



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

**Monday, November 6, 2023
Community Center, 6:00 PM**

The meeting was called to order by Mayor Dave Gattis. The invocation was given by Councilmember Leslie Notaro followed by a Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present were Councilmembers Frank Bankard, Mark S. Chester, Leslie Notaro, and Lloyd Roberts; Mayor Dave Gattis, Vice Mayor Jody Shirley, City Manager Kyle Riefler, City Clerk Patricia Gentry, and City Attorney Randy D. Mora.

For continuity, items are listed in agenda order although not necessarily discussed in that order.

Mayor Gattis stated: I'd like to remind everyone that this Saturday, November the 11th, is Veterans Day. This day holds a special place in our hearts as we come together to recognize the brave men and women who have served and continue to serve our great nation. On this upcoming Veterans Day let us pay our respects and express our profound gratitude to those Heroes. Their service, whether in times of war or peace, reminds us of the values that define our nation – freedom, justice, and democracy. Let us ensure that their sacrifices are never forgotten and that our Veterans know they are appreciated not just today but every day. Thank you, Veterans for your service and dedication to our great nation, the United States of America.

MOTION was made by Councilmember Roberts and seconded by Vice Mayor Shirley to amend the Agenda to address Agenda Item Number 30 first on the Regular Agenda.

Motion passed 5-1, Councilmember Bankard opposed.

1. Approval of Agenda.

MOTION was made by Councilmember Roberts and seconded by Vice Mayor Shirley to approve the Agenda as amended.

Motion passed 5-1, Councilmember Bankard opposed.

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)

Citizens Comments included, in part:

- Gratitude to Mayor Gattis for his persistence in shepherding the emergency dune repair through
- Concerns regarding the height of the new sand dunes
- Update from BBCF Chair Tammie Levenda
 - November 17 - Holiday Food Drive runs through that date
 - December 4 - Holiday Social and Tree Lighting
 - January 13 - Health & Wellness Fair
 - January 20 - Bridge Cleanup

3. Presentation: Pinellas County Sheriff's Office.

- **Law Enforcement monthly report**
The PCSO Sergeant reviewed the monthly and annual reports.
- **Code Enforcement monthly report**
City Manager Riefler reviewed the monthly report.

4. Presentation: Pinellas Suncoast Fire & Rescue District.

Chief Davidson gave the monthly report and stated, in part:

- Four firefighters have been hired through a Staffing for Adequate Fire and Emergency Response (SAFER) grant that the department received
- They will be advertising an RFP for a new fire station, and an RFQ for station design which will include an emergency operations center

Chief Davidson will send the PSFRD report to City Manager Riefler each month for inclusion in the Agenda Packet.

5. City Attorney Report.

City Attorney Mora advised that Staff will be working on the process to fill the vacancy following Councilmember Livingstone's resignation.

He stated this will be City Clerk Gentry's last regular Council meeting, and it had been a pleasure to work with her.

6. City Manager Report.

City Manager Riefler reviewed the monthly report. He stated that he had appreciated working with City Clerk Gentry.

7. City Clerk Report.

City Clerk Gentry expressed how much it had meant to her to have the opportunity to work with this City Council and City Manager.

Consent Agenda

- 8. Approval of August 21, 2023, City Council Work Session Minutes.**
- 9. Approval of August 28, 2023, Emergency City Council Meeting Minutes – Hurricane Idalia.**
- 10. Approval of September 6, 2023, City Council Meeting and First Public Budget Hearing Meeting Minutes.**
- 11. Approval of September 18, 2023, Final Public Budget Hearing Minutes.**
- 12. Approval of September 18, 2023, City Council Work Session Minutes.**
- 13. Approval of October 2, 2023, City Council Meeting Minutes.**
- 14. Approval of October 16, 2023, Special City Council Meeting Minutes.**
- 15. Approval of October 16, 2023, City Council Work Session Minutes.**

MOTION was made by Councilmember Bankard and seconded by Councilmember Notaro to approve the Consent Agenda.

Motion passed 6-0.

Public Hearing–Second Reading and Final Hearing on Proposed Ordinances

- 16. Consideration of Ordinance 23-06, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Section 2.02 Of The Charter To Increase The Number Of Permissible Consecutive Terms For City Council Members, Including The Mayor, From Two Terms To Three Terms; Identifying The Issue To Appear On Said Ballot; Providing For Renumbering; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (Second Reading) (City Attorney Mora)**

City Attorney Mora read Ordinance 23-06 by Title only.

