



# Town of Belleair

901 Ponce de Leon Blvd.  
Belleair, FL 33756

## Meeting Minutes Town Commission

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Tuesday, April 4, 2017

6:00 PM

Town Hall

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**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 6:02 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.

[17-0036](#)

Consideration of Preliminary Development Plan - 1501 Indian Rock Road

Mr. Maxwell-Town Manager-Introduced case; Town Clerk swore in those wishing to speak.

Deputy Mayor Rettstatt met with Micah Maxwell and Tom Nash at the time applicant's request was received; no other exparte communications identified by commissioners.

Chris Brimo-Calvin Giordano and Associates-Provided staff presentation; detailed property; discussed proposed plan and the five variances requested; engineering standards have been met, SWFWMD permits have been applied for. Mr. Brimo further detailed variances and provided recommendations from the Planning and Zoning Board as follows: variance 1-approved unanimously, variance 2-approved 6 to 1 vote, variance 3-approved unanimously to include staff suggestions, variance 4-approved 6-1 vote with conditions, variance 5-approved unanimously.

Tom Nash-MacFarlane, Ferguson and McMullen-Attorney representing applicant-Introduced representatives for firms present.

Shane Robichaud-Beau Welling Design-Discussed history of course; design concepts and improvements based on Donald Ross principles; provided visuals of proposed

greens and clubhouse improvements.

Nick Fullerton-Fullerton Architects-Provided clubhouse design details.

Mr. Nash stated variance approval needed to move forward with development; detailed variance requests 1,2 and 3 relating to fence wall, reduction of loading docks, and reduction in parking.

Mr. Robichaud discussed variance requests 4 and 5 relating to tree mitigation and required landscape buffer.

#### **Public comments heard**

Kathy Gaston-Resident-Commented on proximity of cart path to homes.

Sam Hoskinson-Resident-Spoke in opposition to any future plans for fences between course and homes; also commented on buffer zone.

Joe Magri-Resident-Seeking clarification of type A buffer; proximity of cart paths to homes.

Rebecca Sjouwerman-Resident-Spoke on wildlife in construction area.

Gerald Coleman-Resident-Commented on drainage.

Tim Miller-Cardno TBE-Provided information relating to drainage; awaiting permitting.

Steve Hannis-Non Resident-Commented on tree mitigation.

Donna Davich-Resident-Spoke on concerns with events bringing additional traffic to Golf View.

Martha Thorn-Resident-Spoke in favor of plan approval.

Shelly Gilbert-Resident-Spoke against aspects of proposed plan; current view eliminated.

John Hood-Resident, Clearwater Audubon Society President-Commented on selecting landscape to provided wildlife habitats.

Ryan Joy-Resident-Spoke in support of buffer zone variance; proximity of cart paths.

Resident from 19 Hibiscus Rd (name not provided)-Commented on concerns with drainage.

Kathy Magri-Resident-Questioned construction timeline; trees near her home.

Mr. Maxwell questioned if project phasing may shift. Mr. Robichaud anticipates

June/July start, no change to construction; grow in period may change depending upon weather.

Mr. Nash stated phase one current start date of May 2017 needs to be pushed to July; anticipated completion of late 2018.

Larry Simineau-Resident-Commented on lakes on golf course; in support of project.

Mike Elliott-Resident-Spoke on proximity of cart paths.

Mr. Robichaud stated some flexibility relating to cart paths; will provide contact information to residents to address on a case by case basis.

Billy Henry-Resident-Commented on fairway widening near his home.

**Closed to public comment**

Mayor Katica spoke on importance of maintaining property as a golf course forever; introduced Dan Doyle Sr. and Dan Doyle Jr.

Commissioner Kurey spoke in support of project and buyer.

Commissioner Shelly spoke in support of project; commended Doyles for various community contributions over the years.

Mr. Maxwell read an email letter received from Brigitte Gutermann regarding tree mitigation into record.

Deputy Mayor Rettstatt commented on infrastructure needs; sale would provide funding opportunity for projects.

Commissioner Wilkinson in agreement with previous comments; commended family.

David Ottinger-Town Attorney-Discussed procedure for addressing variances and plan.

**Variance request #1 regarding the location of fence and fence walls pursuant to section 74-287(e) of Town Code:**

**Deputy Mayor Rettstatt moved approval of variance; seconded by Commissioner Kurey.**

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

**Variance request #2 regarding the reduction in the number of offstreet loading zones required per section 74-173 of the code**

**Commissioner Shelly moved approval of the variance; seconded by Deputy Mayor Rettstatt.**

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

**Variance request #3 regarding reduction for mixed or joint use of parking spaces pursuant**

to section 74-172(g) of the Town Code.

