



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

**Monday, January 8, 2024
Community Center, 6:00 PM**

PUBLIC MEETING MINUTES

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

Roll Call: Present were Councilmembers Frank Bankard, Lloyd Roberts, and Kim Shaw Elliott; Mayor Dave Gattis; City Manager Kyle Riefler, City Attorney Randy D. Mora, and City Clerk Renee Rose

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

1. Approval of Agenda.

Mayor Gattis suggested amending the agenda to include electing a vice mayor.

MOTION was made by Councilmember Bankard and seconded by Councilmember Shaw Elliott to amend the agenda to add Item 13.1 Election of Vice Mayor.

Motion passed 4-0.

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to approve the Agenda as amended.

Motion passed 4-0.

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)

Bill Lusk, Hibiscus Dr, thanked the remaining council members for staying on for the community. He mentioned Mayor Gattis' petition and encouraged residents to read and sign it.

3. Presentation: Pinellas County Sheriff's Office.

- **Law Enforcement monthly report**

The representative for PCSO reviewed the monthly report.

- **Code Enforcement monthly report**

Deputy Trump introduced himself to council and reviewed the monthly report. A majority of the code enforcement calls were for unpermitted remodels.

Councilmember Roberts asked if the unpermitted remodel issues are due to a lack of knowledge by contractors or people trying to get away with something. Deputy Trump said it's about evenly split.

Councilmember Shaw Elliott noted that new pool installations discharge water and debris down the street and asked if that falls under construction related nuisances. Deputy Trump said if it's clean or chlorinated water, it's not a violation, but encourages people to call if they see sludge or a hazard.

4. Presentation: Pinellas Suncoast Fire & Rescue District.

Assistant Chief Higley's update included, in part:

- Working with Code Enforcement on fire protection
- Summary of monthly and yearly training hours
- Chief Davidson is in Tallahassee to secure funding to remodel an existing station and to obtain property for the new building that will better serve Belleair Beach.

Mayor Gattis asked about the construction timeline. Mr. Higley said they estimate the project to begin in June and expect construction to take 18-24 months.

5. Presentation: GFOA Certificate of Achievement for Excellence in Financial Reporting

Mayor Gattis presented City Manager Riefler with the GFOA Certificate of Achievement for Excellence in Financial Reporting.

6. City Attorney Report.

City Attorney Mora thanked the remaining council members for their service to the community. The process doesn't work without them. Mora stated that the legislative session begins tomorrow and he will closely monitor that.

Mayor Gattis said this council currently seated is the council make up after the election process. Despite the more detailed and invasive financial reporting, he hopes there are people in the community that will step up to fill the open seats.

Mayor Gattis and Attorney Mora discussed the lobbying bills in legislative session.

7. City Manager Report.

City Manager Kyle Riefler's update included, in part:

- Duke Energy's contractor working on the undergrounding project has covered the boxes in the ground and they are in full compliance. They plan to start the wiring project, phase 1 in February or March. They are working through the design of phase 2 north of Causeway Blvd.
- The stormwater project bids have come in and will be heard later in this meeting.
- RFP for auditing services. The audit selection committee needs a member of council to be the chair.
- Code review project will begin at the work session on January 22.
- Health and Wellness Fair is Saturday, January 13 from 10:30-1:30. They have 26 vendors.
- City Clerk Renee Rose received her Certified Municipal Clerk certification from the International Institute of Municipal Clerks.

Mayor Gattis noted that council needs to select a chair for the audit committee. Councilmember Roberts suggested Councilmember Shaw Elliott as her background lends well to the committee. Mayor Gattis called for voice vote to appoint Councilmember Shaw Elliott to chair the audit committee. The appointment carried 4-0.

8. City Clerk Report.

City Clerk Renee Rose noted that a summary of her duties was included in the packet. She noted the committee quarterly reports was not included in the agenda, but Board of Adjustment Chair Mike Kelly is present and would like to provide an update to council.

Consent Agenda

- 9. Approval of December 4, 2023, City Council Meeting Minutes.**
- 10. Approval of December 11, 2023, Special City Council Meeting Minutes.**
- 11. Approval of December 18, 2023 City Council Work Session Minutes**

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

Motion passed 4-0.

Regular Agenda

- 12. Consider awarding Project Bid B23-01 for Street and Drainage Improvements from 9th Street to Morgan Drive**

City Manager Riefler summarized his staff report and the bids received for the project.

MOTION was made by Councilmember Roberts and seconded by Councilmember Shaw Elliott to award Project Bid 23-01 for Street and Drainage Improvements from 9th Street to Morgan Drive to Harbor Contracting in the amount of \$3,999,821.40

Discussion followed regarding the project and a vote was taken.

