

TOWN OF REDINGTON BEACH, FLORIDA WORKSHOP & REGULAR MEETING MINUTES January 17, 2006

Having been duly advertised as required by law, the **WORKSHOP MEETING** and the **REGULAR COMMISSION MEETING** of the Board of Commissioners of the Town of Redington Beach, Florida, was held on Tuesday, January 17, 2006, at 7:00 PM, in the Redington Beach Town Hall at 105 – 164TH Avenue, Redington Beach, Florida.

Call to Order – Mayor Wilson called the Workshop Meeting to Order at 7:00 p.m.

Roll Call:	Commissioner Bradbeer	-	Present
	Commissioner Maniotes	-	Present
	Commissioner Baraybar	-	Excused Absence
	Vice Mayor Peck-Epstein	-	*Excused Absence
	Mayor Wilson	-	Present

(*Retrieved phone message called in at 4:37 on January 17th, 2006, the morning of January 18th from Vice Mayor Peck-Epstein that she would be absent for this meeting.)

Also present were Town Attorney Dominic Amadio, and Town Clerk Beverly M. Brown.

1. Approval of Agenda (Workshop Meeting)

Commissioner Maniotes suggested that the Workshop should be to brainstorm—try to move the Agenda along. Mayor Wilson suggested that a discussion on the next Agenda as to how the meetings should be formatted.

2. Public Forum:

Anna Yadevia – 302 162nd Avenue

Voiced her concerns concerning the Town Park. She had a birthday party with about 30 people in the park. They were unable to use the grill because it has holes in it, is very old and rusted out. The water fountain was nasty. Her daughter sat down on one of the benches and got a 3” splinter in her thigh. The Park Board should spend the \$6,000 budgeted for Friendship Park on Town Park instead. New benches are definitely needed. Mayor Wilson asked Mark Davis to comment on the grill and/or water fountain. Mark said the water fountain was working fine on Friday. Ms. Yadevia replied that the water looked dirty—it was brown and nasty. Mark stated that the fountain was hooked up to County water. Mayor Wilson suggested that the County be asked to do a water quality test on the water coming out of the fountain. Mark will communicate with the Park Board the need for new benches and a new grill.

3. Reports

A. Public Safety

No report.

B. Building Commissioner – Commissioner Bradbeer

Commissioner Bradbeer had some questions regarding Public Safety; but since Vice Mayor Peck-Epstein was absent, she will hold those questions.

She asked the Town Clerk if the Transitional Meeting was set up yet. The reply was yes: January 26th at 9:00 a.m.

She drove through the Town and brought up some things to Mark that needed to be looked into.

C. Public Works/Parks & Recreation

No report. Commissioner Maniotes asked what the status of the water line was. Mayor Wilson replied that Mark Davis will bring that up in his report.

D. Finance – Commissioner Maniotes

Commissioner Bradbeer asked Commissioner Maniotes when the Finance Committee will be held to discuss long-range planning. She felt there needed to be more than two people on the Finance Committee. She went over the Ordinance regarding the Storm Water Utility Fund, and it looks like, according the Florida Statutes, that the Town needs to maintain the Strom Water Fee of \$2.50. She also got copies of the Town's balances and is concerned about the low surplus. She feels that this is insufficient and that there are a lot of issues to discuss. Commissioner Maniotes said that they are looking for volunteers to serve on the Finance Committee so that they can address issues such as those brought up by Commissioner Bradbeer; but volunteers are hard to find since no one seems to want to do that job.

E. Mayor's Report

Mayor Wilson reported that Terry Dillon is back on the job and is feeling much better. A letter was received from Richard Mayer from SWFWMD which approved the bid documents submitted by TBE Group on December 29, 2005. All that remains is to submit an invoice for payment when construction begins. Six contractors have picked up bid packages. Mr. Mayer is happy with the progress. He anticipates that the project will be on schedule. Commissioner Maniotes requested a copy of the bid package. Mayor Wilson said that the ad was a very large one with lots of specifics. The Insurance Service Office will be coming to town this month to update their classifications for the Town. Mayor Wilson said that a Draft Agreement has been received from North Redington Beach to address the division of revenue from traffic fines. They are going to review it and then forward it to us to review. Commissioner Maniotes asked if this was formalizing the verbal agreement. Reply: Yes.