MOTION was made by Councilmember Notaro and seconded by Councilmember Roberts for Ordinance 23-06.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

17. **Consideration of Ordinance 23-07, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Sections 2.01, 2.02, And 2.07 Of The Charter To Reduce The Number Of At-Large Members On The City Council, Including The Mayor, From Seven Members To Five Members, To Specify The Timeline For Transitioning To Five Members, And To Adjust The Corresponding Voting Requirements For Official Action Of A Five-Member Council; Identifying The Issue To Appear On Said Ballot; Providing For Renumbering; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (Second Reading) (City Attorney Mora)**

City Attorney Mora read Ordinance 23-07 by Title only.

MOTION was made by Councilmember Notaro and seconded by Councilmember Roberts for Ordinance 23-07.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

18. **Consideration Of Ordinance 23-08, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Sections 2.02, 2.04, And 5.05 Of The Charter To Increase The Term Of Office For Individual Councilmembers, Including The Mayor, From Three Years To Four Years And To Amend The Regular Election Schedule To Accommodate Such Terms; Identifying The Issue To Appear On Said Ballot; Providing For The Adoption Of Ballot Language By Resolution; Providing For**

Publication In Accordance With The Law; And Providing For An Effective Date. (Second Reading) (City Attorney Mora)

City Attorney Mora read Ordinance 23-08 by Title only.

MOTION was made by Councilmember Roberts and seconded by Councilmember Notaro for Ordinance 23-08.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

19. **Consideration of Ordinance 23-09, An Ordinance Of The City Council Of The City Of Belleair Beach, Florida, Submitting To The City Electors A Referendum Question On The Amendment Of Section 5.05 Of The Charter To Adjust The Regular Election Cycle From March To November, Contingent On The Passage Of A Separate Ballot Measure Governing The Duration Of Councilmember Terms; Identifying The Issue To Appear On Said Ballot; Providing For The Adoption Of Ballot Language By Resolution; Providing For Publication In Accordance With The Law; And Providing For An Effective Date. (Second Reading) (City Attorney Mora)**

City Attorney Mora read Ordinance 23-09 by Title only.

MOTION was made by Councilmember Roberts and seconded by Vice Mayor Shirley for Ordinance 23-09.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

20. **Consideration of Ordinance 23-10, An Ordinance Of The City Council Of The City Of Belleair Beach Amending Section 38-87 Of The City's Code Of Ordinances Governing The Permitting Process For Special Events, Associated Costs And Fees, And Potential Penalties For Unpermitted Or Non-Compliant Special Events; Providing For The Implementation Of Administrative Actions; Providing For Codification; Providing For Severability;**

And Providing An Effective Date. (Second Reading) (City Attorney Mora)

City Attorney Mora read Ordinance 23-10 by Title only.

MOTION was made by Vice Mayor Shirley and seconded by Councilmember Roberts for Ordinance 23-10.

Councilmember Bankard	Yes
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-0.

Regular Agenda

- 21. Consideration of Resolution 2023-11, A Resolution Of The City Of Belleair Beach, Florida, Calling For A Special Election Of The City Electors To Be Held On March 19, 2024, For The Purpose Of Submitting To The City Electors A Referendum Question On An Amendment To The Charter Of The City Of Belleair Beach To Propose Increasing The Number Of Permissible Consecutive Terms For A City Councilmember From Two Terms To Three; Authorizing The Pinellas County Supervisor Of Elections To Appoint Poll Workers; Authorizing The Assignment Of Polling Place; And Establishing An Effective Date. (City Attorney Mora)**

City Attorney Mora read Resolution 2023-11 by Title only.

MOTION was made by Councilmember Notaro and seconded by Vice Mayor Shirley for Resolution 2023-11.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

- 22. Consideration of Resolution 2023-12, A Resolution Of The City Of Belleair Beach, Florida, Calling For A Special Election Of The City Electors To Be Held On March 19, 2024, For The Purpose Of Submitting To The City Electors A Referendum Question On An Amendment To Sections 2.01, 2.02, And 2.07 Of The Charter Of The City Of Belleair Beach To Propose Reducing The Number Of**

Councilmembers On The City Council From Seven Members To Five Members; Authorizing The Pinellas County Supervisor Of Elections To Appoint Poll Workers; Authorizing The Assignment Of Polling Place; And Establishing An Effective Date. (City Attorney Mora)

City Attorney Mora read Resolution 2023-12 by Title only.

