



Meeting Minutes

Tuesday April 19, 2022
Belleair Bluffs City Hall
6:00pm

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

PRESENT:

Mayor Schmidt, Commissioner Seith, Commissioner Niewiarowski, Commissioner Blume, Commissioner Tolbert, Attorney Regina Kardash, Sgt. Sweich

6:00 pm Call to order by Mayor Schmidt

Consideration to Approve Agenda:

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

Commissioner Appointments and Oath of Office

It was moved by Commissioner Tolbert and seconded by Commissioner Seith to appoint Steve Blume and Dorothy Niewiarowski to the Commission. Oath of Office administered by Town Clerk to Steve Blume and Dorothy Niewiarowski.

It was moved by Commissioner Seith and seconded by Commissioner Tolbert to appoint Steve Blume as Vice Mayor of the Town of Belleair Shore.

Comments from the public on any agenda item:

There were no comments from the public on the agenda.

Approval of Minutes February 15, 2022

It was moved by Commissioner Seith and seconded by Commissioner Niewiarowski to approve the Minutes from the February 15, 2022 meeting. The voice vote was unanimous.

Sheriff's Report

Sgt. McKnight reported statistics for March 2022. Mayor Schmidt mentioned the motorized skateboards on the beach being prevalent. Vice Mayor Blume spoke/questioned about how each shift of deputies is dedicated to patrolling the beach. Noted that there is no way that our ordinances can be enforced with the beach patrols as they are. He noted that residents do not want to have to deal with it themselves and deal with the confrontations. Vice Mayor Blume noted that it is his opinion that he would like to see more patrols on the beach and he knows that currently it is hard to achieve that situation. Sgt. Sweich noted that he would pass this on to Capt. Leiner. Sgt. Sweich also noted that he would address his shift regarding the problems at sunset time in the parking lots. Commissioner Tolbert recommended that the Town review the agreement with the Sheriff's office so the Town can give them better direction as to what the Town needs and whether or not what the Town is providing to them allows the Sheriff's office to do these types of

things. Vice Mayor Blume would like the Town to speak with Capt. Leiner on what can be done about the time spent on the beach and to tell us what the Town is entitled to. Attorney Kardash noted that the Town has two separate contracts with the Sheriff's office. One is for general law enforcement services (parking violations and patrols). The second is for Code Enforcement, the Town has a dedicated Code Enforcement officer, Deputy Doherty, that handles code enforcement. Mayor noted that the Town needs to know what our options are. Sgt. Sweich stressed that residents of the Town need to call the sheriff's office. Vice Mayor Blume noted that there are two situations, one being that the beachgoers know what the rules are and choose not to obey because they are not being enforced and the second being that people do not even know the rules.

Treasurers Report

Clerk/Treasurer, Barb Colucci went over balance sheet and P&L for February and March 2022. February 2022 expenditures: Regions Bank Svc Chg \$30.51, Persson & Cohen \$2520.00, Clerk/Treasurer Salary \$896.50, Duke Energy \$200.17, PCSO Law Enforcement \$2892.00, PCSO Code Enforcement \$112.05, Verizon \$50.42.

March 2022 expenditures: Waste Svcs \$1077.75, Regions Bank Svc Chg \$29.34, Clerk/Treasurer Salary \$896.50, Barbara Colucci \$751.95 (balance of Attorney personal payments unfounded ethics violation), Waste Svcs \$1077.75, Persson & Cohen \$3200.00, PCSO Law Enforcement \$2892.00, Duke Energy \$203.95 PCSO Code Enforcement \$49.80, Verizon \$50.42. Commissioner Tolbert questioned our Code Enforcement budget and why we are at 13%. It was noted that Counsel will be speaking on this during the Counsel portion.

It was moved by Commissioner Tolbert and seconded by Commissioner Niewiarowski to approve both the treasurers report and expenditures. The voice vote was unanimous.

Financial report on the audit was presented to Commission to approve for reporting to the state. Counsel noted that the Commission should answer the email received by them from the auditor. She noted that she spoke with auditor regarding this email and the Commission should go ahead and respond.

It was moved by Commissioner Tolbert and seconded by Vice Mayor Blume to approve the financial report and file the audit. The voice vote was unanimous.

Code Enforcement

Spreadsheet from Deputy Doherty presented to Commission.

Clerk noted that the picture provided was of an outdoor shower apparatus dumped in front of one of the vacant lots. Deputy Doherty removed and disposed of this trash. Commissioner Tolbert questioned about the property that the stucco is falling off the house. Clerk noted that she would speak again to Deputy Doherty about this situation. Counsel noted the procedures for code enforcement violations. Counsel differentiated property violations and in-person violations (violations in person). Typically, the Town has seen Deputy Doherty handling property violations. Law enforcement or Code enforcement can handle the in-person violations.

