2009 at 7:30 pm:

CITIZENS' COMMENTS

ESTABLISH AGENDA FOR REGULAR MEETING (Continued)

CONSENT AGENDA

1. Approval of Minutes - Special Meeting - April 7, 2009

Work Session - April 7, 2009
Regular Meeting - April 21, 2009

GENERAL AGENDA

Consideration of:

1. Resolution No. 2009-15 - Amending the budget for fiscal year beginning October 1, 2008 and ending September 30, 2009.
2. Resolution No. 2009-16 - Amending water rate for commercial properties.
3. Presentation by Tampa Bay Area Regional Transportation Authority.
4. Proposed resolution appointing members to serve on the Building Board of Adjustment and Appeals.
5. Proposed resolution appointing members to serve on the Code Enforcement Board.
6. Proposed resolution appoint to serve on the Finance Board.
7. Proposed resolution appointment to serve on the Historic Preservation Board.
8. Proposed resolution appointment to serve on the Park and Tree Board.
9. Proposed resolution appointment to serve on the Planning and Zoning Board.
10. Proposed resolution appointment to serve on the Recreation Board,

ADJOURNMENT

There being no further business to come before the commission the work session adjourned in due form at 8:35 pm.

Town Clerk

APPROVED:

Mayor

Approved 6/16/2009