

**BOARD OF COMMISSIONERS
TOWN OF REDINGTON SHORES
REGULAR MEETING
WEDNESDAY, SEPTEMBER 11, 2013 – 7:00 P.M.
MINUTES**

Present upon roll call: Commissioner Wojcik, Commissioner Kapper, Commissioner Holmes, Vice Mayor Branch, Mayor Adams and Attorney Denhardt

APPROVAL OF MINUTES – Regular Meeting, August 14, 2013

Commissioner Holmes moved to approve the minutes as stated, seconded by Vice Mayor Branch. Roll call: all yes.

RATIFICATION OF BILLS – August/September 2013

Commissioner Holmes moved to ratify the bills as submitted, seconded by Vice Mayor Branch. Roll call: all yes.

COMMISSION REPORTS

Mayor Adams

Mayor Adams reported the town is in need of a House Decorating Judge and a Boat Parade Judge for the upcoming holiday events. Also volunteers are needed for the Coastal Clean-up on Saturday, October, 19th.

Mayor Adams touched based on the upcoming Flood Insurance rate increase. Mayor Adams encouraged residents to contact legislators and representatives of the state with their concerns of the increase. A list of names and phone numbers can be obtained from town hall.

Vice Mayor Branch, Commissioner District No 2

Sewers – repairs are being made to some of the lift stations.

Indian Shores Police Department – traffic citations were down, parking tickets and traffic warnings were up. Two accidents with injuries were reported.

Commissioner Kapper, Commissioner District No1

No Report

Commissioner Wojcik, Commissioner District No 3

Commission meetings are now being streamed live. The Town's web page contains a link for streaming live and also for archived meetings.

Flood Plain Management Plan – anyone who would like to be on the committee please contact town hall.

Commissioner Holmes, Commissioner District No 4

Building Department – 49 permits were issued in the month of August, with income of \$19,846.00; one permit was for new construction. Also received was \$4,371.00 from Indian Shores for building services provided by Redington Shores.

Fire Services – three non emergency calls with an average response time of six minutes and twenty seconds and seven emergency calls with an average response time of seven minutes and thirty six seconds.

Emergency Medical – sixteen emergency calls with an average response time of five minutes and forty four seconds and two non emergency calls with an average response time of ten minutes and eight seconds.

REPRESENTATIVE KATHLEEN PETERS - Unable to attend.

Mayor Adams opened the public hearing.

Second Reading and Advertised Public Hearing – Ordinance 13-04 – Use of Skateboards, Roller Skates, and In-Line Skates in CTF Areas

Attorney Denhardt read Ordinance 13-04 by title. Commissioner Holmes stated he would like to make two motions in regard to the ordinance. Commissioner Holmes moved to amend Ordinance 13-04 as follows, in Section 1, change paragraph (1)(a) to read: Upon any public property, or upon any public streets, sidewalks or rights-of-way located west of the right-of-way of Gulf Boulevard in the Commercial Tourist Facility (CTF) land use district within the town, because of the amendment, the title to be modified, approximately the third sentence to read “portions of the Commercial Tourist Facility (CTF), seconded by Vice Mayor Branch. Roll call: Commissioner Wojcik, no; Commissioner Kapper, no; Commissioner Holmes, yes; Vice Mayor Branch, yes; Mayor Adams, yes. Commissioner Holmes moved to adopt Ordinance 13-04 as amended, seconded by Vice Mayor Branch. Mayor Adams asked for any discussion. Multiple residents addressed the Commission most being in favor of the ordinance which will help in their opinion to stop destruction of private and public property and hazards in the street. Resident Janet Campisi stated to the Commission she was opposed to the ordinance as she feels it is a bad message to the businesses in town. Commissioner Wojcik stated Indian Shores Police Department has only one report of violation of this intended ordinance and this new ordinance will now make skateboarding in certain areas of CTF a crime. Commissioner Kapper stated this is unfair to kids in town who are not causing any problems. Mayor Adams closed the Public Hearing. Roll call on the motion and second for adoption as amended, Commissioner Wojcik, no; Commissioner Kapper, no; Commissioner Holmes, yes; Vice Mayor Branch, yes; Mayor Adams, yes.

First Reading and Advertised Public Hearing – Ordinance 13-05 – Development Agreement – LaVistana, 17730 Gulf Blvd.

