Town of Belleair

901 Ponce de Leon Blvd.
Belleair, FL 33756

Meeting Minutes
Town Commission

Tuesday, January 17, 2023 | **6:00 PM** | **Town Hall**

Meeting was called to order at 6:00 PM with Mayor Wilkinson presiding.

PLEDGE OF ALLEGIANCE

COMMISSIONER ROLL CALL

Present: 5 - Mayor Michael Wilkinson
Deputy Mayor Tom Kurey
Commissioner Tom Shelly
Commissioner Coleen Chaney
Commissioner Thomas Nessler

SCHEDULED PUBLIC HEARINGS

Persons are advised that, if they decide to appeal any decision made at this meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

22-0385 Second Reading of Ordinance 558 - Planning and Zoning Board Membership Reduction

Mayor Wilkinson introduced item; Jay Daigneault-Town Attorney read Ordinance No. 558 into the record by title only.

Commissioner Shelly moved approval of Ordinance 558 on second reading. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

22-0386 Second Reading of Ordinance 559 - Chapter 2 Revisions

Mr. Daigneault read into record by title only; no changes; addresses a variety of subjects in administrative matters

Melissa Hoglund-resident-questioned if process for petition of traffic measures is included.

Discussion: Deputy Mayor Kurey proposed adding section for strategic plan, suggested amendment for addition to B - The Town Manager should be responsible for directing,coordinating and managing the administration of the Town's business, including the Town's Strategic Plan, as performed through the Town's employees and contractors. Commissioner Shelly seconded that amendment.

Commissioner Nessler moved approval of Ordinance No. 559 on second reading as amended. Seconded by Commissioner Shelly.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

22-0387 First Reading of Ordinance 560 - Speed on Town Roads

Mr. Daigneault read Ordinance No. 560 into the record by title only; Mayor Wilkinson commented on roads; Mr. Daigneault stated seeking clarification regarding Indian Rocks Road, can amend ordinance once finalized.

Ms. Hoglund thanked Commission.

Commissioner Chaney questioned additional fees associated. Gay Lancaster-Town Manager-provided comment; signs and additional patrols.

Commissioner Chaney questioned if anticipated calls for services; Chief Doyle commented 30 days of educational enforcement, notification to county; roads at 20 to remain; rules regarding where signs must be placed to be enforceable.

Discussion: Deputy Mayor Kurey questioned clarification from attorney regarding item in consultant report regarding speed control; Mr. Daigneault advised.

Commissioner Shelly thanked attorney for his work.

Commission Shelly moved approval of Ordinance 560 on first reading. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

23-0002 First Reading of Ordinance 561 - Chapter 18 Revisions - Emergencies

Mr. Daigneault read Ordinance No. 561 into record by title only; provided brief overview, it will update various outdated items regarding emergency situations.

Commissioner Nessler moved approval of Ordinance 561 on first reading. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

CITIZENS COMMENTS

(Discussion of items not on the agenda. Each speaker will be allowed to speak once for a maximum of 3 minutes.)

Missy Hoglund-resident-seeking support to save a palm tree at Mehlenbacher and Pineland Road; seeking support for the Town to write a letter of support.

Commission is in support to write a letter. Commissioner Chaney questioned if it was in the sight triangle; Chief Doyle doesn't think it will be.

Victoria McDougal-resident-thanked the Commission for lowering the speed limit throughout town; commented on Cypress speed; spoke on looking at streets individually.

CONSENT AGENDA

22-0392 Approval of December 6, 2022 Regular Meeting Minutes

22-0390 Special Relief Permit Request - 2023 Community-Wide Garage Sale

22-0391 Special Relief Permit Request - Belleair's 2023 Sunset 5k and Fun Run

22-0394 Special Relief Permit for Dogs N' Donuts 2023

22-0395 Special Relief Permit Request - Wedding on Willadel

Discussion:

Commissioner Chaney questioned permit for the Willadel wedding; Ms. Lancaster stated she would check on permit application and make sure everything is done correctly. Amanda spoke on being it private event and on private property; an alcohol license is not necessary.

Deputy Mayor Kurey stated that Commissioner Nessler abstained from voting on item # 22-0377 of the minutes; minutes stated he voted in favor; need to correct minutes to reflect that he abstained from voting.

