



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

**Monday, October 10, 2022
Community Center, 6:00 PM**

PUBLIC MEETING MINUTES

The meeting was called to order by Mayor Dave Gattis, followed by a Pledge of Allegiance to the Flag of the United States of America.

Mayor Gattis advised that this meeting should have occurred on October 3rd but was delayed to give the City and the Citizens time to reverse all the preparations that were made in light of a possible hurricane. He asked that everyone join him in a moment of silence for all those who lost their lives, their loved ones, their pets, or their homes to Hurricane Ian.

Roll Call: Present were Councilmembers Frank Bankard, Leslie Notaro, Lloyd Roberts, Jody Shirley, and Mike Zabel; Mayor Dave Gattis, Vice Mayor Glenn Gunn, Interim City Manager Kyle Riefler, City Clerk Patricia Gentry, and City Attorney Randy Mora.

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 Notaro to approve the Agenda.

Motion passed 6-1. Councilmember Shirley was opposed.

MOTION was made by Councilmember Shirley and seconded by Councilmember Bankard to **AMEND** the Agenda to add an item to discuss the City Manager position.

Motion passed 7-0.

Mayor Gattis stated 'Discussion of City Manager Search' will be Item number 24, Unfinished Business will be Item number 25, and City Council Comments will be Item number 26.

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)**

Citizens Comments included, in part:

- Kudos to Councilmember Zabel for making himself available to the Citizens
- Benches and bike racks on the beach
- PSFRD funding

3. **Presentation: Pinellas County Sheriff's Office.**

- **Law Enforcement monthly report**

PCSO Sergeant McKnight reviewed the monthly report.

- **Code Enforcement monthly report**

Deputy Klapka reviewed the monthly report. He advised that he and Sergeant Stibbard had met with Staff and Councilmember Roberts regarding code enforcement.

4. **Presentation: Certificates of Completion For IEMO II. The Florida League of Cities Institute for Elected Municipal Officials II Provides An Advanced Program on Municipal Government for Elected Officials.**

- **Councilmember Jody Shirley**
- **Councilmember Mike Zabel**

Mayor Gattis presented the Certificates to Councilmember Shirley and Councilmember Zabel.

5. **Quarterly Board Reports**

- **Board of Adjustment**

Chair Mike Kelly comments included, in part:

- August Hearing: a variance for height of a pool was approved
- There will be a Hearing on October 13th to appeal the Interim City Manager's decision with regard to building a single-family home with three habitable floors

- **Citizens Advisory Committee**

Chair Ron Ciganek advised that the Committee had met to discuss a potential line of credit for emergency management purposes. The Committee will reconvene to discuss options after they have done further research.

Break from 6:28pm until 6:33pm.

- **Park and Recreation Board**

Chair Tammie Levenda's comments included, in part:

- Beach cleanups have been well-attended, thank you to all
- Halloween Costume Contest – October 30
- Chili Cook Off – November 19
- Holiday Food Drive – the month of November
- Holiday Social and Gift Drive – December 5
- Health & Wellness Fair – January 14
- City Council had tasked the Park and Recreation Board to do a survey of Residents regarding paving of the walking easement – the survey questions were approved with adding a map of the easement and the City events
- Benches and bike racks will be part of the discussion in the Belleair Beach Community Foundation (BBCF) launch in November
- Thank you to Interim City Manager Riefler for his help with the Park and Recreation Board and the Belleair Beach Community Foundation

- **Planning and Zoning Board – no report**

No report.

