



**City Council Meeting
City of Belleair Beach, Florida**

**Monday, October 2, 2023
Community Center, 6:00 PM**

The meeting was called to order by Mayor Dave Gattis. The invocation was given by Councilmember Belinda Livingstone followed by a Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present were Councilmembers Frank Bankard, Belinda Livingstone, Leslie Notaro, and Lloyd Roberts; Mayor Dave Gattis, Vice Mayor Jody Shirley, City Manager Kyle Riefler, City Clerk Patricia Gentry, and City Attorney Randy D. Mora. Mark S. Chester was appointed as Councilmember and seated at the dais prior to Agenda Item Number 17.

For continuity, items are listed in agenda order although not necessarily discussed in that order.

1. Approval of Agenda.

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to approve the Agenda.

Motion passed 6-0.

2. Citizens Comments. (Each speaker will be recognized once and will be limited to a (3) three-minute presentation on any subject that is not on the Agenda)

Belleair Beach Community Foundation Treasurer Wendy Gattis Update:

- There has been a slight delay with the vendor on the engraved bricks – they will be installed very soon
- The permit for the 16th Street kayak system has been issued
- The sea oats project is on hold until the sand dunes restoration is complete
- The next bridge cleanup is October 21st, there is a lot of trash and debris under the bridge from Hurricane Idalia

3. Presentation: Pinellas County Sheriff's Office.

- **Law Enforcement monthly report**

The representative for PCSO was not present.

- **Code Enforcement monthly report**

Deputy Klapka reviewed the monthly report.

4. Presentation: Pinellas Suncoast Fire & Rescue District.

Chief Davidson's Update:

- The PSFRD Second Annual September 11 Memorial Walk had approximately 80 attendees
- The new fire station and emergency ops center RFP is going out this month and they hope to be under contract in December
- PSFRD was awarded a \$1,140,000. FEMA SAFER grant to add four firefighters

5. Quarterly Board Reports

- **Board of Adjustment**

Chair Mike Kelly advised that the Board had heard three applicant requests for six variances, and another hearing was scheduled for October.

- **Citizens Advisory Committee**

Chair Ron Ciganek advised that the CAC had met as the Audit Committee to review the second Draft Budget with the City Manager.

- **Park and Recreation Board**

Chair Tammie Levenda advised that the Board is working on:
October 28 – Third Annual Pets and Pals Halloween Event
December 4 – Holiday Social and Tree Lighting
January 13 – Health & Wellness Fair

- **Planning and Zoning Board**

There was no update from the Planning and Zoning Board.

6. City Attorney Report.

City Attorney Mora advised:

- He has spent a considerable amount of time on the proposed Charter amendments and ballot language
- A reminder – as the new fiscal year begins, and as we work with and through other agencies, that Councilmembers be mindful of their roles individually and not collectively - you are individual members and don't speak for the Council – so, as you reach out to other agencies and other divisions of government whether at the state level or otherwise be mindful of your role and the representations you make in that regard
- The property owner with the radio antenna has applied to Pinellas County for a permit and is following the direction he was given by the Special Master and by City Administration

7. City Manager Report.

City Manager Riefler reviewed his monthly report in the Agenda Packet and gave an update on the beach restoration.

8. City Clerk Report.

City Clerk Gentry reviewed her monthly report in the Agenda Packet.

Consent Agenda

9. Approval of September 18, 2023, Final Public Budget Hearing Minutes.

MOTION was made by Councilmember Notaro and seconded by Vice Mayor Shirley to approve the Consent Agenda.

Motion passed 5-1. Councilmember Bankard opposed.

Public Hearing–First Reading on Proposed Ordinances

10. Consideration of Ordinance 23-06, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Section 2.02 Of The Charter To Increase The Number Of Permissible Consecutive Terms For City Council Members, Including The Mayor, From Two Terms To Three Terms; Identifying The Issue To Appear On Said Ballot; Providing For Renumbering; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)

City Attorney Mora read Ordinance 23-06 by Title only.

