



**TOWN OF REDINGTON BEACH, FLORIDA
REGULAR MEETING MINUTES
MAY 6, 2008**

Having been duly advertised as required by law, the **Regular** Meeting of the Board of Commissioners of the Town of Redington Beach, Florida, was held on **Tuesday, May 6, 2008**, at 7:00 pm, in the Redington Beach Town Hall at 105 164th Avenue, Redington Beach, Florida

Mayor Simons called the Regular Meeting to order.

Mayor Simons led the **Pledge of Allegiance**

Roll Call:

| | Present | Absent |
|-------------------------|---------|--------|
| Commissioner Fox | x | |
| Commissioner Drillick | x | |
| Commissioner Steiermann | x | |
| Vice Mayor Deighton | x | |
| Mayor Simons | x | |
| Town Attorney Salzman | x | |
| Deputy Clerk Clarke | x | |

Motion by Vice Mayor Deighton and seconded by Commissioner Drillick to approve the Agenda with two additions under NEW BUSINESS; consideration of ordinance posting permits and Gulf Boulevard repaving. **Agenda approved with all ayes.**

PUBLIC FORUM- Non Agenda Items only

Antonio Tamburri of 15501 Gulf Boulevard spoke of his concern regarding the cross walks. He is requesting the lines be painted yellow instead of white to alert drivers. *Poul Madsen of 16108 6th St. E* spoke of the need for the white lines to be repainted in front of the stop signs around Town. He also spoke of his concern regarding the shower at the resident beach parking area and asked if it could be raised up.

Sam Maniotes of 16017 Redington Drive spoke of his concerns of the Commission's vote regarding the lawsuit and code violation of the Melton case.

REPORTS

Public Safety – Commissioner Fox

- Sheriff's contract is expecting an increase of 6% for 2008-09 fiscal year.
- Hurricane Awareness workshop will be held Wednesday, May 28, 2008, 6:30 pm
- Review of costs for the weekend special detail versus the benefits. We will monitor to determine the average speed of drivers, and provide more information.

Building – Commissioner Drillick

- Met with Mark Davis and reviewed the Town ordinances in Chapter Five and Six.
- Attended Board of Adjustment meetings with the intent of updating Town's code of ordinances.
- Reinvestigated the denied permit of 501 161st Ave. Reinvestigation confirmed original decision.

Public Works & Parks – Commissioner Steiermann

- Nothing to Report

Finance – Vice Mayor Deighton

- Attended the Suncoast League Seminar annual session. Students from USF are available for government projects, if Town Hall needs some research done.
- Energy Audit for Town hall, had been done in the past, however, no results were received.

Mayor Simons

- Attended the Big C meeting. Ronnie Duncan spoke on affordable housing.
- Beach Conditions Reporting System link should be added to website.
- Gulf Boulevard Beautification Program update, still looking into releasing funds to towns.

Deputy Clerk

- Will be attending an on-line class in Technical Writing and Communications in Public Service, to work towards Certification

Attorney Salzman

- Nothing to Report

Boards or Committees Report

- Ed Fernandez, Chairman of the Planning Board, on behalf of the Town, attended the Mayor’s Green Expo. He presented the Mayor’s Green City Award to Mayor Simons and a plant to be planted in Friendship Park

CONSENT AGENDA Workshop and Regular Meeting Minutes of April 15, 2008 and Bill list for week ending May 2, 2008. Motion by Vice Mayor Deighton to approve the consent agenda and bill list, seconded by Commissioner Fox; approved with all ayes.

| | Motion | Second | Aye | Nay | Absent |
|-------------------------|--------|--------|-----|-----|--------|
| Commissioner Fox | | x | x | | |
| Commissioner Drillick | | | x | | |
| Commissioner Steiermann | | | x | | |
| Vice Mayor Deighton | x | | x | | |
| Mayor Simons | | | x | | |

Consent Agenda adopted with five affirmative votes.

OLD BUSINESS

a. Estimate for Seawall – Commissioner Steiermann presented a pre bid that was received for the seawall. This information needs to be reviewed by the Finance Committee.

b. Estimate for Firehouse – Commissioner Steiermann presented bids received for the removal of the firehouse roof as well as a proposal to remove the second floor and rebuild the roof to match Town Hall. This information will also be reviewed by the Finance Committee.

NEW BUSINESS

a. Board of Adjustment Appeal - Attorney Peter Meros presented an appeal against the April 17 Board of Adjustment decision. Attorney Salzman swore in all the witnesses who will speak during the appeal. Attorney Meros called Lenka Malkova of 15566 Gulf Boulevard, to speak of her concern regarding the placement of the generator. Her three issues are the noise decibel level, the depreciation of property value, and carbon monoxide emissions.

Bill Sheehan, a contractor for over thirty years, and code enforcement board member spoke. He said the National Fire Prevention code states that the unit must be at least 5 ft. from any combustible material as well as 5 ft. away from any window, the Dobon’s plan does not comply. He offered alternative placement of the generator that would be in compliance.

Peter Sturgis, a mechanical engineer reviewed the specifications of the proposed generator and indicated that sound is pressure and the decibel level would be questionable if it is next to the house due to “echoing”.

Questions were asked regarding the noise ordinance.

