TOWN OF REDINGTON BEACH, FLORIDA
WORKSHOP & REGULAR MEETING MINUTES
February 21, 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, February 07, 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	-	Present - Arrived a few minutes late.
Vice Mayor Peck-Epstein	-	Present
Mayor Wilson	-	Present

Also present were Town Attorney Dominic Amadio, Public Works Director, Mark Davis, and Temporary Assistant Town Clerk Marie Hamilton.

Mayor Wilson asked the audience members to use the microphone when speaking from the podium, and explained the need to fill out a speaker sign-up sheet and limit comments to three minutes in order to allow everyone a chance to speak.

1. Approval of Agenda (Workshop Meeting)

There were no changes to the Agenda.

2. Public Forum:

There was no one who wished to speak.

3. Reports

A. <u>Public Safety</u> – Vice Mayor Peck-Epstein

Vice Mayor Peck-Epstein reported working with FDOT Deb Kennaugh due to some confusion on the signage along Gulf Boulevard as to the crosswalk markers and proper spacing of the signage. There might be additional signage installed to better mark the Town's crosswalks.

Redington Beach was again the lowest community in relation to the speed survey, average of 37 mph for the month of January. She is also in the process of putting together a spreadsheet of the citations.

Vice Mayor Peck-Epstein has been working with Mahnke Consulting to design draft job descriptions for both the Assistant Town Clerk and the Town Clerk job positions, for review by the Commission. She requested a Special Meeting to begin the Posting process for the Assistant Town Clerk position.

The Commissioners held a brief discussion about scheduling the Special Meeting, and scheduled the Special Meeting on Thursday, February 23, 2006 at 7:00 p.m. in the Community Room at Town Hall.

Vice Mayor Peck-Epstein will also work with the Temporary Assistant Town Clerk to update the Employee Handbook. She will report the progress to the Commission at a future meeting.

ACTION: Agenda for Special Meeting on Thursday, February 23, 2006, to be posted on Wednesday, February 22, 2006.

B. Building Commissioner – Commissioner Bradbeer

Nothing to report this meeting.

C. Public Works/Parks & Recreation – Commissioner Baraybar

Nothing to report this meeting.

D. Finance – Commissioner Maniotes

Commissioner Maniotes reported on the invoice from Mehnke Consulting, which has been paid. He will work with the Town Clerk to determine this expenditure.

ACTION: Determine expenditure category for Mehnke Consulting.

E. Mayor's Report – Mayor Wilson

Mayor Wilson reported that the Big-C was meeting on Wednesday, February 23, 2006 at North Redington Beach. She has also been working with a resident, Jack Tadsack on a FEMA Grant application.

Mayor Wilson reported that she has been in contact with Tim Webber's office to set a date for a Joint Meeting with Pinellas County Board of Commissioners regarding the Contract Dispute with the Utilities. The County has sent a list of tentative dates for the meeting and asked that the Commission schedule the meeting. A brief discussion followed on the schedule for this meeting. The meeting will be held on April 13, 2006 at 6:00 p.m. at the County Court House in Clearwater.

ACTION: The Assistant Town Clerk will work with the County, Kim Walker, to facilitate the Joint Meeting and notify the Commission.

F. Town Attorney – Dominic Amadio

Attorney Amadio reported he has received calls from attorneys in Clearwater regarding short term rentals. The Town Attorney would like to meet with him Thursday; he asked if there were any objections to this meeting, regarding the Town's policy for short term rentals. The meeting will be held on Thursday, February 23, 2006 at 2:00 P.M. at Town Hall.

He also announced that the EEO complaint from Larry Bittner has been dismissed.

G. DPW Director / Code Enforcement Officer – Mark Davis

DPW Director Mark Davis reported that Progress Energy will be swapping out the power meters in the residential areas in Town.

He also reported on the 161st Avenue Causeway sidewalk project which is completed and looks very good, in response to resident's requests the sidewalk on the North side was extended with aprons from the street. The slab that held the benches was also extended.

H. Temporary Assistant Town Clerk – Marie Hamilton

Temporary Assistant Town Clerk Marie Hamilton reported that the Commission needs to set a date for the Town Spring Garage Sale. There was a brief discussion, and it was decided to have Marie check the prior year's dates and set a date for the sale and report back to the Commission at the next Workshop.

She also reminded the Commissioners, Town Attorney, and Board Chairpersons to pick up their mail so it does not become outdated or lost. She will re-label all the mailboxes.

ACTION: The Assistant Town Clerk will check dates available, notice requirements, and advertising requirements for the Town Garage Sale, and report back to the Commission at the next Workshop. The Assistant Town Clerk will re-label all mailboxes in Town Hall.