Counsel Report

Ordinance Violations – Counsel presented the email from Capt. Leiner regarding how at this time the Sheriffs office can proceed with ordinance violations. Counsel requested an approval from the Commission for Clerk to proceed with printing the ticket books. These books would be kept

at the Belleair Beach City Hall. The violation copies would then be given to clerk to collect. Counsel explained that the Sheriffs office is switching systems and this is part of the reason for the delay in this process. Counsel noted procedures on how this will move forward. Steve Blume questioned why the book would be left at Belleair Beach. Counsel explained that Capt. Leiner requested this because there is a deputy office in Belleair Beach, so the Deputy on duty has access to this book. Vice Mayor Blume recommended that Deputy Doherty have a book in his possession at all times. Commissioner Seith had questions on the property violation process. Counsel explained procedures. It was moved by Vice Mayor Blume and seconded by Commissioner Seith to authorize clerk to purchase code violation books after determining sourcing. Further questions were answered by Counsel regarding the court/special magistrate process.

Pinellas County Building Services – Counsel presented a possible Town pre-permit application form to present to the County. Counsel noted that according to the Town code, it would be the Mayor approving this information and second would be the Vice Mayor. Discussion was had regarding this. Mayor explained the two different situations. Local Town code and County building code. Mayor also noted that he is not in favor of putting this responsibility on the Town of Belleair Shore and now the county does not want anything to do with this any more. Mayor noted that there are independent inspectors and would rather have the citizens hire this inspector for this. Counsel noted there is a private provider act, but she is having trouble finding whether or not the Town can require this by ordinance. She cannot find law that says the Town cannot do it. She cannot find any other communities that have this as part of their ordinances. Counsel is still trying to vet this out to report to Commission. Mayor noted that he would like to move forward with this responsibility be with the homeowner and contractor and does not want the Town responsible for this form. Clerk was tasked with resending the County Building Services information. No Motion was made to continue with this pre-permit application form being the Town responsibility.

Counsel request for Shade meeting – Mayor confirmed he will be here.

It was moved by Commissioner Tolbert and seconded by Vice Mayor Blume to approve this shade meeting. The voice vote was unanimous.

ARPA Cares Act Covid Relief Grant deferral

Clerk/Treasurer requested approval on filing a deferral of the Cares Act grant money by the deadline of April 30, 2022. It was moved by Vice Mayor Blume and seconded by Commissioner Tolbert to approve the treasurer to file a deferral on the grant through next reporting deadline. The voice vote was unanimous.

Private Sewer Lateral Policy County letter discussion

Mayor noted that this email was received by the Town and the meaning and clarification was discussed.

Discussion – Resident Letter

Patty and Chip Stockell 1280 Gulf provided a letter presenting the Commission with displeasure over beach access parking and ordinance violations. Mr. and Mrs. Stockell presented that they believe that Belleair Shore is a private beach community with property owned to the mean high tide water mark. The letter presents that the current situation in the Town is a security risk to the

Belleair Shore residents. The letter provided Stockell recommendations to remedy some of this risk. Noted that Belleair Beach residents are ignoring the Town ordinances and questioned the interlocal. Noted the Belleair Beach public parking allowed at the community center and the general public walking over to the accesses. Several other situations were noted. Questioned on whether accessed could be sold. Mayor noted that he would like for either he or Vice Mayor Blume sit down with the new Mayor Gattis and Lynn Rives and work out some suggestions to present to their commissions. Mayor believes that both municipalities are interested in stopping the situations. Counsel noted that the accesses go back to ancient, poorly written deeds that say 'beach and bathing purposes. Counsel noted that the city was also supposed to be paying fees to the Town for this that have never been paid. Noted that all of these properties were part of one plat, so the properties on the other side of Gulf had the right to 'access' the beach for 'beach and bathing purposes only'. These are the only rights they have and these are non-exclusive easements. The agreement with the Town and the City does not affect those access rights. The Town owns the access lots. Sgt. Sweich noted that an option for the Town could be an extra detail officer. Discussion was had.

Availability of Commissioners for May 17, 2022 meeting

Mayor	Yes
Seith	Yes
Niewiarowski	No
Tolbert	Yes
Blume	Yes

Mayor/Commissioner Comments on Non-Agenda Items

Commissioner Tolbert questioned Counsel on an item from the February 2022 meeting regarding Town policy bonus for employees.

Public Comments on Non-Agenda Items

There were no comments from the public.

Town Meeting adjourned 7:38 pm.

It was moved by Commissioner Niewiarowski and seconded by Vice Mayor Blume to adjourn. The voice vote was unanimous. The meeting was adjourned at 7:38pm.


The next Regular Commission meeting will be at 6:00 pm Tuesday, May 17, 2022 at the Belleair Bluffs City Hall, 2747 Sunset Blvd, Belleair Bluffs, FL.

Date Approved



APPROVED:

Robert Schmidt, Mayor



ATTEST:



Barbara Colucci, Town Clerk