



TOWN OF REDINGTON BEACH, FLORIDA
REGULAR MEETING MINUTES
May 20, 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 20, 2008, at 7:00 p.m.** 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	
Commission Steiermann	X	
Commissioner Deighton	X	
Mayor Simons	X	
Town Attorney Salzman	X	
Town Clerk Patrus	X	

Motion made by Vice Mayor Deighton and seconded by Commissioner Fox to approve Agenda **Agenda approved with all ayes.**

PUBLIC FORUM – Non-Agenda Items Only

No Public participation.

REPORTS

Public Safety – Commissioner Fox

- In discussion with Sheriff's office, it was stated that the contract increase for fiscal 2008-09 may just be 3.8%.
- Town will be getting a radar speed tracking device on Gulf Blvd. early the week of May 26th.
- Lt. Whitely, of the Sheriff's office would like a consensus from the Board as to the change in deputy uniforms, no objection from the Board.
- A Hurricane Awareness Seminar has been scheduled for 6:30 p.m., Wednesday May 28 at Town Hall.

Buildings– Commissioner Drillick

- Will be attending a Disaster Preparedness & Recovery Seminar on May 22nd, sponsored by the Pinellas County Economic Development. Council.
- Ordinances 08-03 and 08-04, are updates to the Town Code on permit postings, for 1st reading tonight..

Public Works& Parks- Commissioner Steiermann

- Under drains have been completed on 1st street.
- Sprinklers are installed on the south side of the causeway. Plantings, sprinklers and shell mulching will be done on the 160 St.. triangle.

Finance– Vice Mayor Deighton

- We will start Finance Committee meetings in preparation for fiscal 2008-09 budget.

Mayor Simons

- Application for Board membership for the Pinellas Public Library will be available at the Clerk's office. Please submit qualified candidates for consideration no later than June 15.

Town Clerk

- Nothing to report.

Attorney Salzman

- Nothing to report.

No Boards or Committee reports

CONSENT AGENDA Bill List for week ending May 15, 2008 and Regular meeting minutes from May 6, 2008 were approved with a Motion made by Vice Mayor Deighton and seconded by Commissioner Fox to approve the consent agenda.

	Motion	Seconded	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.

OLD BUSINESS

a. Malkova v. Dobon Board of Adjustment appeal – Attorney Salzman introduced the session, by stating that at the May 6 Board meeting the motion was tabled. Concerned parties, attorneys, Mayor and Commissioners met at Town Hall on May 19 to work out an agreement. A proposed agreement was reached; Attorney Meros submitted a written proposal. Attorney Salzman swore the witnesses that would give testimony. Mayor Simons confirmed with Attorney Salzman that this was a Trial de Novo.

Attorney Meros and Lenka Malkova spoke of the need to have the trees and bushes planted around the generator. At the Board of Adjustment April 17 meeting Luis Dobon said he would plant trees or bushes to be consistent with the environment. At the May 19 meeting no mention was made of landscaping.

Upon review of the proposed agreement Luis Dobon stated that there could be no landscaping done around the generator, once it was set at ground level; the statement to plant trees was made when the generator was to be set on a 13 ft. platform. Now that the unit will sit on a cement slab, ground level, there is no need for plantings; this would obstruct generator maintenance, the walkway and entry to side of house. The unit would be on a cement slab, ground level abutting a 6 ft. brick wall, not visible to the Malkova property. If this issue was mentioned on May 19, this would have been stated. Mr. Dobon passed out photos of installation site to the Board.

Board discussion. Further discussion by Lenka Malkova of the noise levels the generator will emit. Luis Dobon countered with a report of the noise decibels emitted by a generator, A/C unit and street noise. The generator will only be operational in emergency situation, when there is a loss of electrical power.

Mayor opened for Public comments. Resident Poul Madsen offered to donate a tree. No further comments or discussion, **Motion** made by Vice Mayor Deighton and seconded by Commissioner Steiermann to accept the proposed agreement as amended. Amendment is that Luis Dobon will plant a 5 ft. tree approximately 5 ft. west of the generator, in the middle of the site and away from the wall and house. There is no landscaping required around the A/C unit.

	Motion	Seconded	Aye	Nay	Absent
Commissioner Fox			X		
Commissioner Drillick			X		
Commissioner Steiermann		X	X		
Vice Mayor Deighton	X		X		
Mayor Simons			X		

Motion passed with five affirmative votes.

b. Cross walks, Gulf Blvd – Commissioner Steierman discussed the recent Beach Beacon article on new legislation that will require vehicles to stop for pedestrians not only at signaled crosswalks but also at every 'T' intersection. Department of Transportation (DOT) asked the Town where to repaint the crosswalks on Gulf Blvd. Board discussion. Attorney Salzman said that Town incurred no liability in the planning of placement of crosswalks. Presently the Town has 6, identified crosswalks. Discussion of possible recommendation to DOT of having yellow blinking light change to red light blinking.

