



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

**Monday, March 4, 2024
Community Center, 6:00 PM**

**PUBLIC MEETING NOTICE
AGENDA**

Call to Order
Prayer of Invocation by Councilmember Lloyd Roberts
Pledge of Allegiance
Roll Call

- 1.** Approval of Agenda.
- 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)
- 3.** Presentation: Recognition of Chief Davidson
- 4.** Presentation: Pinellas Suncoast Fire & Rescue District.
- 5.** Presentation: Pinellas County Sheriff's Office.
 - Law Enforcement monthly report
 - Code Enforcement monthly report
- 6.** City Attorney Report.
- 7.** City Manager Report.
- 8.** City Clerk Report.

Consent Agenda

- 9.** Approval of February 5, 2024, City Council Meeting Minutes.
- 10.** Approval of February 27, 2024, City Council Work Session Minutes.

Public Hearing–Second Reading and Final Hearing on Proposed Ordinances

- 11.** Consideration of Ordinance 24-01, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Chapter 2 – "Administration", Article II – "City Council" Division 1 – "Generally", To Create Section 2-31 Of The City's Code Of Ordinances, Entitled "Compensation Of Council" To Establish An Annual Salary For Members Of The City Council And Guidelines Governing Reimbursement; Providing For The Implementation Of Administrative Actions; Providing For Codification;

Providing For Severability; And Providing An Effective Date. (Second Reading) (City Attorney Mora)

Adjournment

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The law does not require the City Clerk to transcribe verbatim minutes, therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call 727-595-4646 or fax a written request to 727-593-1409.

Renee Rose, CMC
City Clerk



- There were 15 calls for Fire and Emergency Medical Services into Belleair Beach in February.
- The District is moving forward with the purchase of land on the northern end of Indian Rocks Beach, to better serve Belleair Beach. The proposed property is only 1.2 miles from Belleair Beach City Hall. This will greatly improve our response time and the current plans are to house an Advanced Life Support Fire Suppression Unit there with 3 firefighter/paramedics.
- We have obtained a transport capable rescue unit from the County to be utilized when staffing permits over the next year. A new Rescue Unit will be purchased and reimbursed by the County, with a written agreement forthcoming. We are also working with the County to obtain additional EMS funding to make this a permanent full-time unit.
- The District is awarding a contract to build the Fire Station/Emergency Operations Center on the mainland, with an anticipated completion date of August 2025. This building will replace the 58-year-old fire station and serve as our Emergency Operations Center. Kyle has an open invitation to stay at the EOC during hurricanes and major events, so that he can stay close to Belleair Beach.
- A jet ski with a rescue sled has been purchased by the District, funded by a very generous donation to the District. As you know, PSFRD has the busiest marine rescue program in the County, and the additional unit will assure that rapid access to victims in the water. The unit is being outfitted and training being provided to our members, with an anticipated in-service around April.
- The Fire Department participated in the Causeway Clean Up effort on January 20th, and we would like to participate in all future events.
- We are in the planning stages of a Hurricane Expo with the City of Belleair Beach. Dates TBD.
- Firefighters and Paramedics completed 860 hours of Fire and EMS Training in the Month of February.

PINELLAS COUNTY SHERIFF'S OFFICE
BOB GUALTIERI, SHERIFF



STRATEGIC PLANNING DIVISION

BELLEAIR BEACH MONTHLY ANALYSIS

Select UCR Property & Person Crimes

January 2024

Select UCR Property & Person Crimes	December 2023	January 2024	January 2023 YTD	January 2024 YTD
Murder	0	0	0	0
Sex Offenses	0	0	0	0
Robbery	0	0	0	0
Assaults	0	0	0	0
Burglary	0	0	0	0
Larceny	0	0	0	0
Motor Vehicle Theft	0	0	0	0
GRAND TOTAL	0	0	0	0

Arrests

January 2024

There was a total of **2** people arrested in the City of Belleair Beach during the month of January resulting in the following charges:

ARREST TYPE & DESCRIPTION	TOTAL
Misdemeanor	1
Violation Of Probation/Community Control-Adult	1
Traffic Misdemeanor	2
Driver's License Suspended/Revoked	1
Driver's License Suspended/Revoked-2nd Conviction	1
Grand Total	3

*Information provided reflects the number of arrests (persons arrested) as well as the total charges associated with those arrests.

Deputy Activity

There was a total of **507** events in the City of Belleair Beach during the month of January resulting in **589** units responding.

The table below reflects the top twenty-five events to include both self-initiated and dispatched calls in the City of Belleair Beach for the month of January. **CAD data is filtered by problem type.*

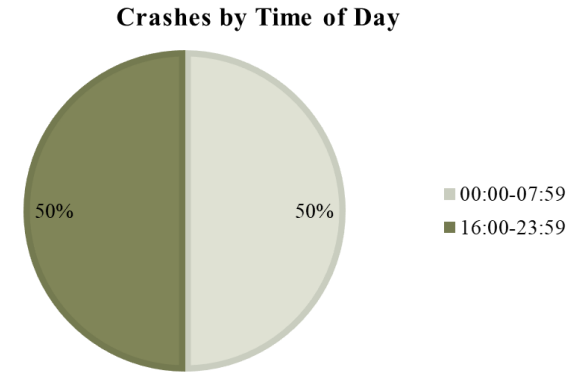
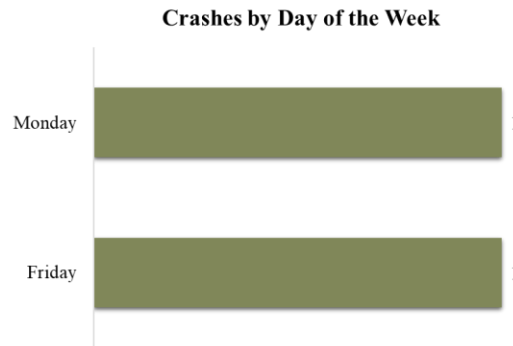
January 2024

DEPUTY ACTIVITY	TOTAL
Directed Patrol	171
Traffic Stop	118
House Check	44
Traffic Control	36
Ordinance Violation	32
Vehicle Abandoned/Illegally Parked	26
Assist Citizen	14
Contact	8
Traffic Violation	7
Information/Other	6
Suspicious Person	4
Transport Prisoner	4
911 Hangup Or Open Line	4
Lost/Found/Abandoned Property	4
Traffic Hazard/Obstruction	3
Alarm	3
Suspicious Vehicle	2
Area Check	2
Traffic/DWLSR	2
Accident	2
Drug Call-Not In Progress	2
Domestic-In Progress	2
Animal Call	1
Boating Vessel Stop	1
Assist Motorist	1

