



Meeting Minutes

Tuesday November 1, 2022

Belleair Bluffs City Hall

6:00pm

Town of Belleair Shore

Regular Meeting of the Board of Commissioners

PRESENT:

Mayor Schmidt, Vice Mayor Blume, Commissioner Seith, Commissioner Tolbert, Commissioner Niewiarowski, Attorney Regina Kardash, Capt. Leiner, Deputy Doherty

Call to order by Mayor Schmidt 6:00PM

Consideration to Approve Agenda:

It was moved by Commissioner Tolbert and seconded by Vice Mayor Blume 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 September 6 and September 19, 2022

It was moved by Commissioner Tolbert and seconded by Commissioner Niewiarowski to approve the minutes from September 6 and September 19, 2022 meetings. The voice vote was unanimous.

Pinellas Suncoast Fire & Rescue

Chief Jeff Davidson gave a brief presentation on the proposed ballot referendum to support the Fire Rescue District. Vice Mayor Blume questioned about what period of time will the millage rate be imposed. Chief Davidson explained that once the Fire District needs are met, the millage rate can be lowered. Vice Mayor Blume asked where the fire station for Belleair Shore is now. Chief Davidson noted that one of the reasons for this referendum is to be able to construct a new fire station closer to Belleair Beach and Belleair Shore. Currently the fire station is in Indian Rocks Beach on the south side. Discussion was had. Commissioner Seith questioned the mills and the projection information. Construction costs were discussed.

Sheriff's Report

The Sheriff's report was presented to Commission by Cpt. Leiner from UCR October data. 33 Beach Patrols, mainly sunset. 164 parking lot patrols, 21 citations.

Code Enforcement

The Code Enforcement status sheet given to Commission. Clerk noted 660 and 860 Gulf were being worked on by Deputy Doherty for unkempt property and 920 Gulf is in the process of correcting the problems with the home structure. Clerk noted that there will be a compliance letter being sent this week for 660 Gulf.

Treasurers Report

Clerk/Treasurer, Barb Colucci went over balance sheet and P&L for September 2022. Expenditures: Staples \$32.09 (certification stamp), Regions Bank Svc Chg \$30.02, Staples \$138.02 (black toner), Barbara Colucci \$896.50, Waste Services \$1077.75, PCMCA \$25.00(annual dues Barb), Verizon \$50.43, PCSO Law Enforcement \$2892.00, PCSO Code Enforcement \$99.60, Duke Energy \$204.06. It was moved by Commissioner Seith and seconded by Commissioner Tolbert to approve both the treasurers report and expenditures. The voice vote was unanimous.

Clerk/Treasurer spoke on Auditor approval of moving funds from Regions Bank checking to LGIP General Fund. Mayor questioned the transfer of funds, it was noted that the interest in the General Fund was at approximately 2.3%. Commissioner Seith questioned if there is a minimum amount of funds needed in our checking account. The answer is no. It was also noted that the checking account at this time pays zero interest. Tabled to December 2022 meeting.

Open Public Hearing Ordinance 2022-01-Section 30-53 6:23pm

Commission discussed exact wording to include resident allowance of temporary shade structures. Commissioner Seith questioned property lines and Counsel noted that the ordinance does not stipulate this. Mayor Schmidt noted that he feels that the 'imaginary line' will be hard for law enforcement to know where these lines are. Mayor notes that he feels the 'intent' is that an owner can have an umbrella on the beach. Commissioner Tolbert wondered how law enforcement will enforce. Will the deputy make the assumption that the umbrella on the beach is a resident or make the assumption that it is not? Vice Mayor Blume noted the intent of this ordinance, is that if the deputy is not sure, he will have the right to go up and ask the person to prove their residency. Mayor noted that Belleair Shore is allowing Belleair Beach residents to have the designated umbrellas in the accesses only and everything else is considered the Town. Commissioner Tolbert questioned Counsel on whether the Town has the legal right to differentiate public vs private parts of our municipality. Counsel noted that the difference between public and private property is not actually defined by the Town, it is defined by deeds, plats, etc. Yes, the Town can make rules for private vs public because the Town is the steward of the public property and responsible for it. Commissioner Tolbert asked Captain Leiner how difficult this will be to enforce. Captain Leiner noted that it will be enforced as the Town and ordinance direct. More discussion by Commission was had regarding private property and Commissioner Seith noted his issue of a neighbor possibly being able to erect a 'circus tent' in perpetuity. Counsel advised Commission that a time limit can be put on the homeowner ability to erect a tent in their back yard.