MOTION was made by Councilmember Roberts and seconded by Councilmember Livingstone to pass Ordinance 23-06.

| | |
|---------------------------|-----|
| Councilmember Bankard | No |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | Yes |
| Councilmember Roberts | Yes |
| Vice Mayor Shirley | Yes |
| Mayor Gattis | Yes |

Motion passed 5-1.

11. Consideration of Ordinance 23-07, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Sections 2.01, 2.02, And 2.07 Of The Charter To Reduce The

Number Of At-Large Members On The City Council, Including The Mayor, From Seven Members To Five Members, To Specify The Timeline For Transitioning To Five Members, And To Adjust The Corresponding Voting Requirements For Official Action Of A Five-Member Council; Identifying The Issue To Appear On Said Ballot; Providing For Renumbering; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)

City Attorney Mora read Ordinance 23-07 by Title only.

MOTION was made by Vice Mayor Shirley and seconded by Councilmember Roberts for Ordinance 23-07.

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|---------------------------|-----|
| Councilmember Bankard | No |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | No |
| Councilmember Roberts | Yes |
| Vice Mayor Shirley | Yes |
| Mayor Gattis | Yes |

Motion passed 4-2.

- 12. Consideration Of Ordinance 23-08, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Sections 2.02, 2.04, And 5.05 Of The Charter To Increase The Term Of Office For Individual Councilmembers, Including The Mayor, From Three Years To Four Years And To Amend The Regular Election Schedule To Accommodate Such Terms; Identifying The Issue To Appear On Said Ballot; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)**

City Attorney Mora read Ordinance 23-08 by Title only.

MOTION was made by Councilmember Roberts and seconded by Vice Mayor Shirley to adopt Ordinance 23-08.

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|---------------------------|-----|
| Councilmember Bankard | No |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | No |
| Councilmember Roberts | Yes |
| Vice Mayor Shirley | Aye |
| Mayor Gattis | Aye |

Motion passed 4-2.

- 13. **Consideration of Ordinance 23-09, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Section 5.05 Of The Charter To Adjust The Regular Election Cycle From March To November, Contingent On The Passage Of A Separate Ballot Measure Governing The Duration Of Councilmember Terms; Identifying The Issue To Appear On Said Ballot; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (First Reading) (City Attorney Mora)**

City Attorney Mora read Ordinance 23-09 by Title only.

MOTION was made by Councilmember Roberts and seconded by Vice Mayor Shirley to adopt Ordinance 23-09.

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|---------------------------|-----|
| Councilmember Bankard | No |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | Yes |
| Councilmember Roberts | Yes |
| Vice Mayor Shirley | Aye |
| Mayor Gattis | Aye |

Motion passed 5-1.

- 14. **Consideration of Ordinance 23-10, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Section 38-87 Of The City’s Code Of Ordinances Governing The Permitting Process For Special Events, Associated Costs And Fees, And Potential Penalties For Unpermitted Or Non-Compliant Special Events; Providing For The Implementation Of Administrative Actions; Providing For Codification; Providing For Severability; And Providing An Effective Date. (First Reading) (City Attorney Mora)**

City Attorney Mora read Ordinance 23-10 by Title only.

MOTION was made by Vice Mayor Shirley and seconded by Councilmember Roberts to adopt Ordinance 23-10.

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|---------------------------|-----|
| Councilmember Bankard | Yes |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | Yes |
| Councilmember Roberts | Yes |
| Vice Mayor Shirley | Aye |
| Mayor Gattis | Aye |

Motion passed 6-0.

Public Hearing–Second Reading and Final Hearing on Proposed Ordinances

- 15. **Consideration of Ordinance 23-05, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Chapter 18, Section 18-5 Of The City’s Code Of Ordinances, Entitled “Time For Qualifying”; Removing The Specified Qualifying Period; Providing For The Establishment Of The Qualifying Period By Resolution Of The City Council; Providing For The Incorporation Of Recitals; Providing For Severability; And Providing For An Effective Date. (Second Reading) (City Manager Riefler)**
 - **Business Impact Estimate regarding Ordinance 23-05**

City Attorney Mora read Ordinance 23-05 by Title only.