Councilmember Bankard	No
Councilmember Roberts	Yes
Councilmember Shaw Elliott	Yes
Mayor Gattis	Yes

Councilmember Bankard said they need 4 votes to pass. City Attorney Mora said they need a majority of council as seated. For a four member council, majority is three members. Bankard believes the charter requires 4 votes to pass. Mora requested time to review the charter.

Mayor Gattis recessed the meeting at 7:12pm and resumed the meeting at 7:18.

City Attorney Mora stated, in part, that the charter states no action of the council is valid unless adopted by affirmative vote of at least four members of the council. There is no modifying language subject to vacancies. The proposed bid award fails on a 3 to 1 vote.

Motion failed 3-1.

13. Authorize the sole source purchase of a Wapro Wastop 24 Inch valve for Street and Drainage Improvements Project B23-01

City Manager Riefler said this is part of the planned project. It's the same check valve used throughout the city. Riefler summarized the purchasing policy regarding sole source purchases. There are other 24" valve pipes so they can use this valve.

MOTION was made by Councilmember Bankard and seconded by Councilmember Shaw Elliott to authorize the purchase of a Wapro Wastop valve for Project B23-01.

Councilmember Bankard asked the size of the discharge pipe. City Manager Riefler said the swale is 24". Councilmember Shaw Elliott summarized the purchasing policy regarding the city manager's authority to spend up to \$10,000, noting that if this project needs something under that amount that would have been supplied by the project, the manager would be able to proceed. A discussion was held regarding competitive bidding.

City Manager Riefler recommended waiting on the purchase of this valve.

MOTION was made by Councilmember Bankard and seconded by Councilmember Shaw Elliott to **TABLE** the purchase of a Wapro Wastop valve for Project B23-01.

Motion passed 4-0.

13.1 Elect Vice Mayor

Mayor Gattis asked for nominations for Vice Mayor. Councilmember Bankard nominated himself. Mayor Gattis nominated Councilmember Roberts.

Mike Kelly, Hibiscus Dr, spoke in strong support of Councilmember Roberts.

Mayor Gattis called for an informal vote to determine a candidate for final vote.

Councilmember Bankard voted for Bankard
Councilmember Roberts voted for Roberts
Councilmember Shaw Elliott voted for Roberts
Mayor Gattis voted for Roberts

MOTION was made by Councilmember Roberts and seconded by Councilmember Shaw Elliott to elect Councilmember Roberts as Vice Mayor.

Councilmember Bankard	No
Councilmember Roberts	Yes
Councilmember Shaw Elliott	Yes
Mayor Gattis	Yes

Motion failed 3-1.

14. Unfinished Business.

15. City Council Comments.

Mayor Gattis recognized Board of Adjustment Chair Mike Kelly for an update from the Board of Adjustment. Mr. Kelly reported they had 2 meetings in the 4th quarter of 2023 involving pools, rezonings, and setbacks.

Councilmember Roberts expressed disappointment that they have been reduced to four council members. He heard a presentation sponsored by the Florida League of Cities regarding Form 6 and compared it to Form 1. He is still here because he doesn't think the additional information required on Form 6 is that significant. He hopes people listening at home will step forward. It's important.

Councilmember Shaw Elliott appreciates the opportunity to be of service to the community. There are a lot of challenges ahead, but there are good people in place that can work through those challenges and bring about a better community. She agreed with Roberts; they need others. They need active and involved community members.

Councilmember Bankard didn't file to run originally and was against the ordinance to extend the qualifying time, but after the last storm, residents asked him what the city is doing about it. He took it as a message to run for council. He wants to work with the mayor, but he isn't going to vote on something he can't live with. He wants to do what's best for the city because he loves the city. He wants to do what's safe for the city. He wants to serve the city of Belleair Beach. He volunteers for every event that comes up. This is the greatest city with volunteers. Taking taxpayer money to pay council is nonsense.

Mayor Gattis said they are not in a good situation. They desperately need three more council members. They need people who will give the opportunity to decide what's best for the city without being in a stranglehold by any one single council member. If anyone is unhappy with the outcome of tonight's meeting, please apply so they can make appointments to council.

ADJOURN

MOTION was made by Councilmember Bankard and seconded by Councilmember Roberts to adjourn at 7:49pm.

Motion passed 4-0.

2-5-2024
Date Approved

APPROVED: Dave Gattis
Dave Gattis, Mayor

ATTEST: [Signature]
Renee Rose, CMC
City Clerk