



## **Meeting Minutes**

Tuesday November 19, 2019  
Belleair Bluffs City Hall  
6:00PM

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

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##### **PRESENT:**

Mayor Robert Schmidt, Vice Mayor Roseman, Commissioner Niewiarowski, Commissioner Blume, Commissioner Piscitelli, Attorney Regina Kardash, Wayne and Nancy Ayers Beach Bee, Cpl Maul, Lisa Clarke, Doug Seith

**5:57 pm Call to order by Mayor Schmidt**

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

It was moved by Commissioner Piscitelli and seconded by Vice Mayor Roseman 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 September 17, 2019 meeting:**

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

##### **Sheriff's Report**

CPL Maul reported no crime. Report shows some illegally parked vehicles and no crashes. Mayor questioned regarding a situation involving a man in a white robe videotaping his home, then this person came on to the property patio and continued videotaping close to the house. Mayor questioned if Cpl. Maul had heard of this before. Commissioner Blume noted that this person had been on his back deck also. Commissioner Roseman noted that she has also seen this person. Cpl. Maul noted that he would be sending a memo to the Deputies to watch for this situation.

### **Treasurer's Report, Approval of Expenditures**

Clerk/Treasurer, Barb Colucci presented Balance Sheet and P&L from September and October 2019 and cited expenditures for approval: September; Duke Energy \$281.42, Tampa Bay Times \$138.00, Regions Bank \$30.42 Svc Chg, Davidson, Jamieson, Cristini \$14,000.00, Pinellas County Sheriff \$2964.00, Verizon \$69.58, Waste Services \$793.20, Persson & Cohen \$760.00, Clerk/Treasurer salary \$896.50, Tampa Bay Times \$492.20. October; Duke Energy \$281.45, Regions Bank \$29.91 Svc Chg, Mayors Council Dues \$300.00, FMIT Insurance Annual \$7,379.00 (includes Fidelity Bond for Clerk/Treasurer Insurance), Persson & Cohen \$1,580.00, Clerk/Treasurer salary \$896.50, United Mini Storage \$870.72 annual, MuniCode \$550.00 Annual, \$135.35 toner cartridge and postage, Verizon \$69.67, Clerk of the Circuit Court \$50.00 ordinance enforcement charges, Waste Services \$793.20, ASAP Financial \$186.10 audit printing, Pinellas County Sheriff's Office \$2,850.00, US Treasury \$540.00 Quarterly taxes. Mayor Schmidt noted that the Fidelity Bond and insurance increase was a recommendation from our auditing firm. It was moved by Commissioner Piscitelli and seconded by Commissioner Blume to approve both the treasurers report and expenditures. The voice vote was unanimous.

### **Ordinance 2019-02 – First Reading – Beach Area Access restricted activities**

Public Hearing: Counsel Kardash read Ordinance Chapter 30-Waterways, Division 2. – Beach Access Area Restrictions, Section 30-53 update. No comments from public. It was moved by Commissioner Piscitelli and seconded by Commissioner Blume to approve first reading. The voice vote was unanimous.

### **Ordinance 2019-03 – First Reading – Chapter 18 Environment - Noise**

Public Hearing: Counsel Kardash read Ordinance Chapter 18-Environment, Article III.-Noise Section 18-71 – Prohibited Activity update. No comments from the public. It was moved by Vice Mayor Roseman and seconded by Commissioner Niewiarowski to approve first reading. The voice vote was unanimous.

