

**BOARD OF COMMISSIONERS
TOWN OF REDINGTON SHORES
REGULAR MEETING
TUESDAY, AUGUST 9, 2005 – 7:00 P.M.
MINUTES**

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

APPROVAL OF MINUTES – Regular Meeting, Tuesday, July 12, 2005

Commissioner Holmes moved to approve the minutes as stated, seconded by Commissioner Armstrong. Roll call: all yes.

APPROVAL OF BILLS – July 2005

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

COMMISSION REPORTS

Mayor Beyrouiti

Mayor Beyrouiti reported the County would be seriously looking at helping with the funding to underground the utilities along Gulf Boulevard.

The undergrounding for the Town is moving forward. The Town has received quotes from Brighthouse and Progress Energy. A meeting is scheduled with Verizon. The finances for the project will be in place and the project will be able to be done without raising taxes to the residents.

Vice Mayor Lishamer, Commissioner District No 1

Vice Mayor Lishamer reported the Phase 1 and 5 projects have started. Other items will be discussed later on during the meeting.

Commissioner Reynolds, Commissioner District No 2

Commissioner Reynolds reported there have been several problems with sewer pumps. There have been complaints with infiltration into the sewer system in the area of 176th Ave. and 1st Street East and Commissioner Reynolds will report back to the Commission on this issue.

Commissioner Armstrong, Commissioner District No 3

Commissioner Armstrong reminded everyone that the 50th Anniversary Luau tickets are on sale. The Luau will be held on Saturday, August 27 on the beach and tickets are \$35.00 per person.

Commissioner Holmes, Commissioner District No 4

Commissioner Holmes reported to the Commission the evaluations for the Town Clerk have been reviewed and the overall score is 4.4, based on this rating a 3% pay increase will be awarded effective August 20, 2005.

Commissioner Holmes reported there would be a Public Meeting in regard to the Beach Renourishment to be held on August 18th at the St. Pete Sheraton and the public is encouraged to attend.

Commissioner Holmes moved to nominate Alternate Shirley Butt as a regular member on the Board of Adjustment due to the passing of Walter Ivey, seconded by Vice Mayor Lishamer. Roll call: all yes. Commissioner Holmes will search for another alternate.

Commissioner Holmes told the Commission he has received the yearly donation request from Neighborly Care Network; which is the same amount as last year. Commissioner Holmes moved to approve the amount of \$2,500.00, seconded by Commissioner Armstrong.

OLD BUSINESS

Addition to Homestead Exemption

Mayor Beyrouti told the Commission this item has been discussed previously. This additional homestead exemption will be for qualifying low-income seniors in Redington Shores. If the Commission desires to move forward with this exemption the Commission will need to pass an ordinance. Commissioner Holmes suggested a \$10,000.00 exemption, Commissioner Armstrong agreed with that amount. Mayor Beyrouti and Commissioner Reynolds suggested a \$25,000.00 exemption. After further discussion Vice Mayor Lishamer moved to allow a \$20,000.00 exemption, seconded by Commissioner Reynolds. Roll call: all yes. Attorney Denhardt will have an ordinance for the next regular meeting.

FY 2005/2006 Millage and Budget Discussion

Mayor Beyrouti reported the Commission previously voted on the proposed millage rate to stay the same at 1.68. Mayor Beyrouti reminded the Commission to submit any expense request for their departments.

Resolution 13-05 Referring Proposed Ordinance to Planning & Zoning Board as the Local Planning Agency
Attorney Denhardt read Resolution 13-05 by title only. Commissioner Reynolds moved to approve Resolution 13-05, seconded by Vice Mayor Lishamer. Roll call: all yes.

Phases 1 & 5 Stormwater Improvements Material Testing Proposal

Vice Mayor Lishamer reported the material testing was not added in the original contract with SWFWMD. Town engineers Cumbe & Fair have obtained informal bids for the testing. Vice Mayor Lishamer told the Commission that the town will need to go out for formal bids and will need to decide on what fund to take the funds out of. Attorney Denhardt suggested the Commission authorize for formal bids to be obtained. Vice Mayor Lishamer moved to go out for bids for the material testing, seconded by Commissioner Reynolds. Roll call: all yes.

Building Department Report/ 326 176th Ave. Circle and 175 175th Terrace Drive

326 176th Ave. Circle - Building Official Mike Nadeau told the Commission the neighbor who made the complaint against this property has withdrawn the complaint and the owners of the property have obtained permits for the work done without permits, with the dock permit still in the stages of being obtained. Mayor Beyrouti explained when the complaint came in it was for the gazebo that was repaired and how much larger it became than the original gazebo and also a six-foot wall or higher on the property. Mike Nadeau told the Commission the owners of the property said the wall was there for at least 15-years. Mayor Beyrouti asked the owner Mr. Reiss if he increased the size of the gazebo; Mr. Reiss told the Commission the size is exactly the same. Mike Nadeau told the Commission Mr. Reiss has said he will bring the wall down to four foot. Mayor Beyrouti asked that the violations be handled by the building department accurately and fairly.

