



Meeting Minutes

Tuesday September 17, 2019
Belleair Bluffs City Hall
5:30PM

Town of Belleair Shore
Public Hearing for 2019-2020 FINAL Budget and FINAL Millage Rate

PRESENT:

Vice Mayor Roseman, Commissioner Niewiarowski, Commissioner Piscitelli, Attorney Regina Kardash

5:31 pm Public Hearing opened by Vice Mayor Roseman

It was moved by Commissioner Piscitelli, seconded by Commissioner Niewiarowski to adopt Resolution 2019-03 Final Millage Rate of .6350 for FY 19/20. Voice vote was unanimous.

It was moved by Commissioner Niewiarowski, seconded by Commissioner Piscitelli to adopt Resolution 2019-04 Final Budget Approval \$122,180.00 FY 19/20.

Counsel Kardash read Second Reading Ordinance 2019-01 – Chapter 26 (Section 26-1) Parking Violations; Penalty now \$45.00.

Public Hearing comments from the public:

There were no comments from the public at the Public Hearing.

5:37 pm Public Hearing closed by Vice Mayor Roseman

Town of Belleair Shore
Regular Meeting of the Board of Commissioners

Belleair Bluffs City Hall
6:00PM

PRESENT:

Vice Mayor Roseman, Commissioner Niewiarowski, Commissioner Piscitelli, Attorney Regina Kardash, Resident Doug Seith, Wayne Ayers, Nancy Ayers

5:37 pm Call to order by Vice Mayor Roseman

Consideration to Approve Agenda:

It was moved by Commissioner Piscitelli 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 Tentative Budget and Millage Rate from the September 9, 2019 meeting:

It was moved by Commissioner Piscitelli and seconded by Commissioner Niewiarowski to approve the Minutes from the September 9, 2019. The voice vote was unanimous.

Approval of Minutes Regular Town Meeting August 20, 2019:

It was moved by Commissioner Niewiarowski and seconded by Commissioner Piscitelli to approve the Minutes from the August 20, 2019 meeting. The voice vote was unanimous.

Sheriff's Report

No crime for the Month of August 2019

Audit FY 2017/2018

Richard Cristini CPA provided an overview of our 2017/2018 Audit which allows the Town of Belleair Shore to be in compliance with the State of Florida Audit Committee. The Town of Belleair Shore will be obtaining a Fidelity Bond from this time forward. Clerk/Treasurer will be refiling paid bills and will be marking date paid on each bill from this time forward. Clerk/Treasurer will be filing deposits in in recommended order from this time forward. Counsel noted that Davidson Jamieson Cristini firm has changed hands and there is a Florida Statute that states that we will have to go out to bid after a year as the statute demands.

Treasurers Report

Clerk/Treasurer, Barb Colucci went over balance sheet and P&L. August 2019 expenditures: Persson & Cohen Attorney \$440, Pinellas County Sheriff \$2964.00, Clerk/Treasurer Salary \$896.50, Waste Connections \$793.20, Verizon \$68.92, Banquet Masters (Big C) \$574.50, Regions Bank Service Fee \$29.72. It was moved by Commissioner Piscitelli and seconded by Commissioner Niewiarowski to approve both the treasurers report and expenditures. The voice vote was unanimous.

Revision Ordinance 30-53 Beach Prohibited Activity

Counsel Kardash read the proposed changes to Ordinance 30-53. Changing the Ordinance to read allowing non-motorized watercraft and allowing bicycles. All other items will remain. No dogs are included under a separate ordinance, so that will not change. Signage will be determined in a future Town Meeting.

