

Minutes

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 Dick Crowl, Mitch Krach, Mary Schoonover and Stan Sofer; Vice Mayor Kathy Mortensen, Mayor Lynn Rives, City Attorney Paul Marino, City Manager Nancy McCollum, Finance Officer Maria Kemp, Community Services/IT Director Peter Cavalli and City Clerk Patricia Gentry. Councilmember Rob Baldwin was unable to attend.

Presentations: Presentation of Certificate of Achievement for Excellence in Financial Reporting to the City of Belleair Beach.

Mayor Rives called Finance Officer Maria Kemp forward for presentation of the City's Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada for its Comprehensive Annual Financial Report for Fiscal Year 2006.

Presentation of Award of Appreciation to Dick Williams, Bert Cutler, Jim Corrigan, Mike Kelly, Rudy Davis, Skip Chittenden and Lee Cieslak as Building Committee Members.

Mayor Rives called each Member forward individually to present their award. Mr. Skip Chittenden was unable to attend.

Presentation of Award of Appreciation to Rudy Davis, Joe Burke, David Dumville and Ed Wisniewski for their time and effort renovating the temporary City Hall.

Mayor Rives called each volunteer forward to receive their award and thanked each one for everything they had done.

1. Approval of Agenda.

MOTION was made by Councilmember Sofer and seconded by Councilmember Krach to approve the Agenda.

Motion carried 6-0.

2. Approval of February 4, 2008 City Council Meeting Minutes.

MOTION was made by Vice Mayor Mortensen and seconded by Councilmember Schoonover to approve the February 4, 2008 City Council Meeting Minutes.

Motion carried 6-0.

3. **Citizens Comments.** Seeing no one, Citizens Comments was closed.

Public Hearing:

4. **Consideration of Ordinance 08-02, an Ordinance of the City Council of the City of Belleair Beach, Florida; Amending Section 94-220 Pertaining to the Table of Designated Living Areas and Housing Setbacks; Providing for Severability; and Providing for an Effective Date. 1st Reading.**

City Attorney Marino read Ordinance 08-02 by Title only.

MOTION was made by Councilmember Crowl and seconded by Vice Mayor Mortensen for Ordinance 08-02.

Mayor Rives asked if anyone from the public would like to speak to this Ordinance. Seeing no one, the Public Hearing was closed.

Councilmember Sofer stated he would like to table the Ordinance, as he did not have much to work with except the information that had been provided to him. He advised approximately 15 years ago he had been told by a Code Officer that he had a 5' setback on his corner lot, therefore there may be a discrepancy between the documentation provided to Council and other supporting information from the old records. He would like more information before he could vote and also as he is an interested party in this and does not know if the information is correct or incorrect and would need to research it.

City Attorney Marino explained this came to Council's attention after Board of Adjustment Member Mike Kelly identified a potential exception error in the Code. As a result, corrections were made to what appeared to be a couple of minor errors, without reviewing every single deed of every single property in the City. Mr. Marino stated that Mr. Sofer feels his property is missing from the list and he could not say otherwise with absolute certainty without doing in-depth research. However, City Attorney Marino stated it could be tabled, or adopted and come back later and correct any possible errors that may have been developed many years ago.

Mayor Rives advised that to verify if Councilmember Sofer's lot was missing from the document the deed would need to be reviewed. Councilmember Sofer stated he would be more than happy to provide the deed.

City Attorney Marino stated it could be passed on First Reading and then could be addressed after he has done research to validate the accuracy.

Mayor Rives stated there was a MOTION to table the Ordinance, and called for a second. Councilmember Schoonover seconded the motion. Mayor Rives called for a vote.

Motion failed 2-4.

Mayor Rives stated being this was the First Reading and taking Councilmember Sofer's situation into regard, he felt it could still be resolved in favorable terms for all.

Further discussion followed.

Mayor Rives called for a vote to pass Ordinance 08-02 on First Reading, it was approved 5-1.

