



Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Minutes Town Commission

Wednesday, March 18, 2020

6:00 PM

Town Hall

Date change due to Election Day

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 was called to order at 6:00 PM with Deputy Mayor Rettstatt presiding.

PLEDGE OF ALLEGIANCE

COMMISSIONER ROLL CALL

Present: 4 - Mayor Gary H. Katica
Deputy Mayor Karla Rettstatt
Commissioner Michael Wilkinson
Commissioner Tom Shelly

Absent: 1 - 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.

Deputy Mayor Rettstatt stated there would some changes to the agenda; would like to call for a motion to table agenda item 20-0078 and 20-0079; this items were not a priority considering the situation.

Deputy Mayor Rettstatt stated she would like a motion to put resolution item 20-0082 as number 1.

Commissioner Wilkinson so moved.; Seconded by Commissioner Shelly.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

[20-0078](#) Presentation of Palmetto Roadway Project Communications Report
Item tabled.

[20-0079](#) Resolution 2020-02 Amending Fiscal Year 2019-20 Budget
Item tabled

[20-0031](#)

Request for Variance - 470 Park Avenue

Mr. Murphy provided overview of request; Planning and Zoning Board recommended unanimous approval.

Applicant was sworn in.

No exparte communication.

Applicant had no further comments, no comments online; or in audience.

Commissioner Wilkinson moved to approve the variance request for 470 Park Avenue as presented. Seconded by Commissioner Shelly.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

[20-0082](#)

Resolution 2020-03 - Declaring State of Emergency - Novel Coronavirus (COVID19)

JP Murphy-Town Manager-Discussed purpose of resolution 2020-03; following guidelines as they change; recreation programming has been cancelled-following school district; County is suggesting closures; suggests closing facility to public for recommended two week period; will be providing services via phone and email for social distancing; CDC allowing communities to conduct risk assessments; Mr. Murphy's policy has been taking 30 day window approach; residents allowed to be out for essential activities; town can request supplies later through EOC if needed, currently well stocked; water system is in no way compromised; all facilities undergoing a deep clean; police and solid waste departments potentially most vulnerable due to increased public contact; parks are open currently.

Mr Murphy read resolution 2020-03 into the record; is valid for 7 days with Mayor able to extend in 7 day increments.

No public comments to be heard.

Commissioner Shelly moved approval of Resolution 2020-03 declaring State of Emergency for the Town of Belleair as amended.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

[20-0081](#)

Second Reading of Ordinance No. 529 - Amending Special Relief Permits

Mr. Murphy stated ordinance amends current special relief permit process; provided scenarios of events that would apply to; would require an application to be heard at two public hearings due to impact on community; read into record by title only; discussed cost recovery for resources, application fee, parking code amendments; recommends approval.

Commissioner Shelly moved approval of Ordinance No. 529 - Amending Special Relief Permits on second reading. Seconded by Commissioner Wilkinson.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

CITIZENS COMMENTS

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

No comments one online or in house.

CONSENT AGENDA

Deputy Mayor Rettstatt stated the Omelette Party has been canceled.

Commissioner Wilkinson moved approval of the consent agenda. Seconded by Commissioner Shelly.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

[20-0072](#) Special Relief Permit Request - Banner for Omelette Party Plant Sale (ARC of Tampa BAY)

request withdrawn

[20-0073](#) Approval of March 3, 2020 Regular Meeting Minutes

(approved as part of consent agenda)

[20-0058](#) Proclaiming April 2020 as Water Conservation Month

GENERAL AGENDA

[20-0085](#) Consideration of Belleair Country Club Revised Letter of Intent to Lease Waterfall West Parcel

Mr. Murphy discussed prior meetings and discussions; appraisal done and valued at approximately \$400,000; parcel 60x300 ft; designated as park use currently; still maintaining public access.

Hal Bodley-Belleair Country Club representative-Originally approached commission in 2016; thanked town staff for working to find a compromise that would be beneficial to both parties; 30 year lease proposal; present letter of intent, attorney to detail.

David Phillips-Attorney with Phillips, Hayden, and Labbee-Thanked Commissioners and staff; detailed new lease agreement terms are 30 years, initial down payment of \$350,000; rent annually will be \$22,500 for 1st 10 years; up 3% for the 11-15 years; would be going up 3% every 5 years thereafter; club to pay maintenance, insurance and taxes, also agree to rebuild seawall and obtain engineer survey; pedestrian access to be maintained with alerting system; access will be on seawall out to point; available for

questions.

Commissioner Shelly questioned if repairs will be made in first year; Mr. Phillips stated yes upon engineer report.

Mayor Katica in support of approving.

Mr. Murphy stated if commission chooses to accept, an ordinance must be drafted; suggested to set all dollars and proceeds to go to parks by fund assignment; consensus to have dollars go to park system, Hallett Park and the Bluff.

Deputy Mayor Rettstatt commented on water view.

Mr. Bodley commented on expanded view once vegetation cleared.

