

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

**Wednesday, September 16, 2015  
Community Center  
Immediately following  
5:05 P.M. First Public Hearing on Budget**

**PUBLIC MEETING NOTICE  
MINUTES**

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

**Roll Call:** Present were Councilmembers Jeril Cohen, Pamela Gunn, Mitchell Krach, John Pietrowski, and Wanda Schwerer; Mayor Rob Baldwin, Vice Mayor Leslie Ford Notaro, City Manager Nancy Gonzalez, City Clerk Patricia Gentry, Finance Officer Melanie Kruszona, Community Services Director Allen Godfrey, and City Attorney Paul Marino.

**Presentations:** **Joseph Burke, Joseph Ford, Todd Gould and Edward Soter, as members of the Gulf Boulevard Safety and Beautification Committee.**

Mayor Baldwin thanked Mr. Burke for his service. Mr. Burke encouraged residents to volunteer for Boards and Committees to learn a lot and meet some interesting people. Mr. Ford and Mr. Gould were not present. Mayor Baldwin thanked them for their service. Mr. Soter arrived after the presentation ended. Mayor Baldwin called him forward following Item number four, and presented him with his plaque.

**Introduction:** **Whit Blanton, Executive Director of the newly unified MPO/PPC.**

Mr. Blanton arrived after the beginning of the meeting. See after Item 4.

**1. Approval of Agenda.**

**MOTION** was made by Councilmember Cohen and seconded by Councilmember Schwerer to approve the Agenda.

**Motion passed 7-0.**

**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)**

Mr. Frederick Burkel, 2198 Louisa Drive, stated that 2192 Louise Drive is an eyesore and distributed pictures he had taken. He felt that until the City ordinances had been given "teeth" by City Council that nothing could be done to address these types of properties. Mayor Baldwin and City Manager Gonzalez advised what the status of the property was now, and what was being done.

**Regular Agenda:**

- 3. Discussion on Investigation of Improper Property Tax Exemptions. (There will be a representative from the Pinellas County Property Appraiser's Office to explain the agenda item) (see backup)**

Pam Dubov, Pinellas County Property Appraiser, spoke regarding the untapped number of homestead exemption fraud cases there are and how the vendor would identify them. She reviewed the process and stated she would be the one to review and decide who would be contacted, and that any and all contact would be from her, not the vendor.

**MOTION** was made by Councilmember Krach and seconded by Councilmember Pietrowski to approve the MOU between the Pinellas County Property Appraiser, Pinellas County Tax Collector, and the City of Belleair Beach.

**Motion passed 7-0.**

- 4. Consideration of repairing roadway on Wedgewood Drive due to diesel oil spill at an estimated cost of \$18,428.82. (Community Services Director)**

Community Services Director Godfrey stated that the City, SWS mitigation for DEP, the USCG, Pinellas County Water Monitoring, and the PSF&R District responded to a vendor's diesel fuel spill during the fueling of a boat. Approximately 100 gallons were spilled onto the asphalt in the cul de sac which then ran down the valley curb into the storm drain system. The asphalt had already begun to deteriorate. Concerns were the asphalt deteriorating down to the road sub base which then becomes very expensive to replace, and any damage to residents' driveways – some of which are very costly. Deuel & Associates engineers had been out and their recommendation was to replace the asphalt immediately.

Discussion followed regarding waiting to repair until reimbursement had been received from the insurance company, and allowing fueling in the City. Consensus was to discuss fueling in the City at the next Council meeting.

**MOTION** was made by Councilmember Krach and seconded by Councilmember Pietrowski to approve the expenditure and to have City Attorney Marino continue to pursue reimbursement.

**Motion passed 7-0.**

Mayor Baldwin introduced Mr. Whit Blanton. Mr. Blanton spoke regarding being a partner with the communities for technical assistance, bringing grants to the table for projects, and to work with other agencies to advance transportation projects. He stated he would follow up with his staff member Rodney Chapman to get an answer regarding an informational sign on West

Bay Drive regarding backup time to get through Belleair Beach to Clearwater Beach that had been discussed previously.

5. **Consideration of Ordinance 15-03A, an Ordinance of the City Council of the City of Belleair Beach, Florida, Amending the Date for the Annual Municipal Election to Coincide with State or National Elections; Providing for Severability; and Providing for an Effective Date. First Reading. (City Clerk) (see backup)**

City Attorney Marino read Ordinance 15-03A by Title only.

**MOTION** was made by Vice Mayor Notaro and seconded by Councilmember Krach for Ordinance 15-03A.

**Motion passed 7-0.**

6. **Consideration of Ordinance 15-05, an Ordinance of the City Council of the City of Belleair Beach, Florida, Creating Article III of Chapter 14, Pertaining to Emergency Housing in Residential Low (RL) District II; Providing for Severability; and Providing for an Effective Date. First Reading. (City Manager) (City Attorney) (see backup)**

City Attorney Marino read Ordinance 15-05 by Title only.

**MOTION** was made by Councilmember Schwerer and seconded by Councilmember Krach for Ordinance 15-05.

This is to opt out of the County's emergency housing ordinance and create the City's own ordinance.

**Motion passed 7-0.**

7. **Consideration of Amended Memorandum of Understanding between the City of Belleair Beach and Susan More as Code Enforcement Special Master. (City Manager) (see backup)**

**MOTION** was made by Councilmember Krach and seconded by Councilmember Pietrowski to name Susan More as Code Enforcement Special Master.

