

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
REGULAR MEETING  
Tuesday, August 12, 2003, 7:00 p.m.  
MINUTES**

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

APPROVAL OF MINUTES – July 8, 2003 Regular Meeting; August 5, 2003 Workshop Meeting

Commissioner Holmes moved to approve minutes as submitted, seconded by Commissioner Kaplani. Roll call: all yes.

APPROVAL OF BILLS

Commissioner Holmes moved to approve the bills as submitted, seconded by Commissioner Reynolds. Commissioner Kaplani expressed concern that HDR Engineering has not come before the Commission with a report. Mayor Beyrouiti explained that the Commission voted to have a committee work with HDR Engineering, and that all of their meetings are posted and open to the public and all Commissioners have been invited to attend. Mayor Beyrouiti also told the Commission HDR will bring before the Commission a final presentation. After further discussion, roll call was taken: Commissioner Kaplani, no; Commissioner Reynolds, yes; Commissioner Holmes, yes; Mayor Beyrouiti, yes.

COMMISSION REPORTS

Mayor Beyrouiti

*Flags* - Mayor Beyrouiti reported to the Commission that the American flags for Gulf Boulevard need to be replaced as they are all torn. A price has been obtained from the maintenance department of \$1,056.00 to purchase 48 flags. Commissioner Kaplani moved to approve the purchase of the flags, seconded by Commissioner Holmes. Roll call: all yes.

*Gulf Boulevard Beautification* – the BIG-C has formed a committee to seek funds for Gulf Boulevard Beautification, with the help of Congressmen Young. The County has given a resolution of support for this effort. The Town is in the process of re-landscaping the islands and the tress should be going in on Monday and the irrigation is completed.

*Sewer* – No report.

*Town Picnic and Recycling Rally* - is slated for Saturday, October 11, 2003 at Constitution Park.

*American Assembly* – Five task forces have been formed and will have their first report to the Mayor's Council in December.

*Urban Design Committee* – Public Hearing will be held Tuesday, August 19, 2003 at 6:00 p.m. HDR will give a draft presentation. All residents and Commissioners are encouraged to attend.

Commissioner Reynolds, Commissioner District No 2

*Lawsuits* – Two of the three lawsuits have been resolved without haveing to go to court. The property owner of the third lawsuit has obtained a lawyer, so this should speed up the process.

Commissioner Kaplani, Commissioner District No 3

Commissioner Kaplani spoke of a memo from the Chamber in regard to a firefighter who is ill with cancer and asked if there is any money in the budget to send to the family. Attorney Denhardt told the Commission that unfortunately this would be an improper use of public funds, but each individual Commissioner and resident can make private donations.

*Parsley Park* – Commissioner Kaplani is very excited to hear about the Parsley Park sale, this will be a plus for the community. If there is any way the Town can be involved to have them become part of Redington Shores, we should. There is disappointment for the seniors who will have to move and maybe there can be talks in regard to helping them relocate.

*Parks* – A grant is being worked on for Del Bello Park, seeking improvements to the fishing pier, pavilions and a water fountain.

Commissioner Kaplani spoke to the Commission of possibly having a joint meeting once a year with the elected officials from all three Redingtons and the residents; to express any concerns, ideas, etc.

#### Commissioner Holmes, Commissioner District No 4

*Indian Shores Police Department* – Commissioner Holmes reviewed the police report, all categories are up from last year. Commissioner Holmes has asked Chief Williams to have the officers be more aware of junk violations on property.

*Town Administrator* – The contract with Mr. Bob Chambers has been signed. Meetings scheduled for this week with the elected officials have been cancelled due to a death in Mr. Chamber's family; the meetings will be set up for next week.

*Town Clerk* – Newly appointed Town Clerk Mary Palmer was sworn in by Attorney Denhardt.

## **OLD BUSINESS**

### Ordinance No 03-02, Amendment to Section 106-1, Hours of Operation at Parks Second Reading - Commissioner Kaplani

Attorney Denhardt read Ordinance No 03-02 by title only. Commissioner Kaplani moved to approve Ordinance No 03-02 on seconding reading, seconded by Commissioner Holmes. Roll call: all yes.

### Ordinance No 03-03, Amendment to Section 140-15, Parking at Constitution Park, Second Reading - Commissioner Kaplan

Attorney Denhardt read Ordinance No 03-03 by title only. Commissioner Kaplani moved to approve Ordinance No. 03-03 on seconding reading, seconded by Commissioner Holmes. Roll call: all yes. Commissioner Kaplani reported he had received a call from a resident in regard to adults using the new equipment at Constitution Park and was wondering if any signs could be put up in regard to usage of the equipment. Mike Nadeau told the Commission the sign that will be placed at the site should have verbiage on it in regard to this matter.

