

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

Mayor Rives welcomed Commissioner Karen Seel and announced she would be giving a presentation.

Proclamation: National Crime Victims' Week. Mayor Rives read the National Crime Victims' Week Proclamation.

Presentation: Presentation on the Inclusionary Housing Ordinance and upcoming press conference on the Mayors' Green City Action Accord by Pinellas County.

Commissioner Karen Seel came forward and announced on May 3, 2008 all elected officials are invited to Harborview Center in Clearwater for the Pinellas Living Green Expo and the Mayors' Accord signing.

Commissioner Seel then spoke regarding the Pinellas County Inclusionary Housing Ordinance and that the County had been exploring many different ways of creating affordable housing in the County and is in the final phase of different initiatives that have been launched. This is a county-wide ordinance that gives cities the option to opt out if they wish. She gave a brief overview of the real estate market and how it had affected affordable housing for teachers, firefighters and service workers. Commissioner Seel reviewed the County Land Trust Program, which is land-banked with surplus County land and can receive donated land to establish affordable housing; and the Local Housing Trust Fund, which is funded with ad valorem taxes and is used for additional funds and possibly buying land. The Ordinance applies to housing with 20 or more units. Other alternatives to on-site construction, for areas such as Belleair Beach, are to build on other land sites, give land in lieu of construction, etc.

Councilmember Baldwin stated he was in favor of the program and the only way Belleair Beach could accommodate 20 units or more would be beachfront, and asked how that would work in the City. Commissioner

Seel responded it probably would not apply as far as property was concerned, but wanted to be sure everyone was fully informed. Councilmember Baldwin inquired about the process after a catastrophic event and subsequent rebuilding. Commission Seel stated if the Ordinance was adopted by the City and there was a catastrophic event to a structure of 20 units or more, the City would have to comply with the Ordinance. Councilmember Baldwin did not feel that would make good sense economically.

City Attorney Marino advised Council he had studied the Ordinance very carefully and in light of the unique demographics of Belleair Beach he recommended the City opt out of this Ordinance.

Commissioner Seel asked that Council consider the alternative options offered and thanked Council for their consideration.

Mayor Rives stated there would be further discussion regarding the Ordinance.

1. Approval of Agenda.

MOTION was made by Councilmember Baldwin and seconded by Councilmember Dumville for approval of the Agenda.

Motion carried 6-0.

2. Approval of March 3, 2008 City Council Meeting Minutes.

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Mortensen for approval of the March 3, 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. 2nd Reading.

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

MOTION was made by Councilmember Baldwin and seconded by Councilmember Krach for Ordinance 08-02.

Mayor Rives asked if anyone from the public would like to speak to the Ordinance. Seeing no one, Mayor Rives closed the public hearing.

Motion passed 6-0.

5. **Consideration of Ordinance 08-03, an Ordinance of the City Council of the City of Belleair Beach, Florida; Amending Section 94-213 Pertaining to Rental of Residential Property; Providing for Severability; and Providing for an Effective Date. 1st Reading.**

City Attorney Marino read Ordinance 08-03 by Title only.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Dumville for Ordinance 08-03.

City Attorney Marino stated he and Councilmember Crowl had worked together on the Ordinance.

Mayor Rives asked if anyone from the public would like to speak to the Ordinance. Seeing no one, Mayor Rives closed the public hearing.

Councilmember Krach asked if a resident allowed a family member to stay at their home, at no cost while they were away, would that be considered a rental.

City Attorney Marino stated the intention was to address multiple owners in a timeshare situation, and by using the word "lease", and through the language in the Ordinance, they had hoped to cover all potential situations including timeshares.

Discussion regarding the wording and tabling the Ordinance for rewording by City Attorney Marino followed.

MOTION was made by Councilmember Baldwin and seconded by Councilmember Krach to table Ordinance 08-03.

Motion passed 6-0.

6. **Consideration of Ordinance 08-04, an Ordinance of the City Council of the City of Belleair Beach, Florida; Amending Section 2-317 of the City Code Pertaining to Schedule of Civil Penalties; Providing for Severability; and Providing for an Effective Date. 1st Reading.**

City Attorney Marino read Ordinance 08-04 by Title only and explained the need to expand the language of Section 2-317 in some areas and retract it in other areas.

MOTION was made by Councilmember Baldwin and seconded by Vice Mayor Sofer for Ordinance 08-04.

Mayor Rives asked if anyone from the public would like to speak to Ordinance 08-04. Seeing no one, the public hearing was closed. Mayor Rives asked if there was any discussion from Council, seeing none the vote was taken.

Motion passed 6-0.

Consent Agenda:

7. **Request authorization to enter into an Agreement with Ameri-Pride at a cost not to exceed \$3,500.00 to provide the trimming services for Bayside Park's mangrove and coastal vegetation area as well as the removal of any exotic/invasive species.**

MOTION was made by Councilmember Krach and seconded by Councilmember Mortensen to enter into an agreement with Ameri-Pride at a cost not to exceed \$3,500.00.

Motion passed 6-0.

Regular Agenda:

8. **Consideration of accepting the Comprehensive Annual Financial Report for the Fiscal Year ending September 30, 2007.**

Finance Officer Maria Kemp introduced Jeanine Bittinger, of Davidson, Jamieson & Cristini, P.L., to present the results of the independent audit of the Financial Statement.

Ms. Bittinger stated for the past two years the City has received the GFOA award for financial reporting, which is the highest award a City can receive. She added it is a compliment to the Council for being so proactive that even with a small City staff, it does an excellent job.

Ms. Bittinger stated the report itself, or 'audit opinion' is an 'unqualified opinion', which is the highest opinion the auditors can render.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Baldwin to accept the Comprehensive Annual Financial Report for the Fiscal Year ending September 30, 2007.