Consent Agenda:

- 5. Request approval from City Council for Marina improvements in an amount not to exceed \$10,000.00 to purchase a 6 foot high black vinyl-coated fence and installation of railroad ties to create planter beds.**

MOTION was made by Councilmember Crowl and seconded by Vice Mayor Mortensen for Item 5.

Motion passed 6-0.

Regular Agenda:

- 6. Consideration of Resolution 2008-04, a Resolution of the City Council of the City of Belleair Beach, Florida, Providing for a Funded Reserve for Contingencies.**

City Attorney Marino advised this Resolution provides for a Funded Reserve for Contingencies and provides for an Effective Date.

MOTION was made by Councilmember Schoonover and seconded by Councilmember Crowl for Resolution 2008-04.

Mayor Rives asked Finance Officer Maria Kemp to come forward and give an outline of the Funded Reserve.

Ms. Kemp stated the Funded Reserve was set up for natural disaster emergencies, such as hurricanes, etc. It makes it more efficient when a disaster does occur to know where the funding is.

Councilmember Sofer asked if the fund known as the Hurricane Catastrophe Fund was now being designated as a general catastrophe fund, and what other contingencies could be funded by this Funded Reserve. Mayor Rives pointed out that in section two it specifically states it could only be used for catastrophic natural disasters. City Council could create a Resolution to rescind this if needed, however this does have stronger wording than when the funds were simply designated and not actually funded to a specific account.

Motion passed 6-0.

7. Mayor and Council Comments.

Councilmember Crawl had suggestions for future Meeting Agendas; information from Maria (Kemp) and Paul (Marino) regarding risk management and various insurance coverages, and how statutory indemnities play into that; investment policy; and balance sheet education.

Councilmember Krach expressed his feeling that everyone had done a great job pulling together on the temporary City Hall.

Councilmember Sofer suggested the Council take a Bus Tour, as they did last year. He felt it was a good opportunity to see the Community and talk about issues they may see while driving through the City. The second item was to research the possibility of a catastrophic insurance policy for something that may happen while Council Members are in session. Mayor Rives asked City Manager McCollum to follow up on the insurance policy issue.

Councilmember Schoonover requested the seminar presented at City Hall by Eckerd College, "The Role of Public Beaches and Beach Nesting Conservation", continue to be televised on BBTv-615 in March, April and May as the City of Belleair Beach has the largest nesting population of Black Skimmers in the state of Florida.

Vice Mayor Mortensen was also in favor of the City Bus Tour, worksessions on finance and revenue, and possibly expanding the Marina to generate additional revenue. She stated she would miss Councilmember Schoonover, and thanked the volunteers for their work on the temporary City Hall.

Mayor Rives noted this was Councilmember Schoonover last meeting on Council and stated it had been a great pleasure serving with her the last two years. He also thanked each Staff member for all their work on the temporary City Hall. He

reminded everyone to vote on March 11; gave a reminder for the Swearing In ceremony on March 17 at 6:00 and announced that immediately following the ceremony everyone would be going to the old City Hall for a 'ceremonial demolition' which the media would also be attending. He stated the Duplicate Bridge Club had sent a letter thanking the City for the use of City Hall the past three years, and Nancy McCollum and Patti Gentry for their help. He briefly reviewed the progress at Morgan Park.

8. City Attorney Comments.

Mr. Marino stated he had spoken with John Elias, town attorney for Belleair Shore, regarding a resident who may be considering selling his property to multiple owners for what appears to be some type of time-share operation. Mr. Marino requested permission to proceed with an ordinance which would prohibit anyone from doing anything similar to that.

9. City Manager Comments.

City Manager McCollum said how proud she was of everyone pulling together and getting the job done of moving into the temporary City Hall, and thanked everyone again.

ADJOURN

MOTION was made by Vice Mayor Mortensen and seconded by Councilmember Sofer to adjourn.

Motion passed 6-0.

Date Approved

Lynn Rives, Mayor

ATTEST:

Patricia A. Gentry, City Clerk