



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

**Monday, July 2, 2018
Community Center, 5:30 PM**

PUBLIC MEETING MINUTES

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

Roll Call: Present were Councilmembers Marv Behm, Glenn Gunn, and Jody Shirley; Mayor Leslie Ford Notaro, Vice Mayor Nicolas Pavouris, City Manager Lynn Rives, City Clerk Patricia Gentry, Finance Officer Melanie Kruszona, and City Attorney Paul Marino. Councilmembers John Pietrowski and Wanda Schwerer were unable to attend.

1. Approval of Agenda.

MOTION was made by Councilmember Behm and seconded by Vice Mayor Pavouris to amend and approve the Agenda to add item 5a. Authorize the City Manager to Award Bid B18-03 for Flat Concrete and Valley Curbs.

Motion passed 5-0.

2. Presentation: Pinellas County Sheriff's Office.

The first monthly PCSO report from Captain Michael Leiner included:

- Introduction of Deputies covering shifts in the City
- Review of the report sent to City Council each month
- Answers to City Councilmember's questions
- A reminder for everyone to call the PCSO when they see something that seems unusual or out of place

- 3. 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)**

Residents spoke regarding:

- Opposition to proposed boat slips/docking on Belle Isle Avenue
- A sidewalk instead of boat slips on Belle Isle Avenue
- Comments made during the previous City Council meeting
- Action on previous agenda items

Consent Agenda

- 4. Approval of April 25, 2018, City Council Work Session Minutes; May 21, 2018, City Council Work Session Minutes; May 23, 2018, City Council Work Session Minutes; June 4, 2018, City Council Meeting Minutes; June 20, 2018, City Council Work Session Minutes.**
- 5. Authorize the City Manager to Execute the Contract for Law Enforcement Services with the Pinellas County Sheriff for Fiscal Year 2018/19.**
- 5.a Authorize the City Manager to Award Bid B18-03 for Flat Concrete and Valley Curbs.**

MOTION was made by Councilmember Behm and seconded by Councilmember Shirley to approve the Consent Agenda as amended.

Motion passed 5-0.

Regular Agenda

- 6. Consideration of Ordinance 18-05, an Ordinance of the City Council of the City of Belleair Beach, Florida, Granting to the City of Clearwater, Florida, a Franchise for the Purpose of Furnishing Natural Gas Services Within the Corporate Limits of the City Of Belleair Beach; Providing for Purpose; Providing for Definitions, Providing for Terms And Grant; Providing for Rates; Providing for Extension of Service; Providing for Force Majeure; Providing for a Non-Compete; Providing for Termination; Providing for Franchise Fee; Providing for Favored Nation Provision; Providing for Service Standards; Providing for Costs, Ownership, Repair, Relocation; Providing for Indemnification; Providing for Insurance; Providing for Compliance of Ordinances; Providing for Availability Of Records; Providing for Assignment of Grant; Providing for Conflict; Providing for Alternative Remedies; Providing for Acceptance; Providing for**

Resolution by Grantee; Providing for Governing Law; Providing for Notices; Providing for Severability; and Providing for an Effective Date. (First Reading)

City Manager Rives requested the item be tabled until the next meeting as the revised Agreement had not been received from Clearwater Gas System.

MOTION was made by Vice Mayor Pavouris and seconded by Councilmember Behm to table Ordinance 18-05.

Motion passed 5-0.

7. Consideration of Resolution 2018-12, a Resolution of the City Council of the City of Belleair Beach, Florida, Amending Resolution 2009-12 Creating an Administrative or Prosecution Assessment for Code Enforcement Investigations and Prosecutions as Permitted by Section 162.07(2) Florida Statutes; and Establishing an Effective Date.

City Attorney Marino read Resolution 2018-12 by Title only.

MOTION was made by Vice Mayor Pavouris and seconded by Councilmember Behm for Resolution 2018-12.

Motion passed 5-0.

8. Monthly Financial Report.

The first monthly financial report from Finance Officer Kruszona included:

- Review of the most recent financial report sent to City Council each month
- Explanation of the process to arrive at the monthly report
- That the preliminary budget had been provided and reviewed individually with each Councilmember, as it is their first budget cycle (Councilmember Behm had been out of town)
- Review of other aspects of the budget
- Answers to City Councilmember questions
- An invitation to all Councilmembers and the public to contact her with any questions or concerns at any time

9. City Code Review Advisory Committee Report.

City Manager Rives advised he would give a brief report as Chair Schwerer was currently out of town.

The first monthly CCRAC report included:

- That the Committee had completed their review of the first assigned section of the code
- That meeting minutes would be distributed and published following review by the Chair and approval by the Committee.

10. Discussion on Format of Regular City Council Meeting Agenda.

Requests were made by Councilmembers for agenda items on:

- Unfinished business
- Committee and Board reports
- Summary of action items - takeaways and what is owed at the next meeting
- To put an unresolved item on each following agenda until the item is resolved

After Council discussion, City Attorney Marino explained that following the voter referendum to change the City's form of government to a Council/City Manager form of government from a Mayor/Committee form of government [referenced earlier], the separation of powers theory that applies at the federal and state level also applies at the municipal level – the main function of the City Council is legislative - to address issues from their constituent base [and those received, presented, and recommended by the City Manager] and to direct the City Manager, as the executive branch of their government, accordingly.