MOTION was made by Councilmember Notaro and seconded by Councilmember Roberts for Resolution 2023-12.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

23. **Consideration of Resolution 2023-13, A Resolution Of The City Of Belleair Beach, Florida, Calling For A Special Election Of The City Electors To Be Held On March 19, 2024, For The Purpose Of Submitting To The City Electors A Referendum Question On An Amendment To Sections 2.02, 2.04, And 5.05 Of The Charter Of The City Of Belleair Beach To Propose Increasing The Term Of Office For City Councilmembers From Three Years To Four Years And Amending The Regular Election Cycle To Accommodate Such Terms; Authorizing The Pinellas County Supervisor Of Elections To Appoint Poll Workers; Authorizing The Assignment Of Polling Place; And Establishing An Effective Date. (City Attorney Mora)**

City Attorney Mora read Resolution 2023-13 by Title only.

MOTION was made by Councilmember Roberts and seconded by Councilmember Chester for Resolution 2023-13.

Councilmember Bankard	Nay
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

24. **Consideration of Resolution 2023-14, A Resolution Of The City Of Belleair Beach, Florida, Calling For A Special Election Of The City Electors To Be Held On March 19, 2024, For The Purpose Of**

Submitting To The City Electors A Referendum Question On An Amendment To The Charter Of The City Of Belleair Beach To Propose Adjusting The City's Regular Election Cycle From March To November, In General Alignment With The Federal Election Cycle, Contingent On The Passage Of A Separate Ballot Measure Governing The Duration Of Councilmember Terms; Authorizing The Pinellas County Supervisor Of Elections To Appoint Poll Workers; Authorizing The Assignment Of Polling Place; And Establishing An Effective Date. (City Attorney Mora)

City Attorney Mora read Resolution 2023-14 by Title only.

MOTION was made by Councilmember Notaro and seconded by Councilmember Roberts for Resolution 2023-14.

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

25. **Consideration of Resolution 2023-17, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Calling For A General Election To Be Held On March 19, 2024, For The Purpose Of Electing Three (3) City Council Members For A Full Term Of Office, And A Fourth Seat For The Remaining Tenure Of A Recently Vacated Council Member Position; To Establish The Qualifying Date And Process For Persons Seeking Elective Office For The 2024 Municipal Election; Authorizing The City Manager To Enter Into An Agreement With The Supervisor Of Elections; Establishing A Polling Place For The March 2024 Election; Authorizing The Pinellas County Supervisor Of Elections To Verify Candidate Petition Cards And Facilitate The Election Process; And Establishing An Effective Date. (City Attorney Mora)**

City Attorney Mora read Resolution 2023-17 by Title only.

MOTION was made by Councilmember Roberts and seconded by Councilmember Bankard for Resolution 2023-17.

Councilmember Bankard	Yes
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-0.

26. Consideration of Resolution 2023-16, A Resolution Of The City Council Of The City Of Belleair Beach, Florida, Providing For An Increase In Solid Waste Collection And Disposal Rates; And Establishing An Effective Date. (City Manager Riefler)

City Attorney Mora read Resolution 2023-16 by Title only.

MOTION was made by Councilmember Roberts and seconded by Councilmember Chester for Resolution 2023-16.

Councilmember Bankard	Yes
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-0.

27. Consideration of First Addendum to Employment Agreement for the Services of Kyle Riefler as City Manager of the City of Belleair Beach. (City Attorney Mora)

MOTION was made by Vice Mayor Shirley and seconded by Councilmember Roberts to approve the First Addendum to Employment Agreement for the Services of Kyle Riefler as City Manager of the City of Belleair Beach.

Motion passed 6-0.

28. Interview for City Clerk Position. (City Manager Riefler)

City Manager Riefler reviewed the process to date for filling the City Clerk position, and his recommendation of Ms. Rose for the position.

Ms. Rose introduced herself, reviewed her qualifications and experience, and answered questions from City Council.

Applicant Ms. Astra Pacold was present at the meeting, introduced herself, reviewed her qualifications and experience, and answered questions from City Council.