Marie also mentioned that she is unable to get the Phone messages off the Town Phone, since she does not have the password. She asked the residents to be patient and call during business hours. She will contact the Town Clerk, and ask for the information on the phone system as soon as possible.

I. Boards & Committees

The Chairman of the Planning Board, Mr. Rob Epstein reported on a meeting for the EAR Scoping report scheduled for March 3, 2006 at 9:00 a.m.; to review the Comprehensive Plan and issues at the Pinellas County Planning Council offices. He has sent a letter to our neighboring towns notifying them of the meeting.

4. Minimum Lot Size – Minimum Frontage Requirements – Discussion – Commissioner Bradbeer

Commissioner Bradbeer reported on the frontage lot size issue that began in October but was not included as part of the Ordinance on the lot size increase. She introduced Mr. Jack Tipton, from the Pinellas County Building Department, who also acts as out Building Official to explain the issues on lot size.

Mr. Tipton spoke of several lot size issues and the Ordinance that increased the lots size in Redington Beach. He explained how the lots are measured, what a platted lot was and what a re-platted lot was and how the lot splitting could be done and can still meet the codes. He explained the Ordinances used in other Towns to address this issue. He also passed out maps to the Commission that showed several lots along Gulf Boulevard and other areas of the Town. He described the lots shown on the maps and explained issues with them. A short discussion followed with several Commissioners expressing concern and asking if there were any ways to prevent future lot splitting until the new Ordinance goes into effect. The Town Attorney explained that a moratorium on all Building would have to be made, since the Town can not single out a specific type of building activity.

Commissioner Bradbeer explained the proposed Ordinance and the changes made to stop the lot splitting and set frontage size limits. She explained this will not affect anyone with platted lots. Commissioner Baraybar described why the proposed Ordinance will solve several problems with lot size and prevent a house from being set behind another house along Gulf Boulevard.

After another brief discussion concerning the past changes in land platting, the advertising requirements, the language changes, and the Public Meeting schedules, it was decided to have the Town Attorney redraft the Ordinance with proposed changes of "No platted lot shall be reduced in size from that currently platted", the "5808 total lot size", and the "60 foot frontage minimum size limit along Gulf Boulevard and 50 foot minimum size frontage limit in other areas of the Town". There also followed a brief discussion with the Commissioners, Town Attorney, Mr. Tipton, and members of the audience; about different ways a lot could be split before the Ordinance takes effect and that the Town could not prevent it. Also discussed was the different lot sizes and shapes in the Town and how they might be affected by the changes in the Ordinance.

Town Attorney looked up the requirements in the Town Code and read them to the Commission. The requirements are: "The Ordinance or Resolution shall be introduced in writing and embrace but one subject matter, the subject must be clearly stated in the title, and the Ordinance can not be revised or amended by the title only. The proposed Ordinance must be read by it's title on at least two separate days and shall have a least ten days prior to it's adoption, and shall be noticed once in a newspaper of general circulation." This information is noted in Section 12 of the Town Charter. After a short discussion it was decided to bring this Ordinance before the Commission for a First Reading at the March 7, 2006 Commission Meeting.

5. Town Clerk Status - Town Attorney Amadio

Town Attorney Amadio recommended that the Commission approve the extension of the paid administrative leave for the Town Clerk during the continued negotiations, with Ms. Brown's and Mr. Maniotes attorneys.

He also read a letter received by the Town from an attorney for former Mayor Robert Fountaine bringing a lawsuit against the Town. He explained he has contacted the Florida League of Cities about handling both lawsuits for the Town. The Florida League of Cities explained to Attorney Amadio that the insurance covers the costs of the attorney fees 75% up to $25, 000.00 for each case.

Commissioner Baraybar stated the Town should turn over the lawsuit to the Florida League of Cities to handle now. There was a brief discussion about the coverage and the possible costs of interrupting the negotiations without giving the Florida League attorneys time to become familiar with all the issues in the case.

Attorney Amadio recommended that the Town turn over the lawsuits to the Florida League of Cities and that the paid administrative leave for Town Clerk Beverly Brown be extended another two weeks.

ACTION: The Town Attorney will notify the Florida League of Cities of the lawsuits to be turned over to them.

6. TBE Group Bid Results; Construction of Phase 1 – Mayor Wilson

Mayor Wilson reported on the Sealed Bid Opening held on February 14, 2006 for the construction Phase 1 of the Master Watershed Management Plan. The lowest bid was submitted by Pepper Contracting Services, Inc. After checking references Tampa Bay Engineering recommended that the Town accept Alternative-B of $789,282.75 with Pepper Contracting Services, Inc, which was approximately $20,000.00 under the Town's estimate for the project.