175 175th Terrace Drive – Attorney Doug Bar addressed the Commission for his client Mr. Brown. Attorney Bar told the Commission Mr. Brown would like to have another 10-days to remove the structure. Mayor Beyrouti asked if the roof on the existing house is going to be repaired or is there going to be another structure. Attorney Bar stated there would be another roof over the house. Attorney Bar told the Commission steel structure will be removed and there will be a roof over, meaning there is an existing sub-roof there now, the new roof will be made of steel and concrete and will have a structural façade. The structure that is there now is temporary until the roof can be completed, which will be attached to the foundation of the existing structure. At this time there is a red tag on the job and date has expired for the structure to be removed. Attorney Denhardt told the Commission they could at this time start code enforcement procedures before the Special Master. If the

structure is down within 15-days as stated by Attorney Bar then the meeting will not occur. Attorney Bar did state the structure is blight. Mayor Beyrouti asked that engineering specifications be brought into town hall for review of the roof. Attorney Bar indicated that he would tell his client to do so. Vice Mayor Lishamer moved to initiate Code Enforcement Special Master proceedings immediately, seconded by Commissioner Armstrong. Roll call: all yes.

NEW BUSINESS

Building Official's Contract/Salary Increase Request and Building Department Discussion

Mayor Beyrouti asked Mike Nadeau to address the Commission on his salary and benefit increase. Mayor Beyrouti asked the residents in attendance to please wait for comments until the Commission has made a motion and second on the motion. Mike Nadeau discussed with the Commission his contract proposal; which each Commissioner has had a copy of to review. Mr. Nadeau discussed with the Commission all the projects he has overseen for the town, grants he has obtained, building permits issued. Mr. Nadeau told the Commission that the salary he is asking for of \$85,000.00 is in line with the work he does for the town. Comments from the Commission: Vice Mayor Lishamer asked Attorney Denhardt asked if there is any thing in the proposed contract/resolution that has changed that the Commission should be aware of. Attorney Denhardt said the salary, benefits, vesting and severance allotment is changing along with other minor changes. Commissioner Holmes stated that Mike has done an outstanding job in the projects he has mentioned, but Commissioner Holmes would like to point out that the position description for the Building Official requires that most all of the items are to be fulfilled by the Building Official. Commissioner Holmes said he has studied the cover letter and the attached resolution of the proposal and the majority of the items contained in the resolution are in contravention to the Policy and Procedure Manual pertaining to all town employees. Commissioner Holmes has also reviewed spreadsheets pertaining to Building Official's salaries throughout the state of Florida and cannot find any suitable comparison to justify this salary request increase. Commissioner Holmes told the Commission that based on his research and on current policies and procedures pertaining to benefits to our employees, (and he is addressing the proposed contract only); Commissioner Holmes moves to not approve this contract/resolution, seconded by Commissioner Reynolds. Discussion: Commission Reynolds mentioned the increase of life insurance from 10 thousand to 100 thousand and car allowance and questioned if these monies were in the budget. Commissioner Armstrong stated she is outraged with the demand and this level of increase and perceives it as an attempt to hold the town hostage in a way to achieve a vote of confidence and she cannot give him that. Mike Nadeau stated he would consider a termination without cause and be given his severance pay. At this time Mayor Beyrouti opened the discussion up to the residents. There were comments to the Commission both for and against Mike Nadeau and the request for the increase salary and benefits. Residents on record, Charles Parker, Christy Herig, John Elliot, Janet Campisi, Barbara O'Neil, Ralph Leon, Richard Greenberg, Doris Boggs, Mr. Diez, Rick Loper, Carol Price, John Page. Roll call on motion and second to not to approve the contract and increase in salary, all yes.

Building Department Discussion

Mayor Beyrouti explained this discussion is in regard to a petition that was given to the town in regard to Mike Nadeau. Mayor Beyrouti explained that this item has been discussed at a previous workshop and then at the regular meeting of July 12, 2005; the Commission was asked to investigate this petition as there are serious allegations and bring these findings to this meeting. Mayor Beyrouti asked the Commission to report their findings and Mayor Beyrouti would like to have closure on this matter for both the town's sake and Mike Nadeau. Commission comments: Commissioner Armstrong reported that in her investigation she has come to the conclusion that the developers have showered praise and homeowners who have had contact with Mike either expressed satisfaction or raging inequity. Commissioner Armstrong thanked everyone who has called or written to share his or her opinions, as it is crucial to this matter. Commissioner Armstrong stated she has a great respect for the Building Official position and the enormity of the current workload placed on the department as the town is under redevelopment and also respect the concerns the citizens that she was chosen to represent. Commissioner Armstrong stated she would suggest Mike handle permits for contractor and developers and mentor a new employee for the department who would take care of the residents needs. Commissioner Reynolds