**Motion passed 7-0.**

8. **Discussion on conference call between Pinellas County Administrator Mark Woodard, City Manager Nancy G. Gonzalez and Vice Mayor Leslie Notaro regarding the 2017 Beach Nourishment Project.**

City Manager Gonzalez advised that Mr. Woodard had contacted her to have a discussion regarding beach nourishment. He asked what he could do to help resolve the parking space issue. Ms. Gonzalez explained there could be

more parking spaces at Morgan Park if the County right-of-way could be used, and that documentation would be forwarded to him. Another option Mr. Woodard mentioned was how the condominiums were registered with the Department of Business Regulation so that their rental units can be counted toward beach nourishment. Vice Mayor Notaro stated she had researched the issue and it was possible that neither the unit owners nor the condominium associations would not have to register, but if the City could certify that half of the units were rented they could be counted toward the nourishment. They stated that Mr. Woodard seemed very willing to work with the City. These options would be reviewed and brought back to City Council.

**9. Consideration of changing City Council Meeting time to 5:30 P.M.**

**MOTION** was made by Councilmember Pietrowski and seconded by Councilmember Cohen to change the City Council meeting time to 5:30 P.M.

**Motion passed 5-2.**

City Attorney Marino would prepare an Ordinance for the next meeting.

**10. Consideration of reappointment to the Belleair Beach Park and Recreation Board. (City Clerk) (see backup)**

**MOTION** was made by Councilmember Krach and seconded by Councilmember Pietrowski to reappointment Ms. Jaime Girgenti to the Belleair Beach Park and Recreation Board.

**Motion passed 7-0.**

**11. Consideration of Resolution 2015-06, a Resolution of the City Council of the City of Belleair Beach, Florida, Authorizing the Disposal of Surplus Inoperable or Obsolete Equipment, Materials, and Supplies; and Establishing an Effective Date.**

City Attorney Marino read Resolution 2015-06 by Title only.

**MOTION** was made by Councilmember Schwerer and seconded by Councilmember Krach for Resolution 2015-06.

**Motion passed 7-0.**

**12. Continued discussion on undergrounding of utilities citywide.**

Discussion followed regarding the letter received from Mr. Corrigan, Dr. Ward and Mr. Behm; creating a tax zone within the city; city-wide as opposed to individual projects at the request of property owners in a given area; attorneys that specialize in that particular highly complex area of the law; may the City legally use public resources to fund private interests; that the number of people in the 22nd Street area that actually want this are willing

to pay whatever the cost may turn out to be has not been established; not using City funds to hire a specialized law firm to determine funding for an individual project as opposed to a city-wide project; reference to City Attorney Marino's July memorandum regarding the issue; and asking the law firm of Bryant Miller Olive to attend the next meeting to answer questions. Mr. Marino believed they would attend one meeting at no charge to the City.

Finance Officer Kruszona stated she had an opportunity to review the letter from Mr. Corrigan, Dr. Ward, and Mr. Behm, and had spoken with the Pinellas County Property Appraiser's office and reviewed the Florida Statutes regarding special tax districts. She stated an attorney would have to be hired to review the City Code to determine if it could legally be done, and if so, it would involve plat maps, ordinances, and creating a special tax district with its own budget, TRIM, and financing. The letter had conflicting information regarding the number of properties involved. Legal fee and loan funding fees had not been considered in their cost estimates. One example in the letter referenced \$800,000 for the project, but did not state how many houses it would be for. Ms. Kruszona determined that \$800,000 for 20 years is \$1.1 million dollars divided by 130 or 112 or 115 people (the number varied for the examples given in the letter) equaled an \$800 - \$1,000 a year property tax increase. Residents need to know all of the information to decide if they agree with what the letter writers are proposing.

Mayor Baldwin stated the referendum called for the City to look into City-wide undergrounding, and while the answer may be that is not practical, we don't seem to be able to get beyond the starting point with something for residents to look at. He asked how we could get all of the information to present to City residents. Ms. Kruszona stated the starting point would be the law firm, as stated by Mr. Marino.

Discussion followed regarding contacting Laura Dedenbach for any information she may have; that the group requesting undergrounding for their area only should be responsible for the cost of hiring a law firm to determine if they could proceed; a tax zone would not be needed if undergrounding was done for the entire City; and if a bond were acquired any fees incurred upfront could be incorporated into the bond.

It was agreed to invite a representative from Bryant Miller Olive attend the next meeting.

Community Services Director Godfrey stated that the City could still look at doing streets in the City incrementally and budgeting for them. He had spoken with Duke Energy and they could be involved as far as some cost sharing.

Dr. William Ward, Louisa Drive, stated that "they would like to have a legal paper drawn up by you [the City] to take to each individual homeowner and get it signed by them to obligate...that property to paying off that tax".

Mayor Baldwin stated it would be on the Agenda next meeting and thanked Finance Officer Kruszona for all of the information.

**13. Mayor and Council Comments.**

Councilmember Pietrowski had no further comments.

Councilmember Cohen thanked City Council for changing the meeting date to observe the holiday.

Councilmember Gunn had no further comments.

Councilmember Schwerer had no further comments.

Councilmember Krach had no further comments.

Vice Mayor Notaro stated she had attended the Mayors’ Council and that they had sent a letter to the State Legislature asking to change the annual ethics requirements to when an official is first elected and when reelected; and that the Pinellas County Fair would be in Pinellas Park on November 12th.

**14. City Attorney Comments.**

City Attorney Marino had no further comments.

**15. City Manager Comments.**

The City Manager advised that two reports regarding the CRS Certification Progress Report had been distributed to Council; and that Vice Mayor Notaro and she had attended the dedication of the 9/11 Memorial in Madeira Beach and it was stunning.

**ADJOURN**

**MOTION** was made by Councilmember Krach to adjourn the meeting.

**Motion passed 7-0.**

\_\_\_\_\_  
Date Approved

APPROVED: \_\_\_\_\_  
Rob Baldwin, Mayor

ATTEST: \_\_\_\_\_  
Patricia A. Gentry, CMC, City Clerk