Crash & Citation Analysis

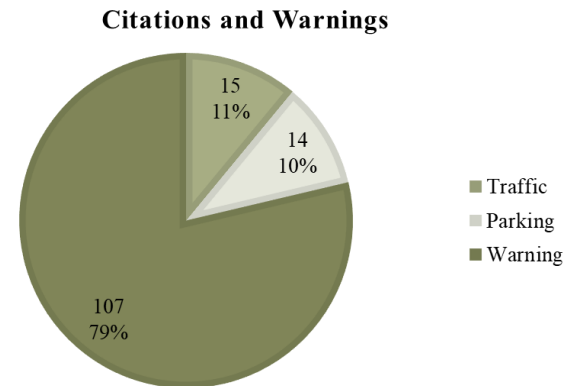
There were **2** crashes in the City of Belleair Beach during January 2024. *Crash data is filtered by disposition type and may include “accident and hit and run” problem types.

CRASH LOCATIONS	TOTAL
101 20th St	1
Gulf Blvd/Causeway Blvd	1



There were a total of **136** citations and warnings issued in the City of Belleair Beach during January 2024.

TOP 10 TRAFFIC CITATION LOCATIONS	TOTAL
Gulf Blvd & 13th St	2
Gulf Blvd & 17th St	1
Gulf Blvd & Howard Drive	1
Gulf Blvd & 23rd Ave	1
101 Causeway Blvd	1
101 20th St	1
Causeway Blvd & Cedar Drive	1
Gulf Blvd & 21st St	1
Causeway Blvd & Palm Drive	1
Gulf Blvd & 5th St	1