### Refuse and Recycling Bid Award – Commissioner Holmes

Commissioner Holmes told the Commission two bids have been received and the Commission has reviewed both. Commissioner Holmes moved to approve the bid from BFI for three-years, seconded by Commissioner Reynolds. Roll call: all yes.

### Appointment/Reappointment to Boards - Mayor Beyrouti

Mayor Beyrouti told the Commission he would be tabling his appointments until next meeting. Commissioner Holmes moved to appoint Joe Chapko to the Parks and Recreation Committee, representing District 4, seconded by Commissioner Reynolds. Roll call: all yes.

### Appointment to Library Board – Commissioner Holmes

Commissioner Holmes moved to reappoint Edna Folio to the Library Board, seconded by Commissioner Kaplani.

Roll call: all yes. The Commission thanked Edna for all her time and hard work.

Mayor Beyrouti reported to the Commission in regard to a meeting he attended at the City Of Madeira Beach with representatives from Madeira, Redington Beach and North Redington Beach. It appears that the City of Treasure Island who shares the library with the above municipalities, does not want to pay the cost allocated to their City for use of the library; they want to pay a lower cost. The cost share is based per capita. A meeting will be set with the representative of all five of the municipalities to discuss this issue. Mayor Beyrouti announced the new Seminole Library is opened and encouraged all to stop by to see it.

Resolution No 10-03, Florida Gulf Beaches Half-a-Thon - Mayor Beyrouti

Attorney Denhardt read Resolution No 10-03 by title only. Commissioner Reynolds moved to adopt Resolution No 10-03, seconded by Commissioner Holmes. Roll call: all yes.

Resolution No 11-03, Land Use Amendments - Commissioner Reynolds

Attorney Denhardt read by title only Resolution No 11-03. Attorney Denhardt explained that this resolution refers to three proposed ordinances amending land uses in the zoning districts. If the Commission approves this resolution it is then referred to the Planning and Zoning Board who is designated the Town's Local Planning Agency (LPA). The LPA will review the proposed ordinances for compliance to the Comprehensive Plan and report back to the Commission with a recommendation as to passage of the ordinances. The Commission will hold two advertised public hearings on these ordinances. Commissioner Kaplani expressed concern with the amendment allowing 100 feet for commercial business on properties on the west side of Gulf Boulevard. It was discussed of possibly lowering this number to 50 feet. After further discussion, Commissioner Holmes moved to adopt Resolution 11-03, seconded by Commissioner Reynolds. Roll call: Commissioner Kaplani, no; Commissioner Reynolds, yes; Commissioner Holmes, yes; Mayor Beyrouti, yes.

Special Master - Vice Mayor Lishamer

Mayor Beyrouti told the Commission that two resumes have been received and the Commission has had time to review. This action can be considered tonight or the Commission can wait till next meeting. Commissioner Kaplani moved to accept the bid of Attorney Dominic Amadio. Motion died for lack of second. Commissioner Holmes told the Commission he has worked with both Attorneys' in the past while being on the Redington Beaches Fire Board. Commissioner Holmes moved to accept the bid of Attorney Ed Peck. Motion died for lack of second. Commissioner Reynolds told the Commission he has tried to interview both Attorneys' but has not been able to do so. This item is tabled until the next meeting.

Commissioner Kaplani told the Commission he received a call from resident Cal Johnson in regard to the maintenance personnel painting half his driveway. It was the advise of Attorney Denhardt that it would be inappropriate to discuss due to the pending lawsuit.

Landscape Design 175<sup>th</sup> Ave. East - Vice Mayor Lishamer

Mike Nadeau told the Commission he is still seeking bids for the design. This will be an agenda item for the next meeting.

Neighborly Care Network Request for Funds FY 03/04 - Mayor Beyrouti

Commissioner Holmes told the Commission they are asking for a donation of \$2,500.00. Commissioner Holmes moved to support the request for \$2,500.00, seconded by Commissioner Kaplani. Roll call: all yes.

FY 2003/2004 Millage and Budget Discussion - Mayor Beyrouti

Mayor Beyrouti told the Commission the Finance Committee put together a very healthy and conservative

budget this year; and the millage will remain the same at 1.68, the second lowest in the county. Mayor Beyrouti is recommending to the Commission to increase the hourly rate of Mike Loy from 11.70 per hour to 12.65, and Brad Kelley from 9.23 to 10.00, all are receiving a 3% COLA per a previous meeting. Commissioner Kaplan moved to give a raise of \$2,500.00 across the board for the maintenance personnel. Motion died for lack of second. Commissioner Holmes moved to approve 3% (COLA) increase for Steve Jordan, from \$14.90 to \$15.35, for Mike Loy \$11.70 to \$12.65, for Brad Kelley, \$9.23 to \$10.00, seconded by Commissioner Reynolds. Roll call: all yes.