6. City Attorney Report.

City Attorney Mora comments included, in part,

- He and Interim City Manager Riefler have been working on the sign ordinance draft for review by Council
- Following the County's declaration of emergency for Hurricane Ian - he, Mayor Gattis, and Interim City Manager Riefler were in immediate contact to prepare what was needed for the City's declaration

7. City Manager Report.

Interim City Manager Riefler reviewed his monthly report in the Agenda Packet and added:

- He is working on a job description to advertise for an Administrative Assistant
- The generator for the Community Center is fully funded as of October 1 – he would like to have a work session discussion to determine if a generator is the best possible use of the funding for emergency management – other options would be:
 - Sandbagging procedures-over 5,000 bags were filled and distributed in two days
 - Tools and attachments to fit on the City tractor for more efficiency in filling sandbags

- Building a shed storage facility to have some sandbags stored and ready for distribution, which would also ease the traffic flow waiting for bags
- Regarding the email from a Resident about the sign on the beach – the sign is in the State’s jurisdiction - the FDEP advised that the sign is allowed per their standards

Mayor Gattis commended everyone that had participated bagging sand. He shared information for an alternative water barrier that he had used. They are compact, easily stored, and faster and easier for those who are physically unable to use sandbags. These could be considered for the City.

Councilmember Bankard thanked the Staff for their extra efforts prior to Hurricane Ian.

8. City Clerk Report.

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

Consent Agenda

- 9. Approval of July 19, 2022, Special City Council City Manager Search Meeting Minutes.**
- 10. Approval of July 28, 2022, Special City Council City Manager Search Meeting Minutes.**
- 11. Approval of August 1, 2022, Special City Council City Manager Search Meeting Minutes.**
- 12. Approval of September 7, 2022, City Council Meeting Minutes.**
- 13. Approval of September 19, City Council Work Session Minutes.**
- 14. Authorization to Execute the Interlocal Agreement Between Pinellas County and the City of Belleair Beach Providing for Joint Control of Pollutants Within Pinellas County. (Interim City Manager Riefler)**
 - **Establishing each party as a permittee/co-permittee to a NPDES permit for regulating municipal stormwater in a continuing series of agreements**

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

Motion passed 7-0.

Regular Agenda

- 15. Consideration of Ordinance 22-04, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Amending The City's Code Of Ordinances, To Repeal Provisions Establishing A "Gulf Of Mexico Safety Zone" In Order To Conform To Applicable State Laws And Regulations; Establishing A "Vessel-Exclusion Zone" Designated As A "Public Bathing Beach" Restricted To Manually Propelled Vessels Only; Providing For The Installation Of Regulatory Markers; Establishing Violations Relating To The Public Bathing Beach; Establishing The Means Of Enforcement; Providing For The Incorporation Of Recitals; Providing Administrative Direction To Implement This Ordinance; Providing For Severability; Providing For An Effective Date. Goal 1, Goal 5 (First Reading)**
- **To establish a "vessel-exclusion zone" designated as a "public bathing beach"**

City Attorney Mora read Ordinance 22-04 by Title only.

MOTION was made by Councilmember Zabel and seconded by Councilmember Bankard to approve.

City Attorney Mora will make any changes needed with regard to 'prohibited activities' before the Second Reading.

Councilmember Bankard	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Councilmember Shirley	Aye
Councilmember Zabel	Aye
Vice Mayor Gunn	Aye
Mayor Gattis	Aye

Motion passed 7-0.

- 16. Consideration of Resolution 2022-07, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Ratifying The State Of Local Emergency In Belleair Beach Declared By The Mayor Due To Tropical Depression Nine/Tropical Storm Ian/Hurricane Ian And Its Potential Threat Of Harm To The Residents And Property Of The City Of Belleair Beach; And Providing For An Effective Date And Termination Date. Goal 1 (Interim City Manager Riefler)**
- **To ratify the Proclamation of Emergency**
 - **To terminate the state of local emergency**

City Attorney Mora read Resolution 2022-07 by Title only.

MOTION was made by Councilmember Shirley and seconded by Councilmember Bankard to approve.

Councilmember Bankard	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Councilmember Shirley	Aye
Councilmember Zabel	Aye
Vice Mayor Gunn	Aye
Mayor Gattis	Aye

Motion passed 7-0.