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts for City Manager Riefler to enter into negotiations with Ms. Rose for the position of City Clerk.

Councilmember Bankard called the question.

Mayor Gattis stated: This is to authorize the City Manager to begin negotiations with Renee Rose.

Passed unanimously.

City Attorney Mora stated for the record that City Council had authorized the City Manager to enter into negotiations with the Candidate. The formal appointment would be at a later date establishing the date of service, salary, etc.

29. Authorize City Manager to put Stormwater Project out for Bid. (City Manager Riefler)

City Engineer Larry Fluty reviewed aspects of the project and answered questions from City Council.

Following Council discussion, Mayor Gattis called for a roll call vote:

Councilmember Bankard	No
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 5-1.

30. Request to the City of Belleair Beach from Indian Rocks Beach Property Owner for a Letter of No Objection to Set Piling and Construct an 11' x 12' Dock Extension on the Front of the Existing Dock, Install a New 13,000# Capacity Boatlift to the Right of the Dock and a 1,500# Capacity Personal Watercraft Lift on the Left Side Adjacent to Belleair Beach South Park. (City Manager Riefler)

City Manager Riefler reviewed the details of the request.

Mr. and Mrs. Nocera spoke regarding their request.

Mayor Gattis called for a motion to approve a Letter of No Objection, for City Council to begin discussion.

MOTION was made by Councilmember Notaro and seconded by Councilmember Roberts.

Following City Council discussion of the request Mayor Gattis stated:

This is to approve a letter of no objection to build a dock extension that crosses Municipal boundaries and enters Belleair Beach public property.

The majority of City Council was opposed to approval of the request.

31. Consideration of Approval of Piggyback Agreement with Calvin, Giordano & Associates, Inc. for Land Development Code Revision. (City Manager Riefler)

MOTION was made by Councilmember Bankard and seconded by Vice Mayor Shirley to approve the piggyback agreement with Calvin, Giordano & Associates, inc. for the Land Development Code revision.

Councilmember Bankard	Yes
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-0.

32. Consideration of Marina Slip Wait List Policy and Marina License and Use Agreement. (City Manager Riefler)

MOTION was made by Councilmember Bankard and seconded by Vice Mayor Shirley to approve the updated Marina Wait List Policy, and for City Manager Riefler and City Attorney Mora to make the amendments discussed to the License and Use Agreement.

Councilmember Bankard	Yes
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-0.

Break from 9:09pm to 9:13pm.

33. Park and Recreation Board Member Susan Conti from Full Member to Alternate Member, and Alternate Member Deborah DiCosimo from Alternate Member to Full Member.

MOTION was made by Councilmember Bankard and seconded by Councilmember Chester to vote for Alternate and Full Members for the Park and Recreation Board.

	<u>Member</u>	<u>Alternate</u>
Councilmember Bankard:	Ms. DiCosimo	Ms. Conti
Councilmember Chester:	Ms. DiCosimo	Ms. Conti
Councilmember Notaro:	Ms. DiCosimo	Ms. Conti
Councilmember Roberts:	Ms. DiCosimo	Ms. Conti
Vice Mayor Shirley:	Ms. DiCosimo	Ms. Conti
Mayor Gattis:	Ms. DiCosimo	Ms. Conti

Motion passed 6-0 for Ms. Dicosimo as Member and Ms. Conti as Alternate.

34. Fiscal Year 2023 Year-End Budget Adjustments. (City Manager Riefler) Consideration of Resolution 2023-18.

City Attorney Mora read Resolution 2023-18 by Title only.

MOTION was made by Councilmember Bankard and seconded by Councilmember Notaro to approve Resolution 2023-18.

Councilmember Bankard	Yes
Councilmember Chester	Yes
Councilmember Notaro	Yes
Councilmember Roberts	Aye
Vice Mayor Shirley	Aye
Mayor Gattis	Aye

Motion passed 6-0.

35. Unfinished Business.

None.

36. City Council Comments.

City Council expressed their thanks and appreciation to City Clerk Gentry for her service.

City Clerk Gentry thanked each Councilmember very much.

ADJOURN

MOTION was made by Councilmember Bankard and seconded by Councilmember Chester to adjourn at 9:24pm.

Motion passed 6-0.

December 4, 2023
Date Approved

APPROVED:

Dave Gattis
Dave Gattis, Mayor

ATTEST:

[Signature]
City Clerk