F. Town Attorney

A decision has been received regarding Nancy Eigenhouse's unemployment appeal. The decision was that she did not qualify to receive it.

G. Public Works

Mark Davis addressed Commissioner Maniotes' concern about the water leak. He sent a memo to the Commissioners on January 6, 2006, addressing the issue of the \$600 water bill which was as a result of the leak. Mark said that leak has been taken care of, except that now there is a problem with the shower. All these issues will be taken care of this week. Commissioner Maniotes asked where the leak was. Mark replied that it was in the sea grape trees on the south side—it may be a defect in the pipe itself. He said that in the future, it may have to be re-routed since the sea grape tree roots may be tearing it up. Commissioner Bradbeer asked if Mark checked the water meters at the Parks. Mark replied that the water meters have been removed or disconnected because we have reclaimed water now. There are a couple exceptions—the two parks (showers) that have potable water. Commissioner Bradbeer felt that any water meter that is measuring use of water such as the showers should be checked on a regular basis to avoid any other large water bills.

H. Town Clerk

Town Clerk Brown stated that she negotiated the last easement for the stormwater project about the same time it went out to bid for the contractor. We were able to bypass the area where the woman wanted a brand new sea wall (on Redington Drive). Commissioners asked if the drain was not replaced, would it deteriorate or collapse. Mark replied that if the drain is going to be abandoned, it should be pumped full of concrete. Town Clerk Brown said that the pipe was not going to be eliminated. Mayor Wilson said the pipe will continue to be used but will not be upgraded. Commissioner Bradbeer asked if there was a spreadsheet on all the pipes in Town with a life expectancy on the pipes and when they need to be replaced. Town Attorney Amadio stated that all the pipes were going to be replaced. Mark said there is an Outfall Inventory, and that the life expectancy is determined by what the pipe is made of. Mayor Wilson thanked Town Clerk Brown for securing the last easement.

I. Boards

Planning Board – Mark Deighton, Vice Chairman

The Planning board held the initial EAR workshop on Tuesday, January 10th, identifying the issues that people felt were facing the Town and which needed to be addressed looking toward the year 2020. He handed out a schematic that shows how the workshop works. The process should be completed by March, 2008. Mayor Wilson asked when Nancy Smith's comments would be coming back to the Town. Mr. Deighton thought they might be back to us perhaps this week sometime. The Mayor stated that she had a letter from Larry Pflueger looking for confirmation that the Pinellas Planning Council or its representative will be doing our EAR Report. Mr. Deighton confirmed that was correct. It is an advantage to us that Gail Easley will be compiling our EAR Report, because at the time we made this decision, the Planning Board had members going out and coming in. It was not a stable Board; so we decided that having a professional do the whole thing would be better for us. To that end, we had put in \$30,000 to have this completed. It was approved and put in the budget for this year. The Pinellas Planning Council is being paid for part of this to be done. So, our budget of \$30,000 is diminishing as all of these things are being done for us and partially being paid for by the Pinellas Planning Council. At the point that the time that they have contracted with Gail Easley runs out, we will have to begin paying for things ourselves. The way it appears at this point, it's not going to exceed the \$30,000

we budgeted. So, things are working out well for us from that standpoint. Mayor Wilson asked how we specify that we want to use Gail Easley to do this work. Mr. Deighton explained that the Pinellas Planning Council has contracted with Gail Easley for a certain amount of hours. When those run out, we will have to start doing the work ourselves.

Mayor Wilson announced that there is a Public Safety Workshop tomorrow evening, January 18th, from 7:00 until 8:00 p.m. with Deb Kennough from the FDOT.