17. **Consideration of Resolution 2022-08, A Resolution Of The City Council Of The City Of Belleair Beach Delegating To The City Manager The Administrative Authority To Authorize The Use Of The City Seal Under Certain Conditions; Making Related Findings; Providing For Severability; And Providing For An Effective Date. (Interim City Manager Riefler)**
- **Providing for limited powers of delegation by the City Manager to grant permission to written requests for use of the City Seal**

City Attorney Mora read Resolution 2022-08 by Title only.

MOTION was made by Councilmember Notaro and seconded by Councilmember Shirley to approve.

Interim City Manager Riefler stated the immediate need for the Resolution was so the Belleair Beach Community Foundation would be able to use the City Seal.

MOTION to TABLE Resolution 2022-08 for further consideration was made by Vice Mayor Gunn and seconded by Councilmember Bankard.

Councilmember Bankard	Yes
Councilmember Notaro	No
Councilmember Roberts	No
Councilmember Shirley	Yes
Councilmember Zabel	No
Vice Mayor Gunn	Aye
Mayor Gattis	No

Motion to TABLE failed 4-3.

Vote for Resolution 2022-08.

Councilmember Bankard	No
Councilmember Notaro	Yes
Councilmember Roberts	Yes
Councilmember Shirley	No
Councilmember Zabel	Yes
Vice Mayor Gunn	Aye
Mayor Gattis	Aye

Passed 5-2.**18. Nomination and Election of Vice Mayor by Ballot.**

- **Nominate and elect a vice mayor following the resignation of Glenn Gunn from the Vice Mayor position. Councilmembers who have expressed interest are:**
 - **Leslie Notaro**
 - **Jody Shirley**
 - **Mike Zabel**

MOTION was made by Vice Mayor Gunn and seconded by Councilmember Shirley to nominate and elect a new Vice Mayor.

Vice Mayor Gunn nominated Councilmember Jody Shirley.

Councilmember Mike Zabel nominated Mike Zabel.

Councilmember Leslie Notaro nominated Leslie Notaro.

Each nominee spoke regarding their qualifications and goals, followed by Citizens comments.

Councilmember Bankard voted for:	Leslie Notaro
Councilmember Gunn voted for:	Jody Shirley
Councilmember Notaro voted for:	Leslie Notaro
Councilmember Roberts voted for:	Jody Shirley
Councilmember Shirley voted for:	Jody Shirley
Councilmember Zabel voted for:	Mike Zabel
Vice Mayor Gunn voted for:	Jody Shirley
Mayor Gattis voted for:	Jody Shirley

Mayor Gattis congratulated Councilmember Jody Shirley as Vice Mayor.

19. Consideration of Appointment of Park and Recreation Board Alternate Member to Member.

- **Deborah DiCosimo**

Ms. DiCosimo notified the City that she had decided to remain as an Alternate Board Member.

20. **Consideration of Agreement Between the Belleair Beach Community Foundation and the City of Belleair Beach for an Engraved Brick Program. Goal 3 (Interim City Manager Riefler)**
- **A program to recognize and honor persons, organizations, and events related to the City of Belleair Beach**

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

Motion passed 7-0.

21. **Authorization to Approve Proposal for Plan Review Services. Goal 2 (Interim City Manager Riefler)**
- **Request authorization to contract with Madrid CPWG Services to review new building plans for compliance with City codes**

MOTION was made by Vice Mayor Shirley and seconded by Councilmember Roberts.

Discussion of RFQs followed.

MOTION to TABLE was made by Councilmember Zabel and seconded by Councilmember Bankard.

Councilmember Bankard	Yes
Councilmember Gunn	Aye
Councilmember Notaro	No
Councilmember Roberts	No
Councilmember Zabel	Yes
Vice Mayor Shirley	No
Mayor Gattis	No

Motion to TABLE failed 4-3.

MOTION to AMEND was made by Councilmember Gunn and seconded by Councilmember Bankard to authorize utilizing Madrid CPWG Services with a 120-day time limit.

