

MINUTES

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

**Monday, June 2, 2008
City Hall, 6:30 PM**

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, David Dumville, Mitch Krach and Kathy Mortensen; Vice Mayor Stan Sofer, Mayor Lynn Rives, City Manager Nancy McCollum, City Clerk Patricia Gentry, City Attorney Paul Marino and Community Services/IT Director Peter Cavalli.

1. Approval of Agenda.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Baldwin to amend the Agenda for discussion of Ordinance 08-01 regarding Setbacks and Stairs as item number 12a.

Motion passed 7-0.

2. Approval of May 5, 2008 City Council Meeting, May 5, 2008 City Council Worksession Meeting and December 20, 2007 Special City Council Meeting Minutes.

MOTION was made by Councilmember Mortensen and seconded by Councilmember Baldwin to approve the May 5, 2008 City Council Meeting, May 5, 2008 City Council Worksession Meeting and December 20, 2007 Special City Council Meeting Minutes.

Motion passed 7-0.

3. Citizens Comments.

Mr. Bruno Matz, 216 Harrison Avenue, came forward to express his concerns regarding the Harrison Avenue Bridge replacement. He stated he had reviewed the construction plans with Community Services Director Cavalli, and inquired

when the construction would begin. Mayor Rives explained the design of the bridge was in the current year's budget and the construction would be in the next year's budget.

Martha Vasquez, 2500 Gulf Boulevard, #202B, Tortugas De Mar condominiums, came forward to speak regarding the two public accesses, at the north and south, of the condo property. Ms. Vasquez stated the association had given property for the south beach access easement to comply with the Beach Renourishment project. Ms. Vasquez feels that with the public access now at Morgan Park, the condos would like to have public access at only one side of the property, instead of at both sides. She also asked if fencing could be provided, as had been promised to another condominium, due to the loss of the oleander bushes during renourishment. She expressed there did not seem to be problems when Belleair Beach residents used the park, only when others began to use it after renourishment. Mayor Rives stated he had a proposal on the Agenda he hoped would solve some of the problem, but as to the access, the condo association had given the south entrance access to the County, not the City, and closing that would have to be discussed with the County as the City had no authority to close it.

Seeing no one else, Citizens Comments was closed.

Public Hearing:

- 4. 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. 2nd Reading.**

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

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Dumville for Ordinance 08-03.

Seeing no one from the Public wishing to speak, the Public Hearing was closed.

Seeing no discussion from City Council wishing to speak, the Roll was called.

Motion passed 7-0 on Second Reading.

Consent Agenda:

- 5. Request authorization for the City Manager to enter into an Agreement with Larry Nadler, Teklink Computer and Video Systems, Inc., at a cost not to**

exceed \$3,000.00. Further request City Council to approve suspending bid requirement.

City Manager McCollum stated Mr. Cavalli had received an e-mail that morning from Mr. Nadler apologizing that he would not be able to be the consultant due to his schedule.

Discussion amongst City Council and with Mr. Rudy Davis, of the Cable Television Advisory Committee, followed.

MOTION was made by Councilmember Baldwin and seconded by Councilmember Krach to amend the Agenda Item by deleting the name of Mr. Larry Nadler, not naming a specific vendor and keeping the authorization open.

Motion passed 7-0.

Regular Agenda:

- 6. Request City Council's authorization for Pedestrian Crosswalk Improvement projects at a cost not to exceed \$32,816.28. This cost is inclusive of 12th Street, 13th Street, and Marina area improvements. An alternate option is for City Council to approve the improvements at 12th and 13th Streets at a cost not to exceed \$11,600.00.**

MOTION was made by Councilmember Mortensen and seconded by Councilmember Baldwin for Agenda Item number six.