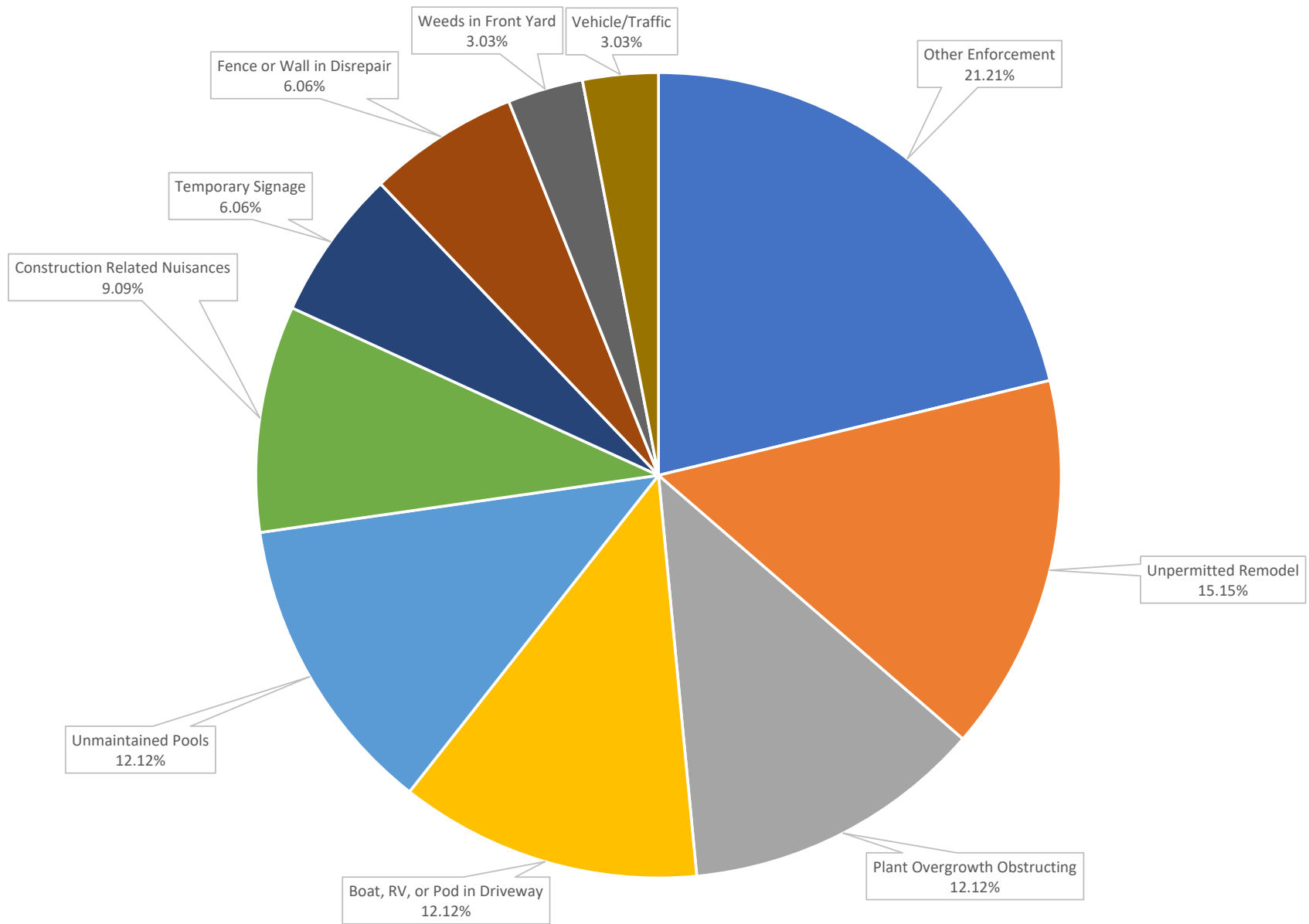




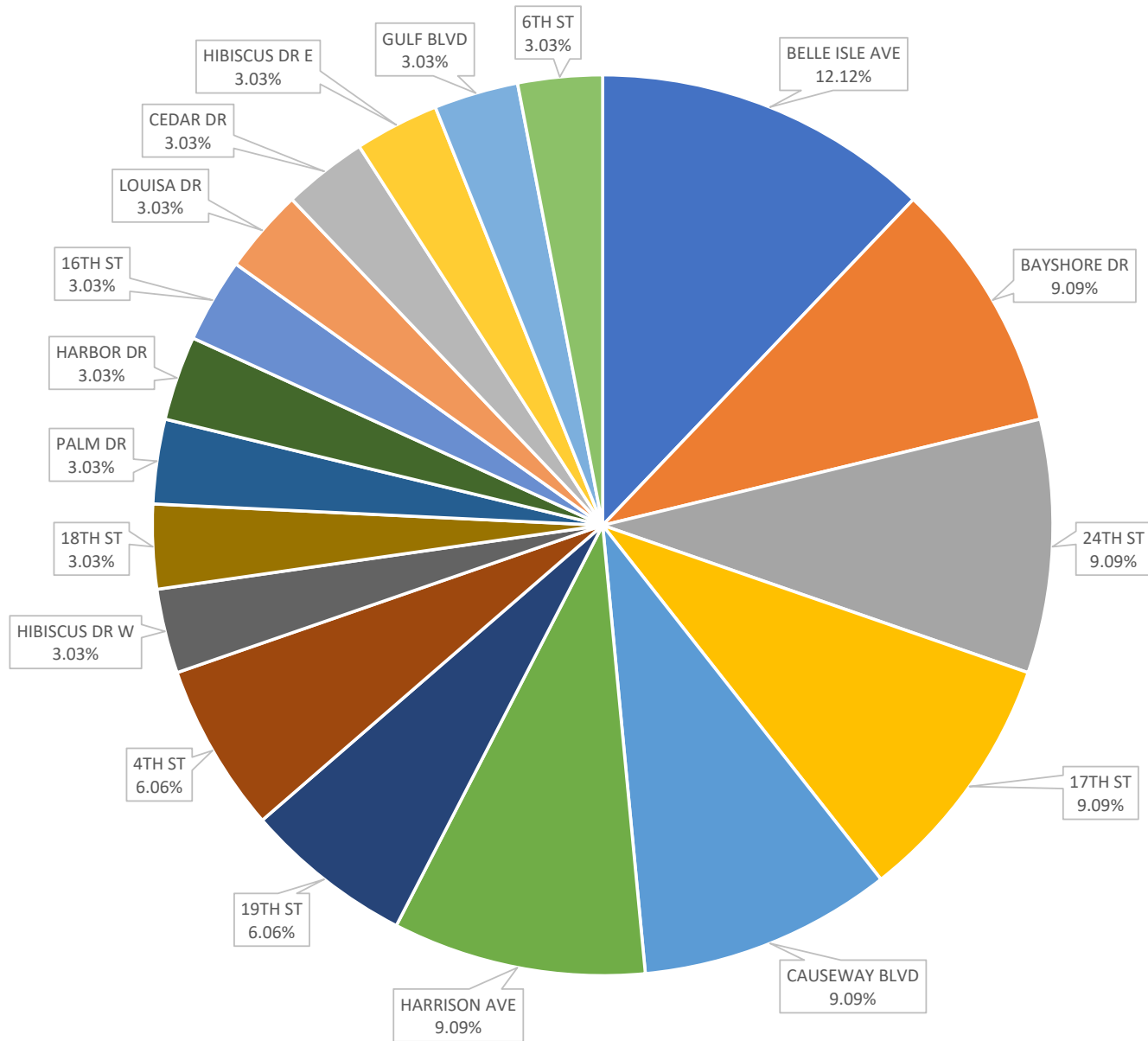
MONTHLY CODE ENFORCEMENT REPORT

Category	Action DATE	Open DATE	Closed DATE	DAYS OPEN	#	Street	SOURCE	STAFF	COMMENTS
Unmaintained Pools	2/2/2024	1/27/2024	2/4/2024	8	209	HARRISON AVE	Onview	PCSO	F/U regarding 5 Day Notice - Unmaint Pool - Pump in pool No Chng
Boat, RV, or Pod in Driveway	2/2/2024	2/2/2024	2/4/2024	2	414	BELLE ISLE AVE	Onview	PCSO	New - Pod in driveway unpermitted - Contact w/ owner - will get prmt
Unmaintained Pools	2/4/2024	1/27/2024	2/4/2024	8	209	HARRISON AVE	Onview	PCSO	Closed - Follow up 5 day unmaint pool - pumped out and in compliance
Boat, RV, or Pod in Driveway	2/4/2024	2/2/2024	2/4/2024	2	414	BELLE ISLE AVE	Onview	PCSO	Closed - unpermitted POD in driveway - resident obtained permit
Unpermitted Remodel	2/4/2024	12/26/2023	2/4/2024	40	111	4TH ST	Onview	PCSO	Closed - unpermitted remodel STOP wrk odr / Permits obtained posted
Unpermitted Remodel	2/4/2024	10/23/2023	2/4/2024	104	921	CEDAR DR	Onview	PCSO	Closed - F/U Stop Work Order - Permits obtained - SWO removed
Other Enforcement	2/5/2024	2/5/2024	2/5/2024	0	444	CAUSEWAY BLVD	Onview	PCSO	CITY COUNCIL MEETING
Vehicle/Traffic	2/6/2024	2/6/2024	2/6/2024	0	2174	LOUISA DR	Onview	PCSO	New / Vehicle parked in roadway - observed numerous - Warning Issued
Other Enforcement	2/8/2024	2/8/2024	2/20/2024	12	106	24TH ST	Compl	PCSO	New Compl excessive watering - obsrvd evid several days - 5 day issued
Fence or Wall in Disrepair	2/8/2024	2/8/2024	2/12/2024	4	105	24TH ST	Compl	PCSO	New / No fence surrounding open pool - 5 Day Notice posted - photos
Plant Overgrowth Obstructing	2/8/2024	1/19/2024	2/14/2024	26	104	17TH ST	Compl	PCSO	F/U regarding overgrown trees over fence. Text to Owner- requested leveling
Unmaintained Pools	2/12/2024	1/18/2024	2/12/2024	25	3201	HIBISCUS DR E	Onview	PCSO	F/U previous closed with letter - Owner working on pool needs pump
Boat, RV, or Pod in Driveway	2/12/2024	2/12/2024	2/16/2024	4	414	BELLE ISLE AVE	Onview	PCSO	New - Unpermitted pod in driveway - contact w/owner - will get permit
Fence or Wall in Disrepair	2/12/2024	2/8/2024	2/12/2024	4	105	24TH ST	Compl	PCSO	Closed - F/U 5 Day Notice no fence surrounding pool - Fence installed
Unpermitted Remodel	2/12/2024	2/12/2024	2/27/2024	15	109	19TH ST	Onview	PCSO	New - Unpermitted Solar Install - Better Earth - SWO issued No permits
Other Enforcement	2/14/2024	2/14/2024	2/14/2024	0	116	6TH ST	Onview	PCSO	New/Closed - Trash not in approved containers with lids - Notice Issued
Other Enforcement	2/14/2024	2/14/2024	2/14/2024	0	104	4TH ST	Onview	PCSO	New/Closed - Trash not in approved containers with lids - Notice Issued
Other Enforcement	2/14/2024	2/14/2024	2/14/2024	0	15TH	GULF BLVD	Onview	PCSO	Back-Up BB1A Traffic Stop w/ Warrant Arrest
Plant Overgrowth Obstructing	2/14/2024	2/14/2024	2/14/2024	0	101	16TH ST	Onview	PCSO	Closed - Contact with Compl regarding overgrowth 104 17TH - Adv Letter
Plant Overgrowth Obstructing	2/14/2024	1/19/2024	2/14/2024	26	104	17TH ST	Onview	PCSO	Closed - Contact with owner of prop - estimates coming - Letter from City
Construction Related Nuisances	2/14/2024	2/14/2024	2/14/2024	0	2503	BAYSHORE DR	Compl	PCSO	Compl ref Dock Inc. offloading material from 22nd ST bridge - Contact wrng
Boat, RV, or Pod in Driveway	2/16/2024	2/16/2024	2/16/2024	0	2205	BAYSHORE DR	Compl	PCSO	Closed - F/U - Compl to City ref box trailer in drive - Trailer removed
Unpermitted Remodel	2/16/2024	2/16/2024	OPEN	17	110	18TH ST	Onview	PCSO	New - Remodel bath and interior framing - No Permits - SWO issued
Construction Related Nuisances	2/16/2024	2/16/2024	2/18/2024	2	703	HARBOR DR	Onview	CSA	SILT FENCE VIO
Construction Related Nuisances	2/18/2024	2/18/2024	2/18/2024	0	2601	BAYSHORE DR	Onview	PCSO	New/Closed Construction on Sunday against code - Notice Issued
Unmaintained Pools	2/18/2024	2/18/2024	OPEN	15	209	HARRISON AVE	Onview	PCSO	New - Unmaintained pool under constr - Pool half full green water - Notice