Vice Mayor asked about the TBE process used for reference checks, etc. in this bid process. Commissioner Baraybar suggested that the Town have TBE and Pepper Contracting come in and go over the bid line item by line item to explain the values listed. A brief discussion followed on the different line items listed on the bids, the Town Attorney explained that the Town can not make a requirement of accepting the bid that they negotiate changes to their bid.

Mayor Wilson stated that it had come to her attention that DPW Mark Davis was told to accept a late bid by Commissioner Baraybar on the day of the Sealed Bid Openings. Commissioner Baraybar explained that he had told Mark to take all bids, not for the purpose of accepting them as a valid bid, but to use to compare to the other bids afterwards. Mayor Wilson had spoken with a TBE representative, who had disqualified the late bid because it was late and also not complete, and who was in Mark Davis' office at the time and had overheard the conversation. Mayor Wilson had Mark Davis explain the conversation and how the TBE representative happened to overhear the conversation. A brief discussion followed on the bids and the rules of deadlines, etc.

The discussion about the bids continued and Commissioner Baraybar stated he thought the Town should at least talk to Pepper Contracting about the prices of certain line items. Attorney Amadio explained that the Town could talk to them but could not place any conditions on accepting the bid. The Town either accepts the bid as recommended, or starts the process over again. A brief discussion followed, and it was decided to vote on the bid.

ACTION: The Bid will be placed on the Regular Meeting Agenda for a vote.

7. Meeting Format Discussion – Mayor Wilson

Mayor Wilson reported that Resolution 2004-05 outlines the Meeting format. She asked Commissioner Maniotes how he would like to change the formats. He explained that he would like to see Roberts Rules of Order followed as well as several other items covered under the Resolution to be followed during Commission Meetings, one example is the Old and New Business categories instead of Other Business, also he would like to limit the agenda items and avoid extremely long meetings. A discussion followed on the types of changes that could be made to streamline the meetings, including having the Workshops and Regular meetings separate, not holding Special Meetings, limiting agenda items, reading the minutes before the regular meeting, and cutting back on discussion times in order to move the meetings along.

It was decided to add Old and New Business to the agendas, to limit the number of agenda items to ten items, and keep discussion to the topics in order to keep it shorter.

8. Gas Permit Process – Discussion – DPW Mark Davis

Mark Davis explained about the requests for gas hookups in Town. He presented four samples of Permits from Clearwater Gas that show how gas permits are handled in the area. They are considered Right of Way utilization, and he recommended that the Town use the same format as the Town of Belleair adding a section to use the Jack and Bore process rather than digging up the streets to bring gas to the residents. The Commission will review the sample permits for action at the next Workshop Meeting.

ACTION: This item will be placed on the next Workshop Agenda.

9. Other Business

Mark Davis reported that Mr. Zanachek of 16309 Redington Drive has signed off on an easement for a storm drain to be replaced. The neighboring property owner refuses to sign off for permission for this drain to be repaired. He asked the Commission how he should proceed with this issue. He also reported that the collapsed drain is causing erosion along the pipes. There was a short discussion about the issues and how the Town has offered several incentives to the neighboring owner to allow the repairs. Commissioner Bradbeer said she will talk with the owner and try to gain permission for the repairs.

Commissioner Maniotes presented an alternate agreement with CompServ for computer service. There was a short discussion on the types of service and commitment lengths. After a short discussion the Mayor asked Commissioner Maniotes to put together a comparison of services and costs to present at the next Workshop.

ACTION: Commissioner Maniotes will present a comparison of services at the next Workshop.

10. Adjournment of Workshop Meeting and Recess

Vice Mayor Peck-Epstein motioned to adjourn.

REGULAR MEETING AGENDA

Call to Order (Regular Meeting)
Roll Call:

Commissioner Bradbeer	-	Present
Commissioner Maniotes	-	Present
Commissioner Baraybar	-	Present
Vice Mayor Peck-Epstein	-	Present
Mayor Wilson	-	Present

1. Approval of Agenda

Item # 7, the Changes to the Meeting Format was deleted from the agenda. An interim computer service item will be placed under Other Business on the Agenda.

2. Public Forum

NOTE: A Three-minute time limit applies to all comments from the public regardless of subject matter. If a person wishes to address the Board of Commissioners, please fill out a "Speakers Card" and give it to the Town Clerk prior to the start of the meeting

Anna Yadevia – 302 162nd Avenue East

Ms. Yadevia questioned why the Temporary Assistant Town Clerk could not retrieve the messages off the phones, and just asked for patience instead of more help. The Mayor stated that she will have the Temporary Clerk contact Verizon to have the phone message box reset. Ms. Yadevia was concerned that resident's messages were being lost or ignored.