Neighborhood Watch:

Dawn DeSantis announced that she is the new Program Chairman for Neighborhood Watch. She took over on Friday, January 13th, and there was a meeting Saturday, January 14th. This concept has not yet taken off in the community. She has a few new ideas and a different approach to try to make this work this time. Since we are a small town and have very little crime, rather than having weekly or monthly meetings, Dawn suggested having an event every couple of months. Events that are free for everyone and are safety-related. She's been in touch with the American Heart Association and the Red Cross to see if someone could come and do CPR Classes for adults. She's also been in touch with the Polly Klaas Foundation to see about getting ID kits so the kids can have finger printing and DNA tests done. She asked Town Clerk Brown what the budget was for Neighborhood Watch. She came up with a number, but wanted to check with Commissioner Maniotes to confirm the amount. Commissioner Maniotes said that he had looked for that Fund Number but found nothing. Dawn has an invoice for pamphlets and books that were ordered. When she called to ask about returning the merchandise, she was told that the items had been paid by credit card when they were ordered. T-shirts were also ordered but cannot be returned because they are imprinted with the Town's name. Commissioner Maniotes could not locate any transactions on the credit card and said he was unaware that there was a Town credit card—that he had never had access to it. Commissioner Bradbeer stated that the fund number for the Neighborhood Watch Program was 511.320; and at one point, there was \$250.00 in the budget for it.

4. Sea Wall – Substantial Completion Payment

Mayor Wilson said she had accompanied the County Inspector and Mark Davis on the final inspection of the sea wall. There is also on file an engineering report from Reuben Clarson, a respected Engineer, who certified the section of the wall which had blown out. Marine Contracting Group has submitted their request for payment for \$63,750. Town Attorney Amadio asked how much of that was being retained. Mayor Wilson replied that \$22,500 (15%) was being retained. \$150,000 was the contract amount; we have previously paid \$75,000. If we pay \$63,750 now, the total paid to them will be \$138,750. We received the bill on January 6, 2006. It is due 25 days after receipt. Mayor Wilson announced that Brian Midolo from Marine Contracting Group was invited to the meeting tonight to answer any questions. Mark Davis reported that, when he got back from vacation, he heard that was quite a bit of concern about the integrity of the sea wall. He sent a Memo to the Commission on January 3rd explaining the situation with the sea wall. He said that Marine Contracting got off on the wrong foot at the beginning of the project, but that was straightened out fairly quickly. In order to continue with the project, we either needed them to completely tear out this section of wall or to have a forensic study by a licensed engineer to determine the integrity of the wall. We did get a letter from a certified engineer which Pinellas County did accept. The Engineering firm is a very reputable one, and they had no reason to not accept the letter. New plans were drawn up and Pinellas

