

**BOARD OF COMMISSIONERS
TOWN OF REDINGTON SHORES
REGULAR MEETING
TUESDAY, JULY 13, 2004 – 7:00 P.M.
MINUTES**

Present upon roll call: Commissioner Reynolds, Commissioner Holmes, Mayor Beyrouti and Attorney Denhardt.
Absent: Commissioner Armstrong and Vice Mayor Lishamer.

APPROVAL OF MINUTES – Regular Meeting, June 8, 2004, Workshop Meeting, June 29, 2004
Commissioner Holmes moved to approve the minutes of June 8, 2004 and June 29, 2004 as submitted, seconded by Commissioner Reynolds. Roll call: all yes.

APPROVAL OF BILLS – July 2004

Commissioner Reynolds moved to approve the July 2004 bills as submitted, seconded by Commissioner Holmes.
Roll call: all yes.

COMMISSION REPORTS

Mayor Beyrouti

Mayor Beyrouti reported the Town is doing fine and very excited with the redevelopment underway. Financially the Town is very sound.

Beach Renourishment – will be done in 2006.

Mile Markers are installed and the Town of Redington Shores has Mile Marker 12.

The Stormwater and Undergrounding project is under way in the District Three Business District. Administrator Lusk will do a study on what it will cost to underground the whole Town.

Commissioner Reynolds, Commissioner District No 2

Nothing to report at this time.

Commissioner Holmes, Commissioner District No 4

Indian Shores Police Department – Criminal and traffic citations are down, parking citations are up.

Emergency Management – Commissioner Holmes told the Commission he would like Debris Removal Contract and Debris Removal Monitor Contract on the workshop agenda for July 27th, 2004. Commissioner Holmes will have recommendations at this time.

OLD BUSINESS

Ord. 04-08, Amending Chapter 101, Second Reading and Advertised Public Hearing – Administrator Lusk

Mayor Beyrouti opened the Public Hearing. Attorney Denhardt read Ord. 04-08 by title only. Mayor Beyrouti explained that these amendments stem from complaints from residents in District 3 in regard to loud music. Chief Williams has told the Commission the present Noise Ordinance is not enforceable. Chief Williams addressed the Commission. The Town's ordinance is almost identical to Treasure Island's ordinance; which a judge stated had ambiguous language. Chief Williams had recommended taking out the reference to the times in regard to loud and raucous noise and the fifty-foot rule. Mayor Beyrouti asked Chief Williams if the change in the ordinance is making the ordinance stronger or tougher, as there are some residents concerned about these amendments. Chief Williams explained that they are not making it any tougher; they are just trying to clear up the ambiguous language. Chief Williams told the Commission that he has had no calls opposing the change in the ordinance.

Resident, Jim Goodmen asked if there was anything in the ordinance in regard to motorcycle noise. Chief Williams explained that they do try to control this issue, but most of the motorcycles come and go and enforcement is difficult. Resident, Ed Curtin asked whom or what determines loud noise, a police officer or a meter. Chief Williams explained meters would not be used, but the determination would be by an experienced police officer. There being no further discussion, Commissioner Holmes moved to adopt Ord. 04-08 on second reading, seconded by Commissioner Reynolds. Roll call: all yes. (Attached to the minutes are two petitions)

Turnaround 176th Ave. & 176th Ave. Circle – Administrator Lusk

Mr. Lusk told the Commission that three bids have been received for the turnaround. Mr. Lusk met with the neighbors and they have asked to replace the queen palm with an island date tree, which is more expensive, but the low bidder has agreed to change the tree out at no extra cost. Mr. Lusk recommends to the Commission to award the bid to the low bidder. Commissioner Holmes asked if everyone that needs to be talked to about this project has been. Mr. Lusk told the Commission that the neighbors were called for a meeting and only three came to the meeting. Commissioner Reynolds told the Commission he would like to have more neighbors involved in this project. Commissioner Reynolds moved to table this item until there is more consensus from the people in the area that this is something that they would want. Motion died for lack of second. This item is tabled at this time.

Approval of Street Lighting for Dist. 3, Business District – Mike Nadeau

Mr. Nadeau told the Commission a decision needs to be made for the streetlights and poles for the District Three Business District. Commissioner Reynolds moved to have the Syracuse lights with the Victorian poles, seconded by Commissioner Holmes. Roll call: all yes.

Local Planning Agency Recommendation on Proposed Ord. 04-09 Tree/Landscape – Commissioner Reynolds

Commissioner Reynolds told the Commission the Local Planning Agency has met and moved to recommend approval of this Ordinance with a three to two vote and to eliminate the word “generally”, from “generally prohibited” from page 1(b). Commissioner Reynolds moved to accept the recommendation from the Local Planning Agency, seconded by Commissioner Holmes. Roll call: all yes. Ordinance. 04-09 will be on the August agenda for first reading and advertised public hearing.

NEW BUSINESS

Pinellas County New Sewer Rates – Administrator Lusk

Mayor Beyrouti introduced Mr. Pick Talley from Pinellas County Utilities. Mr. Talley addressed the Commission in regard to the increase in the wholesale sewer rates. This rate represents a 10% increase and will be for the next three years. The Federal Government mandates the quality of the treatment so therefore increases are needed. Mayor Beyrouti asked after the three years what could be expected. Mr. Talley told the Commission it should level off in rates. Mayor Beyrouti asked if the water rates are going up. Mr. Talley said by 2008 water will cost \$4.50 per gallon.

