

**BOARD OF COMMISSIONERS  
TOWN OF REDINGTON SHORES  
REGULAR MEETING  
WEDNESDAY, NOVEMBER 14, 2012  
MINUTES**

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

APPROVAL OF MINUTES – Regular Meeting, Wednesday, October 10, 2012; Workshop Meeting, Tuesday, October 30, 2012

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

RATIFICATION OF BILLS – OCTOBER/NOVEMBER 2012

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

**COMMISSION REPORTS**

Mayor Adams

Mayor Adams thanked everyone for voting on November 6, 2012 and reported all 16 charter amendments from the town passed.

Mayor Adams announced the following dates: Annual Tree Lighting, December 2, 2012, Santa Parade, December 15, 2012, House/Commercial Decorating Contest, December 20, 2012 and the Christmas Boat Parade, December 23, 2012.

Mayor Adams wished everyone a Happy Thanksgiving.

Vice Mayor Branch, Commissioner District No 2

Indian Shores Police Department – Criminal reports, police action reports and traffic warnings are down. Physical arrests, traffic citations and parking citations are up. Vice Mayor Branch commended the Police Department for their outstanding service to the town.

Commissioner Kapper, Commissioner District No1

Parks – the fence and gate have been repaired at Spitzer Park. The thin pavers are being repaired at Del Bello Park. All new signs have been placed at the beach access points for no dogs on the beach.

Commissioner Wojcik, Commissioner District No 3

Flood Plain Management – it is time to start reviewing the plan and update for 2013. Volunteer members are needed for this task; if you are interested please contact town hall.

Broadcasting System – the town system is broken and is being analyzed as to what can be done to replace the system. Commissioner Wojcik will like to have this agenda item for the next workshop meeting.

Commissioner Holmes, Commissioner District No 4

Building Department – 50 permits were issued in October, with a revenue of \$5,214.00; no permits were for new construction.

Fire Services – two emergency responses with an average response time of five minutes and thirty-one seconds.

Emergency Medical – 17 emergency responses with an average response time of five minutes and thirty-three seconds and 10 non emergency responses with an average response time of five minutes and forty-nine seconds.

Gulf Beaches Library – all residents are entitled to a library card and all are encouraged to obtain one. One of the major fund raisers for the library “Food for Thought” will be held March 2, 2013. Tickets will be available at town hall.

## **OLD BUSINESS**

### **Ratify Continuation of Phase I Manhole Rehabilitation Project**

Vice Mayor Branch reported the project has continued. This project is repairing the areas where infiltration is high. Money was placed in the budget for these repairs. Commissioner Holmes moved to approve \$90,000.00 for the Manhole Rehabilitation Project and to be paid from the sewer reserve, seconded by Commissioner Kapper. Roll call: all yes.

## **NEW BUSINESS**

### **Special Magistrate Appeal – 757 182<sup>nd</sup> Ave. E. Variance**

Attorney Denhardt explained this is an appeal to the Town Commission of the decision of the Special Magistrate. This is not a new trial. The applicant has the opportunity to present to the Commission why he or she believes due process was not followed by the Special Magistrate or the Special Magistrate did not follow the law. The applicant/appellant Betty Bridges addressed the Commission stating Mr. Joey Garci-Rojas will represent her for the appeal process. Mr. Joey Garci-Rojas, 757 182<sup>nd</sup> Ave. East, addressed the Commission, stating the Special Magistrate made statements that were incorrect. The drawing submitted with the building application showed a solid line, which indicated a solid fence. Mr. Garci-Rojas indicated that Mrs. Bridges had read the rules and codes of Pinellas County, not Redington Shores. Mr. Garci-Rojas stated his is rebutting the Special Magistrate findings as he contradicted himself as to what the fence consisted of. Attorney Denhardt asked the Commission at this time is there any indication they have heard that the Special Magistrate did not follow due process, that the applicant was not provided due process, any indication Special Magistrate did not present substantial confident evidence, or any indication the Special Magistrate did not follow the law. Commissioner Holmes stated that having reviewed this case in detail, and also evidence presented at this time, I find that the Special Magistrate findings are correct and that the appellant did not present any evidence to change my mind, so I therefore make a motion to deny the appeal, seconded by Commissioner Wojcik. Commissioner Kapper discussed with the Commission he thinks maybe the appellant should have had more time to address the Commission, although he does agree with appeal process as indicated by Attorney Denhardt. There being no further discussion, roll call on the motion and second, all yes. Mrs. Bridges asked what happens to her being in violation of the codes. Attorney Denhardt stated unless you go to court and the courts over turns the Special Magistrate’s and the Commission decisions, then the fence would be in violation, and he assumes the Building Official will send you a letter giving you a period of time to come into compliance and if you are not in compliance by the time stated, you would be cited for illegal fence and code enforcement actions would be implemented. Mr. Garci-Rojas asked the Commission if they feel that Mrs. Bridges had any of her rights violated. Attorney Denhardt stated the Town has not violated anyone’s rights.

### **Certify Election Results – Charter Amendments**

Attorney Denhardt explained the Supervisor of Elections have sent the Unofficial results of the election in regard to the 16 Charter Amendments. The official results will be completed November 16, 2012, which will only change any federal races. Commissioner Holmes stated, I hereby move that, as the Town Commission and the Town’s Canvassing Board, we certify the results of the November 6, 2012 election pertaining to all the Charter Amendments, as provided to us by the Pinellas County Supervisor of Elections Office, a copy of which is on file with the Town Clerk, as being the official results of the Town’s election, seconded by Commissioner Kapper. Roll call: all yes. Attorney Denhardt stated a new purchasing ordinance will be submitted to the Commission for the next workshop meeting.

### **Approve On Call Contract Services – Quorum Services, LLC**

Commissioner Holmes explained this contract is on an as needed basis and would be utilized if our Building Official is out sick for a length of time, or on vacation. Attorney Denhardt has reviewed the contract and sees no problem with it. Commissioner Holmes moved to approve the contract for on call services and authorizes Mayor Adams to sign, seconded by Vice Mayor Branch. Roll call: all yes.

## **PUBLIC COMMENTS**

None

## **MISCELLANEOUS**

Mayor Adams announced the following meeting dates:

Workshop Meeting – Wednesday, November 28, 2012 – 7:00 p.m.

Regular Meeting – Wednesday, December 12, 2012 – 7:00 p.m.

Respectfully submitted,

Mary F. Palmer, MMC

Town Clerk