County accepted those. Inspections were made on several dates, and the final inspection was on January 9th. The Building Inspector and Mark have both been on site observing the work. As far as they are concerned, there are no problems with the wall. There have been some comments about the aesthetics of the wall, but the County does not handle this issue. Mr. Midolo is here tonight to address some of those concerns. After the final inspection was made, there were still some concerns; so on January 11th, he walked the entire length of the causeway with Mr. Midolo and made a punch list of the concerns. Mr. Midolo said he would get on those this week and try to get everything taken care of. Mayor Wilson stated that Mr. Midolo's attendance was requested at the Commission Meeting because two signatures were required on the invoice, and no other Commissioner would not sign it until the Commission had a chance to review the situation. Mayor Wilson corrected the figures reported earlier, stating that \$63,750 has been paid to Marine Contracting. That amount and the \$63,750 that is now due comes to \$127,500. We still have on retainage \$22,500. Brian Midolo introduced himself. Commissioner Maniotes asked if they were completely satisfied with the work that was done. Mr. Midolo said that Marine Contracting Group has acted completely professionally and done a good job on the sea wall. Commissioner Maniotes asked if he would stand by the wall today. Mr. Midolo replied, "Absolutely." Commissioner Maniotes asked if everything they bid for went according to their plan. Mr. Midolo replied that there were lessons learned by both MCG and the Town. Commissioner Maniotes asked from the lessons learned, what would be the number one thing that he would like to see corrected or improved in the future either on your part or our part. Mr. Midolo said that when they took the job, it was so they could begin to do business in this county. From having done the job, they learned the differences between the counties in Florida (i.e., proper inspections and a more rigorous adherence to that). Commissioner Maniotes asked how many pages were in the Bid Specifications. Mr. Midolo replied, "One." Mr. Maniotes asked if that was the smallest bid he had ever seen. Mr. Midolo replied that it was not the smallest bid he had ever seen, it had the appropriate details, but it lent itself to interpretation. Overall, he said, it was a good experience. He had a good relationship with the Town's representative, Mark Davis, and with the County. Commissioner Maniotes asked Mr. Midolo, in regards to the collapse of the wall, what did he attribute that to? Mr. Midolo said that having a blowout is not unusual, but it's also not desirable for the Contractor because it costs him money. "At the final inspection, the Building Inspector said Marine Contracting had gone beyond what was required. Those things happen when you pour 600 feet of wall. The evidence showed that the forms were secured properly," Mr. Midolo said. Paul Harris, from the audience, asked when the blowout occurred. Mr. Midolo said the blowout occurred about two hours after the pour was made. Mr. Harris asked why the plan was revised. Mr. Midolo said the original bid document was not a stamped drawing. So, when they went to the engineer to get a stamped drawing, they felt it would be advantageous to the Town to leave the existing wall cap in place and leave those "dead men" in place so that the existing wall really acted as a revetment. The engineers agreed and the County agreed, and that's why it sailed through so quickly. Mr. Harris asked about the finish. Mr. Midolo said that champered edges, which would have been aesthetically better, were not on the bid drawing. Commissioner Bradbeer said the wall really looked horrible, and that the sides of the wall are already breaking off since they are not beveled. She feels that the wall is not acceptable at all and that the Contractor should have felt that they wanted to leave the Town looking better, not worse. She said she is really having a difficult time with the finished project. She finds it inexcusable regardless of what the Specs required. Mr. Midolo said that he was sorry that Commissioner Bradbeer felt that way, but he saw no abnormal deterioration of the wall at all. Commissioner Maniotes said, "It's a learning experience on both sides. They learned from us, and we learned from them. We put ourselves in this situation. We're to blame." Commissioner Bradbeer asked for confirmation that there was a one-year warranty on the wall. Reply: Yes. Commissioner

Bradbeer asked how the Town was covered if anything happens within a year: are we permitted to retain part of the \$22,000 or is there a bond? Town Attorney Amadio replied that this is a warranty bond, and if they don't comply with it, then you have to go to court. Commissioner Bradbeer asked, "On our original Specs, did we not request beveled edges on this?" Mark Davis replied that "every little detail" was not in the Specs, and perhaps maybe he needed to include more detail. Town Attorney Amadio said, "It doesn't say in the contract, 'Make it look pretty.'" Bob Fay, Park Board Member, asked if the replacement of the sidewalks near the benches was on the Punch List or in the Contract. Reply: No. Mayor Wilson asked if Commissioner Maniotes was going to sign the check. The check was signed and given to Mr. Midolo for Marine Contracting Group.

(A 5-minute recess was taken.)

5. Part-time Employment – Public Works

(Postponed until after Item #6)

Mark Davis reported that for the last 5-6 years, money was put aside in the budget for emergency employment and also part-time employment. As the community has come up with more and more green space, it has become necessary to put more time into it than what the Public Works Department is able to do. The owner of Allison's Orchids, which has been sold, is available to do this work for us. She has a lot of gardening experience and knowledge and is very flexible regarding hours. She is aware that it is a part-time position. He said that the Parks & Recreation Board supports this idea, and he certainly does. The applicant is Cindy Repetto. Mark said that there is a mowing contractor. There is no problem with them, but in the summer, weeding is a tremendous project to take on, and it is hard to keep up with. A part-time gardener has been budgeted for this year and he is asking for the Commission's approval of hiring this person. Mayor Wilson asked if we would be better served by hiring someone who could do maintenance and gardening. Mark replied, no, that we need somebody who knows the difference between wildflowers and weeds, and doesn't get bogged down with maintenance responsibilities. Mayor Wilson suggested that we try this for 10 hours a week on a temporary basis. Mark suggested that the Commission meet with Cindy and lay out what they would expect of her. He would rather get the Commission's opinion before there are any problems. Mayor Wilson replied that Mark had been here for 28 years and that she trusts his opinion and didn't feel that it was necessary for the Commission to meet with her; but, she suggested that they add this to the next Agenda and ask Cindy to attend the meeting. Mark also expressed a desire to have the Parks & Recreation Board have input on the duties of the part-time gardener. Mr. Huffman from the audience suggested that Ms. Repetto be hired as an "independent contractor." Commissioner Bradbeer asked if the funds were really there for financing this endeavor. Commissioner Maniotes said that he could not approve this under the Public Works budget, but he had another idea where we can pull it from.

