

MINUTES

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

**Monday, January 7, 2008
City Hall, 6:30 P.M.**

The meeting was called to order by Mayor Lynn Rives followed by a Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present were Councilmembers Rob Baldwin, Dick Crowl, Mitch Krach, Mary Schoonover and Stan Sofer; Vice Mayor Kathy Mortensen, Mayor Lynn Rives, City Attorney Paul Marino, City Manager Nancy McCollum, City Clerk Patricia Gentry, Community Services/IT Director Peter Cavalli and Community Improvement Officer John Ouimette.

Mayor Rives announced it was Tampa Bay Hazardous Materials Awareness Week and read aloud the "Florida Emergency Planning Community Right-To-Know" (EPCRA) Awareness Week Proclamation.

1. Approval of Agenda.

Mayor Rives stated he would like to add two items to the Consent Agenda; the CCS asbestos removal proposal as item 7a, and the Interlocal Agreement for the Penny for Pinellas as Item 12a.

MOTION was made by Councilmember Crowl and seconded by Councilmember Baldwin to approve the agenda as amended.

Motion carried 7-0.

2. Approval of November 5, 2007 City Council Meeting Minutes; December 3, 2007 City Council Worksession Meeting Minutes and December 3, 2007 City Council Meeting Minutes.

MOTION was made by Vice Mayor Mortensen and seconded by Councilmember Sofer to approve the November 5, 2007 City Council Meeting Minutes; December 3, 2007 City Council Worksession Meeting Minutes and December 3, 2007 City Council Meeting Minutes.

Motion carried 7-0.

3. Citizens Comments.

Seeing no one, Citizens Comments was closed.

Consent Agenda:

- 4. Request authorization to enter into an Agreement with Sonny Glassbrenner Incorporated for demolition of the current City Hall, Public Works Building and 1001 Cedar Drive in an amount not to exceed \$23,300.00.**
- 5. Request authorization to enter into Agreements with Keystone Excavators for slab work at a cost not to exceed \$3,108.00, Richard Eaton Builder for installation of**

structure at a cost not to exceed \$8,850.00, Gibson Roofing for installation of roofing not to exceed \$2,145.00 for the Morgan Park Grant Project and contingency and miscellaneous expenses estimated at 20% of the project cost. Total amount being requested for the project's completion is \$16,924.00.

6. **Request authorization to enter into an Agreement with Public Storage for one 10' x 30' and one 10' by 20' storage unit to be used for off site storage of City Hall contents during construction of new City Hall. Total monthly rental fee would be \$425.60.**
7. **Request authorization to enter into an Agreement with Mobile Mini, Inc. for one 8' x 40' Storage Container to be used on site for files and office supplies during construction of new City Hall. Initial startup costs for delivery to and from site would be \$203.80 with a monthly rental fee of \$103.80.**
- 7a. **Enter into an agreement with CCS for asbestos monitoring not to exceed \$2,000.00.**

MOTION was made by Vice Mayor Mortensen and seconded by Councilmember Crowl for Consent Agenda Items 4 thru 7a.

Motion passed 7-0.

Regular Agenda:

8. Update on Code Enforcement in the City.

Community Improvement Officer John Ouimette came forward and stated he had been with the City for six months and had handled 79 violations. Mr. Ouimette said all of the Residents had been very understanding and had taken care of any problems right away. He had referred three violations to the Special Magistrate, one had taken care of the violation immediately after receiving the letter for the scheduled hearing and the other two are outstanding for the Magistrate in January. Mr. Ouimette stated the Code process seemed to be working quite well. He suggested the Council may wish to consider the idea of the "Notice to Appear" process in the County Court system. City Attorney Marino felt the Special Magistrate process, with the ability to impose a \$250.00 per day lien against property, is the best deterrent against code violations. Discussion regarding other possible code violation issues followed. Mayor Rives thanked Mr. Ouimette for a great job and said he was glad to have him here.

9. Update on Park Board by Park Board Chairman Wayne Ayers.

Mr. Ayers stated he understood he was asked to come before City Council regarding the beach access situation and the letter he had written to the Park Board giving them an update on funds for the beach access. Councilmember Baldwin stated he had requested the Park Board update based on the resignation letter submitted by former board member Jerry Smith voicing his frustrations with the way City Council and Staff had been supporting the Board's efforts, and Mr. Ayers' letter regarding the beach accesses, which seem to echo the same sentiments. He wanted to be sure Council was supporting the Park Board adequately with their capital improvement projects and that the process was working. Mr. Ayers stated his frustration was with the process, and thought it could

possibly be revised or worked on to make it more open for Council and the Board. He did feel the Board has worked well with, and had some good times with Staff on projects and felt the beach access may have been an isolated incident, which all have agreed to put behind them. Councilmember Baldwin asked if there were a better way to support the Park Board so they would not have to execute projects with their own labor. Mayor Rives explained from his experience on the Park Board it is a 'working' board in conjunction with City Staff, as opposed to other cities where the board is only an advisory group. Vice Mayor Mortensen thanked the Park Board for all of their hard work. Mayor Rives stated the Board volunteers has done a lot of work in the City, such as the basketball court and structures at Bayside Park, Marina projects and other projects and it's very important that is recognized. Mr. Ayers and Mayor Rives both stated the best approach going forward would be to have only one designated Board member be the liaison between the Board and Staff. Mayor Rives again thanked the Board for their work.

