

**BOARD OF COMMISSIONERS
TOWN OF REDINGTON SHORES
REGULAR MEETING
WEDNESDAY, DECEMBER 11, 2019- 6:00 P.M.
AGENDA**

Present Upon Roll Call: Commissioner Neal, Commissioner Robinson, Commissioner Drumm, Vice Mayor Kapper, Mayor Henderson, Attorney Denhardt

APPROVAL OF MINUTES – Regular Meeting, November 13, 2019

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

RATIFICATION OF BILLS – October/November 2019

Vice Mayor Kapper motioned to approve the ratification of bills, seconded by Commissioner Robinson. Roll Call: all yes

COMMISSION REPORTS

Mayor Henderson

Mayor Henderson stated there was a Sign for Sand Beach Re-Nourishment meeting earlier in December, the town received four to five easements. The county videotaped the entire meeting and it is posted online at Pinellas County, as well as on the Town website.

Mayor Henderson also took part in the No Shave November as a judge, Ofc.Tindall won for best beard. The Indian Shores Police Department also raised \$1,500 dollars for the Children's Dream Fund and Clothes for Kids. The building department had permits totaling \$13,528.48 dollars. The Mayor also stated her appreciation to Salt Rock Grill, Beach Brews, and Ready Set Go for helping with the Tree Lighting, for providing drinks and food, and the volunteers.

The Santa Parade will occur on December 14th, beginning at 2:30pm. On December 19th the house decoration judging will occur, it was noted that people should have their lights on at dusk so they can be judged. On December 22nd the Redingtons/Indian Shores boat parade will start at 6pm around the Tom Stuart Causeway and will end at Caddy's Pub, the grand prize winner will receive over four thousand dollars. Town hall will be closed the 24th and 25th of December, and January 1st.

Chief Swann reported there twelve (12) traffic citations, there have been two hundred and thirty-seven (237) traffic stops, two (2) accidents reports, five (5) DUI arrests, nine (9) ordinance violations, sixteen (16) parking citations, and twelve (12) total arrests. There have been two (2) overdoses in the last two months, there was a third one, where one of the officers used the new Narcan and started CPR before the fire department arrived. There have been two deaths related to heroin. The Chief attended a meeting with fellow Chiefs where it was stated that due to the crackdown on prescription medication, people have been resorting back to Heroin. There has been a rise on Gulf Blvd involving vandalism where people are destroying mailboxes; however, neither town has been affected by this. The department also adopted two angels for Christmas. Detective Bittrich is putting on a seminar December 17th at Indian Shores City Hall for all to attend in regard to being safe this Christmas season.

Vice Mayor Kapper, Commissioner District No 1

Vice Mayor Kapper stated his appreciate for the hard work that the Chief and officers have put in to making the town safe.

Fire – there were zero non-emergency calls

EMS – there were eight non-emergency calls with an average response time of five minutes and twenty-three

seconds and thirteen emergency calls with an average response time of four minutes and forty-seven seconds.

Commissioner Neal, Commissioner District No2

Sewer report: Rich Perez, from the Personnel Committee, offered to assist in doing a complete report of all the lines in the town to track what has been done so far, where the problem areas are at still, and what still needs to be fixed.

Code Enforcement: There were a few code issues on the following streets: 175th Ave., 176th Ave., 177th Ave., Lee Ave.

There is a bid with Bluewater Air Services to fix the air conditioning unit and replace the filters. There was only one bid submitted which was for \$2,800, the town was charged three times for service calls that were \$125.00 each, which brought the total down to \$2,475.00. It is advised that the town act on this because of the air conditioning system not having any filters currently inside. Discussion took place about the type of filters needed, having bids from other companies, and if the system should be completely replaced due to age. Commissioner Neal motioned to hire Bluewater Air Services to install the filters and filter grills; Vice Mayor Kapper seconded. Roll call: All yes

Commissioner Robinson, Commissioner District No 3

Financial Advisory Committee met on November 18th, where the committee spoke about Rich Perez assisting Commissioner Neal in his sewer report. The Committee will be meeting again and reporting on information for next year's budget. The flood mitigation (PPI), met on November 20th and reviewed the LMS mitigation projects. The county looked at a lot of different projects for mitigation. It was encouraged that anyone wanting education on the LMS Projects to review the Big C and PPI minutes.