6. Proposed Resolution – Underground Utilities

Request from Big "C" to adopt resolution asking the County to pay for engineering and undergrounding of utilities, with the municipalities paying for the cost of beautification and streetscaping. Mayor Wilson said she'd like to keep it in this form. Commissioner Bradbeer asked if we had any idea of what this is going to cost us. Mayor Wilson said that's a long way down the road, and that it can be done in phases each year. The purpose of the Resolution is just to get the County to pay the huge cost for engineering and underground utilities.

Sea Wall Revisited

Mayor Wilson reiterated that we have made payment based on completion of the project. However, the project was supposed to have been completed on November 22nd. We have a right to fine that Contractor \$50 a day until the actual day of completion. We wanted to make sure that the punch list gets completed, the sprinkler system gets the repairs it needs, and that everything gets cleaned up to Mark's satisfaction. Mayor Wilson read the items to be completed that are on the punch list (attached). Mark said the contractor is bringing in top soil and re-grading the entire causeway. Commissioner Bradbeer asked if they were bringing it all the way up to the level of the new sea wall. Mark replied that it would be about two inches below the sea wall so that the sod didn't grow over the top of the sea wall. Mayor Wilson stated that we have a bid from "Mr. C" Concrete to re-do the two sidewalks, to place concrete sidewalk at two locations and also two pads for benches, and two small sidewalks across the street to match the pavement in the amount of \$2,638. This is a little bit more than the penalty amount that we will charge Marine Contracting for the late completion date. Mark said he is not happy with Marine Contracting's finishing ability for concrete and feels that the Town will be better served by paying a couple hundred dollars more to get a good job from "Mr C." The 37-day penalty amounts to \$1,850. We can hold the \$22,000 retainage until the punch list is completed to our satisfaction. The punch list will be signed by Marine Contracting Group. Town Attorney Amadio stated that the punch list has to be given to Marine Contracting for review and given the opportunity to complete before we start spending the retainage monies.

7. Suncoast League of Cities – Board Appointment 2005-06

Mayor Wilson stated that we have been notified by the Suncoast League of Cities that we need to appoint someone as representative for the year 2005-06. Town Clerk Brown talked to the Suncoast League of Cities today and the last time they received something from us was 2004-05. Commissioner Baraybar and Vice Mayor Peck-Epstein were the appointees for that time period. Mayor Wilson asked if the Commission would like to move forward and appoint new persons, wait until there is a full Commission to do that, and what the deadline is. Town Clerk Brown said the next meeting was this coming Saturday. Commissioner Bradbeer suggested that it would be nice to have some continuity—perhaps Vice Mayor Peck-Epstein should be appointed. Mayor Wilson asked Commissioner Bradbeer if she would like to serve as the alternate representative. After confirming the meeting days, Commissioner Bradbeer agreed to serve in that capacity.

8. Gulf Boulevard – Next Step

Tabled for next meeting

9. Technology Update

Commissioner Maniotes said the contract with Info-lution was no longer in effect. He asked if they were paid when they come in or still on a month-to-month basis. Town Clerk Brown confirmed that they were still paid from month-to-month. Commissioner Maniotes recommended that we get rid of Info-lution as our computer technology company. He is currently writing a bid which is very lengthy and specific. He stated that he has over ten years of experience writing bids for computer contracts, and that he had logged about 20 hours just on this bid alone. Mayor Wilson said if the bid was e-mailed out to the Commission that there was to be no discussion between Commissioners regarding the bid. Commissioner Maniotes said he would probably send

it to Town Clerk Brown to be distributed to the Commissioners. Town Attorney Amadio stated that Commissioners can send comments back to Town Clerk Brown, but she cannot distribute them until the meeting to discuss this issue. Commissioner Maniotes said to continue with Info-lution until the end of February and then terminate the month-to-month contract with them. At that time, we would go out to bid on the contract.