Commissioner Nessler moved to approved the Consent Agenda as amended. Seconded by Commissioner Shelly.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

GENERAL AGENDA

23-0001 Confirmation of Christina R. Porter as Finance Director

Gay Lancaster introduced Christina R. Porter; provided her background and expertise; wealth of talent urges to confirm.

Town Clerk administered the Oath to Christina Porter.

Christina Porter thanked all for her appointment, ready to begin.

Commissioner Shelly moved to approve the confirmation of Christina R. Porter as Finance Director. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

22-0388 Ratification of authorization of Stuart Kaufman, Esq. to file request for informal hearing with Department of Management Services

Mr. Daigneault provided a brief explanation of item; stated was intending to withhold money due to late audit; pension board attorney will handle do to his knowledge and expertise.

Commissioner Shelly moved that the retention of Attorney Stuart Kaufman for the purpose of filing a request for informal hearing with the Division of Retirement, authorized by the Town Manager on December 28, 2022, be ratified and approved. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

22-0389 Hallett Park Arborist Report

Bobby Yevich-Director of Parks and Recreation-town contracted with Ricky Peterika to prepare a report.

Mr. Peterika spoke on tree inventory process; met with staff; 2 additional assessments-delineate a "top of bank" for the bluff and a "view shed" assessment to quantify how much of the harbor was obscured by vegetation; report was to assist the town to make community-value-based decisions for moving forward; 246 trees identified, 154 were down hill of the bluff; 1 tree is recommended for removal; spoke on pruning recommendations; identified those needing reassessment later; quantified amount and coverage of invasive species; mangroves; mapped areas of obstructions and what the vegetation consisted of and whether it is recommended to me, the mitigated or removed.

Ms. Hoglund questioned tree to be removed; Mr. Peterika clarified.

Deputy Mayor Kurey commented on report, comprehensive.

Commissioner Shelly thanked for clarification not to remove trees with branches on the ground.

Commissioner Shelly moved approval of the arborist Report and to direct staff to proceed with the recommendations including the pruning where necessary. Seconded by Commissioner Nessler.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

22-0393 Bluff RFQ

Ms. Lancaster stated the Bluff RFQ was released and received a responsive submittal; reviewed by consultant engineer and staff; response and qualification are appropriate.

Ashley Bernal-Assistant to the Town Manager-study will inspect and assess slope and base of bluff and make recommendations to move forward.

Commissioner Chaney questioned results; Ms. Bernal provide clarification.

Deputy Mayor asked if only responsive bidder; Ms. Lancaster stated they were only respondent.

Commissioner Shelly moved approval of the Bluff RFQ and recommend to award to APTIM Environmental & Infrastructure LLC. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

23-0004 Reconsideration of Traffic Calming Petition Policy

Mr. Daigneault spoke on 2012 policy; challenges to make it work properly; recommends to extinguish; no legal requirements to have a traffic calming policy; his firm represents 12 municipalities, only 4 have them; current version doesn't work to be able to apply consistently; requesting to terminate current policy and provide direction to him and staff.

Ms. Hoglund questioned which areas are not actionable; written by traffic engineers and boards.

Mr. Daigneault spoke on definition of area of affected; who does the 60% apply to; spoke on improper delegation; policy does not work as is.

Ms. Hoglund spoke in support of having something for resident to have ability to provide feedback; procedure and policy.

Ms. Lancaster spoke on meeting with residents on Pineland, Palm and Golfview; recommending speed bumps installed temporarily during construction, children playing signs, and 24/7 law enforcement patrol during events.

Deputy Mayor Kurey supportive of Town Manager's recommendations and intermediate solution.

Victoria McDougal-resident-requested that Cypress Ave be included in these temporary recommendations during the Indian Rocks Road construction.

Commissioner Shelly questioned if the Town Manager should meet with Cypress residents. Ms. Lancaster will have a listening session with Cypress residents until a formalized process is in place.

Commissioner Shelly moved to terminate current traffic calming ordinance, however would like to see an updated one in the near future. Seconded by Deputy Mayor Kurey.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

23-0005 Town Manager Job Description and Hiring Process

Ms. Lancaster stated a memo was submitted proposing a process; recommends hiring a consultant to prepare final job description if wishing to move forward.

Mayor Wilkinson stated proposal is that he and the Town Attorney prepare an RFP for a search firm; can determine if there is a firm to select and can look at candidates.

