

**BOARD OF COMMISSIONERS
TOWN OF REDINGTON SHORES
REGULAR MEETING
TUESDAY, JANUARY 19, 2021 – 6:00 P.M.
MINUTES**

Present upon roll call: Commissioner Blackburn, Commissioner Neal, Commissioner Krajewski, Vice Mayor Robinson, Mayor Henderson, and Attorney Denhardt.

APPROVAL OF MINUTES – Workshop Meeting, December 9, 2020, Regular Meeting, December 9, 2020 and Special Meeting, December 28, 2020

Vice Mayor Robinson moved to approve the minutes as stated, seconded by Commissioner Neal. Vice Mayor Robinson pointed out that the question about a conflict regarding the town hiring Hendrickson Consultant has been answered and there is no conflict. Roll call: all yes.

RATIFICATION OF BILLS – December 2020 and January 2021

Commissioner Blackburn moved to ratify the December 2020 and January 2021, seconded by Vice Mayor Robinson. Roll call: all yes.

COMMISSION REPORTS

Mayor Henderson

Mayor Henderson reported Pinellas County has hired a company to run the registration process for the COVID19 vaccine. The site seems to be working well.

Mayor Henderson reported the state is going out for bid to remove the remains that are in the water from the pier demolition. The town has received many calls with concerns about this matter.

Mayor Henderson reported the Personnel Committee has completed the Employee Manual and will bring to the Commission at the next workshop meeting.

Mayor Henderson reported the Flood Ordinance and the change she has recommended to the 5-year cumulative to 1-year cumulative for residents is one of the amendments and will be voted on further down the agenda to send to our Local Planning Agency.

Mayor Henderson stated the Commission has received a memo regarding switching offices around for the Commissioners to have more room to work from town hall. Mayor Henderson is moving her office to the now Commission office and the Commission will now use her office. Town Clerk Palmer stated to the Commission as stated in the memo the Commission received, staff recommended to approve the quote from Staples. Commissioner Blackburn moved to accept the quote from Staples in the amount of \$5,609.88, seconded by Commissioner Krajewski. Town Clerk Palmer stated the only other cost might be for someone to put together. Vice Mayor Robinson stated there is money in budget for machinery and equipment that could be used. Vice Mayor Robinson expressed his gratitude to Mayor Henderson for her willingness in giving up her office. Mayor Henderson stated she has been saying for a long time, the office is too big as a Mayor's office. Commissioner Neal stated he agrees with the move, but everyone needs to be mindful of their conversations. Mayor Henderson stated she has already spoke with Attorney Denhardt regarding this matter. Roll call: all yes.

Indian Shores Police Department – Chief Swann addressed the Commission stating the PD is still dealing with some Corona virus issues. They have received a lot of calls with concerns about getting the vaccine. There is just not enough vaccine to go around.

Vice Mayor Robinson, Commissioner District No 3

Vice Mayor Robinson the Corona virus is still a serious problem, hospitals are again at their highest levels. The British variant is here in Florida and Florida has more cases than any other one in the union. Pinellas County did have an initial problem with the website to sign up for the vaccine, but now has hired a new company to run

the site and it appears to be working well. You must pre-register for an appointment and making the actual appointment does take time. When you pre-register you can signify that you would want to be updated when more vaccine is available, so you can then go onto make your appointment. The website address is www.patientportalfl.com.

Commissioner Krajewski asked if there has been any discussion regarding setting up at condo's or somewhere in town. Chief Burford stated at this time there has been no discussion on this.

Commissioner Neal, Commissioner District No 2

Commissioner Neal reported a resident in Shore Mariner passed away due to COVID and asked for a moment of silence. Commissioner Neal reported Rich Perez is resigning from the Financial Advisory Board and he would like to make a motion to appoint Christy Herig to fill his position. Vice Mayor Robinson asked for a background on Christy Herig. It was discussed that Mr. Perez has not officially resigned so this action needs to be wait. Commissioner Blackburn asked Commissioner Neal to supply information on Christy Herig to the Commission. Vice Mayor Robinson stated there is an opening in District Four and would like to make all appointments at the same time. Commissioner Neal agreed.

Sewers – Commissioner Neal stated FDOT approved the maintenance work on Gulf Blvd. On January 25th the work will begin. There is a need to move right into the lateral repairs at the area of Wine Knot and Vicibo, as this area has a lot of infiltration. The lines are so bad, they are not able to be lined.