Luis Dobon of 15572 Gulf Boulevard spoke in defense of the generator. He made several points in regard to Lenka Malkova’s appeal:

1. Keep the area aesthetically correct
2. An air conditioning unit has a louder decibel rating than the proposed generator

3. He promised to put foliage to deaden the sound more and to cover the “eye sore”
4. Needs generator close to breaker box to prevent voltage drop
5. Carbon monoxide is not a safety issue from Clearwater Gas Company
6. Generator has Sound Shield Technology

John Kostreles of Pinellas County Building Department spoke in regards to the ordinances that were mentioned. He indicated the Town of Redington Beach’s noise ordinances are gray. The FEMA regulations have been addressed. The front of the house is FEMA compliant; however the back of the house is not FEMA compliant. The generator could be put down below the fence where it would be hidden. Kostreles indicated that the permit has not been issued.

Mayor Simons asked Mr. Dobon why he has not applied for the permit. Mr. Dobon indicated that he is waiting for architectural drawings of the platform before he applies for the permit. Mayor Simons also indicated that he would like to see the two parties involved compromise.

Attorney Salzman advised the Commission of their options: 1. Deny; 2. Approve; 3. Have reasonable restrictions in keeping with the variance; and 4. A combination of all the above.

Motion by Vice Mayor Deighton to table the decision until the next regular scheduled meeting of May 20, 2008, to give the parties a chance to meet and try to come to some compromise, seconded by Commissioner Fox, motion passed with all ayes.

| | Motion | Second | Aye | Nay | Absent |
|-------------------------|--------|--------|-----|-----|--------|
| Commissioner Fox | | X | x | | |
| Commissioner Drillick | | | x | | |
| Commissioner Steiermann | | | x | | |
| Vice Mayor Deighton | X | | x | | |
| Mayor Simons | | | x | | |

Motion passed with five affirmative votes.

b. Waste Services Contract - Discussion of the current contract with Waste Services. Currently the Town is contracted with Waste Services and Pinellas County Utilities bills our residents. The County then sends revenues to the Town. If Town discontinued being the middle man, there would be no need to budget this item. The Commissioners will review North Redington Beach’s contract, prior to the next regular meeting, and forward comments to the attorney. **Motion** by Commissioner Drillick to have the residents billed directly by waste service provider, seconded by Vice Mayor Deighton. Motion passed with all ayes.

| | Motion | Second | Aye | Nay | Absent |
|-------------------------|--------|--------|-----|-----|--------|
| Commissioner Fox | | | x | | |
| Commissioner Drillick | X | | x | | |
| Commissioner Steiermann | | | x | | |
| Vice Mayor Deighton | | X | x | | |
| Mayor Simons | | | x | | |

Motion passed with five affirmative votes.

c. Consideration of Changing Ordinance – Commissioner Drillick proposed two changes in ordinances relating to posting of permits. Attorney Salzman will review and make necessary changes and set for the 1st reading at next Board meeting.

d. Gulf Boulevard Paving – Commissioner Steiermann indicated that the crosswalks were going to be ground-off and asked what cross walks should be kept, if some should be eliminated. This is only a suggestion for DOT; they ultimately have the final say. Mayor Simons indicated that the residents should have input on this. This will be an agenda item for the next regular meeting. This will also be posted on the website.

RESOLUTIONS

Resolution 2008-16

A Resolution of the Town Commissioners of the Town of Redington Beach, Florida Authorizing Transfer of Funds from SBA “A” Accounts, Stormwater, Capital, and General to Fifth Third Bank Respective accounts and providing for an effective date.

Attorney Salzman read the Resolution by Title. Vice Mayor Deighton reiterated the history of SBA transfer of funds from the “B” account to the “A” account; this is an action prompted by Town Resolution 2008-9 to document withdrawals from SBA to Fifth Third accounts. No Board discussion

Motion made by Vice Mayor Deighton and seconded by Commissioner Fox to adopt Resolution 2008-16.

| | Motion | Second | Aye | Nay | Absent |
|-------------------------|--------|--------|-----|-----|--------|
| Commissioner Fox | | x | x | | |
| Commissioner Drillick | | | x | | |
| Commissioner Steiermann | | | x | | |
| Vice Mayor Deighton | x | | x | | |
| Mayor Simons | | | x | | |

Resolution 2008-16 is adopted with five affirmative votes.

Resolution 2008-14

A Resolution of the Board of Commissioners of the Town of Redington Beach, Florida, Authorizing Transfer of Funds from Fifth Third Bank to Patriot Bank, and Providing for an Effective Date.

Attorney Salzman read the resolution by title. Vice Mayor Deighton said this Resolution was previously tabled for further investigation into another fund. The penalties were too great to move the money to a different bank CD. **Motion** by Vice Mayor Deighton and seconded by Commissioner Steiermann to adopt Resolution 2008-14.

| | Motion | Second | Aye | Nay | Absent |
|-------------------------|--------|--------|-----|-----|--------|
| Commissioner Fox | | | x | | |
| Commissioner Drillick | | | x | | |
| Commissioner Steiermann | | x | x | | |
| Vice Mayor Deighton | x | | x | | |
| Mayor Simons | | | x | | |

Resolution 2008-14 is adopted with five affirmative votes.

OTHER BUSINESS

Discussion was made to change the ordinance in regard to Board of Adjustment decision appeals. The option phrase ‘Trial De Novo’ (new trial) needs to be reviewed. An appeal should go directly to court, which is completely independent of the Board of Adjustment. Attorney Salzman will recommend changes to the current ordinance on appeals.

No further business. **Motion** by Vice Mayor Deighton and seconded by Commissioner Drillick to adjourn. All ayes. **Regular Meeting adjourned at 10:30 pm.** Workshop scheduled to follow the regular meeting was postponed until the next regular meeting.

Adopted: May 20, 2008

Missy Clarke, Deputy Town Clerk