Public Comments: Mayor Gattis Belleair Beach recommended that the Commission pass this ordinance tonight, then have a special meeting to hash out the verbiage. Belleair Beach resident, Debra Maul requested a copy of the ordinance. Belleair Shore Resident Daniel Storie questioned other people erecting on his property, it was noted by Counsel that this would be more of a trespass issue. Captain Leiner discussed enforcement situations and variables with Commission.

Motion was made by Commissioner Seith to approve Ordinance 2022-01 with the revision of the title to include: 'Only residents and homeowners with proof of residency may erect a tent canopy, beach umbrella or temporary shade structure on the beach areas behind their homes'. It was moved by Commissioner Seith with an addition of a 3-day maximum for homeowners/residents to erect a tent canopy on private property and seconded by Vice Mayor Blume. The voice vote was unanimous.

Public hearing closed 6:45pm

Public Hearing Open 6:45pm

Resolution 2022-07 Budget Amendment FY 2022-2023

No public comment

Motion was made by Vice Mayor Blume to approve Resolution 2022-07, seconded by Commissioner Tolbert. The voice vote was unanimous.

Resolution 2022-08 Site Plan Review Fees

No public comment

Covers fees to have a site plan review done by the Town contract administrator. The \$500.00 fee covers the expenses of Safebuilt to provide these services for the Town. Mayor noted his approval of Safebuilt for these services. Safebuilt will be billing the Town monthly and the Town will re-imburse Safebuilt with the \$500.00 fee. Mayor recommends that the Town go with this amount of money for a year and if the Town sees that there is an increase, the Town can raise the Site Plan Review Fee. Commission was given copies of the Safebuilt contract that is associated with this Resolution. It was moved by Vice Mayor Blume to approve Resolution 2022-08, seconded by Commissioner Seith. The voice vote was unanimous.

Public hearing closed 6:53pm

Safebuilt Contract

It was moved by Vice Mayor Blume, seconded by Commissioner Tolbert to accept Safebuilt as our contract administrator. The voice vote was unanimous.

Counsel Report

Counsel noted that the Tenant Bill of Rights Ordinance of Pinellas County time has expired for the Town to adopt any exceptions, so this County ordinance will be handled by the County.

Miscellaneous

Clerk presented pictures of the 12th Street access provided by Kyle Riefler Belleair Beach, requesting additional benches and a bike rack at the 12th Street access. Discussion was had by Commission. Vice Mayor Blume noted that if we do allow a bike rack, that a sign be affixed to the bike rack re-enforcing that Belleair Shore does NOT allow bikes on the beach. Belleair Beach Mayor Gattis spoke on this noting that the resident complained that there are not enough benches at the 12th street access and that the benches that are there, are being used as a bike rack, so people cannot sit on them. Gattis noted that there are benches that are not being used around the Belleair beach city hall that might be repurposed, but that he will work on this with Kyle Riefler. Commissioner Tolbert noted that he sees that a lot of the problems that are occurring at the accesses are from people across the bridge and this might invite more traffic from people outside Belleair beach to 12th street. Vice Mayor Blume feels this might be another opportunity to re-iterate the Town rules regarding bikes. Also notes that if this makes it worse, then we take it away.

It was moved by Vice Mayor Blume, seconded by Commissioner Tolbert to allow a bike rack at the 12th street access 'with a sign' and additional benches. The voice vote was unanimous. Belleair Beach Mayor Gattis will be presenting the Commission with updated pictures of benches and bike rack for approval.

Availability of Commissioners for December 6, 2022 Regular Town meeting

All Yes

Mayor/Commissioner Comments on Non-Agenda Items

Vice Mayor Blume spoke regarding the Big C. Thanked Mayor Gattis for allowing Belleair Shore to host at Belleair Beach city hall.

Public Comments on Non-Agenda Items

None

Town Meeting adjourned 7:04pm.


It was moved by Commissioner Niewiarowski and seconded by Commissioner Seith to adjourn. The voice vote was unanimous. The meeting was adjourned at 7:04pm.

12.6.22
Date Approved

APPROVED:


Robert E. Schmidt Jr., Mayor

ATTEST:


Barbara Colucci, Town Clerk