Mr. Cavalli came forward and gave an overview of the project to finish the pedestrian crosswalks in the City. He advised Gulf Boulevard is a County Road and the County wishes to remove the thermoplastic from the 12th Street crosswalk and be responsible for any damage during the removal. The new crosswalk will be at 13th Street and will be ADA compliant at a cost of \$11,600.00. Based on the majority of parking in the City being at the Marina and the walk-over easement at the Mont Martre condominiums, Residents and the Mont Martre have requested a pedestrian beacon be placed there. This would require a section of the curb to be removed and be made ADA compliant. The total price to complete the City's crosswalks, including 13th Street, would be \$32,816.28.

Councilmember Mortensen asked who had installed the 12th Street access crosswalk too close to the turn at the traffic light, the City or the County.

Mayor Rives suggested researching who had installed it to determine who should bear the cost of the change.

It was agreed to amend the amount to \$22,216.28 until further research could be done.

Discussion regarding the funding for the project following. It was determined that \$11,700.00 in funding for a truckster for Public Works could be postponed until the new City Hall was constructed which would offset the amount for the 13th Street crosswalk.

MOTION was amended to approve \$22,216.28 to complete the crosswalk project, with the exception of the 12th and 13th Streets issue, out of the current year budget.

Motion passed 7-0.

- 7. Request authorization for the City Manager to enter into a Memorandum of Understanding between the City of Belleair Beach and the City of Indian Rocks Beach to allow the City of Indian Rocks Beach to store the City of Belleair Beach's Generac 130 kw generator until the City of Belleair Beach's Community Center construction is complete.**

Mayor Rives advised the City of Indian Rocks Beach would not sign the Memorandum of Understanding. He asked if the City had talked to Indian Rocks, before they sent the agreement, to resolve what they would and would not do in regards to the terms of the Agreement. Mr. Cavalli stated, yes, he had reviewed the MOU with Mr. Dean Scharmen, Indian Rocks Beach Director of Public Services. Mr. Scharmen stated the City would provide storage space, but would not provide the ongoing maintenance described in the MOU. Mr. Cavalli recommended the City of Belleair Beach keep the generator in the City to maintain it in good working order.

MOTION was made by Councilmember Krach and seconded by Councilmember Baldwin to table the request.

Motion passed 7-0.

- 8. Request from Deborah J. Zimmerman, Licensee, Marina Slips 10 and 17, to install a boat lift and extend the catwalk at Slip 15 by cutting down existing pilings and decking over to create a 44-foot-long catwalk, ending at the furthestmost existing piling.**

City Clerk Gentry advised that immediately prior to the City Council meeting it had been brought to Staff's attention that the maximum length of any catwalk at the Marina was 38'. Ms. Zimmerman explained she wished to move from Slip 10

to Slip 15 and move her boat lift to Slip 15. She stated that she would then only request to extend the catwalk to 38'.

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Baldwin to approve the extension of the catwalk at Slip 15 to 38'.

Councilmember Mortensen asked if this would have any effect on others having to navigate in and out of their slips.

Ms. Zimmerman stated she had looked at Slip 14 and did not see anything that would affect him, other than the fact that he has hoses on the one mid-point piling that is to be cut down, and she had directed Speeler Enterprises to replace it with a place for the hose.

MOTION was amended to a length of 38', that all required permits are obtained and that it be consistent with the existing construction and materials.

Motion passed 7-0.

9. Consideration of appointment to the City Planning Board.

MOTION was made by Councilmember Baldwin and seconded by Councilmember Mortensen to appoint Lee J. Cieslak, 220 Howard Drive, to the City Planning Board for a 3-year term.

Motion passed 7-0.

10. Consideration of appointment to the Park and Recreation Board.

Mayor Rives stated he would abstain from this vote.

MOTION was made by Vice Mayor Sofer and seconded by Councilmember Krach to appoint Janice Rives, 122 8th Street, to fill the unexpired term of Wanda Schwerer.

Motion passed 6-0.

11. Discussion on annual parking pass for non-residents.

Mayor Rives advised that due to the length of the Beach Renourishment in the City, the City is required to provide 78 parking spaces within ½ mile from the furthestmost point of the beach renourishment. Seven spaces were given at Morgan Park and the remaining 71 spaces at the Marina, which has at least 81 spaces.