**Commissioner Shelly moved approval of the parking variance; seconded by Deputy Mayor Rettstatt.**

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

**Variance request #4 relating to tree replacement and bond pursuant to section 74-383(b)(1), section 74-383(b)(2) and section 74-383(b)(3).**

**Deputy Mayor Rettstatt moved approval of the variance; seconded by Commissioner Wilkinson.**

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

**Variance request #5 regarding required landscaping in buffer zone of golf course pursuant to section 74-232(b)(4) of the Town Code.**

**Commissioner Shelly moved approval of the variance; seconded by Commissioner Kurey.**

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

Meeting went into recess at 7:43 PM; meeting reconvened at 7:50 PM.

**Approval of the preliminary development plan for the Belleview Biltmore Golf Course.**

**Deputy Mayor Rettstatt moved approval of the preliminary development plan for 1501 Indian Rocks Road with an amended to phase one completion of March 2018, phase two by August of 2018 and the clubhouse by March 2019; seconded by Commissioner Wilkinson.**

**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.)

No comments to be heard.

## **CONSENT AGENDA**

[17-0062](#)

Approval of March 21, 2017 Regular Meeting Minutes

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

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

**GENERAL AGENDA**[17-0067](#)

## Resoultion 2017-05 Commission Procedures

Mr. Maxwell discussed amending rules; suggesting changes to line of succession voting.

David Ottinger noted change to rule #7 regarding effective date of ordinances.

**Commissioner Shelly moved approval of resolution number 2017-05 in regards to commisson procedures that we would vote live and in rule number 7b., all ordinances shall have an effective date as set forth in the ordinance; seconded by Commissioner Wilkinson.**

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

[17-0053](#)

## Arbor Day Proclamation

Eric Walhbeck-Parks and Recreation Director-Stated this is 26th year as a Tree City USA.

JP Murphy-Assistant Town Manager-Read proclamation into record.

**Commissioner Wilkinson moved to approve Arbor Day Proclamation; seconded by Deputy Mayor Rettstatt.**

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

[17-0066](#)

## Town Manager Resignation and Transition

Mr. Maxwell-Stated he has accepted a position with the City of Cleawater; discussed process on moving forward with governance.

Mayor Katica commended Mr. Maxwell and recommends selection of JP Murphy as Town Manager.

Commissioner Shelly thanked Mr. Maxwell for his service.

Mr. Maxwell discussed options set forth in the charter for Town Manager selection process.

**Commissioner Shelly moved acceptance of the resignation of the Town Manager, Micah Maxwell effective May 7, 2017; seconded by Deputy Mayor Rettstatt.**

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

**Commissioner Shelly moved to appoint JP Murphy as Town Manager; seconded by Deputy Mayor Rettstatt.**

**Commissioner Shelly amended his motion to be effective on May 7, 2017 and to be contingent upon mutually accepted contract; seconded by Deputy Mayor Rettstatt.**

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

**TOWN MANAGER'S REPORT**

Mr. Murphy expressed his thanks for the honor of being named Town Manager; spoke regarding lobby efforts by Commissioner Shelly and himself to request funding for R.O. process conversion for water plant. Funding request filed with Senate, concerns with amount; looking for consensus to reduce requested amount by half to show local effort.

Commissioner Shelly suggests amount be reduced by half to increase likelihood of funding; met with each senator from Pinellas County, willing to support if reduced by half.

Commission Consensus to reduce amount requested.

Mr. Maxwell suggests Town Attorney be involved in Town Manager contract negotiations.

**TOWN ATTORNEY'S REPORT**

No report.

**MAYOR AND COMMISSIONERS' REPORT/BOARD AND COMMITTEE REPORTS**

Mayor Katica-Commented on his term as President of the Mayors' Council

Commissioner Wilkinson-Recreation Board didn't meet; commented on last concert success, thanked sponsors; upcoming community events; commented on staff in attendance.

Deputy Mayor Rettstatt-Congratulated Mr. Murphy; thanked Mr. Maxwell for his service.

Commissioner Shelly-Requested fire chief to provide annual report in May; Park and Tree Board met; thanked BCF for contributions to parks.

Commissioner Kurey-Thanked Mr. Maxwell for his service; congratulated Mr. Murphy; commented on discussions from Infrastructure Board meeting regarding prioritization; need to communicate priorities to residents.

**OTHER BUSINESS**

No other business.

**ADJOURNMENT**

No further business; meeting adjourned in due form at 8:22 PM.

**Commissioner Wilkinson moved to adjourn; seconded by Deputy Mayor Rettstatt.**

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

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**TOWN CLERK**

**APPROVED:**

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**MAYOR**