The turtle conservatory had a seminar on December 10th at town hall regarding lightning issues and a four-thousand-dollar grant program to help retrofit properties on the Gulf of Mexico side of Gulf Blvd. The Conservatory is starting to travel from Pinellas County south to Collier County. By having them stop in Redington Shores first, allowed the structures here to be placed on the list for grant money before everyone else. The way the grant works is that they come out and do a full review both in during the day and nighttime hours, along with coming up with a plan on what light fixtures need to be replaced. The conservatory program pays for the fixtures and bulbs, the owner only has to take care of the installation fee. The funding for the program stems from the BP Oil Spill.

Commissioner Drumm, Commissioner District No 4

The library will have an emergency meeting on December 12th.

OLD BUSINESS

Planning and Zoning Recommendation – Appeal to Building Officials Interpretation of Town Code

Craig Taraszki, representing Carol and Gerald Muszik, spoke about the constraints the applicants are experiencing with twenty-five (25) foot setback for Coastal Construction Control Line (CCCL), the eighteen (18) feet recreational facility setback from the CCCL. Attorney Denhardt stated the appeal has to deal with the Building Official's interpretation of the code as your appeal stated. Attorney Taraszki stated the previous building officials allowed pool permits less than five (5) feet. The current Building Official has a different interpretation of the code. Attorney Taraszki stated the denial of the Building Official should be overturned.

Building Official Bruce Cooper stated he could not speak on previous decisions from the previous official. The Building Official stated that it appeared Attorney Taraszki was focusing on the wording of a recreational facility. Land Development code cannot provide definitions for every term. Sec. 90-96c applies to a recreational facility, such as a pool, applies to all pools. Sec. 90-96B states that "no building or other facility, such as a pool, shall be built nearer than twenty (20) feet to a seawall..." that can be built with a minimum of

twenty (20) foot setback from a seawall. Sec. 90-96B refers to facility as a swimming pool for homes. Sec.90-96c is also referring to residential swimming pools, it also requires additional setbacks for structures from the CCCL. The code is referring to the structure not the use. Swimming pools must meet the 18ft setbacks from the CCCL.

Before discussion began, Mayor Henderson stated she filed a conflict of interest letter due to being adjacent to the property in question and will not be voting. Building Official Cooper stated that a pool regardless must meet the eighteen (18) foot setback from the CCCL. Atty Denhardt spoke about how the code is read. The town can have codes different from the county, but they cannot be more lenient; however, they can be stricter. Discussion included the confusion between Sec.90-96C and Sec.90-96B.

Commissioner Robinson motioned to uphold Mr.Cooper's interpretation of the code; seconded by Commissioner Drumm. Roll Call: All yes

Appeal to Special Magistrate Order – For Rear Yard Setback Variance to Coastal Construction Control Line
Mayor Henderson filed a conflict of interest letter due to being adjacent to the property in question and will not be voting. Attorney Trask addressed the commission stating at the last workshop it seemed the commission are basing their decision regarding CRS points. Attorney Denhardt stated this appeal is a continuation from the meeting in October. The Commission had completed the Public Hearing portion and closed the public hearing. If the Commission would like to reopen the public hearing and hear new testimony they may do so. Attorney Denhardt notified the Commission that the items for review are: (1) if the commission believes the Special Magistrate provided due process and (2) was his opinion based on competent substantial evidence, and (3) did the special magistrate abide by the essential requirements of the law. If the commission finds that the Special Magistrate did not do any of those items, then the commission should grant the appeal. If the commission finds that Special Magistrate did do all of those items, then they should deny the appeal. After discussion Commissioner Neal moved to deny the appeal, with the condition that soon the Commission will review the Land Development Code and Comprehensive Plan, seconded by Commissioner Drumm. Commissioner Robinson stated the town will need to hire an expert for this process. Commissioner Neal stated he would like to review at this level and if needed then hire someone. There being no more discussion, roll call: all yes.