Temporary Signage	2/19/2024	2/19/2024	2/19/2024	0	610	BELLE ISLE AVE	Onview	PCSO	New/Closed - Advertisement sign Gibson Marine - Contact - sign removed
Temporary Signage	2/19/2024	2/19/2024	2/19/2024	0	2710	HIBISCUS DR W	Onview	PCSO	New/Closed - Advertisement sign Total Kitchen - Sign removed
Other Enforcement	2/19/2024	2/19/2024	2/19/2024	0	444	CAUSEWAY BLVD	Onview	PCSO	New / Closed - Beach Patrol Polaris - No Issues or Violations
Weeds in Front Yard	2/20/2024	2/20/2024	OPEN	13	1041	PALM DR	Compl	PCSO	New - Large amount of weeds and overgrowth - photos - Notice posted
Plant Overgrowth Obstructing	2/27/2024	1/19/2024	2/27/2024	39	104	17TH ST	Compl	PCSO	Closed - Trees over neighboring fence lines - Trees Trimmed
Unpermitted Remodel	2/27/2024	2/12/2024	2/27/2024	15	109	19TH ST	Onview	PCSO	Closed - Stop Work Order removed - Owner advised no longer utilizing Co.
Other Enforcement	2/28/2024	2/28/2024	2/28/2024	0	444	CAUSEWAY BLVD	Onview	PCSO	New / Closed - Vessel Patrol / Survey No Wake Markers and potential Viol

Categories



Streets



OUTSTANDING CODE VIOLATIONS

Violation Category	#	STREET NAME	START DATE	DAYS OPEN	COMMENTS
Construction Related Nuisances	103	25th Street	1/22/21	CLOSED AFTER 1127 DAYS	Approximately \$312,000.00 in unpaid fines.
Dangerous Structure	105	8th Street	6/12/2022	CLOSED AFTER 605 DAYS	Structure passed engineering and inspection by Pinellas County.
Plant Overgrowth Obstructing	107	21st Street	6/28/23	250	Approximately \$40,000.00 in unpaid fines.



**City Manager Report
March 2024**

Project / Discussion Item		Unforeseen Issues	Assistance Required	Status
Gulf Blvd Undergrounding		None	None	UCF documenting easement refusals for Duke Energy.
Stormwater Improvement Projects	March 18 th – Start of construction contract.	None	None	
Code Review Services	March 18 th – City Council Workshop to review recommendations for chapter 94.	None	None	Chapter 94 - Zoning
RFP for Auditing Services	March – Audit Committee meeting to review and approve ACFR Draft for FYE 2023 and Auditor RFP.	None	None	City anticipating ACFR Draft from auditor.



City Clerk Report February 2024

Item	Description
2 Council Meetings	Regular, Work Session
	Prepared agendas
	Prepared meeting minutes
Communications	Updated website, sent city emails as needed, drafted newsletter
	Trained on new city website and updated as necessary
	Posted Administrative Assistant job opening, began applicant review, scheduled interviews
	Back-up front desk



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

**Monday, February 5, 2024
Community Center, 6:00 PM**

PUBLIC MEETING MINUTES

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

Roll Call: Present were Councilmembers Frank Bankard, Lloyd Roberts, and Kim Shaw Elliott; Mayor Dave Gattis; City Manager Kyle Riefler, City Attorney Randy D. Mora, and City Clerk Renee Rose

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 Shaw Elliott to approve the agenda

Motion passed 4-0.

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)

3. Presentation: Recognition of Deputy Robertshaw.

Mayor Gattis presented an award to Deputy Robertshaw for his lifesaving actions on January 18, 2024.

4. Presentation: Pinellas County Sheriff's Office.

- **Law Enforcement monthly report**

Captain Leiner reviewed the monthly report.

Councilmember Bankard asked about the assault that recently happened on Indian Rocks Beach. Capt. Leiner said a female jogger was attacked by a transient. The jogger is okay, and they apprehended the transient. Bankard thanked the officers for their service. Councilmember Roberts asked about the vehicle theft. Capt. Leiner doesn't have the details but can follow up. Mayor Gattis asked about the car accident where the car was overturned. Capt. Leiner said the driver was under the influence and suffered minor injuries.

- **Code Enforcement monthly report**

Deputy Trump reviewed the code enforcement monthly report. He stated that enforcement has slowed recently. Unpermitted remodel enforcement has dropped to 18%. The report now shows "other enforcement" so he can document extra patrols and beach patrols.