Councilmember Bankard	Yes
Councilmember Gunn	Aye
Councilmember Notaro	No
Councilmember Roberts	Aye
Councilmember Zabel	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-1.

- 22. Consideration to Execute Service Agreement with Victor Burianek for City Council Meeting Video Recordings. Goal 4 (Interim City Manager Riefler)**
- **Continue video recording services with current contractor**

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts.

Councilmember Bankard	Yes
Councilmember Gunn	Aye
Councilmember Notaro	Aye
Councilmember Roberts	Aye
Councilmember Zabel	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 7-0.

- 23. Consideration Of Councilmember Zabel's Proposed Communication Procedures - Goal 4. (Councilmember Zabel)**
- **Develop work list for myself and the City regarding Citizens concerns**
 - **Recommend all agenda items be tagged with the Strategic Plan ID with end of year roll-up under the Strategic Plan ID, and a page on the City website showing the list**
 - **Recommend names and email addresses of all Councilmembers be on all agendas**
 - **Recommend a disclaimer for all Councilmembers' emails**
 - **Recommend postcard from City requesting Citizen email addresses for City notifications**

Mayor Gattis addressed Councilmember Zabel and stated, in part: There are several items in this single agenda item. My recommendation is to either withdraw this agenda item or make no motion as I don't believe that every item will pass on a single vote. However, I do believe we can move forward on some of these just by consensus in the next work session. It is only my suggestion, if the council prefers to move forward now, we can proceed.

Mayor Gattis called for a motion. Seeing none, he asked that Interim City Manager Riefler place this Agenda Item on the next work session for discussion.

- 24. Discussion of City Manager Search.**

Vice Mayor Shirley stated that Council needs to make a decision on how to move forward.

City Attorney Mora advised that Pam Brangaccio, a Senior Advisor with the ICMA and Florida City and County Management Association Program (FCCMA), would be available for guidance and assistance if requested.

Comments from each Councilmember were in support of Interim City Manager Riefler.

Comments from the Public, Fire Chief Davidson, and Videographer Burianek were in support of Mr. Riefler.

MOTION was made by Councilmember Zabel and seconded by Councilmember Bankard for City Attorney Mora to draft a contract to enter into negotiations with Interim City Manager Riefler for the City Manager position.

Councilmember Bankard	Yes
Councilmember Gunn	Aye
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Councilmember Zabel	Yes
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 7-0.

City Attorney Mora will prepare a draft contract.

25. Unfinished Business.

There was a brief discussion of the Planning and Zoning Board member composition and duties. The Comprehensive Plan will come before the Board for review in 2023. City Attorney Mora advised that he will have a draft ordinance that may also go to the Board for review.

26. City Council Comments.

Councilmember Notaro had no further comments.

Councilmember Roberts congratulated Vice Mayor Shirley and Interim City Manager Riefler. He advised that Pinellas County Emergency Management is the best resource for all emergency events.

Councilmember Gunn suggested a voting referendum for issues when Council is not clear on what the citizens would like.

Councilmember Bankard congratulated Interim City Manager Riefler.

Councilmember Zabel congratulated Vice Mayor Shirley and advised that his items for the work session were suggestions he had received from the Citizens.

Councilmember Shirley thanked everyone for their support and thanked Interim City Manager Riefler for everything he has done.

Mayor Gattis thanked all of City Staff for their hard work preparing for the storm, and thanked Councilmember Bankard, Councilmember Zabel, and others who helped with the sandbags. He congratulated Interim City Manager Riefler, thanked Councilmember Gunn for his service as Vice Mayor, and congratulated Vice Mayor Shirley.

ADJOURN

MOTION was made by Councilmember Bankard and seconded by Councilmember Notaro to adjourn at 9:06pm.

Motion passed 7-0.

November 7, 2022
Date Approved

APPROVED: Dave Gattis
Dave Gattis, Mayor

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