



Meeting Minutes

Tuesday March 26, 2019
Belleair Bluffs City Hall
6:00PM

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

PRESENT:

Mayor Robert Schmidt, Commissioner Niewiarowski, Commissioner Piscitelli, Commissioner Blume, Attorney Regina Kardash.

6:00 pm Call to order by Mayor Schmidt

Approval of Agenda:

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

Oath of Office

Oath of office was executed to Mayor Robert Schmidt.

Comments from the public on any agenda item:

There were no comments from the public on the agenda.

Approval of minutes from the January 15, 2019 meeting:

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

Sheriff's Report

Sgt. Viano presented. Deputy Miller was also present. February 2019 no crimes. 1 misdemeanor/loitering prowling arrest. 21 house checks. 14 citations for illegally parked vehicles. 6 traffic stops. 2 suspicious person reports. 1 vehicle crash at Gulf and 1st. Total 49 events.

Treasurer's Report and Approval of Expenditures:

Clerk/Treasurer, Barb Colucci went over balance sheet and P&L. Clerk/Treasurer presented February 2019 expenditures Duke Energy \$284.12, Waste Connections \$793.20, Persson & Cohen Attorney \$620.00, Pinellas County Sheriff \$2964.00, Clerk/Treasurer Salary \$896.50. March expenditures were the same except for Persson & Cohen at \$360.00. Old Regions Bank account was officially closed in March 2019. Mayor requested a budget vs actual report be provided at every meeting. It was moved by Commissioner Piscitelli and seconded by



Commissioner Blume to approve both the treasurers report and expenditures. The voice vote was unanimous.

Resolution 2019-01

Signed, adopted at January 15, 2019 meeting.

Resolution 2019-02

Read by Counsel. It was moved by Commissioner Blume and second by Commissioner Piscitelli. Voice vote was unanimous. Adopted March 26, 2019 meeting. Additional Audit Charge due to 2 years of bills for audits in 1 year.

DEO Comprehensive Plan

Ordinance 2018-01. Read by Counsel. Second and Final reading. Commissioner Blume requested this ordinance be tabled for April 16, 2019 meeting for further review. It was moved by Commissioner Blume and seconded by Commissioner Piscitelli to table. Voice vote was unanimous.

Request for Accommodation Letter ADA Compliance

Counsel spoke regarding website compliance for ADA. People are targeting municipalities and businesses with lawsuits all across the state to accommodate visually impaired persons. Belleair Shore has taken significant steps to complete this accommodation, but we have received a letter to better accommodate. Counsel Kardash immediately sent the letter that Belleair Shore received to our Insurance carrier to handle. Important because of the litigious nature of the individual sending the request. This same individual has sued the town of Longboat Key and the city of Venice. There are 2 individuals that have been found to be doing this in tandem. Counsel noted that other municipalities have seen lawsuits happening in the time frame of approximately 2 months after receipt of initial letter. We have not been sued at this point, we have only received a letter of accommodation. There is an ADA law that does require that websites must be accommodating to the visually impaired screen readers. Our budget information on the website is what needs to be worked on for compliance especially because State Law mandates our budget information be posted in the October budget time. Per Counsel, having an outside firm work on compliancy for our website can cost thousands of dollars. Our format must be compliant with ADA screen readers. Counsel believes that Mayor Schmidt and/or clerk will be served with process on this item.

Big C Agreement

Letter from Big C regarding the undergrounding. Clearwater and Indian Shores have already done their undergrounding using their tax dollars, they will not be using the Penny 4 money for the undergrounding. The Big-C agreed to compensate Clearwater and Indian Shores for the balance needed for beautification in the towns. This contribution will be only if the undergrounding



project exceeds the \$35,000,000 estimate. Mayor noted that Belleair Shore does not receive any Penny 4 dollars, so this contribution does not pertain to us and will be speaking with Mayor Bill Queen at the Big C meeting on March 27, 2019. This contribution is just for municipalities that are participating in Penny 4.

Duke Energy Easement Instructions

Beach Access points. This is a blanket easement agreement. Counsel noted that she has gone over this letter and Duke Energy is requiring easement of 10 feet in total. 5 feet on either side of the utilities. It does give them the ability to relocate as necessary and trim as they deem needed. In order for the Mayor to sign this easement agreement with Duke, it requires Commission approval. Counsel noted that she can speak with their attorney to reduce the size of the easement but does not feel that there would be any negotiation. Commission Piscitelli noted that he does not have a problem with this easement at the beach accesses. Mayor noted that normally there is a drawing with the easement request. Mayor noted that he does not like that this is a blanket easement request. Counsel noted that this easement request also allows third parties to attach equipment to the facilities. For example, the wireless utilities 5G towers. Mayor noted that the Big C has been on a big push to get this undergrounding done and he believes it is a very good thing but does not like that these are 'blanket' easement requests. Counsel will be checking that there was not a mistake made by Duke Energy because two of the exact same letters were received but we have 3 beach accesses with different parcel numbers. Commissioner Blume requested we get drawings and maps and more detail of where the easements will be located and advised counsel to wait for Duke Energy to contact the Town of Belleair Shore with further information.

Code Enforcement

Mayor advised that he received a letter dated March 18, 2019 from Steve Buckner, code enforcement stating that there are no code violations and all parking area grassy areas are noted to be in fine shape. Commissioner Blume questioned if we pay code enforcement a monthly stipend. From November to March 2019, Belleair Shore paid code enforcement \$120.00. Counsel noted that based on his bill, code enforcement surveys once a month and bills the Town \$20.00/hour unless the Town requests additional services.

Miscellaneous

Mayor requested a motion that Town Clerk can now issue parking permits. Mayor noted that there must be time and date specifications on the permits. Mayor explained that the permits were generally for resident parties, contractor trucks, or realtor open houses. It was moved by Commissioner Piscitelli, seconded by Commissioner Blume. Voice vote was unanimous.



Availability of Commissioners for April 16, 2019 Regular Town Meeting.

Mayor	No
Blume	Yes
Niewiarowski	Yes
Roseman	Yes
Piscitelli	No Will be out until November meeting.

Mayor/Commissioner comments on non-agenda items:

Commissioner Piscitelli advised that this is his last year to serve on the Commission.

Public comments on non-agenda items:

None.

Adjourn:

Motion to adjourn at 6:43 PM made by Commissioner Piscitelli, seconded by Commissioner Niewiarowski. The voice vote was unanimous.

The next regular Commissioners meeting will be Tuesday, April 16, 2019, 6:00 PM, at the Belleair Bluffs City Hall, 2747 Sunset Blvd, Belleair Bluffs, FL.

04 / 16 / 19
Date Approved

APPROVED: Deborah Roseman deputy mayor
Robert Schmidt, Mayor

ATTEST: B. Colucci

Barbara Colucci, Town Clerk