5. Presentation: Pinellas Suncoast Fire & Rescue District.

Assistant Chief Higley's update included, in part:

- January Training – 710 hours of fire training, 160 hours of medical training
- Performed 127 annual fire inspections, 232 re-inspections, and 18 STR inspections
- Staff hosted a table at the city's Health and Wellness Fair
- Hosted multiple fire station tours
- District staff attended the bridge cleanup
- Thanked city staff for allowing them to use city space
- 11 calls for service in Belleair Beach

6. City Attorney Report.

City Attorney Randy Mora said they are halfway through the legislative session.

7. City Manager Report.

City Manager Kyle Riefler's update included, in part:

- Project consultants on the Gulf Blvd undergrounding project are requesting property owners to consider signing easements. If they don't approve easements, the project will go to the original request of putting switch boxes in the right-of-way.
- Council received presentation on code review project. The first review will be the February work session and will cover Chapters 10, 22, 30, and 50.
- Current auditor will present the draft ACFR in March, and then the audit committee will set criteria for the next RFP.

8. City Clerk Report.

Consent Agenda

9. Approval of January 8, 2024, City Council Meeting Minutes.

10. Approval of January 29, 2024, City Council Work Session Minutes.

MOTION was made by Councilmember Bankard and seconded by Councilmember Shaw Elliott to approve the Consent Agenda.

Motion passed 4-0.

Regular Agenda

11. Consideration of Appointment to the Board of Adjustment
• Current Alternate Member Marc Mariano

Ron Ciganek, Donato Dr., said Mr. Mariano has been an alternate member. It's a great fit for him to become a voting member.

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to appoint Marc Mariano to full member of the Board of Adjustment.

Councilmember Bankard	Yes
Councilmember Roberts	Aye
Councilmember Shaw Elliott	Yes
Mayor Gattis	Aye

Motion passed 4-0.

12. Award of Project Bid B23-01 for Street and Drainage Improvements form 9th Street to Morgan Drive (City Manager Riefler)

City Manager Riefler said this project will wrap up the remainder of the stormwater master plan. It spans from 9th St to Morgan Dr. It will provide necessary maintenance and repair to the aging stormwater system and will consist of 26,000 sq. yds. of milling and resurfacing streets, 21,000 linear feet of curb replacement, and 1,700 linear feet of cured in place pipe lining. Harbor Contracting was the low bidder and received positive review.

John Handzuk, 22nd St., said the stormwater system was supposed to be inspected by camera to determine if new pipe was needed, but this project is not going to replace any pipe. City Manager Riefler confirmed this will be cured in place lining. Mr. Handzuk said the Citizens Advisory Committee worked hard on this and he supports it.

MOTION was made by Councilmember Roberts and seconded by Councilmember Shaw Elliott to award Project Bid 23-01 for Street and Drainage Improvements from 9th Street to Morgan Drive to Harbor Contracting.

Councilmember Roberts said the city will benefit from this project. Councilmember Bankard didn't support it last month, but will support this month and he thanked Councilmember Shaw Elliott for the idea of a study.

Councilmember Bankard	Yes
Councilmember Roberts	Aye
Councilmember Shaw Elliott	Yes
Mayor Gattis	Aye

Motion passed 4-0.

- 13. Consideration of Ordinance 24-01, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Chapter 2 – “Administration”, Article II – “City Council” Division 1 – “Generally”, To Create Section 2-31 Of The City’s Code Of Ordinances, Entitled “Compensation Of Council” To Establish An Annual Salary For Members Of The City Council And Guidelines Governing Reimbursement; Providing For The Implementation Of Administrative Actions; Providing For Codification; Providing For Severability; And Providing An Effective Date. (First Reading) (Mayor Gattis)**

City Attorney Mora read Ordinance 21-01 by Title only. This ordinance was produced in response to consensus at the work session and was drafted based on the discussion, but as this is first reading, it can be revised. The numbers are \$350 per month for the mayor and \$250 per month for individual council members. This ordinance does not explicitly provide for reimbursed expenses directly associated with the office, such as preparation of financial disclosure forms. If council intends to provide that, it will need to be made explicit.

MOTION was made by Councilmember Roberts and seconded by Councilmember Shaw Elliott to adopt Ordinance 24-01.

Councilmember Roberts said if a minimal salary would assist any citizens with costs associated financial disclosure forms and help them run for a council seat, he supports it. Councilmember Shaw Elliott agreed. She said it’s an honor to serve. They are trying to find a way to fill the council and eliminate barriers. Councilmember Bankard is against this but will work with council. It’s an honor to serve. This is a great community because there is a lot of volunteerism. He will support today knowing it can be repealed by the next council. Mayor Gattis brought this to council because they only have four council members. It’s the lowest salary in Pinellas County. It’s an appreciation pay.

Councilmember Bankard	Yes
Councilmember Roberts	Aye
Councilmember Shaw Elliott	Yes
Mayor Gattis	Aye

Motion passed 4-0.

- 14. Authorization to Execute a PO with Gemini Engineering and Sciences, Inc. for the Investigation and Design of a Stormwater Pump System (City Manager Riefler)**

City Manager Riefler said Gemini Engineering provided a scope of services for the design of a pump station based on discussions from the work session. The timeline provided is one to two months, and then they will bring a presentation to council.

Marv Behm, Louisa Dr., said they have a few incidents a year. This is not cost effective.

John Handzuk, 22nd St., said they are all surrounded by water, but the south end is lower. They have check valves. This isn't in the budget. The pumps aren't the right choice if everything else is working properly. The rain gutters at Bayshore and 22nd are too small to accept the amount of rain.

MOTION was made by Councilmember Bankard and seconded by Councilmember Shaw Elliott to authorize the City Manager to execute a PO with Gemini Engineering and Sciences, Inc. for the investigation and design of a stormwater pump system in the vicinity of 9th Street and Harbor Drive.

Councilmember Bankard said the issue with the south end is that the water doesn't go down until the tide goes below 2.5 ft. Emergency equipment can't get down the street. The water can be vacated through pumps. The 7th Street check valves are too low and don't open until it's down to 2.3 ft. The water accumulates. Councilmember Shaw Elliott supports this. It's a feasibility study. It's their fiduciary duty to evaluate reasonable measures, and that's what the study will do. Councilmember Roberts said when they spend money to support the city, they need to ask if it supports a majority of the citizens and how much money. If it doesn't support a majority but it's a small amount, then the city can take on the expense, but if it's a large amount and only supports a small portion of the city, they need to make smart decisions. They don't know what the cost will be, so that's the need for a feasibility study. There are multiple ways to pay for the fix that may not use city money. Mayor Gattis stated the only way any items pass currently is with a minimum of 4 votes, based on the current city charter. The feasibility study was required to pass the stormwater project. This doesn't commit the city to spending money on pumps, only that they will do a feasibility study.

