



Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Minutes Town Commission

Tuesday, September 18, 2018

6:00 PM

Town Hall

Welcome. We are glad to have you join us. If you wish to speak, please wait to be recognized, then step to the podium and state your name and address. We also ask that you please turn-off all cell phones.

Meeting called to order at 6:00 PM with Mayor Gary H. Katica presiding.

PLEDGE OF ALLEGIANCE

COMMISSIONER ROLL CALL

Present: 5 - Mayor Gary H. Katica
Deputy Mayor Karla Rettstatt
Commissioner Michael Wilkinson
Commissioner Tom Shelly
Commissioner Tom Kurey

SCHEDULED PUBLIC HEARINGS

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

[18-0268](#)

Second Budget Hearing - Approval of Resolution 2018-37, Adopting the Millage Rate for Fiscal Year 2018-2019

JP Murphy-Town Manager- Stated this is final millage hearing; provided printed budget books to commission.

Stefan Massol-Director of Support Services- Provided overview of programmatic based budgeting; discussed TRIM and noticing process for both hearings; discussed rollback rate of 5.6392, percentage of increase over rollback rate is 15.26%; millage is set for 6.5; primary increase is to dedicate to infrastructure; briefly provided an over-view of property values.

There were no public comments made.

Deputy Mayor Rettstatt moved approval of second budget hearing, approval of Resolution 2018-37, adopting the millage rate for fiscal year 2018-2019 to 6.5; seconded by Commissioner Wilkinson.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

[18-0269](#)

Second Budget Hearing - Approval of Resolution 2018-38, Adopting the Fiscal Year 2018-2019 Town Budget

Mr. Murphy spoke on budget summary published in ad; total budget 18.5 million dollars; reviewed funds briefly; largest expense infrastructure fund which is specifically for capital projects; the next largest fund is the general operations fund; reviewed various department budgets.

Mayor Katica called for citizen comments; none to be heard.

Mr. Murphy continued discussion enterprise funds.

Tom Olson-Resident and Finance Board Chair-Commented on transparency and program budgeting; discussed finance board reasoning behind recommendation to increase taxes.

Commissioner Shelly moved approval of Resolution 2018-38, Adopting the Fiscal Year 2018-2019 annual operating and capital budget as proposed; seconded by Deputy Mayor Rettstatt.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

[18-0259](#)

Second Reading of Ordinance 522 - Amending Appendix B - Fee Schedule

Mr. Murphy stated it is appropriate to adjust the fee schedule annually with the budget; only increase added to schedule was for tree mitigation, Park and Tree Board unanimously recommended approval; sewer fees removed as they are no longer appropriate.

Commissioner Shelly moved approval of Ordinance 522-Amending Appendix B - Fee Schedule on second reading; seconded by Deputy Mayor Rettstatt.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

Those wishing to speak (on either variance or variance extension item) were sworn in by the Town Clerk.

Exparte communications expressed by Commissioner Kurey and Mayor Katica.

[18-0260](#)

Variance for 6 Eastwood Lane

Mr. Murphy provided overview of request for variance; stated the Planning and Zoning board recommended approval; pool did not encroach into the 5 ft. utility easement.

Jeff Zock-Applicant's Representative-Requesting variance for safer pool width; further discussed reasons for the request.

No public comments to be heard.

Commissioner Shelly asked about the Planning and Zoning Board recommendations; it

was stated that the Planning and Zoning Board unanimously approved the request.

Karla Rettstatt moved approval of variance for 6 Eastwood Lane; seconded by Commissioner Wilkinson.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

[18-0267](#)

Request for Extension of Variance for 3 Stonegate Drive

Mr. Murphy stated applicant is requesting extension for variance granted on April 18 2017; provided high level overview; permit was issued on September 22, 2017; previously approved variance with conditions; read specific conditions; applicant was requesting an additional 12 month extension; dock construction hasn't begun.

Tom Nash-Applicant's Attorney-Spoke briefly to the previous variance request; stated the building permit was issued on September 22, 2017; spoke about lawsuit filed by Connelly family against the applicant seeking an injunction to prevent construction of the dock; can not pursue any further permits due to pending lawsuit; requesting to follow the Planning and Zoning Board's recommendation of approval for the extension request.

Craig Taraszki-Attorney for Connelly's-Objected to variance request last year and extension; provided handout; presented case arguing lack of diligence of applicant, cited code sections relating to building permits, provided handout of email from gator dredging; discussed SWFWMD permitting; provided code section handout; FAC handout regarding riparian rights line and survey; also provided handout of applicant's original variance application. Requests denial of application for extension.