Motion passed 6-0.**9. Information item on Progress Energy – Relocations and rerouting of utilities related to the Community Center Project.**

Community Services/IT Director Peter Cavalli gave a brief overview; Councilmember Baldwin stated a meeting would be needed to get into the details of the new service.

10. Request authorization for the City Manager to enter into an Interlocal Agreement with Pinellas County, and agreements with AshBritt (debris management contractor), and Patton, Harris, Rust, and Associates (debris monitoring contractor) to provide debris removal, monitoring, and management services during hurricane-related emergencies.

Mr. Cavalli provided information on what this service would provide to the City when needed.

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Baldwin to enter into an Interlocal Agreement with Pinellas County, AshBritt, and Patton, Harris, Rust and Associates to provide debris removal, monitoring and management services during hurricane-related emergencies.

City Attorney Marino advised the City currently has an agreement with CrowderGulf for this service and the City would need to terminate that contract before entering into the new contract.

It was agreed there was a motion and a second to enter into the new Agreement with the caveat that the Agreement with CrowderGulf be terminated.

Motion passed 6-0.**11. Update from Belleair Beach Cable Television Advisory Committee.**

Chairman Joe Burke came forward to give Council an overview of the Audio/Visual project the BBTV-615 Committee was working on, the needs for the new City Hall, the companies they had met with and the information they had gathered. He welcomed former Councilmember Mary Schoonover to the BBTV Committee and thanked Councilmember David Dumville for agreeing to be the BBTV liaison to Council.

Councilmember Baldwin inquired if, at the end of April, the Committee would be at a point they could define to the Architect the infrastructure needed to accommodate the Audio/Visual equipment in order get the information on the drawings.

Chairman Burke replied he believed that was possible.

Mayor Rives thanked the Committee for their work.

12. Consideration of appointment to the Belleair Beach Cable Television Advisory Committee.

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Baldwin to appoint Mary Schoonover to the Belleair Beach Cable Television Advisory Committee.

Motion passed 6-0.

13. Consideration of appointment of City Councilmember as liaison to the Belleair Beach Cable Television Advisory Committee.

MOTION was made by Councilmember Krach and seconded by Councilmember Mortensen to appoint David Dumville as liaison to the Belleair Beach Cable Television Advisory Committee.

Motion passed 6-0.

14. Consideration of appointment of Voting Delegate, Alternate I and Alternate II to the Barrier Islands Governmental Council.

MOTION was made by Councilmember Baldwin and seconded by Councilmember Dumville to appoint Mayor Rives as Voting Delegate, Vice Mayor Sofer as Alternate I and Councilmember Mortensen as Alternate II to the Barrier Islands Governmental Council.

Motion passed 6-0.

15. Consideration of appointment of Board Director and Alternate to the Suncoast League of Cities.

Mayor Rives noted that last year Councilmember Mortensen, as Vice Mayor, was the member and Councilmember Schoonover was the alternate. Vice Mayor Sofer stated Councilmember Mortensen enjoyed doing it, Councilmember Mortensen agreed. It was determined Councilmember Mortensen would be the member and Vice Mayor Sofer the alternate.

MOTION was made by Councilmember Krach and seconded by Councilmember Baldwin to appoint Councilmember Mortensen as a member of the board of directors of the Suncoast League of Cities and Vice Mayor Sofer as alternate.

Motion passed 6-0.

16. Consideration of appointments to the City Planning Board.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Baldwin to appoint James Imfeld, Mark Schwartz and Jody Shirley to the City Planning Board.

Motion passed 6-0.

17. Consideration of appointment to the Board of Adjustment.

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Baldwin to appoint Michael Kelly to the Board of Adjustment.

Motion passed 6-0.

18. Consideration of Resolution 2008-05, a Resolution of the City Council of the City of Belleair Beach, Florida, Supporting Florida Forever and a Successor Program and Providing for an Effective Date.

City Attorney Marino read Resolution 2008-05 by Title only.

Mayor Rives explained this is the land purchasing program the state has and the City would want to support it.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Dumville for Resolution 2008-05.

Motion passed 6-0.

19. Mayor and Council Comments.

Councilmember Dumville expressed his thanks to everyone that had volunteered for Committees and Boards.

Councilmember Mortensen thanked Mr. Cavalli, the Staff and everyone involved in the Marina and Morgan Park projects, and said everything looked great. Ms. Mortensen also congratulated Finance Officer Kemp and the Staff for the budget process and stated she had made the budget easy to understand.

Councilmember Krach also thanked Finance Officer Kemp and the Staff for a great job on the financials.

Vice Mayor Sofer agreed the budget was nicely presented, and easy to read and understand.

Mayor Rives thanked Staff for the budget and announced the City had received the Distinguished Budget Presentation Award for the current fiscal year from the GFOA, an award separate from the previous award. Mayor Rives thanked Finance Officer Kemp.

Mayor Rives reminded everyone of a letter the City had received in March regarding a new Community Rating System (CRS) stating that some structures with repetitive loss would be losing their discount and they would be notified by letter.

20. City Attorney Comments.

City Attorney Marino stated he had been continuing to work with Councilmember Baldwin on the construction project.

21. City Manager Comments.

City Manager McCollum invited everyone to check the progress of the Marina and Morgan Park and thanked Mr. Cavalli and the Staff. Ms. McCollum gave a reminder that the City Bus Tour would be that Friday. She stated the former City Hall building would be demolished as soon as Verizon removed their equipment.

Adjournment.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Baldwin to adjourn the meeting.

Motion carried 6-0.

Date Approved

APPROVED: _____
Lynn Rives, Mayor

ATTEST: _____
Patricia A. Gentry
City Clerk