### **Code Enforcement**

Counsel Kardash noted that there have been issues with lot clearing and she is working with our code enforcement officer to obtain accurate records so she can proceed with official violation notices. Letter was received from resident Patty Stockell regarding neighboring hedge height. (Sec 46-133). Commissioner Blume questioned whether this hedge height issue is a County issue. It was explained that this is in our Town ordinances, not county. Mayor explained that this ordinance was established to allow residents to command a complete view of the water but in walking the beach, notes that there are very many lots that have vegetation that blocks the water and there are also fences. In the opinion of the Mayor, if we are to enforce this for one instance, we will have to enforce this for all homes. It was voiced by Commissioner Blume that it would be hard to enforce this. Counsel Kardash noted that if we are not enforcing this, then we need to remove it from our code. Mayor Schmidt went on to say that he has been involved with our Town government for over 25 years and there were many discussions on this over time. There are many sections of the beach that the view is blocked. It is in our code and he is afraid that if we



do not enforce the code, there will be a mess from one end to the other. Commissioner Blume noted that this partially pertains to the Commission not allowing a tennis court to be built. Counsel Kardash noted that in Code Enforcement motives don't matter. Commissioner Piscitelli suggested that we warn the neighbor in violation that they are in violation. Suggests that when and if we get complaints, the resident will be warned of the violation. Vice Mayor Roseman noted that the sea grapes can grow six feet in a season. Commissioner Blume agreed with the warnings with complaints only. Mayor Schmidt requested Counsel to send a warning letter to this resident. Counsel noted that she will need proper evidence from the code enforcement officer to move forward with warning letter. Counsel will work on obtaining this evidence. Wayne Ayers noted that sea grapes in the dune areas are regulated by the EPA and they cannot be cut below a certain level.

### **Building Services and Interlocal Agreement**

Counsel Kardash noted that we should renew the existing agreement with Pinellas County vs going out to bid. The last time we considered going out to bid, the prices were exorbitant. Counsel is also checking on updating our interlocal agreements with the County on Flood Plain Management and our Building Code. Mayor noted that this is a duplication of what we have always had in the past. Counsel noted that this has never been used in the past. Commissioner Blume asked if we would know about any charges from this interlocal in advance IF we needed to use it. Counsel assured him that we would. Counsel noted that if there were a resident that applied for a land use change, we would have to use this interlocal, but she does not see that happening, as it has never happened in the past. It was moved by Commissioner Piscitelli and seconded by Commissioner Blume to approve the interlocal agreement. The voice vote was unanimous.

### **New Beach Access Signs-discussion**

Postponed until the December 17, 2019 meeting.

### **Miscellaneous**

Clerk/Treasurer noted that we have not been receiving mail at our 1200 Gulf Blvd mailbox. It was found that it against the law to deliver to a vacant lot.

The Town new mailing address is:

PO Box 8

IRB, FL 33785

Mayor noted that he approved the expenditure for the PO Box.

Counsel noted that it is time soon for candidate packets. It was noted that packets will need to be picked up at Clerk/Treasurer address.

### **Availability of Commissioners for December 17, 2019 Regular Town Meeting.**

Mayor	Yes
Blume	No
Niewiarowski	Yes

Roseman	Yes
Piscitelli	No

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

No comments on non-agenda items.

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

Resident Doug Seith requested stricter noise decibel levels on the Ordinance being changed at this time. Resident requested that the noise level that we agree to would be in line with the Audiology Institute. Counsel noted that we can change the levels before the approval at the December meeting. Counsel also noted that the noise level does not matter if it is sustained noise. If the level is at the citation level when the Police Officer is at the residence measuring it, it can be enforced. If we note a sustained amount of time, the Officer will only be able to enforce the Ordinance if the level is sustained for the noted amount of time. This would be a detriment to being able to enforce the Ordinance itself. No public comments on non-agenda items.

**Adjourn:**

Motion to adjourn at 6:32 PM made by Commissioner Piscitelli, seconded by Commissioner Niewiarowski. The voice vote was unanimous.

The next regular Commissioners meeting will be Tuesday, January 21, 2020, 6:00 PM, at the Belleair Bluffs City Hall, 2747 Sunset Blvd, Belleair Bluffs, FL.

Date Approved

12/10/19

APPROVED:

Robert Schmidt, Mayor

ATTEST:

B. Colucci

Barbara Colucci, Town Clerk