Commissioner Neal made a motion to deny the appeal with the condition to review the comprehensive plan; seconded by Commissioner Drumm. Roll Call: All yes

NEW BUSINESS

1.Resolution 11-19 Amending General Fund FY 2020 Budget

Atty Denhardt read Resolution 11-19 by title. Discussion took place about the recent contract award to the Trash Company based on the per unit cost of resident and the charge for commercial use. At the time the number placed on the budget line was approved; however, this did not include all of the homes and condos. Commissioner Robinson stated this topic was a budget neutral event in the sense that the town would charge more money and receive more money. Commissioner Robinson moved to approve Resolution 11-19; motion seconded by Vice Mayor Kapper. Roll Call: all yes.

2.Resolution 12-19 - Town Election Date March 17, 2020

Atty Denhardt read Resolution 12-19 by title. Attorney Denhardt spoke about the need to formally set the date of the election, and the new ruling by the state where Pinellas County conducts elections instead of the municipality. Vice Mayor Kapper motioned to approve Resolution 12-19, with the condition of adding the election being for District 1 and District 3; motion seconded by Commissioner Robinson. Roll call: all yes.

3.Approval to Purchase AED Machines

Commissioner Drumm spoke about only having one AED, which is located in the kitchen at Town Hall. Commissioner Drumm suggested to add an AED to the following places: the kitchen at Town Hall (1), the shop (1), and Constitution park (1). The AEDs are about \$2,400 apiece. Mayor Henderson raised concerned about having an AED at Constitution Park due to the climate control. Fire Chief Burford stated that most of the AED

she is familiar with do not come in boxes to protect against the elements. However, she will do research on ways to protect the AED at the park. Vice Mayor Kapper mentioned that the Town could build a box to protect it. Commissioner Robinson asked to do a little more research for more sturdier AEDs. Commissioner Drumm stated he would work with Fire Chief Burford on what type is suggested to have at the areas in mind. Fire Chief Burford also mentioned she can offer training on the AEDs to the Town. Police Chief Swann mentioned to Commission that the police just acquired eight (8) AEDs and placed them in the patrol cars. He also offered to send some of the officers to Town Hall to assist with the training on the devices. Commissioner Drumm motioned to buy three (3) AEDS for \$2,400 each; motion seconded by Commissioner Robinson. Roll call: all yes

4. Approve 2020 Holidays

Mayor Henderson stated the town follows the Pinellas County holidays. Commissioner Drumm motioned to approve the 2020 Holidays; motion seconded by Commissioner Robinson. Roll Call: all yes.

PUBLIC COMMENTS

Carol Muszik spoke about the Commission allowing the Building Official to interpret a law that is too ambiguous. Mentioned that the Comprehensive plan does not speak about setbacks. Stated the previous Building Officials allowed to have pools up to the CCCL. Also stated the town will not lose any points for the CRS rating by allowing elevated homes to build on the CCCL.

Dr. Diana Rigs, resident on Lee Avenue, stated about being a community and wanting to help others. It was further mentioned that no one on Lee Avenue was notified of a hearing regarding the setbacks being heard in a workshop. By not allowing someone to have a setback is restricting that owner from enjoying their property.

Larry Maynard, resident on 3rd St. E., concerns about police department. A police commission was created but then disbanded after Chief Swann took office. Raised idea of restating police commission.

Lee Holmes, 18304 Gulf Blvd, cannot build within 25 ft of the CCCL has been that way for a long time. The seawall is only relevant regarding that fact a person cannot see CCCL.

Chief Swann spoke in regards to Mr. Maynard about making himself available to everyone, as well as, stated the officers are actively receiving training on defensive tactics, CPR, and AED .

Bert Adams, resident on 174th Ter., stated he backs the Chief of Police.

MISCELLANEOUS

Workshop Meeting – Wednesday, December 25, 2019 - **CANCELLED**

Regular Meeting – Wednesday, January 8, 2020 – 6:00 p.m.

Sarah Mauter
Deputy Town Clerk