Revision Ordinance Chapter 18 – Environment; Article III – Noise: Sec 18-71 Prohibited Activity

Counsel Kardash read the proposed changes to Ordinance Chapter 18 – Environment; Article III – Noise: Sec 18-71 Prohibited Activity. Counsel prepared a memo on this ordinance change. Noise ordinances sometimes can get into some constitutional standards. The Town Ordinance is severely outdated. Counsel added a sentence to the end stating: Furthermore; it shall be unlawful

to create or to permit to be created any noise in a residential zone any noise that exceeds 72 decibels during hours between 7am and 11pm or 55 decibels between 11pm and 7am daily. Counsel also noted that it was also added that under a local declared state of emergency the Mayor can allow changes to this. The sound level standards that Counsel chose are exactly in line with Pinellas County ordinances on this. Sound measurement level will be measured by the Sheriff from the closest adjoining property line. Commissioner Piscitelli noted that he feels these measurements are appropriate and tight. Vice Mayor Roseman questioned if there was a provision in the amended ordinance regarding duration of the noise. Resident Doug Seith noted that it would behoove the Town to look into the National Audiology standards for noise regarding the decibel levels. He believes that the decibels could be tighter. Resident Doug Seith proposed a question about frequency and when it is okay to call the police. What is the process. Counsel noted that this will be enforced through our Code Enforcement Ordinances. The Sheriff can issue one citation per day. Each occurrence can be a \$250.00 fine. If the offender pays the \$250.00 fine, the next citation can be increased. If the resident leaves the home with the noise on, the Sheriff can post the property. Counsel noted that we can also choose to go through the County Clerk's office to collect these fines instead of through our Special Magistrate Tom Trask. If the fine goes through our Special Magistrate, the Town collects the entire amount of the fine. If through the County Clerk's office, they will take a portion of the fine. The only benefit depends on the attitude of the person being fined. If they are going to County Court, it may have more impact than going before a Special Magistrate. Vice Mayor Roseman noted that since the original ordinance was drafted in 1982, the Town is long overdue for an update. Commissioner Piscitelli questioned the property address that is a problem. 320 Gulf Blvd. Resident Doug Seith noted several incidents and problems citing the level of noise. Commissioner Piscitelli advised Mr. Seith to call the Sheriff with any problems and not to take on anything himself. Commissioner Piscitelli questioned whether the County Ordinance would take effect if we had no Ordinance to cover the violation. Since we have a Noise Ordinance on file, the Sheriff would have to have an opinion from his legal Counsel if the County ordinance would be applicable. Vice Mayor Roseman suggested that Counsel Kardash use the standards from the National Audiology Society levels and possibly add verbiage about time duration. Counsel Kardash noted that the Town can advertise the Ordinance change and Counsel can make changes to decibel levels for the final adoption.

Availability of Commissioners for October 15, 2019 meeting

Mayor	Yes
Roseman	Yes
Niewiarowski	No
Piscitelli	No
Blume	No

Mayor/Commissioner Comments on Non-Agenda Items

Unkept property 660, 860 and 880 Gulf. Counsel and Vice Mayor Roseman will be contacting Code Enforcement to provide report on these properties so Counsel can prepare letters to the homeowners. Once the letters are sent to the residents, they are given a time frame to complete the cleanup. If the property is not cleared, it could be a month or more before these can be brought before the Special Magistrate. Discussion was had about imposing a fine of \$250.00 and allowing the Town to clear the properties after the first warning. Counsel Kardash noted that the Town would have to have an ordinance in place to enforce this and will need inspection reports from Code Enforcement officer Steve Buckner to put together the letters.

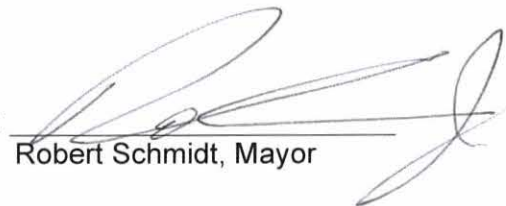
Public Comments on Non-Agenda Items


No comments from the public on non-agenda items.

Town Meeting adjourned 6:42pm.

The next Regular Commission meeting and First Reading of Ordinance changes 30-53 and Chapter 18 will be at 6:00 pm Tuesday, October 15, at the Belleair Bluffs City Hall, 2747 Sunset Blvd, Belleair Bluffs, FL.

11/19/19
Date Approved

APPROVED: 
Robert Schmidt, Mayor

ATTEST: 
Barbara Colucci, Town Clerk