



## **Meeting Minutes**

Tuesday July 24, 2018  
Belleair Bluffs City Hall  
6:00PM

### **Town of Belleair Shore** **Regular Meeting of the Board of Commissioners**

#### **PRESENT:**

Mayor Robert Schmidt, Commissioner Blume, Commissioner Niewiarowski, Commissioner Roseman, Town Attorney Regina Kardash.

#### **Guests:**

Sean Hyer, 1300 Gulf Blvd; Jeanine Bettinger, Davidson, Jamieson & Cristini; Attorney Kami Corbett, Foley & Lardner

#### **Approval of Agenda:**

It was moved by Commissioner Roseman and seconded by Commissioner Niewiarowski to approve the agenda. The voice vote was unanimous.

#### **Comments from the public on any agenda item:**

There were no comments from the public on the agenda.

#### **Approval of minutes from the June 19, 2018 meeting:**

It was moved by Commissioner Roseman and seconded by Commissioner Niewiarowski to approve the agenda. The voice vote was unanimous.

#### **Treasurer's Report and Approval of Expenditures:**

Mayor Schmidt presented the treasurer's report, June profit and loss statement. Mayor Schmidt indicated the old bank account remains open to insure all checks have cleared. It was moved by Commissioner Roseman and seconded by Commissioner Niewiarowski to approve the Treasurers report. The voice vote was unanimous.



Town Clerk Barb Colucci presented expenditures of \$1098.88 to update website, own our URL for 5 years and various office supplies. It was moved by Commissioner Roseman to reimburse Clerk Colucci, seconded by Commissioner Niewiarowski. The voice vote was unanimous.

### **Sheriff's Report**

Sheriff's contract for 2018-2019 fiscal year signed by Mayor and Counsel.

### **Unkept Property 860 Gulf Blvd and VRBO**

Counsel Regina Kardash to contact Special Magistrate Tom Trask to appoint him at our August meeting. Update at August Meeting. Our Special Magistrate previous appointment has expired. Counsel to draft a resolution to present at August 2018 meeting.

### **980 Gulf Blvd Update – Turtle Update**

Commissioner Roseman noted that after several personal attempts at contacting this location due to the turtle drainage issue, she has been unable to contact anyone at this address.

Pinellas County, John Bishop, reached out to us as a courtesy.

Pinellas county is aware that we have no ordinance that would relate to the turtles and has been contacting us as a courtesy. Counsel Kardash stated that the turtle issue is under the Florida, Fish and Wildlife jurisdiction and we have no enforcement authority. Counsel Kardash questioned if the town would like an ordinance in place but it is believed that it is not necessary at this time. Mayor would like to get a copy of surrounding town model ordinances first. Pinellas county contacted us to request that we turn out the overhead street lights at the 19<sup>th</sup> Street access lot. A call was placed to Duke Energy to facilitate this request and no response was received. Belleair Beach City Manager, Lynn Rives was contacted about this issue and stated that Belleair Beach does not want people at the beach accesses after dark anyway.

### **FEMA FIRM Maps**

Counsel Kardash presented the preliminary FEMA proposed flood insurance rate maps. Belleair Shore will be passing our new flood plain ordinance shortly and will be based on the model provided by FEMA. Discussion was had regarding AE and VE property differences. Commissioner Roseman noted that Belleair Shore homes do not flood. Believes flooding happens on the intracoastal side of the island. If we enact an ordinance to respect this new rate map (keeping AE and VE on the same level), it would match what everyone else in Pinellas County is doing and provide credit points to Belleair Shore residents. Counsel believes the focus should be whether or not we would like to zone AE properties the same as VE properties, for the purposes of flood insurance and credit points. Belleair Shore has 90 days to respond to this so this will be added to August 21 2018 agenda.





### **Duke Energy Easement Notices to Residents**

Duke Energy wants 10 foot easements on each property to underground their utility. If the resident power lines are above ground, the cost to relocate the lines underground would be the responsibility of the homeowner. Business Manager Belleair Beach, Lynn Rives advised Mayor Schmidt that Belleair Beach mail the proposed easements from Duke Energy to our Belleair Shore residents. Mayor believes that the town should have no responsibility for these easements and have no liability in these easements. It should be the responsibility of the property owners. Commissioner Roseman stated that she has not been able to obtain a copy of the reference map concerning this. The Mayor believes that the contact should be between the property owners and Duke Energy only. Commissioner Roseman was told that we would have to obtain this information from Lynn Rives/Business Manager Belleair Beach.

### **1300 Gulf Blvd-tabled from 6.19.18 meeting**

Attorney Kami Corbett on behalf of Sean Hyer presented Exhibit A, B and C to address all issues that were mentioned by commission at the June 19, 2018 meeting. An article regarding this issue was published in the Belleair Bee. Attorney Corbett notes that this article does effectively serve as notice to the neighbors and town of the proposed plan. Commissioner Roseman brought it to the attention of Attorney Corbett that there is considerable attention being paid by the County and Clearwater Marine to the turtles on the beach at this time and this should be taken into account. The proposed court would be constructed at the front portion of the property. Mr. Hyer would like to have lighting allowed until 10:30 pm but would keep the lighting on a timer if the courts are not being used.

It was moved by Commissioner Blume that the neighbors to the north and south of this property be notified of the plans. Proof of this notification should be brought to the August 2018 meeting, seconded by Commissioner Niewiarowski. The voice vote was unanimous.

### **Availability of Commissioners for the August 21, 2018 meeting:**

Mayor Schmidt, Commissioner Niewiarowski and Commissioner Blume will be attending.

### **Mayor/Commissioner comments on non-agenda items:**

Jeanine Bettinger, Davidson, Jamieson & Cristini, recommended Quickbooks Online and Bookkeepers on Demand to provide instruction and storage of the Town Quickbooks. Jeanine Bettinger presented the Annual Financial Report for FY 2015/2016. We are in arrears with our audit. Due to our size we are audited every 3 years. Last fiscal year and this fiscal year we are in review years. Beach access gates are our only depreciable asset.

Beach Re-nourishment: Commissioner Roseman presented documentation of heavy equipment and frontend loaders traversing the beach from north to south. This was done without any



notification to our municipality. Commission questioned how this effects the turtles that were also relocated to Belleair Shore with no notification to our municipality.

Commissioner Blume raised the question of painting beach access walls. Mayor Schmidt will bring estimates to the August 2018 meeting. Commissioner Blume provided information that the south side neighbor of the 12<sup>th</sup> street beach access painted and stuccoed the one side wall.

Mayor reminded commission that Ethics Training program is October 30, 2018 or commission can do it online.

Mayor passed a letter around that he received from the Southwest FL Military Museum for information.

Mayor passed around the Executive order from the State of FL for information.

Belleair Shore is the sponsor for the Big-C breakfast on July 25, 2018. 8:30am for breakfast 9:00am meeting. Commission is invited.

**Public comments on non-agenda items:**

Wayne Ayers stated that regarding the turtle as long as he has been covering this area he has not heard mention of the turtle ordinances.

**Adjourn:**

The meeting adjourned at 7:25 PM. The next meeting will be Tuesday, August 21, 2018, at 6:00 PM, at the Belleair Bluffs City Hall, 2747 Sunset Blvd, Belleair Bluffs, FL.

8.21.18.  
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Date Approved

APPROVED:

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Robert Schmidt, Mayor

ATTEST:

*B. Colucci*

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Barbara Colucci, Town Clerk