Commissioner Nessler spoke on contract expiring in May; doesn't feel now is the time for selecting a new manager.

Commissioner Shelly stated memo ended with Gay willing to serve; not in support of spending money on a consultant and bringing other people into this situation.

Commissioner Chaney spoke on conducting a search and engaging a firm to walk through that process.

Mayor Wilkinson stated he would be willing to assist.

Deputy Mayor Kurey echoes comments of Commissioners Shelly and Nessler; importance of stability; not prudent to bring someone in right now; thankful for Gay's efforts and willingness to continue. Commissioner Nessler in agreement with Deputy Mayor Kurey.

Mayor Wilkinson spoke in support of Gay Lancaster; importance of process but unsure as to when to undertake that process.

Commissioner Shelly suggests extending Ms. Lancaster's contract until at least the end of this year; Deputy Mayor Kurey supports extending contract, unsure of timeline.

Commissioner Chaney spoke on the priorities of water and seeking a new Town Manager; no resolution on either one.

Ms. Lancaster spoke on her commitment; recruiting when organization is stabilized; staff making wonderful strides; no completed county proposal, study is complete; moving as quickly as possibly can.

Commissioner Chaney commented on difference of opinion as to manager role.

Melissa Hoglund-resident-spoke in support; prudent to have a standing job description.

Commissioner Shelly requested resending job description to Commission and will review. Deputy Mayor Kurey also spoke on the role and reviewing the job description.

Mayor Wilkinson provided comments regarding hiring a permanent town manager; commended Gay's work in helping to stabilize.

Deputy Mayor Kurey unsure if putting a date is right; Commissioner Shelly stated it will allow for later review; Commissioner Nessler stated process may take a long time.

Discussion ensued regarding time frame to start the process; starting in June.

Commissioner Shelly moved to extend the Town Manager's contract through the end of the year, 12/31/2023. Seconded by Deputy Mayor Kurey.

Aye: 4 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, and Commissioner Nessler

Nay: 1 - Commissioner Chaney

Commissioner Shelly moved to start the process and search for a new Town Manager in June, 2023. Seconded by Commissioner Nessler.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

TOWN MANAGER'S REPORT

Ms. Lancaster provided updates, improvements to processes; summarized meeting and recommendation; ready to receive 90% plans for Carl and Shirley; in review and comments returned to the contractor as soon as possible.

TOWN ATTORNEY'S REPORT

Mr. Daigneault stated legislative session to begin shortly; will update as bills come forward; spoke on issues in Manatee County.

MAYOR AND COMMISSIONERS' COMMENTS

Commissioner Nessler welcomed Ms. Porter to the team.

Commissioner Chaney welcomed Ms. Porter; questioned water main break on Magnolia Rd; questioned trees on Indian Rocks Road. Troy Cornock-Construction Project Supervisor- addressed, Ms. Lancaster can provide phases I and III.

Adam Klinstiver-Consulting Engineer-unable to provide specifics until plans are in hand; known specific to path, will send.

Commissioner Chaney spoke on recycling, Ms. Lancaster spoke with Micah Maxwell last week; can look at ability to handle our own recycling, will come forward with a cost-benefit analysis.

Commissioner Shelly questioned if we have a lobbyist; Ms, Lancaster stated contract with Lee Moffitt terminated; can hire as needed; spoke on funding, Commissioner Shelly will request for Indian Rocks Road once a number is available.

Deputy Mayor Kurey welcomed Ms. Porter; commented on funding request; water break on Magnolia to be communicated; spoke on Strategic Plan, would like an update in March/April; potential for federal funding.

Mayor Wilkinson stated next meeting is 2/21; spoke on Pam Kern's passing; thanked Belleair Recreation for Santa Clause event.

OTHER BUSINESS

Ron Ogden-resident- district aid to Representative Berfield- is supportive to Town and will attend meetings when available.

ADJOURNMENT

No further business; meeting adjourned in due form at 7:32 PM.

Deputy Mayor Kurey moved to adjourn. Seconded by Commissioner Nessler.

Aye: 5 - Mayor Wilkinson, Deputy Mayor Kurey, Commissioner Shelly, Commissioner Chaney, and Commissioner Nessler

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TOWN CLERK

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MAYOR