Mayor Rives had been in contact with Dr. Nicole Elko, of Pinellas County, who provided an example of how Collier County had set up this type of parking pass program by setting a fee, then giving a discount to the taxpayers in the City. This does not apply to the Belleair Shore accesses.

Mayor Rives stated after discussion with Dr. Elko, they believe this would provide a solution.

City Attorney Marino wanted to be sure the County “signed off” on any plan the City develops.

Mayor Rives asked Council what a reasonable fee would be. The consensus was \$50.00 per permit, per year.

12. Consideration of Resolution 2008-07, a Resolution of the City Council of the City of Belleair Beach, Florida, Declaring the Month of June, 2008 as Hurricane Awareness Month; and Providing for an Effective Date.

City Attorney Marino read Resolution 2008-07 by Title only.

MOTION was made by Councilmember Crowl and seconded by Councilmember Krach to approve Resolution 2008-07.

Motion passed 7-0.

12a. Discussion of Ordinance 08-01.

Councilmember Mortensen stated she had received several calls from Residents inquiring about the status of the Ordinance, and that she would like to get it back on the Agenda.

City Manager McCollum proposed having John Kostreles or Jack Tipton, from Pinellas County, attend the July meeting to speak on this. They had told Ms. McCollum that they had not had a reason to deny a permit, as everything that had been applied for was within City Code.

Councilmember Mortensen suggested a Member of the Board of Adjustment also attend.

It was agreed to put the item on the July Agenda.

13. Mayor and Council Comments.

Councilmember Dumville stated he would be attending the Institute for Elected Municipal Officials next week, and also thanked Finance Officer Maria Kemp for her "Finance 101" session with him.

Councilmember Mortensen discussed the letter from Mr. Hafner regarding dogs on the beach and stated she did not see a sign at Morgan Park. She also asked the status of the new trash can for the 12th Street Park.

Councilmember Baldwin noted there was an updated schedule for the Community Center, and that he had been working with Ms. McCollum to develop budgets on the ancillary items.

Councilmember Krach had no comments.

Vice Mayor Sofer had no comments.

Mayor Rives stated he still had concerns with the Parks. He observed over Memorial Day weekend that there were a lot of dead branches on the ground which had been there for two to three days and there were children in the Park and a lot of activity. He also referenced the e-mail received from Mr. and Mrs. Maul regarding the maintenance of the pond on Causeway Boulevard. His concern was that routine maintenance was not kept up, and something is only done when Council or a Resident brought an issue to the City. He felt instead of 'putting out fires' there should be regular, ongoing maintenance.

He advised the grant application process for the City Hall pavilion would need to begin as it will come due in the next three months. He stated he would be happy to help Ms. McCollum with the grant application.

14. City Attorney Comments.

City Attorney Marino stated he and Ms. McCollum were working on a turtle hatchling lighting ordinance to present to Council.

He also recommended Staff install a protection/warning sign at the jungle gym apparatus at Morgan Park.

15. City Manager Comments.

Ms. McCollum stated she had attended the BIG-C meeting at St. Pete Beach. The issue of the BIG-C Members' position on the extension of the Tourist Development Council stadium debt service tax, where 21% of the tax collected would be spent for debt service for sports facilities, was discussed. Pinellas County Commissioner Morroni had asked the BIG-C Members to find out what their

City's position would be – 10 of the 11 Members did not support the extension of the tax to pay for the new stadium. The City of Belleair Beach had not yet come back to them with an answer. Councilmember Crowl suggested that it be put on the next Agenda; it was agreed.

Ms. McCollum advised Mr. Cavalli did have the 'no dog signs' and would install them the next day.

Adjournment.

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

Motion carried 7-0.

Date Approved

APPROVED: _____
Lynn Rives, Mayor

ATTEST: _____
Patricia A. Gentry, City Clerk