

## **Meeting Minutes**

Wednesday July 18, 2023  
Belleair Bluffs City Hall  
6:00pm

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

#### **PRESENT:**

Mayor Schmidt, Vice Mayor Blume, Commissioner Tolbert, Commissioner Storie, Commissioner Niewiarowski, Attorney Regina Kardash, Sgt. Dimundo, Deputy Doherty, PSFRD Dist. Chief Stoneburg

#### **Call to order by Mayor Schmidt 6:00pm**

#### **Consideration to Approve Agenda**

It was moved by Vice Mayor Blume and seconded by Commissioner Tolbert 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 May 16, 2023**

It was moved by Commissioner Tolbert and seconded by Vice Mayor Blume to approve the minutes from the May 16, 2023, meeting. The voice vote was unanimous.

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

The June 2023 Sheriff's report was presented to Commission by Sgt. Dimundo. Deputy activity 227 events. 238 units responding. No arrests. 104 directed patrols, 41 illegal or abandoned vehicles, 22 area checks, 16 house checks and 15 ordinance violations, 42 parking violations. Vice Mayor Blume asked if Sgt. had any information on ordinance violations. Deputy Doherty noted that these were warnings. Attorney Kardash asked an operational question regarding citation form and format. Asked if these citation forms are for local magistrate or county court. It was answered that the Belleair Shore citation forms were going to be used going forward. Attorney Kardash noted that the officers can use either the County forms or the local Belleair Shore forms. Only lien law citations MUST go through the special magistrate.

#### **Code Enforcement**

The Code Enforcement report was presented to the Commission by Deputy Daniel Doherty and the spreadsheet was explained to the Commission. It was questioned by Vice Mayor Blume if the 15 ordinance violations were warnings and explained that the question is posed to find out what the biggest problems in the Town are. Deputy Doherty noted that the biggest problem, in his opinion, is bicycle violations. Deputy Doherty noted that the only outstanding thing that the Town has is at 300 Gulf Blvd and he has been working on this with the contractor and the County Building Department.

#### **Treasurers Report**

The Clerk/Treasurer went over P&L, Balance Sheet, budget vs actuals and reconciliations for all accounts for May and June 2023. Expenditures May: Regions Bank Svc Charge \$30.89, Barbara Colucci \$896.50, \$50.33, Persson Cohen \$1200.00. It was questioned by Vice Mayor Blume on

whether or not the service charge from the bank was being credited. It was explained that Regions Bank cannot credit it unless the Town changes our municipal account to another type and it would still cost the Town approximately \$140.00 a month. PCSO Code Enforcement \$207.20, PCSO Law Enforcement \$2692.00, PCSO Secondary employment \$1584.00. Expenditures June: Waste Connections \$1165.63 May, Regions Bank Svc Chg \$29.94, Duke Energy May \$223.05, U.S. Postmaster stamps \$25.20, Barbara Colucci \$896.50, Duke Energy June \$214.56, Verizon \$50.33, PCSO Code Enforcement \$259.00, BMC CPA balance of AFR \$1000.00, Waste Connections June \$1135.63, PCSO law enforcement \$2692.00, Persson Cohen \$1402.00, PCSO secondary employment \$1386.00, Safebuilt \$375.00. Attorney fees to date spreadsheet presented. Money market and Florida Prime accounts was discussed. Clerk presented the attorney fees through June related to litigation. Commissioner Tolbert requested a differentiation of State, Federal, Ethics, County Code enforcement. Commissioner Tolbert noted that the Town has spent nearly \$35,000 for the State Litigation. It was moved by Vice Mayor Blume and seconded by Commissioner Storie to approve May and June 2023 expenditures. The voice vote was unanimous.

### **Counsel Report**

Release of Claims/settlement for the Joseph A. Manzo Claim in Case # 22-07959-MO (named plaintiff). Commissioner Tolbert noted that there are intervenors and questioned if there is anything that the Town can do so the intervenors do not come back to the Town. Attorney Kardash noted that the dismissal that will be filed is with prejudice, that will prevent Manzo from ever coming back with the same case again. It was also noted that the judge deemed the Town ordinances to be facially constitutional. Commissioner Storie recapped for clarification. There is no way to prevent anyone from starting a lawsuit. Noted that he did not like that fact that the Town is paying Manzo anything. Commissioner Tolbert moved for the Town to accept the release of Manzo. There was not a second. Commissioner Storie asked if he could make a motion. Commissioner Tolbert withdrew his motion. Commissioner Storie made a motion to request a shade meeting to discuss this further. It was seconded by Commissioner Niewiarowski. The voice vote was unanimous. Dates for a shade meeting were discussed.

### **Law Enforcement Contract FY 2023/2024**

Attorney Kardash and Mayor Schmidt noted that the contract is the same with a very small increase over last year. It was moved by Vice Mayor Blume and seconded by Commissioner Storie to accept the contract as is.

### **Miscellaneous**

There were no miscellaneous comments by the Commission.

### **Availability of Commissioners for August 15, 2023 meeting.**

August meeting cancelled.

Shade Meeting August 2, 2023 meeting.

Mayor	Yes
Niewiarowski	Yes
Tolbert	Yes
Blume	Yes
Storie	Yes

September 6, 2023 Wednesday First Hearing Millage and Budget

Mayor	Yes
Niewiarowski	Yes

Tolbert Yes  
Blume Yes  
Storie Yes  
September 15, 2023 Friday Final Millage and  
Budget Mayor Yes  
Niewiarowski  
Yes Tolbert

Yes  
Blume Yes  
Storie Yes

**Mayor/Commissioner Comments on Non-Agenda Items**

Commissioner Storie requested that the Town enact a smoking ordinance in Belleair Shore. Commissioner Tolbert noted that the ordinances from other municipalities do not include cigars. Vice Mayor Blume also likes this recommendation.

**District Chief Stoneburg PSFRD**

Stats for June:  
Fire Training Hours 1226 hours  
Medical Training Hours 35 hours  
Other stats were presented representing the entire district.  
Commissioner Storie questioned if the request to the County for additional EMS had gone through. DC Stoneburg was not certain of that.

**Public Comments on Non-Agenda Items**

There were no comments from the public on non-agenda items.

**Budget Discussion and Workshop**

Budget for FY 2023/2024 was discussed.  
It was a consensus to raise parking fines to \$75.00.  
It was moved by Commissioner Tolbert to accept the rolled back rate of .5345 and seconded by Commissioner Storie. The voice vote was unanimous.

**Town Meeting adjourned 7:19pm.**

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

\_\_\_\_\_  
Date Approved

APPROVED: \_\_\_\_\_  
MayorNice Mayor



ATTEST:  
Barbara Colucci, Town Clerk