Councilmember Bankard	Yes
Councilmember Roberts	Aye
Councilmember Shaw Elliott	Yes
Mayor Gattis	Aye

Motion passed 4-0.

15. Consideration for Public Works Pay Increase (City Manager Riefler)

City Manager Riefler summarized the pay study information gathered by the Community Services Administrator. The city has two positions, Service Worker III – Crew Lead and Service Worker II. Riefler provided an average and recommendation for each of the positions. Two employees have not yet put in a year of service, he recommends they stay at starting salary.

The Service Worker III employee has been in the position over a year, and an adjustment is recommended. Riefler recommends increasing the hourly wage for Service Worker III from \$21 to \$24.68 an hour and the Service Worker II starting wage from \$18 to \$20 an hour starting with the current pay period.

John Handzuk, 22nd St., said this isn't budgeted and asked where this will come from within the budget. City Manager Riefler said a full year would have been \$18,000, but the city is a third of the way into the fiscal year, resulting in a \$12,000 increase. They can approve a budget amendment or wait and see if that will be necessary.

MOTION was made by Councilmember Roberts and seconded by Councilmember Bankard to increase hour wage for Service Worker III – Crew Leader from \$21.00 to \$24.68 and Service Worker II from \$18.00 to \$20.00 effective January 28, 2024.

Councilmember Roberts brought this forward because the city has had difficulty filling vacancies. With such a small crew, if someone is sick or on vacation, there are tasks that can't be done. The position being vacant for a long time had a lot to do with salary. Mayor Gattis said he wouldn't want someone to leave for a neighboring community and supports this measure.

Councilmember Bankard	Yes
Councilmember Roberts	Aye
Councilmember Shaw Elliott	Yes
Mayor Gattis	Aye

Motion passed 4-0.

Mayor Gattis said the council greatly appreciates the staff's hard work.

16. Consideration of a salary increase for the City Manager and a Second Addendum to Employment Agreement for the Services of Kyle Riefler as City Manager of the City of Belleair Beach. (City Attorney Mora)

City Attorney Mora said this was done in response to discussion held at the last work session. He drafted a second addendum with blanks, because there was not a substantive discussion about the figure.

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to approve the Second Addendum to Employment Agreement for the Services of Kyle Riefler as City Manager of the City of Belleair Beach.

Councilmember Bankard suggested an annual salary of \$138,000 based on the salary survey provided by City Clerk Rose. Indian Shores is offering an interim manager \$136,490. Belleair Beach originally budgeted \$180,000 for the position.

Councilmember Shaw Elliott called a point of order and asked if discussions about the manager's salary are to be held in public. City Attorney Mora confirmed, stating that because it's an official act of the governing body those discussions happen in the open.

Councilmember Shaw Elliott noted it's a large increase in a single amount and negotiations took place when the position was initially filled that were agreeable. She supports an increase, but questions the amount. Councilmember Roberts wanted to see the experience of the existing city managers in neighboring communities. Additional information would help them understand where this salary should be. Shaw Elliott said it's an 18% increase. Roberts said the salary was agreed upon in the contract, but they were willing to pay a much higher salary to another candidate. There is money in the budget. Mayor Gattis said 18% is a large pay increase. He would support a 10% increase, or \$126,500.

Mayor Gattis directed City Attorney Mora to insert an annual salary of \$126,500. Mora stated the contract has a placeholder for an effective date for that amount. Gattis said it should be effective immediately.

Councilmember Bankard	Yes
Councilmember Roberts	Aye
Councilmember Shaw Elliott	Yes
Mayor Gattis	Aye

Motion passed 4-0.

17. Authorization for Sole Source Purchase of a Wapro Wastop 24 Inch Valve for Street and Drainage Improvements Project B23-01 (City Manager Riefler)

City Manager Riefler summarized the request for purchase, stating that this pump is the same as ones previously installed throughout the city. This one will be used at Bayside Park for Cedar and Spruce Streets.

MOTION was made by Councilmember Bankard and seconded by Councilmember Shaw Elliott to authorize the sole source purchase of a Wapro Wastop 24" Valve from Wapro, Inc. for Street and Drainage Improvement Project B23-01

Motion passed 4-0.

18. Authorization to Purchase an Exmark Lazer Z E 48" Mower (City Manager Riefler)

City Manager Riefler said this purchase is off a state contract. The mower is part of the capital equipment replacement plan. This mower has great reviews. The state contract provides a 20% discount from MSRP.

MOTION was made by Councilmember Shaw Elliott and seconded by Councilmember Roberts to authorize the City Manager to purchase an Exmark Lazer Z E 48" mower from Choo Choo Lawn Equipment, Inc. in the amount of \$10,852.04.

Discussion followed regarding the state contract and a vote was taken.

Motion passed 4-0.

19. Unfinished Business.

None

20. City Council Comments.

Councilmember Shaw Elliott said they've accomplished a great deal tonight, and she thanked council for their cooperation. She congratulated Deputy Robertshaw.

Councilmember Bankard reminded everyone that traffic will be increasing soon with spring break.

Councilmember Roberts said hurricane season is coming up and he hopes the storm drainage project can get started quickly.

Mayor Gattis thanked everyone who came to the meeting or watched from home. He thanked the council for staying on. He appreciates their patience and ability to remain calm in disagreement. He believes they have one of the best councils in the county.

ADJOURN

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to adjourn at 7:29pm.

Motion passed 4-0.

Date Approved

APPROVED: _____
Dave Gattis, Mayor

ATTEST: _____
City Clerk



**City Council Work Session
City of Belleair Beach, Florida**

**Tuesday, February 27, 2024
Community Center, 6:00 PM**

PUBLIC MEETING MINUTES

The meeting was called to order at 6:00pm by Mayor Dave Gattis followed by a Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present were Councilmembers Frank Bankard, Lloyd Roberts, Kim Shaw Elliott, Mayor Dave Gattis, City Manager Kyle Riefler, City Attorney Randy Mora, and City Clerk Renee Rose.