- Magistrate reports and code enforcement status spreadsheets would be provided to City Council

11. Discussion on Monthly Work Sessions.

MOTION was made by Vice Mayor Pavouris and seconded by Councilmember Gunn to have monthly meetings to address the following topics:

- Best Practices, General Business
- Strategic Planning, General Business
- Finance, Budget, Revenue Strategies, General Business
- Infrastructure, Beautification, [General Business]
- Safety, Security, Code Enforcement, General Business

Motion passed 5-0.

City Manager Rives suggested that meeting dates be the third Monday of each month.

12. Discussion on Council Meeting Times.

Consensus of Council was to schedule work sessions, beginning in August, for the third Monday of the month at 5:30pm until a survey could be sent to Residents for their input on meeting times.

13. Mayor and Council Comments.

Councilmember Shirley inquired about the status of crosswalks. City Manager Rives advised that as of last week the County had not received the information but would forward to him when they did. She stated that resident Mrs. Janet Ward had passed away last Thursday and would be missed. She also advised that her son had proposed a challenge to the City for a beach cleanup on July 5th, as there is always trash on the beach after the holiday, and all were welcome to join him.

Councilmember Gunn reiterated the importance of best practices; he felt the letter to the Resident regarding use of the City Seal was "very thin" and asked how it could be called unauthorized use, as the ordinance was passed after the use. City Attorney Marino explained that the seal/logo was also copyrighted through its use on the City website.

Councilmember Behm advised that a second bid had been received from CPWG regarding the undergrounding of utilities and a bid revision had been received from the lighting company.

Vice Mayor Pavouris thanked the Residents for attending the meeting. He inquired about live streaming of the meeting, City Manager Rives advised that the meeting in progress was the test for the live streaming. The Vice Mayor asked if the openings for the Board of Adjustment had been advertised. City Manager Rives advised the various ways it had been noticed and advertised.

Mayor Notaro stated that Pinellas County Property Appraiser Mike Twitty had spoken about Amendment 1 and Amendment 2 at the BIG C meeting. She stated the FLC would be having a panel on short-term rentals at the Annual Conference. The FLC Board of Directors also met in June on Amendment 1 and 2. She stated that she had attended an active shooter presentation by a PCSO Deputy at the Tampa Bay Beaches Chamber of Commerce Lunch and Learn on the same day as the Annapolis newspaper office shooting. She felt that it was very informative and would like to schedule the presentation at the Community Center for the public.

14. City Attorney Comments.

City Attorney Marino advised that most solicitors, with a few exceptions, must obtain a permit from the City Manager prior to soliciting in the City. He advised if there is a solicitor you have a question about, call City Hall [or the PCSO if it is after City Hall hours]. He stated Attorney Jackie Spoto Bircher would attend the August City Council meeting, and that she continues to work with Chair Schwerer on the CCRAC meetings. He suggested that City Council closely monitor the ongoing short-term rental legislation and advise the Legislature of their opposition.

15. City Manager Comments.

City Manager Rives reviewed updates:

- The Belle Isle Avenue seawall renovation bid is due July 26
- Four bidders had attended the mandatory pre-bid meeting for solid waste and the bid is due July 24
- The Belle Isle Avenue Drainage bid is due July 24
- The First Street Drainage Project permit has not been received from SWFWMD yet
- The PSF&RD Task Force is considering an annual increase of \$90 - \$100. It is currently \$260 annually and the last increase for service was in 2009. Their next meeting is July 5th at 9:00am at Indian Rocks Beach City Hall if anyone would like to attend. Meetings are the first and third Thursday of each month
- The preliminary FEMA flood maps are in. Copies will be made and distributed to Council. After the required comment period, the maps will go into effect sometime in late spring next year
- He had talked to Senator Brandes' office regarding the use of tourism dollars for the undergrounding of Gulf Boulevard. They referred him to the County, he also talked to the Pinellas County Tourist Development Council (TDC)
- He has a meeting with Pinellas County Water & Navigation on July 9 to discuss potential areas for boat slips
- A revised bid had been received from CPWG and he plans to schedule a BEIAHCU meeting for July 30
- Code Enforcement is looking at hedges and sheds, as Council had expressed code enforcement was a priority. Some properties have multiple sheds [there is a limit of one], as an example – one has three sheds, none of which conform to the code
- The proposed increase in Marina fees needs to be resolved
- The Gulf Boulevard/Duke Energy crosswire undergrounding issue will be on next month's agenda
- There will be a Code Enforcement Special Master hearing on July 13 at 10:00am if anyone would like to attend

- The BIG C meeting will be hosted by the Town of Belleair Shore at the Belleair Beach Community Center on July 25, breakfast at 8:30am, meeting begins at 9:00am

Councilmember Behm: When were the fire hydrants last flushed – City Manager Rives will check

Councilmember Gunn: Is there any value in the City and the BIG C passing a resolution to document opposition to the legislation of short-term rentals

Mayor Notaro: Yes, a resolution can be done, and municipalities can post their code regarding short-term rentals on the Airbnb website

City Manager Rives: He filed a complaint with Airbnb several months ago, and a cease and desist letter had been sent, they are not responsive

Vice Mayor Pavouris: Can an ordinance be passed to fine Airbnb directly for violations - the Legislature did not look at the long-term impact when they decided to commercialize residential property. He advised that Senator Brandes had stated "we thought it was a good idea, until now", but now it is too late

ADJOURN

The meeting was duly adjourned.

August 6, 2018
Date Approved

APPROVED: Leslie Ford Notaro
Leslie Ford Notaro, Mayor

ATTEST: Patricia A. Gentry
Patricia A. Gentry, City Clerk