Motion made by Vice Mayor Deighton and seconded by Commissioner Fox to recommend to DOT that crosswalks be marked at the two blinking lights and the traffic light.

Public discussion, *Poul Madsen* just wanted to confirm where the Town crosswalks were located. Having additional crosswalks some times provides a false sense of security for pedestrians. Public comments closed.

	Motion	Seconded	Aye	Nay	Absent
Commissioner Fox		X	X		
Commissioner Drillick			X		
Commissioner Steiermann			X		
Vice Mayor Deighton	X		X		
Mayor Simons				X	

Motion passed with four affirmative votes.

c. Melton case – Attorney Salzman said that Attorney Yacavone recommended the Town hire an expert to review the seawall issue. Salzman will be contacting the Attorney General's office regarding the allegations of Board decision in the Melton v. Deighton-Diaz case and uphold Attorney decision to protect the public interests in this individual defense case. This is a lawsuit against the individuals, the Board is protected. Tonight we need to get permission to hire the expert in this case. Mayor said that contacting the Attorney General is proactive on Town's part; as is the hiring of the expert. No motion, consensus of Board was to hire the expert.

NEW BUSINESS

a. Playground equipment funding – Bob Fay, Park Board chairman updated the Board on the replacement of park merry-go-round. After a review of various play equipment the item selected is a Volcano Climber, which stands approximately 6ft. tall. Park budget has \$3,000 for replacement of equipment. The quote for this unit is \$3,850 plus additional money for installation parts. Request is for \$1,000 transferred to cover the purchase.

Motion made by Commissioner Steiermann and seconded by Vice Mayor Deighton to spend the additional \$1,000 from fiscal 2007-08 budget to buy the play equipment.

	Motion	Seconded	Aye	Nay	Absent
Commissioner Fox			X		
Commissioner Drillick			X		
Commissioner Steiermann	X		X		
Vice Mayor Deighton		X	X		
Mayor Simons			X		

Motion passed with five affirmative votes.

ORDINANCE NO. 08-03

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA AMENDING CHAPTER 5, BOATS, DOCKS AND WATERWAYS OF THE TOWN OF REDINGTON BEACH CODE OF ORDINANCES, ARTICLE III, BULKHEADS, DOCKS, ETC. IN BOCA CIEGA BAY, SECTION 5-53, PERMIT, AMENDING SUBSECTION 5-53(d), DISPLAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Salzman read the ordinance by title. Commissioner Drillick said that in the preparation of these two ordinances he had discussions with Mark Davis, to enable the Code Enforcement process of making permits visible by posting. No discussion. **Motion** made by Commissioner Drillick and seconded by Commissioner Fox to adopt at 1st reading.

	Motion	Seconded	Aye	Nay	Absent
Commissioner Fox		X	X		
Commissioner Drillick	X		X		
Commissioner Steiermann			X		
Vice Mayor Deighton			X		
Mayor Simons			X		

Motion passed with five affirmative votes. Ordinance 08-03 will be published and returned for 2nd reading at the June 17 Board meeting.

ORDINANCE NO. 08-04

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON BEACH, FLORIDA AMENDING CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS, DIVISION 2. PERMITS, ESTABLISHING A NEW SECTION, SECTION 6-92 ENTITLED "DISPLAY OF PERMITS": SPECIFYING THE DISPLAY OF PERMITS ISSUED UNDER THE PROVISIONS OF CHAPTER 6 OF THE CODE OF ORDINANCES OF THE TOWN OF REDINGTON BEACH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Salzman read the ordinance by title. No discussion. **Motion** made by Commissioner Drillick and seconded by Commissioner Fox to adopt at 1st reading.

	Motion	Seconded	Aye	Nay	Absent
Commissioner Fox		X	X		
Commissioner Drillick	X		X		
Commissioner Steiermann			X		
Vice Mayor Deighton			X		
Mayor Simons			X		

Motion passed with five affirmative votes. Ordinance 08-04 will be published and returned for 2nd reading at June 17 Board meeting.

OTHER BUSINESS

a. Proposed ordinances for review – Commissioner Drillick distributed copies of Ordinance 08-05 and 08-06 for Board review. Ordinance 08-05 will amend Chapter 2, by changing Sec. 2-92 (4) enforcement jurisdiction. Ordinance 08-06 amends Chapter 6 Article 1 sec. 6-4 as to restoration of a site after construction, debris and equipment removal, etc.

Attorney Salzman will review and rephrase these ordinances into a broader language to enable code enforcement process. Amendments should be ready for the June 3 Board meeting for discussion.

No further Business, **Motion** made by Vice Mayor Deighton and seconded by Commissioner Steiermann to **adjourn**. All ayes.

Regular Meeting adjourned at 9:30 p.m.

Adopted: June 3, 2008

Janina Patrus, Town Clerk RMC