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

1. Codes Review – Chapter 10

Luis Serna, Calvin, Giordano & Associates, opened the discussion stating his staff reviews the code for cross reference checks and to ensure they meet state statutes. He recommended moving Section 10-3 to the Land Development Code (LDC). Council discussed the process for code review. City Manager Riefler noted most variances are related to the height of pools. Mayor Gattis said developers have questioned the two-story rule. Properties where stories have been built over the garage, in many cases, the garage is eventually made into living space without city knowledge. Councilmember Bankard said if residents do that, NFIP drops their coverage. City Manager Riefler said they aren't pulling permits, and he wouldn't approve if they applied. He summarized the permitting process. City Attorney Mora said there's current legislation restricting local governments from regulating land development that's more restrictive within 100 miles of landfall from Hurricane Ian. Certain changes cannot be adopted until after October 2024. There was additional discussion regarding property owners' rights. Gattis said they can permit the conversion of garages into living spaces for more tax revenue. Councilmember Elliott noted that 10-77 limits materials for off street parking. Gattis said when water rises, materials are washed into storm drains. Bankard noted 10-2 allows workers to start at 7am and asked if it should be changed to 8am. There was no consensus. Riefler addressed 10-33 that allows an 18-month time limit with a 6-month extension on permits. Small projects don't need that time. Gattis said 6 months is sufficient for small projects and asked Riefler to bring suggestions and definitions at the next meeting. Mr. Serna pointed out 10-174, noting most variances are for pool height. Mike Kelly, Board of Adjustment Chair, provided a summary of how the code was adopted in 2016. Discussion continued regarding slope and drainage. Mr. Serna will consult with his engineers. Bankard asked for Mr. Kelly's input as well. Jody Shirley, Harrison Ave., said pool permits should include a drainage plan. The city is allowing too much impervious area. Marv Behm, Louisa Dr., said they should require landscapers to be permitted because they are changing elevations. Mora advised if the council adds additional permitting and inspection, they may need more resources.

2. Codes Review – Chapter 22

Mr. Serna said this chapter is related to nuisances. Discussions regarding the exemption of basketball hoops were addressed. Councilmember Roberts noted the portable hoops are still very difficult to move. Councilmember Elliott said the toddler hoops are left out and shouldn't be, as they are easy to move. Mayor Gattis said they are a hazard during storms. There was consensus to provide definitions on non-moveable hoops. Roberts noted section 22-33 (4) regarding pests. He's received complaints regarding fruit trees and rats. Specifically, fruit that falls when homes are unoccupied for months and rats come out. City Attorney Mora said they can't legislate around natural habitat. Additionally, they need to be sure they are treating property owners equally. Elliott noted the subsection regarding noise. Councilmember Bankard said there was a law passed recently limiting noise from vehicles. Mora said he will review the noise code as it relates to statute but advises it's difficult to enforce with vehicles passing through. Elliott noted 22-61(4), addressing yelling on public streets. She suggested removing "public street". Mora raised concerns about limiting first amendment speech on public streets and will review code as it relates to constitutional norms. Bankard supports removing the word "public", and asked if anyone has issue with the time set of 10pm-7am. Elliott has heard loud parties but has no issue if they are quiet by 10pm. Elliott addressed a general issue that is in several sections where penalty is imposed based on interest rate. Discussions resulted in the suggestion to update the code so those fees can be set by resolution if allowed by statute.

Mayor Gattis recessed the meeting at 7:19pm and resumed the meeting at 7:29pm.

3. Code Review – Chapter 30

Mr. Serna said this chapter deals with seawalls and restrictions on boats and rules of the marina. He suggested better defining "catwalk". Councilmember Elliott noted 30-144(9) aircraft operations and asked if that includes drones. Mayor Gattis said it references remote operated, which includes drones. City Attorney Mora said he will review the regulation of drones so they are in line with state and federal laws. There are preemptions that prevent cities from regulating autonomous vehicles, so transportation regulations need to be consistent with statutes. Councilmember Roberts asked about fireworks on the beach. The code states they must get permission from the city manager. He sees a lot of fireworks on the beach on holidays. City Manager Riefler said no one has asked him. Councilmember Bankard said fireworks are prohibited in the city. Riefler believes this was left in code if someone wanted permission for a vendor to shoot fireworks. He wouldn't permit individuals shooting fireworks in the city. Riefler noted the discussions around seawalls and suggested adding more language as to maintaining seawalls. The code addresses construction requirements and specifications, and the county handles inspections, but they should reference proper drainage in the code. Gattis said there have been issues of improperly maintained seawalls collapsing, and asked how the city can enforce that. Marv Behm, Louisa Dr., said he provided the city with a manual regarding seawalls and suggested a once-a-year waterside inspection of seawalls. Gattis said if people don't want the city on their property, they can't go on property. Riefler said the manual is a good tool for education. If they took an engineer on a boat, they wouldn't be on a person's property, but they don't have qualified staff. Mr. Behm said they don't have to be qualified to spot the 5 easily identified conditions. Mora said in terms of regulation, do they have the means and resources to regulate beyond stating they can't have unsafe structures. They don't want to put something in

the code if they can't administer and enforce it. Gattis said if they hire a qualified staff member, they still don't have access to the property. The manual is a suggestion, but they have no method of enforcement. Mr. Serna said Section 10-74 does require seawalls be maintained in accordance with the seawall manual adopted by council. Elliott suggested that failure to maintain a seawall can be considered a nuisance by code. Gattis again noted issue with enforcement. Mora said they can enforce the idea that any structure on a property must be maintained in a safe manner consistent with Florida building code or statutory national standard. Regarding the code reference to the manual, is the language prohibitive or aspirational? If it's prohibitive, the city should keep records and be able to prove if a wall hasn't been inspected. The burden of proof will be on the city. Mr. Behm noted dock permits, stating that many docks are built outside of the dimensions stated on the permit. The inspector should verify the measurements on the dock before they sign off. Riefler said that's determined by the county, and if they put strict requirements on them, the county may request the city find an independent inspector. The companies verify the measurements and if they are found to be different, the company is responsible. Gattis said it's subjective and should be self-regulated. Mr. Serna said docks are also addressed in Chapter 94 and will be discussed further.