## **NEW BUSINESS**

### Gulf Beaches Library 2003/2004 Contract – Commissioner Holmes

Commissioner Holmes told the Commission the contract has been received. Commissioner Holmes moves to approve the contract for \$32,030.00 for FY 30/04, seconded by Commissioner Reynolds. Roll call: all yes.

### Approve Five Year Capital Improvement Plan - Mayor Beyrouti

Commissioner Reynolds moved to approve the Five Year Capital Improvement Plan as presented, seconded by Commissioner Holmes. Roll call: all yes.

### Appoint Charter Review Committee - Mayor Beyrouti

Mayor Beyrouti told the Commission this item has been previously discussed. The consensus of the Commission is to comprise the committee of one resident from each district and one Commissioner. The residents will be nominated, not appointed, by each district Commissioner. Mayor Beyrouti reported both Commissioner Kaplani and Vice Mayor Lishamer have offered to sit on the committee. After discussion it was decided for each Commissioner to bring the person they are nominating to the next workshop meeting. Mayor Beyrouti told the Commission one of the main issues the committee will be discussing, is changing the current form of government (Mayor/Commissioner) to a City Manager form of government.

### Appointment to Pinellas County Construction Licensing Board (PCCLB) - Mayor Beyrouti

Mayor Beyrouti explained to the Commission that the PCCLB has never had a beach representative on the board. The BIG-C worked hard with Representative Carassas to change the legislation and the bill passed. Mayor Beyrouti recommends nominating Mike Nadeau to the board. After discussion, Commissioner Reynolds moved to appoint Mike Nadeau to the PCCLB, seconded by Commissioner Holmes. Roll call: all yes.

### Appeal, Board of Adjustment - 17715 Long Point Drive - Commissioner Reynolds

Resident Mr. Sanchez reviewed with the Commission his request to the Board of Adjustment. Due to a survey error the plans were wrong in regard to the setbacks. The applicants are requesting a variance of 4 ½” in the front and 5” in the rear. Mr. Sanchez has letters of no objection from both neighbors. After discussion Commissioner Kaplani moved to grant the appeal, seconded by Commissioner Reynolds. Roll call: Commissioner Kaplani, yes; Commissioner Reynolds, yes; Commissioner Holmes, no; Mayor Beyrouti, yes.

## **PUBLIC COMMENTS**

Resident Fred Hammesphar spoke to the audience in regard to an AARP Town Hall meeting to be held in Palm Harbor on Wednesday, August 20, 2003.

Mr. & Mrs. Alexander spoke to the Commission about a piling in the water by their home that is in need of repair and has been for over a year. Mayor Beyrouti explained that the Town has been working with the County on this issue. It was suggested that the Alexander's' also call the County.

Attorney Denhardt told the Commission the lawsuit with Kamminga & Roodveots has been filed. Vice Mayor Lishamer, Mike Nadeau and Attorney Denhardt met with two representatives from Kamminga & Roodveots last week and it is possible that this matter will be resolved without having to go to court. Kamminga & Roodveots

would like confirmation from the Town that if they do fix the problem areas the Town would relieve them from any other obligations with the outfalls. Attorney Denhardt told the Commission it was never really clear in the original specifications on how to construct the outfalls and the engineers now have specifications on how to correct these problems. After discussion, Commissioner Holmes moved to authorize Attorney Denhardt on behalf of the Town to settle the issues with the seven to eight outfalls with Kamminga and Roodveots, seconded by Commissioner Reynolds. Roll call: all yes.

**MISCELLANEOUS**

Mayor Beyrouti announced the following meeting dates:

Special Meeting - Wednesday, August 27, 7:00 p.m., Adopt FY 2003/2004 Proposed Millage and Budget

Workshop Meeting - Tuesday, September 2, 2003, 7:00 p.m.

Special Meeting - Monday, September 8, 2003, 5:15 p.m., Adopt FY 2003/2004 Final Millage and Budget

Regular Meeting - Tuesday, September 9, 2003, 7:00 p.m.

Commissioner Kaplani asked if the workshop meeting and the budget meeting could be combined. It was explained that the meetings must be separate, per state law.

Commissioner Kaplani asked Mayor Beyrouti about his comment that Commissioner Kaplani violated the state law. Attorney Denhardt explained that the state law requires elected officials to vote on items that come before them unless they have an actual conflict of interest that is a pecuniary type of conflict of interest, an elected official cannot abstain from voting just because they don't want to vote on something; they must vote yes or no.

There being no further business, the meeting was adjourned.

Respectfully submitted,  
Mary Palmer, CMC  
Town Clerk