Commissioner Jennie Blackburn, District No 1

Fire – Chief Burford reported for the month of December 2020. There were three non-emergency calls with an average response time of nine-minutes and twelve seconds, and six emergency calls with an average response time of five-minutes and forty-seven seconds.

EMS - There were four non-emergency calls with an average response time of three-minutes and twelve seconds and fourteen emergency calls with an average response time of four-minutes and fifty-seven seconds.

Commissioner Blackburn reported the part-time employee has been working out well and is keeping up with what needs to be done. Commissioner Blackburn state the town needs grocery bags for the dog stations. The clean out of the shop is starting up and items to be kept will be stored in large containers that will be placed over in North Redington Beach.

Parks – trimming of trees and bushes at Constitution Park have been completed and areas of trees overhanging on the streets have been done. We are revisiting the contract with our provider as there have been some issues.

Commissioner Blackburn stated the dock repairs at Del Bello Park will be discussed at the next workshop.

Commissioner Blackburn stated we contacted six different companies and only two bids have been received for new ceiling tiles in town hall, Rutter Acoustical Ceilings, \$11,000.00, Nuce Acoustic Ceilings Inc., \$12,115.00. Commissioner Neal moved to approve the quote, seconded by Commissioner Krajewski. Roll call: all yes. Vice Mayor Robinson stated this is a Capital Project and will come out of those funds.

Commissioner Krajewski, Commissioner District No 4

Commissioner Krajewski reported he is introducing himself to those in his district and has distributed a newsletter to them. Commissioner Krajewski stated he completed the Commission on Ethics webinar on December 10th and has received an invitation to attend a seminar for Law for Public Officials and has signed up.

OLD BUSINESS

Open Public Hearing

Mayor Henderson opened the Public Hearing.

Second Reading and Advertised Public Hearing – Ordinance 21-01 – Sewer Usage Rates

Attorney Denhardt read Ordinance 21-01 by title. Vice Mayor Robinson moved to adopt Ordinance 21-01 on second reading, seconded by Commissioner Blackburn. Mayor Henderson asked for any discussion or comments from the attendees. There being none, roll call: all yes. Attorney Denhardt read Resolution 01-21 by title. Vice Mayor Robinson moved to adopt Resolution 01-21, seconded by Commissioner Krajewski. Roll call: all yes.

Mayor Henderson closed the Public Hearing.

Designate a Replacement Point Person to Serve as the Liaison for the Town Commission in Ethics Complaint

Vice Mayor Robinson stated the Commission previously appointed former Commissioner Pat Drumm. Mr. Drumm has moved and resigned his position so therefore a new Point Person needs to be appointed. Vice Mayor Robinson stated the complaint originated from a resident from District Three. Vice Mayor Robinson continued stating since this is his District, he thinks he would be the appropriate person to be appointed. Commissioner Blackburn moved to appoint Vice Mayor Robinson, seconded by Commissioner Krajewski. Mayor Henderson asked for discussion. Commissioner Neal read from a statement, stating this topic is only on the agenda for political reasons only and the Commission should have never been involved. Commissioner Neal stated he has the results of the investigation in his hands and will release when released by the Ethics Commission. Commissioner Neal continued reading from his statement referring to the upcoming election and “that this is on the agenda for that reason as he is a qualified candidate”. He then referred to Mayor Henderson, his opponent in the upcoming election and that an ethic complaint made on her which was never placed on an agenda. He stated this complaint was fueled by Mayor Henderson to discredit him and his reputation. Since Mayor Henderson has been in office, she has initiated the resignation, termination or transfer of numerous town employees and employee morale is at an all-time low. Mayor Henderson at this point gaveled for point of order. Commissioner Blackburn stated this is a political attack against your opponent and to comment on the agenda item topic. Commissioner Neals continued stating he is the most vetted Mayoral Candidate in Redington Shores history. Vice Mayor Robinson stated he brought the complaint back to the Commission as he believes, the Commission believes, and the Commission so voted they had a responsibility to the citizens and the town to ensure that any ethical complaint or issue is addressed. With advice from the ethics commission and our attorney we needed to appoint someone to represent the town and Commissioner Drumm volunteered to do so, since he resigned there is a necessity to reappoint someone. Commissioner Neal stated he originally agreed to send it to Tallahassee. Mayor Henderson than asked, what was all this tonight about then?