Code Review – Chapter 50

Mr. Serna said this chapter is streets, sidewalks, and other public ways. This is not the design, which is covered under subdivision and development. 50-1 addresses roadway intersection visibility. He recommends the sight visibility triangle be further clarified. Mayor Gattis noted it doesn't have to apply to intersections, it can apply to straight drives. City Manager Riefler said that will be addressed in Chapter 94, landscaping in the right-of-way and in the front set-back. There's a lot of variation through the city and most properties aren't in line with the code. Mr. Serna said that will be included in Chapter 94 but can be cross-referenced to other areas. Marv Behm, Louisa Dr., noted that houses at the ends of cul-de-sacs could have privacy issues if they remove shrubs by their driveways. Gattis suggested exempting homes at the ends of cul-de-sacs.

4. General Business.

Mayor Gattis discussed the 5-year look back period and doesn't see the benefit of 5 years versus 1 year. Belleair Beach has a longer look back period than surrounding beach communities. City Manager Riefler explained the community rating system look back period as it relates to the NFIP incentive and how the city arrived at a 5-year period. The look back period is a cumulative substantial improvement per year or per event if there's substantial damage. Any improvement to the structure cannot be over 50% of the value of the structure. The 5-year look back restricts improvements of over 50% of the value in a 5-year period. Gattis said it's restricting people from making improvements to their homes and choosing to leave the community. Councilmember Elliott has encountered the 50% rule in the past and sees it as a detriment to the community. It leads to decaying properties. Riefler said there are exceptions for repairs and bringing something up to code. Gattis said reducing the look back could lead to more permitting and increased revenue. That may afford the city additional help for permitting. Tax value would go up as well. Councilmember Bankard said there's no proof they are receiving any discounts. Gattis said changing the look back period would result in more tax revenue and residents that would stay in the city longer. It will be discussed in Chapter 94 and he asked council to consider reducing the period from 5 years to 1 year.

Councilmember Bankard noted Chapter 94 as it relates to the radio antenna recently installed. Mayor Gattis said there's nothing that can be done about the one already installed, but they can address the language in the code to prevent them from installing in the set-back. City Manager Riefler said it was not installed in the set-back. It met the county requirements and there was separate engineering for wind rating. City Attorney Mora said the matter is settled. The violation of not having a permit was resolved and the structure passed permitting. They can review and amend the code going forward, but this structure would then be grandfathered. Gattis said if any new antennas go through an amended code and passes, the county will approve it.

Councilmember Elliott said there was an application for a council vacancy. Mayor Gattis said he opened the application period until the election, and they have two applications. He wants to wait until the election so they know how many positions will need to be filled. After the election, he suggests bringing the applicants to a work session for interview and then vote at the following council meeting. Consensus was achieved.

ADJOURN

MOTION was made by Councilmember Bankard and seconded by Councilmember Elliott to adjourn at 8:40 pm.

Motion passed 4-0.

Date Approved

APPROVED: _____
Dave Gattis, Mayor

ATTEST: _____
City Clerk

ORDINANCE 2024-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH AMENDING CHAPTER 2 – “ADMINISTRATION”, ARTICLE II – “CITY COUNCIL”, DIVISION 1 – “GENERALLY”, TO CREATE SECTION 2-31 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “COMPENSATION OF COUNCIL” TO ESTABLISH AN ANNUAL SALARY FOR MEMBERS OF THE CITY COUNCIL AND GUIDELINES GOVERNING REIMBURSEMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 2.03 of the City Charter, provides that “the council, by ordinance, shall determine the annual salary, if any, of council members, the mayor and vice mayor”; and

WHEREAS, many municipalities in the State of Florida financially compensate their legislative officials for their service on the municipality’s governing body; and

WHEREAS, members of the City Council of the City of Belleair Beach are not presently financially compensated for their service on the City Council; and

WHEREAS, the City Council of the City of Belleair Beach now desires to establish an annual salary for its councilmembers.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH, FLORIDA, THAT THE CODE OF ORDINANCES IS AMENDED AS FOLLOWS:

Section 1. Codified Provision. The City of Belleair Beach code of ordinances is hereby amended to create Chapter 2, Article II, Division 1, Section 2-31, entitled “Compensation of Council,” providing as follows:

Sec. 2-31. Compensation of Council

(a) **Salary.** Members of the City Council shall receive an annual salary, paid in monthly installments.

- 1) **Mayor.** The annual salary for the mayor shall be \$4,200.00, payable in monthly installments of \$350.00.
- 2) **Council.** The annual salary for each individual member of the City Council, excluding the mayor, shall be \$3,000.00, payable in monthly installments of \$250.00.

(b) **Expenses.** If a member of the City Council finds it necessary to incur travel and business expenses, and when the expenses are within the scope and intent of the adopted budget, those expenditures are authorized and may be reimbursed upon proof of payment.

- 1) Travel expenses shall be limited to those expenses necessarily incurred by the traveler in the performance of duties related to the functions and responsibilities of the City.
- 2) Business expenses shall apply to those expenditures which are incurred in the performance of a public purpose, including meetings with governmental officials, seminars, and training programs, community promotion, community advocacy, and any other related activities.

Section 2. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he deems necessary and appropriate to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary, and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

Section 3. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 4. Effective Date. This Ordinance shall become effective immediately upon enactment by the City Council. Pursuant to Section 2.03 of the City of Belleair Beach's Charter,

the portion of this ordinance establishing a salary for council members shall become effective upon the date of commencement of the terms of council members elected at the second regular election following passage of this ordinance, beginning first with the regular March 2024 regular election cycle.

ADOPTED ON FIRST READING on the 5th day of February, 2024, by City Council of the City of Belleair Beach, Florida.

ADOPTED ON SECOND AND FINAL READING on the _____ day of _____, 2024, by City Council of the City of Belleair Beach, Florida.

David Gattis
Mayor, City of Belleair Beach

ATTEST:

Renee Rose, City Clerk

APPROVED AS TO FORM:

Randy Mora, City Attorney

Business Impact Estimate

Proposed ordinance's title/reference: **Ordinance No. 2024-01**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLEAIR BEACH AMENDING CHAPTER 2 – “ADMINISTRATION”, ARTICLE II – “CITY COUNCIL”, DIVISION 1 – “GENERALLY”, TO CREATE SECTION 2-31 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “COMPENSATION OF COUNCIL” TO ESTABLISH AN ANNUAL SALARY FOR MEMBERS OF THE CITY COUNCIL AND GUIDELINES GOVERNING REIMBURSEMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

¹ See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance establishes an annual salary for the City Council and provisions governing reimbursement for travel and business expenses in connection with their public service.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None.

4. Additional information the governing body deems useful (if any):

The proposed ordinance is an ordinance of general application governing only the City Council and not applicable to the business community.