MOTION was made by Vice Mayor Shirley and seconded by Councilmember Roberts to adopt Ordinance 23-05.

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|---------------------------|-----|
| Councilmember Bankard | Yes |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | Yes |
| Councilmember Roberts | Aye |
| Vice Mayor Shirley | Aye |
| Mayor Gattis | Aye |

Motion passed 6-0.

Regular Agenda

- 16. **Consideration of Applicants to Fill Vacant City Council Seat.**
 - **Mark S. Chester**
 - **Michael Hayward**

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to fill the vacant Council seat.

| | |
|-------------------------------------|-----------------|
| Councilmember Bankard voted for | Michael Hayward |
| Councilmember Livingstone voted for | Mark Chester |
| Councilmember Notaro voted for | Mark Chester |
| Councilmember Roberts voted for | Mark Chester |
| Vice Mayor Shirley voted for | Mark Chester |
| Mayor Gattis voted for | Mark Chester |

Motion passed 5-1 - Mark S. Chester will fill the vacant Council seat through the March 2024 election.

Mark S. Chester was sworn in and took his seat at the dais.

- 17. **Consideration of Resolution 2023-10, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Calling For A General Election To Be Held On March 19, 2024, For The**

Purpose Of Electing Three (3) City Council Members For A Full Term Of Office, And A Fourth Seat For The Remaining Tenure Of A Recently Vacated Council Member Position; To Establish The Qualifying Date And Process For Persons Seeking Elective Office For The 2024 Municipal Election; Authorizing The City Manager To Enter Into An Agreement With The Supervisor Of Elections Establishing A Polling Place For The March 2024 Election; Authorizing The Pinellas County Supervisor Of Elections To Verify Candidate Petition Cards And Facilitate The Election Process; And Establishing An Effective Date.

City Attorney Mora read Resolution 2023-10 by Title only.

MOTION was made by Councilmember Notaro and seconded by Councilmember Bankard to approve Resolution 2023-10.

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|---------------------------|-----|
| Councilmember Bankard | Yes |
| Councilmember Chester | Yes |
| Councilmember Livingstone | Yes |
| Councilmember Notaro | Yes |
| Councilmember Roberts | Aye |
| Vice Mayor Shirley | Aye |
| Mayor Gattis | Aye |

Motion passed 7-0.

18. Authorize the City Manager to Grant Easement to Duke Energy Florida, LLC.

MOTION was made by Councilmember Bankard and seconded by Vice Mayor Shirley to Authorize the City Manager to Grant Easement to Duke Energy Florida, LLC.

Motion passed 7-0.

19. Unfinished Business.

None.

20. City Council Comments.

Councilmember Roberts wished City Clerk Gentry a happy retirement, and asked City Manager Riefler about a new public works employee – City Manager Riefler replied that four people had been interviewed to date.

Councilmember Notaro had no further comment.

Councilmember Bankard stated that FEMA representatives had been going door to door asking about flood damage from Hurricane Idalia.

He gave a brief update on his flood insurance research. He wished City Clerk Gentry a happy retirement.

Councilmember Livingstone thanked Mr. Hayward for applying and encouraged him to consider other opportunities to volunteer and for future candidacies. She wished City Clerk Gentry a happy retirement.

Councilmember Chester wished City Clerk Gentry a happy retirement.

Vice Mayor Shirley thanked Mr. Chester and Mr. Hayward for stepping up to volunteer, and wished City Clerk Gentry a happy retirement.

Mayor Gattis wished City Clerk Gentry a happy retirement.

ADJOURN

MOTION was made by Councilmember Bankard and seconded by Vice Mayor Shirley to adjourn at 8.09pm.

Motion passed 7-0.

November 6, 2023
Date Approved

APPROVED: Dave Gattis
Dave Gattis, Mayor

ATTEST: Patricia A. Gentry
Patricia A. Gentry, City Clerk