Update on Return 2020 Fireworks Deposit from Mr. Ken Speed

Attorney Denhardt stated he has had no response from Mr. Speed. The Commission discussed reaching out to Mr. Speed one more time. Vice Mayor Robinson moved to authorize Attorney Denhardt to contact Mr. Speed, informing him that if the matter is not resolved within 30-days, Attorney Denhardt is authorized to file suit, seconded by Commissioner Krajewski. Roll call: all yes.

NEW BUSINESS

Resolution 02-21 – Referring Proposed Zoning and Land Use Map Amendment Applications and Ordinances to the LPA – 17490 Gulf Blvd.

Attorney Denhardt read Resolution 02-21 by title. Vice Mayor Robinson moved to adopt Resolution 02-21, seconded by Commissioner Krajewski. Roll call: all yes.

Approval of State Highway Lighting Agreement

Vice Mayor Robinson stated this is a renewal agreement. The town receives revenue each year from this agreement in the amount of approximately \$11,000.00. Vice Mayor Robinson moved to approve the agreement,

seconded by Commissioner Krajewski. Roll call: all yes.

Approval of Recommended Changes Gulf Beaches Library

Commissioner Krajewski stated the Commission has received information in their packet regarding the recommended changes resulting from a meeting with all five Mayors of the communities involved with the library. Commissioner Krajewski stated he has spoken with two of the Mayors involved. Mayor Henderson has met with the five mayors involved with the library. Redington Beach and North Redington Beach Two of the towns have already officially approved this, signed off on the recommended changes. He has been told and there was an article in the Beach Beacon that the Madeira Beach Mayor is in favor of the changes. Commissioner Krajewski stated after his discussion with the two mayors and his research it is clear to him that the mayors are all in favor of keeping the library going. Commissioner Krajewski stated for the record he is voting in favor of these changes based on his understanding that the mayors of the five towns believe the recommendations will lay the foundation of upgrading the library facility including the investment in the latest technology thereby insuring the future longevity and operations of the library in the future. Mayor Henderson stated it is important to talk about the fact that Treasure Island was negotiating leaving the library, therefore the Mayors held a meeting, and these recommendations were a result of the meeting. Commissioner Krajewski moved to approve the recommendations, seconded by Vice Mayor Robinson. Vice Mayor Robinson asked that these recommendations reduce the board members from ten to five, and madeira beach will draft a new interlocal agreement to be renewed every five years and this agreement will incorporate reducing the members of the board. Commissioner Krajewski stated yes and asked Attorney Denhardt for any comments. Attorney Denhardt stated he sees no issues with these changes. After discussion, roll call: all yes.

Approve Bid to Replace Ceilings Tiles and Repair Grid System

Item discussed during Commission reports.

Attorney Denhardt stated the Commission is working on amendments on the Flood Plain Ordinance to help residents to quickly get back in their homes, along with other amendments. This proposed amended ordinance will need to be reviewed by the Planning and Zoning Board sitting as the town's Local Planning Agency. Attorney Denhardt read Resolution 03-21 by title. Vice Mayor Robinson moved to adopt Resolution 03-21, seconded by Commissioner Neal. Roll call: all yes.

Attorney Denhardt presented to the Commission an amended Vacation Rental Ordinance, which amends the inspections by the town to be stricken and the \$100.00 fee for the Certificate Use Application to be stricken. Attorney Denhardt read of 21-03, by title. Commissioner Krajewski moved to adopt Ordinance 21-03 on first reading, seconded by Vice Mayor Robinson. Mayor Henderson asked if there was any more discussion. Commissioner Neal stated he is happy we are reversing these items, as this is why he voted no on the original ordinance. Resident Leslee Copick asked the Commission what the changes mean to the residents who live on these streets with the rental properties. Attorney Denhardt stated is deletes the requirement to pay a fee for the Certificate of Use registration, a Certificate of Use will still need to be obtained. It also deletes the language that states the town can go in and inspect vacation rental properties anytime. It now also requires the applicant to provide a sketch of their property with their registration application, showing bedrooms, bathrooms, so the town knows that the number of occupants are in the limits of the ordinance. The town will still have a right under state law, if they know of violations, a request for an inspection warrant can be filed under the Florida Statutes from the courts. Mrs. Copick stated for the record, that she lives in the CTF District, and opposes the changes, as these were in there for a reason and these vacation rental properties are having way too many people in these homes. Recently at one of the rental properties there were so many people at the property, one occupant used the outback as a bathroom, as the others in the home were being used. Attorney Denhardt stated the scenario just stated, would not have anything to do with these changes. Property owner Carol Muszik stated if there are issues, they should call the police. Mrs. Muszik went on to say it is against Florida Statutes to put a number of people in a rental house except for fire protection, that is why I am suing the town. Resident, Sal Celest, addressed the Commission stated he is opposed to these changes, especially the inspection change. He stated the has lived in the CTF area for two-years and has experienced firsthand the issues. The rental house on