Commissioner Maniotes requested another extension since he has been neglecting the website update. He said he would have a better report in February and that he will probably look around and see if someone would like to do some design work. Mayor Wilson asked if we could get a basic sight up and going. Commissioner Maniotes replied that there is a very basic website up and going at this point. Mayor Wilson asked if e-mail was working. Commissioner Maniotes replied that Info-lution has our e-mail system and charges quite a substantial amount of money for the e-mail work. They took it from our old website server to Microsoft Exchange server. The rumor he said he heard is that it was part of our contract. He said he's never seen the contract that said our e-mail was going to be part of the technical support—that he didn't think it was stipulated in our contract. Commissioner Bradbeer asked why this bill was paid and who was approving payments for bills like these. It was pointed out that we continued to need some technical support and agreed to a month-to-month payment to Info-lution. Commissioner Bradbeer asked, if this was not in the contract, could we get a refund of the money paid? Mayor Wilson suggested that we go back and look at the contract, get a copy of the contract, and see if we can get a refund from them on that. Town Attorney Amadio asked what the monthly charge was. Town Clerk Brown said it has never been the same from one month to another. Commissioner Maniotes said that he remembered a bill that was paid to Info-lution in November or December in the amount of approximately \$6,000. Mayor Wilson reiterated that we need to go back and look at all this and get all of the facts together and bring it back on the next Agenda. Commissioner Bradbeer said that we need to have some rules on paying out money—wants checks and balances where we're not just writing checks without someone knowing what they are signing. Mayor Wilson said she would not sign a check if she had a question about it. Commissioner Bradbeer said anything over a certain amount needed to be signed by the Finance Commissioner. Commissioner Maniotes said that that was stated in the Resolution that was passed. Mayor Wilson reiterated that currently we have a basic shell of a site up and the e-mail forwards are not working from that site. Commissioner Maniotes confirmed that statement and added that he thought they were working from the old site. Mayor Wilson asked what we could expect at the end of February. Commissioner Maniotes said he was attempting to copy all the information on the old site and put it on the new site. Mayor Wilson said we would like to start posting Agendas and Minutes of meetings on the website.

10. Adjournment

The Workshop was adjourned at 9:25 p.m.

REGULAR MEETING

Call to Order – Mayor Wilson called the Regular Meeting to Order at 9:25 p.m.

Roll Call:

Commissioner Maniotes	-	Present
Commissioner Bradbeer	-	Present
Commissioner Baraybar	-	Excused Absence

Vice Mayor Peck-Epstein	-	Absent
Mayor Wilson	-	Present

Also present was Town Attorney Dominic Amadio, and Town Clerk Beverly M. Brown.

1. Approval of Agenda (Regular Meeting):

Mayor Wilson said that Item #4 was being omitted.

Commissioner Bradbeer asked if the approval of the minutes could be postponed to the next meeting. The consensus was to move the approval of the minutes to the next meeting.

Mayor Wilson said that the Agenda will be approved with Item #3 being tabled until the next meeting, and Item #4 being omitted.

2. Public Forum

Anna Wiggers – 16309 2nd Street E.

She would like the Public Safety Report prior to tomorrow's meeting. Mayor Wilson asked Town Clerk Brown to e-mail Leslie and then call her in the morning and tell her we had a resident request for a Public Safety Update prior to tomorrow night's meeting.

Dorothy Conley – 16315 Redington Drive

Mrs. Conley asked if it had to be so cold in the Assembly Hall. Mayor Wilson said the comfort of our residents is of the utmost concern to the Commission and thanked Mrs. Conley for bringing it to the Commission's attention.

3. Adjournment

A **MOTION** to adjourn was made by Commissioner Maniotes. The meeting was adjourned at 9:30 p.m.

Mayor Linda J. Wilson

ATTEST:

Beverly M. Brown, MMC
Town Clerk