10. Consideration of Resolution 2008-01, a Resolution of the City Council of the City of Belleair Beach, Florida, Adopting a Policy Statement Regarding the Collection and Use of Social Security Numbers Required for the Conduct of Public Business; and Providing for an Effective Date.

City Attorney Marino read Resolution 2008-01 by Title only.

MOTION was made by Councilmember Sofer and seconded by Councilmember Baldwin for Resolution 2008-01.

Motion carried 7-0.

11. Resolution 2008-02, a Resolution of the City Council of the City of Belleair Beach, Florida, Urging Members of the Florida Legislature to Support the Following Issues During the 2008 Legislative Session.

City Attorney Marino read Resolution 2008-02 by Title only.

MOTION was made by Vice Mayor Mortensen and seconded by Councilmember Crowl for Resolution 2008-02.

Motion passed 7-0.

12. Resolution 2008-03, a Resolution of the City Council of the City of Belleair Beach, Florida, Declaring Authorizing the Surplus/Disposal of Inoperable or Obsolete Equipment, Materials and Supplies; and Establishing an Effective Date.

City Attorney Marino read Resolution 2008-03 by Title only.

MOTION was made by Vice Mayor Mortensen and seconded by Councilmember Crowl for Resolution 2008-03.

Motion passed 7-0.

12a. Interlocal Agreement with Pinellas County for the Penny for Pinellas.

Mayor Rives stated this had been discussed previously. The Mayors' Council spoke with the Pinellas County Acting Administrator and this is still in discussion. City Attorney Marino feels the City needs to move forward and pass this as approved, but with a cover letter from the Mayor objecting to the \$225-million allocation over the 10-year period for criminal courts and jail facilities.

MOTION was made by Councilmember Crowl and seconded by Councilmember Baldwin to approve the Interlocal Agreement with Pinellas County for the Penny for Pinellas, with the stipulation a letter is sent objecting to the \$225-million allocation.

MOTION carried 6-1.

13. Mayor and Council Comments.

Councilmember Baldwin stated nine RFQs had been received, a Building Committee meeting was scheduled for Thursday to evaluate and score them, updated plans had been reviewed with Staff and things are progressing. Mayor Rives asked that everyone look at the plans this week and that City Manager McCollum make them available to the public. Councilmember Schoonover asked for an explanation of what an RFQ is; Councilmember Baldwin gave an overview. Council discussion followed.

Councilmember Sofer noted BBTV is available on basic cable channel 118 and no box is required. Mr. Sofer also had a question on the letter from Mr. Bingel regarding an entrance area at a home on Louisa Drive. He felt the City should make a determination as it may set a precedent for future construction projects. City Manager McCollum and City Attorney Marino said they had spoken with Jack Tipton of Pinellas County, whose position was this was not a structure within the definition of the City code, but tends to be more of a walkway or an elevated terrace. Ms. McCollum stated according to the County, they are in compliance at this point and that John Kostreles of Pinellas County had called the General Contractor to convey that Residents were concerned.

Councilmember Schoonover congratulated Finance Officer Maria Kemp on achieving her designation of Certified Government Finance Officer by the Florida Government Finance Officers Association.

Vice Mayor Mortensen also congratulated Ms. Kemp and thanked Ms. McCollum and Staff for their "Herculean efforts" that had already been put into organizing and packing up City Hall.

Mayor Rives also thanked Ms. McCollum and Staff. He stated the work crew was set up for Cedar Drive and they would begin working that weekend.

14. City Attorney Comments.

City Attorney Marino stated he had not heard from the Attorney General regarding the City holding meetings in another location. He also noted City and Town Attorneys had been corresponding by e-mail with the County Tax Collector regarding the release of tax revenue funds. While they have no complaint with Tax Collector Diane Nelson, they do

have serious concerns with the administration in Tallahassee that has allowed the situation with SBA, which affects all 67 Tax Collectors in the State, to happen. He stated the revenues are to be distributed from the Tax Collector directly to the Taxing Authority on a monthly basis without delay. The Attorneys are questioning the legal authority to divert funds to the SBA.

15. City Manager Comments.

City Manager McCollum stated the City had received the building permit for Cedar Drive and could proceed with that; have also received the SWFMD permit for Morgan Park, the restrooms had been ordered and should be here in March; and had received the building permit from the County for the erection of the pavilion at Morgan Park.

ADJOURN

MOTION was made by Councilmember Sofer and seconded by Councilmember Baldwin to adjourn.

Motion passed 7-0.

Date Approved

Lynn Rives, Mayor

ATTEST:

Patricia A. Gentry, City Clerk