one side just had 18 adults and five children and had to witness the public urination. One time the house was rented for a wedding, they used his yard for a photo shoot for the bride. To access the property, they removed a chain and they also removed his landscape lighting. Mr. Celest stated if anyone has any doubts, he does have this all on video. Mr. Celest stated they have a right to enjoy their homes. He has no problem with rentals, he also has rental properties, but these problems are perpetual here.

Vice Mayor Robinson stated the property owner must disclose the number of bedrooms in the home and therefore shows what the occupancy load should be. Everything else is guided by the code and could lead to revoking the registration. The town still can inspect by going to due process.

Commissioner Krajewski asked Attorney Denhardt if there is anything in the code that precludes the town from completing an inspection with due process. Attorney Denhardt stated no the town would still have a right to ask for an inspection warrant. The repeat offenders, if must go through the additional steps, by the time an inspection is granted, the violators could have the violation cleared out. Chief Swann asked who applies for the warrant. Attorney Denhardt stated there are provisions in the Florida Statutes to allow municipalities to apply for an inspection warrant and this would be handled by the town code enforcement department.

Vice Mayor Robinson sympathizes with the concerns. As stated by some of the callers tonight, calling the pd, time and time again is not the solution, but it does help document the complaints as back up for the inspection warrant. Chief Swann stated when making complaints, if the complainant has videos of the violation, that also can be used as evidence.

There being no further discussion roll call on the motion and second, Commissioner Blackburn, yes; Commissioner Neal, yes; Commissioner Krajewski, yes; Vice Mayor Robinson, yes and Mayor Henderson, no.

Attorney Denhardt read Resolution 04-21 by title. This resolution is to have the Planning and Zoning Board as the town's Local Planning Agency. Commissioner Krajewski moved to adopt Resolution 04-21, seconded by Commissioner Blackburn. Roll call: all yes.

PUBLIC COMMENTS

Resident Sal Celeste addressed Commissioner Neal, stating that you are running for Mayor of the Town, every time a measure has come in front of the Commission regarding the residents CTF area you voted against those measures. The owners do not live here, they are running a business. You state you want to take the town back and is wondering if this means to reverse the new vacation rental ordinance. Mr. Celeste stated he has doubts you have any real concept on what does happen in the CTF area, why are you voting everything down, do not you care about the residents that live here. Commissioner Neal stated he cares about everyone. Commissioner Neal stated there were two items in the ordinance that he did not agree with when he voted no, but they were corrected tonight. Commissioner Neal stated he will do anything he can do to help the neighborhood. Mr. Celeste again stated these homes are being run as a business.

Property owner Carol Muszik addressed the Commission stating this area is not for living full time, the reason I choose there to have my business as it is a commercial area, and you can have over night rentals. Mrs. Muszik stated the cubicles are not a good idea, it will violate the Sunshine law. Mrs. Muszik referred to the liaison appointment and why is it on the agenda tonight, when Mr. Drumm left in October. Mrs. Muszik was asked to stop commenting as this was discussed during the meeting. Mrs. Muszik stated she has a right to discuss anything, it is her first amendment right. Mrs. Muszik continued addressing the Commission regarding miscellaneous items.

Resident, Leslee Copick stated currently there are properties in the CTF zoning that are still not properly having the correct number of people and is very tired of dealing with renters who do not respect the people that live in this area. Mrs. Copick stated people have been living in this area way before short-term rentals started.

Commissioner Krajewski reinforced that the Mayor will not be in the same office as the Commissioners will be. Commissioner Krajewski stated he is fully aware of the Sunshine Law and himself as he would think any other Commissioner would exit the room if they were having a phone conversation. Vice Mayor Robinson commented he does not feel this will be an issue and again thanked Mayor Henderson for giving up her office.

MISCELLANEOUS

Workshop Meeting – Wednesday, January 27, 2021 – 6:00 p.m.

Regular Meeting – Wednesday, February 10, 2021 – 6:00 p.m.

Respectfully submitted,

Mary F. Palmer, MMC
Town Clerk