Mr. Murphy reviewed motion of approval of the variance request stating conditions of:
1. applicant would undertake to obtain a permit for dredging extending as far northward as possible or to at least to the middle 1/3 of the applicants property; 2. the dock would be located in the northern most limit of the dredge area or as far away from the neighboring seawall as possible to permit the launching of the boat; 3. regardless of a dredging permit, the dock would not be located farther south than as applied for which is currently 41 ft. from Mr. Connelly's seawall; 4. final design of the dock would be of the satisfaction of the Town that its position would be in it's most favorable way to reduce it's profile from the south; approval. Stated this is what was approved previously by commission; Planning and Zoning Board recommended approval of the extension request by a 3-2 vote.

John Hail-Resident, 16 N. Pine Circle-Questioned placement of dock; spoke in opposition of request.

No further public comments.

Mr. Nash provided rebuttal; stated no changes to application or dock layout; spoke about pending lawsuit.

Mr. Taraszki provided rebuttal; stated SWFWMD rejected historic dredge-line.

Discussion:

Commissioner Kurey questioned staff recommendation; Mr. Murphy stated timing was appropriate for the request for extension; had obtained a permit and made progress towards the other regulatory agency; could not commence due to injunction being filed; permit had not expired up to this point; extension was appropriate.

David Ottinger-Stated variance granted on basis of requesting dredging or to move it as far north as possible; SWFWMD has denied ability to get the maintenance dredging and has suggested an alternate dredging permit could be applied for; it stands that there has to be dredging; spoke about conditions and location of dredging; litigation.

Commissioner Wilkinson questioned SWFWMD; Mr. Murphy clarified the Town's role is the land use planning capacity; historically, water navigation will not entertain any permit application until the Town has issued its permit; Mr. Ottinger stated intent of code to act upon request, however if there were circumstances with reasonable reason for failure to commence construction, then that would be the standard to consider.

Deputy Mayor Rettstatt moved approval for the extension of variance for 3 Stonegate Drive for one year; seconded by Commissioner Shelly.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

CITIZENS COMMENTS

(Discussion of items not on the agenda. Each speaker will be allowed 3 minutes to speak.)

None to be heard.

CONSENT AGENDA**Approval of the Consent Agenda**

Deputy Mayor Rettstatt moved approval of the consent agenda; seconded by Commissioner Shelly.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

[18-0270](#) Approval of September 4, 2018 Regular Meeting Minutes

(approved as part of consent agenda)

[18-0265](#) Resolution 2018-40 - Adopting Pay Scale

(approved as part of consent agenda)

GENERAL AGENDA

[18-0258](#)

Presentation of Florida Recreation & Parks Association (FRPA) Corporate Sponsor Award to the Belleair Community Foundation

Rick Allison-Director of Parks, Recreation and Public Works-Stated that the FRPA Corporate Sponsor Award was awarded to the Belleair Community Foundation; discussed BCF nomination and contributions; presented award.

[18-0266](#)

Award of Contract for Building Official Services to SafeBuilt Florida, LLC

Mr. Murphy stated that the contract with SafeBuilt for Building Official Services has expired; staff is recommending to piggyback off the Town of Yankeetown to continue the contract with SafeBuilt.

Deputy Mayor Rettstatt moved approval of Award of Contract for Building Official Services to SafeBuilt Florida, LLC; seconded by Commissioner Wilkinson.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly, and Commissioner Kurey

POLICE CHIEF'S REPORT

Bill Sohl-Chief of Police-Provided update on traffic citations issued regarding school buses; code enforcement regarding roofs with tarps; code enforcement cases.

TOWN MANAGER'S REPORT

Mr. Murphy thanked Cathy DeKarz for the resident guide which is being distributed.

TOWN ATTORNEY'S REPORT

Nothing to report.

MAYOR AND COMMISSIONERS' REPORT/BOARD AND COMMITTEE REPORTS

No items to report.

OTHER BUSINESS

No other business.

ADJOURNMENT

Meeting adjourned in due form at 6:59 PM.

Commissioner Wilkinson moved to adjourn; seconded by Commissioner Shelly.

Aye: 5 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, Commissioner Shelly,
and Commissioner Kurey

TOWN CLERK

APPROVED:

MAYOR