Mr. Murphy stated the Town will receive almost \$1.3 million for lease of property and retains ownership.

Discussed unknown future meeting schedule; next step, a major development application to be approved; then building approval; will know more later.

Commissioner Shelly moved to accept the Belleair Country Club's offer to lease the Waterfall West parcel and further to authorize the Town Attorney to draft an ordinance, executing the lease, with a fund assignment to dedicate this funding to the maintenance and restoration to Hallett Park and Bluff. Seconded by Commissioner Wilkinson.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

[20-0083](#)

First Hearing of Major Event Special Relief Permit Application for the Pelican Women's Championship

Mr. Murphy stated application was part of Ordinance No. 529 process; Ad Hoc approved with a few changes; no approval for this reading, would be done at 2nd reading; because of fluidity of situation, highly likely it will occur later but in interest of continuing process in event it is on as planned; cancellation still unknown and LGPA will update later.

Commissioner Wilkinson questioned if approved, can dates be amended later.

Mr. Murphy stated we should know within a week; following CDC and County, date of tournament is outside of their dates; allowing event coordinator to find options, will provide a hard date for either reschedule or cancellation; plan now then can always postpone or reschedule.

Ryan Dever-Tournament Manager, Eiger, LPGA Marketing Group-Has not yet made any announcements/decisions beyond April 5th; monitoring CDC guidelines and currently on schedule. Mr. Dever discussed master schedule plan; master site plan.

Mr. Murphy commented on request for closure is temporary and in no way related to public request to maintain Poinsettia closure.

Mr. Dever continued presentation regarding Saturday concert special event.

Nancy Lycan-Chief Marketing Officer, DEX-Is managing concert portion if approved; residents kept in mind and kept least invasive as possible; would be started promptly at 6 PM and be 90 minutes in duration; will adhere to noise ordinance; showed proposed stage location; open to only those who purchased tickets on Saturday.

Mayor Katica spoke in support.

Ms. Lycan continued presentation, temporary fencing; Mr. Dever stated fence would section off parking area and provide perimeter security for concert area.

Mr. Murphy noted that the Ad Hoc Committee approved the extension for weather delay or technical delay for audible noise to be extended to 10 PM.

Nancy noted that many LPGA and PGA events include a concert event and is generally expected.

Deputy Mayor Rettstatt suggested speaking with residents most impacted.

Mr. Murphy spoke on area of stage would require a variance as it is on town right-of-way; not a specifically enumerated allowed use per code but this is a staple of tournaments so code does allow for temporary uses; deferring to commission for approval; proposed orientation mitigates as much impact as possible.

Commissioner Shelly spoke in support; concurred with extension of time no later than 10:00 PM and to speak with the neighbor one on one.

Mr. Murphy stated that this should clarify that it be part of this event and not a regular event; any future event would need to go through special relief process.

Keith Bodeker-Construction Project Supervisor-Questioned how any damage or repairs to right-of-way area will be repaired, Ms. Lychen stated DEX will cover cost. (will add to conditions)

Mr. Dever continued presentation with traffic and signage plan discussion; parking plan for general spectators, shuttles to run; if any further questions, will be available.

Mayor Katica suggests Chief Doyle assist with any additional traffic concerns.

No online or audience questions.

Mr. Murphy stated no action to be taken tonight; 2nd hearing to be determined; will be announced and communications done.

[20-0077](#)

Discussion of Parking Permit Process for the Pelican Women's Championship

Not discussed

POLICE CHIEF'S REPORT

Chief Doyle commented on potential for increase in domestics: spoke on keeping safe and locking doors; enjoy outdoors and stay active; added extra patrols.

TOWN MANAGER'S REPORT

Mr. Murphy spoke briefly on COVID-19 response; Chief and other departments working

to provide supplies to elderly; spoke on BCC ethics decision regarding lease vote, Ethics Commission recommends that Commissioner Kurey abstain as he is a member (20-03 formal opinion); that opinion will be attached to the ordinance; provided clarification on some state ethics laws.

TOWN ATTORNEY'S REPORT

David Ottinger-Town Attorney- Stated anticipating executive order to assist in facilitation of virtual meetings.

MAYOR AND COMMISSIONERS' REPORT

Mayor Katica - Nothing to report.

Commissioner Wilkinson-Recreation board didn't meet; thanked everyone.

Commissioner Shelly-Boards canceled; thanked staff.

Deputy Mayor Rettstatt stated the Planning and Zoning Board met; keeping employees safe.

OTHER BUSINESS

No further business

ADJOURNMENT

Meeting adjourned in due form at 7:48 PM

Commissioner Wilkinson moved to adjourn. Seconded by Commissioner Shelly.

Aye: 4 - Mayor Katica, Deputy Mayor Rettstatt, Commissioner Wilkinson, and Commissioner Shelly

Absent: 1 - Commissioner Kurey

TOWN CLERK

APPROVED:

MAYOR