James Hoffman – 15910 Redington Drive

Commented that he is happy to see the Democratic process at work in Town and for the Commissioners to keep up with questioning the way things are done. He also stated since the Town Clerk was put on administrative leave due to a lawsuit with the Town that he felt the computer service company, owned by the former mayor, should also have their service contract voided during the litigations with Mr. Fountaine.

Dorthy Conley – 16315 Redington Drive

Stated that in the past the Commission Workshops were held on the first Tuesday each month with the Regular Meetings held on the third Tuesday of the month. This was only recently changed under Mayor Fountaine, and she felt the Commission should go back to the old schedule.

3. Approval of Minutes:

A. Workshop – Regular Meeting – 10/18/05
B. Workshop – Regular Meeting - 11/22/05
C. Workshop – Regular Meeting – 01/17/06
D. Workshop – Regular Meeting – 02/07/06

The approval of the Minutes was postponed until the next Regular Meeting to allow the Commissioners time to review the tapes and minutes of the meetings not approved, and make changes as needed.

Mayor Wilson pointed out that the last meeting's minutes took the clerk twelve hours to complete, and asked the Commissioners if they felt this level of detail was needed. After a short discussion it was decided the Temporary Assistant Town Clerk will shorten the next minutes for the Commission to compare for details.

ACTION: Temporary Assistant Town Clerk will modify the minutes for comparison at the next Workshop.

4. Minimum Lot Size – Minimum Frontage Requirements:

ACTION: Proposed Ordinance will be drafted by Town Attorney Amadio and placed on next Workshop Agenda for approval for First Reading at the Regular Meeting.

5. Town Clerk Status– Administrative Leave - Motion & Vote

Motion: Commissioner Maniotes moved to extend the Town Clerk, Beverly Brown's, Administrative Leave until the next regularly scheduled meeting on March 7, 2006.

Second: Commissioner Bradbeer seconded the motion for discussion. After a short discussion about how long to continue negotiations and to continue the paid leave, the Town Attorney recommended extending the Leave for two weeks, then turning the case over to the Florida League of Cities to resolve. The Mayor called for a vote.

Vote: Commissioner Baraybar – No
Commissioner Bradbeer – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck-Epstein – No
Mayor Wilson **-** Yes

ACTION: Extend Town Clerk's paid administrative Leave for two weeks.

6. TBE Group Bid Results; Construction of Phase 1 – Motion & Vote

Motion: Commissioner Maniotes moved to approve the Pepper Contracting Alternative-B Bid based on the TBE recommendation for $789,282.75.

Second: Commissioner Bradbeer seconded the motion for discussion. After a short discussion about how long to approach the contractors to review the bid line items and possibly trim the costs to the Town; the Mayor called for a vote.

Vote: Commissioner Baraybar – Yes
Commissioner Bradbeer – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck-Epstein – Yes
Mayor Wilson **-** Yes

ACTION: Approved the Pepper Contracting Alternative-B Bid based on the TBE recommendation for $789,282.75.

7. Other Business

Motion: Commissioner Bradbeer moved to terminate the computer services of Infolutions effective as soon as practicable.
Second: Commissioner Maniotes seconded the motion for discussion. After a short discussion about how to turn over the services without interruptions to Town Hall; the Mayor called for a vote.
Vote: Commissioner Baraybar – Yes
Commissioner Bradbeer – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck-Epstein – Yes
Mayor Wilson **-** Yes

ACTION: Commissioner Maniotes will contact Infolutions to terminate services.

Motion: Commissioner Baraybar moved to authorize Commissioner Maniotes to hire CompServ for 90 days for interim computer services not to exceed $2,500.00 in costs.
Second: Vice Mayor Peck-Epstein seconded the motion for discussion. After a short discussion about costs, billing issues, and security issues; the Mayor called for a vote.
Vote: Commissioner Baraybar – Yes
Commissioner Bradbeer – Yes
Commissioner Maniotes – Yes
Vice Mayor Peck-Epstein – Yes
Mayor Wilson **-** Yes

ACTION: Commissioner Maniotes will negotiate with CompServ for a 90 day contract to provide computer services to Town Hall, not to exceed $2,500.00 in costs.

9. Adjournment of Regular Meeting

Vice Mayor Peck-Epstein motioned to adjourn. The meeting was adjourned at 9:50 p.m.

Mayor Linda J. Wilson

ATTEST:

Marie L. Hamilton, CMC
Temporary Assistant Town Clerk