Appeal Board of Adjustment Decision, 149 Beach Ave., Owner, Diez – Commissioner Reynolds

Commissioner Reynolds told the Commission Mr. Diez went before the Board of Adjustment and asked for a variance from his rear setback from 20ft to zero lot line. The Board of Adjustment denied the variance and Mr. Diez would like to appeal this decision. Mr. Diez addressed the Commission. Mr. Diez explained that his hardship is the small lot and the current setbacks, his father being old; the request is for a safety factor. Mr. Diez submitted to the Board of Commissioners letters from surrounding neighbors having no objection to expanding the deck. The current deck is 3ft x 3ft. The Commission discussed with Mr. Diez various ways to alter this project. Mayor Beyrouti explained that the Commission must vote to approve or disapprove the Board

of Adjustments decision and if the applicant chooses to alter the plan he must reapply to the Board of Adjustment

with a new application and the fee cannot be waived. Commissioner Reynolds moved to uphold the Board of Adjustments decision, seconded by Commissioner Holmes. Roll call: all yes.

Ordinance 04-10, Amending Chapter 12, Elections, Early Voting First Reading – Administrator Lusk

Attorney Denhardt read Ord. 04-10 by title only. Attorney Denhardt explained that this ordinance is necessary so that the Supervisor of Elections instead of the Town will conduct early voting. This will eliminate the Town having the responsibility of staffing, renting machines and writing security procedures for early voting. Commissioner Reynolds moved to adopt Ord. 04-10 on first reading, seconded by Commissioner Holmes. Roll call: all yes.

Personnel Evaluation & Merit Raise System – Commissioner Holmes

Commissioner Holmes told the Commission this has been discussed at previous meetings. Commissioner Holmes moved to adopt the employee evaluation system as part of the Policy and Procedure Manual to be effective October 1, 2004 and the employees to be rated on either their employment date or promotion date, which ever is most proper, seconded by Commissioner Reynolds. Mr. Lusk commented that he is happy to see the Town approve the evaluation system. Mayor Beyrouti asked if the evaluation is merit based. Commissioner Holmes told the Commission the evaluation system is an evaluation system; the merit raise system would be coupled with it, based on the employee's evaluation, which is an incentive. Roll call on motion and second, all yes.

FY 2004/2005 Millage and Budget – Mayor Beyrouti

Mayor Beyrouti told the Commission that the Finance Committee has met and the millage rate will remain the same at 1.6800, the second lowest in the County. The Town will absorb the sewer rate increase and not pass it on to the residents. Commissioner Holmes moved to set a tentative millage rate at 1.6800 for the 2004/2005 budget, seconded by Commissioner Reynolds. Roll call: all yes.

Neighborly Care Network FY 04/05 Donation Request – Mayor Beyrouti

Commissioner Reynolds moved to donate \$2,500.00 for FY 04/05, seconded by Commissioner Holmes. Roll call: all yes.

LDU Revision – Administrator Lusk

Mayor Beyrouti told the Commission that after reviewing the revision ideas, he is recommending that after \$100,000.00 in LDU Fees, the Town of Redington Shores be able to negotiate with the developer for any monies above \$100,000.00. In the past there has been no big development in Town, but with the development that has been happening lately, there is a need to revise the calculation of fees for the LDU money. Commissioner Reynolds asked where the \$100,00.00 figure came from. Mayor Beyrouti explained that there had to be a starting point for a cash figure. Commissioner Reynolds asked if \$50,000.00 would be more of an incentive for development. Mayor Beyrouti told the Commission he felt \$100,000.00 is a fair amount and does not want to lose money for the Town. Commissioner Holmes moved to instruct Attorney Denhardt to amend the LDU Ordinance with the language contained in his memorandum dated July 8, 2004 (copy attached). seconded by Commissioner Reynolds. Roll call: all yes. Commissioner Reynolds asked if the amount could be discussed at the next workshop meeting. Mayor Beyrouti explained that a motion and a vote was taken and passed unanimously. Attorney Denhardt explained that at the time of the first reading if the Commission wishes to amend the amount they can do so at that time.

PUBLIC COMMENTS

Resident, Ed Magaldi asked if a Town Newsletter could be sent out to the residents. Mayor Beyrouti explained they are working on getting a newsletter out.

MISCELLANEOUS

Commissioner Holmes told the Commission he would like authority to buy the hardware needed to install the beach buoys. Commissioner Reynolds moved to approve an expenditure of up to \$1,700.00 for accessories to

install the beach buoys, seconded by Commissioner Holmes. Roll call: all yes.

Mayor Beyrouth announced the following meeting dates:

Workshop Meeting – Tuesday, July 27, 2004 – 4:00 p.m.

Regular Meeting – Tuesday, August 10, 2004 – 7:00 p.m.

Attorney Denhardt introduced Attorney Chris Hammonds, an Attorney in his office who will be assisting Attorney Denhardt with Redington Shores business.

Resident, Paul Russo complimented the Indian Shores Police Department for their professionalism and patrolling the streets.

Respectfully submitted

Mary F. Palmer, CMC
Town Clerk