Mayor Adams opened the Public Hearing

Attorney Denhardt read Ordinance 13-05 in its entirety. Commissioner Holmes moved to adopt Ordinance 13-05 on first reading in accordance with the recommendation of the Planning and Zoning Board to approve and all the requirements by the staff recommendation all of those items be completed prior to going into effect, seconded by Commissioner Kapper. Mayor Adams asked for any public comment. Town Clerk Palmer swore in all who wished to speak during the hearing. Building Official Andrews presented his staff report to the Commission at this time, explaining the applicant is asking for a major modification to the existing PUD that was entered into with the town in 2004/2005. Proposed conditions of approval are noted in the staff report, items 1 – 6. Attorney Denhardt stated at this time the original notice for this hearing had Tuesday, September 11, 2013 for the meeting instead of the Wednesday. This was discovered very quickly and an amended notice was issued and advertized. Town Clerk Palmer did come to town hall on Tuesday evening in case someone was to come for the meeting. For the record Town Clerk Palmer stated no one came to town hall. At this time Bob Lyons, representing Jeffery Miller owner of the property addressed the Commission reviewing the history of the project, as he was involved in the original PUD approved. The first building, LaVistana, was approved for construction. During construction of the building another floor was allowed to be added, on the condition the second building would only have 14-units, and at this time a PUD was created. There is now an agreement between the association of LaVistana 1 and the new owner to separate the lots, with certain conditions between them both. Commissioner Kapper asked if the property line would be landscaped, Mr. Lyons stated it would be landscaped. Commissioner Holmes asked if the beach access was net 10-feet. Mr. Lyons stated it was. Commissioner Wojcik asked if LaVistana 1 is seven stories over parking. Mr. Lyons stated LaVistana 1 is seven over parking as well as the new building, but the overall height on the new building is seven feet taller. Attorney Kevin Correno, representing clients in LaVisatana 1, Unit 804, addressed the Commission. Attorney Correno stated the maximum height in the town code is 85-feet, the amended PUD is allowing the new building to be higher and a variance is needed. Attorney Correno stated his clients will go to litigation for compensation for loss of view. The Development Agreement is in violation 90-104 E 5 (a) of the code. Resident, Dave Eldridge, also a member of the town's Finance Committee addressed the Commission asking them if they received their comments on not taking the commercial property out front as more green space as the town would lose tax money and would add maintenance responsibility to the town. It was explained in the agreement the condominium association would maintain the property. Attorney Howard Ross; representing

clients in Unit 504, addressed the Commission. Attorney Ross is concerned that all paperwork is not complete for this hearing. Attorney Ross also is concerned the notice of the hearing may not be in compliance with the statutory requirements. Jeffrey Miller, owner of the property addressed the Commission. Mr. Miller stated he does not think views being blocked should be considered at all. The building is smaller than originally planned for and 80% of the owners in LaVistana 1 voted to allow this building to be built. Anyone who wanted to appeal had 90-days to do so and no one appealed. Commissioner Kapper asked how far back the new building is vs. what was planned prior. Mr. Miller stated the building is 10-feet back from the west side. Commissioner Kapper asked for tax reasons what the values of the units are. Mr. Miller stated between 1.4 to 2 million. Resident, Dave Eldridge asked if a variance is needed for the additional height. Commissioner Wojcik commented on a personal issue and change is usually bad. Roll call on the motion and second to adopt Ordinance 13-05 on first reading as amended. Commissioner Wojcik no; Commissioner Kapper, yes; Commissioner Holmes, yes; Vice Mayor Branch, yes; Mayor Adams, yes. Attorney Denhardt announced the next public hearing for the second reading will be held on Wednesday, September 25, 2013 at 7:00 p.m. here at Redington Shores Town Hall.

Mayor Adams closed the Public Hearing.

OLD BUSINESS

None

NEW BUSINESS

Resolution 10-13 – Amending FY 2013 Budget

Attorney Denhardt read Resolution 10-13 by title. Commissioner Holmes moved to adopt Resolution 10-13 as stated, seconded by Vice Mayor Branch. Roll call: all yes.

Approval of Record Disposition Request

Commissioner Holmes moved to approve the Disposition Request, seconded by Vice Mayor Branch. Roll call: all yes.

Approve Proposal for New Doors at Constitution Park

Commissioner Kapper explained two bids were received. One bid from Jeff Neal in the amount of \$5,995.00 and another bid, which encompasses different vendors in the amount of \$3,541.56. Commissioner Holmes moved to approve the amount of \$3,541.56, seconded by Vice Mayor Branch. Roll call: all yes.

Approve Proposal for New Cabinets at Constitution Park

Commissioner Kapper explained the two proposals are for the cabinets only, no labor. The labor will be done by town maintenance. Two proposals received – Aleksin Construction, \$4,785.73 and Home Depot, \$5,422.97. Commissioner Holmes moved to approve purchasing the cabinets from Aleksin Construction for \$4,785.73, seconded by Vice Mayor Branch. Roll call: all yes.

Resolution 09-13 – Opposing and Urging Amendment to the Biggert Waters Flood Insurance Reform Act 2012

Attorney Denhardt read Resolution 09-13 by title. Commissioner Holmes moved to adopt Resolution 09-13, seconded by Commissioner Wojcik. Roll call: all yes.

PUBLIC COMMENTS

None

MISCELLANEOUS

Mayor Adams announced the following dates:

Special Meeting – Thursday, September 12, 2013 – 5:15 p.m.- Adopt Proposed Millage Rate and Ad Valorem Tax and Adopt Proposed FY 2013/2014 Budget

Workshop Meeting – September 25, 2013 – 7:00 p.m.

Regular Meeting – October 9, 2012 – 7:00 p.m.

Respectfully submitted,

Mary F. Palmer, MMC
Town Clerk