stated he has spoken to many people who have signed the petition and four or five of them were not sure in what they were signing. The most profound concern from the residents were they felt they were not treated with dignity and respect. Vice Mayor Lishamer stated she also had the same comments from people as the previous Commissioners. Commissioner Holmes stated he has talked to a lot of residents, some who signed the petition and some who had not, and also received phone calls. Commissioner Holmes told the Commission that problems that stem from investigations are that you fall into a "he said she said" situation. Commissioner Holmes stated Mike fulfills the position as the building official by having all the correct licenses and certificates, but the way he pursues the job and people (no everyone) there definitely seems to be a problem. Commissioner Holmes feels the questions is whether can the town retain Mr. Nadeau in the position of building official and can he satisfy the requirements of his position description or the desires placed upon him by the Board of Commissioners as to how they would like for him to approach the execution of his position and possibly to make a better communication stream with the residents of the community. Mayor Beyrouiti told the Commission that from what he has heard and knowing Mike Nadeau that he does not believe that it is to the advantage of Mike Nadeau or to the town's advantage to retain him as the town's building official. Mayor Beyrouiti is recommending terminating Mr. Nadeau with no cause. Vice Mayor Lishamer moved to terminate Mike Nadeau without cause, seconded by Commissioner Holmes. Mike Nadeau told the Commission he will terminate in 30-days. Roll call on motion and second: all yes.

Appeal to Board of Adjustment's Decision – 103/105 & 107/109 175th Avenue

Mayor Beyrouiti announced he would be abstaining from voting, as he owns a property on 175th Ave. and he will fill out the conflict of interest form with the Town Clerk. Mayor Beyrouiti explained that an appeal has been made on the decision of the Board of Adjustment to allow cabanas on the rooftop of the buildings. Christy Herig addressed the Board on her appeal of the decision of the Board. Ms. Herig voiced concern of allowing buildings over 35 feet in height and having a tunnel of four story buildings leading into a residential neighborhood. After discussion, Commissioner Reynolds moved to deny the appeal and to uphold the decision of the Board of Adjustment, seconded by Vice Mayor Lishamer. Roll call: Commissioner Armstrong, no; Commissioner Reynolds, yes; Commissioner Holmes, yes; Vice Mayor Lishamer, yes; Mayor Beyrouiti, abstained.

Resolution 14-05 Referring Proposed Ordinance to Planning & Zoning Board as the Local Planning Agency

Attorney Denhardt read Resolution 14-05 by title. Vice Mayor Lishamer moved to approve Resolution 14-5, seconded by Commissioner Reynolds. Roll call: all yes.

Appointment to PSTA

Commissioner Armstrong moved to appoint Indian Rocks Beach Commissioner R.B. Johnson as representative to the PSTA Board from October 1, 2005, expiring September 30, 2005, seconded by Commissioner Holmes. Roll call: all yes.

Resolution 12-05 Levy of th 5th Cent Tourist Development Tax

Attorney Denhardt read Resolution 12-05 by title. Commissioner Armstrong moved to approve Resolution 12-05, seconded by Commissioner Holmes. Roll call: all yes.

PUBLIC COMMENTS

Mr. Diez suggested to the Commission that when hiring a new Building Official consider someone to deal with residents and another to deal with developers.

Mr. Casey Wojcek spoke to the Commission with a concern of the new Eminent Domain Law, and blighted areas. Mr. Wojcek will volunteer on a committee to assist the Commission in efforts to develop regulations and policies to protect the citizens of Redington Shores. Mr. Wojcek asked how the Town could remove the designation of blighted area in the Central Business District now that the undergrounding has been completed. Mayor Beyrouiti said he would look into removing the designation.

MISCELLANEOUS

Mayor Beyrouiti announced the following meeting dates:

Special Meeting Thursday, August 25, 2005 – 7:00 p.m. – Adopt Proposed Millage and Ad Valorem Tax and Amend and Adopt 2005/2006 Tentative Budget

Workshop Meeting – Tuesday, August 30, 2005 – 4:00 p.m.

Special Meeting, Wednesday, September 7, 2005 – 5:15 p.m. Amend and Adopt FY 2005/2006 Final Millage and Advalorem Tax; Amend and Adopt FY 2005/2006 Final Budget

Regular Meeting – Tuesday, September 13, 2005 – 7:00 p.m.

Commissioner Armstrong encouraged all to purchase their 50th Anniversary Luau Tickets.

Respectfully submitted

Mary F. Palmer, CMC
Town Clerk