



**BOARD OF COMMISSIONERS  
REGULAR MEETING  
MINUTES  
JULY 10, 2003**

The July 10, 2003 regular meeting of the Board of Commissioners of the Town of North Redington Beach was called to order by Mayor Harold Radcliffe at 7:00 P.M. The meeting was held at the Town Hall building, 190 – 173<sup>rd</sup> Avenue, North Redington Beach, Florida. Those people present were:

Harold Radcliffe	Mayor
Richard Bennett	Vice Mayor
Gary Curtis	Commissioner
Raymond Jagielski	Commissioner
Jerold Knight	Commissioner
Edwin Peck	Town Attorney

<u>GUESTS</u>	James Baldanza	Henry Browning
	Frank Novak	Jeanne Carlson, Beach Beacon
	Joe Baldanza	Marilyn Hall

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

Mayor Radcliffe led the crowd in the Pledge of Allegiance to the flag.

**PUBLIC INPUT - (15 MINUTES FOR ITEMS NOT ON AGENDA)**

- Jim Baldanza complemented those involved in making the celebration of July 4<sup>th</sup> a wonderful party, but pointed out the need for bathrooms if similar events are to be held in that park.
- Ms. Hall also commented on the enjoyable, town-sponsored event for the Fourth of July. Because of the new law forbidding the sale of fireworks to unauthorized people, she suggested the beach city mayors get together to find a way to restrict the use of fireworks on the beach, which has become an increasingly irresponsible, dangerous occurrence. Several ways to achieve that prohibition were discussed with the following suggestions:
  - Public awareness campaign so people don't come to the beach thinking it is all right to discharge fireworks.
  - Erect signs at each beach access prohibiting personal fireworks.
  - Add an extra Sheriff's deputy to patrol the beach July 4<sup>th</sup>. Mayor Radcliffe will talk to Bill Queen to see what can be done regarding enforcement of the law and at the same time providing a safe environment for those enjoying a holiday.

**CONSENT AGENDA: JUNE 5, 2003 WORKSHOP; JUNE 12, 2003, REGULAR MEETING;  
JUNE 16, 2003 BUDGET WORKSHOP; JULY 1, 2003 BID OPENING**

Commissioner Jagielski made a motion to approve the Consent Agenda. The motion was seconded by Vice Mayor Bennett and passed by voice vote.

**UNFINISHED BUSINESS:**

**A. ORDINANCE NO. 2003-569 PERTAINING TO HOME OCCUPATIONS; PROVIDING FOR CERTAIN OCCUPATIONS TO BE CONDUCTED IN A RESIDENTIAL DWELLING UNIT; PROVIDING FOR RESTRICTIONS; PROVIDING FOR AN OCCUPATIONAL LICENSE TAX; PROVIDING FOR INCLUSION IN THE CODE. PUBLIC HEARING AND SECOND AND FINAL READING.**

Commissioner Jagielski made a motion to pass Ordinance 2003-569 on second and final reading and Commissioner Curtis seconded the motion. Mr. Novak and Mr. Baldanza raised questions about how the process and enforcement of the ordinance would work. After those questions were answered, a roll call of the Commission was taken. The results were:

Commissioner Knight	Yes
Commissioner Jagielski	Yes
Vice Mayor Bennett	Yes
Commissioner Curtis	Yes
Mayor Radcliffe	Yes

Motion passed. Ordinance 2003-569 adopted.

**NEW BUSINESS:**

**A. PROPOSED MILLAGE RATE FOR TRIM NOTICE.**

The Board of Commissioners agreed at the budget hearing to use one mill as the proposed millage rate for next year. This is the same rate as the last few years. Commissioner Jagielski made a motion to have one mill as proposed millage for FY 10-1-03 to 9-30-04. Commissioner Knight seconded the motion and each member of the Board voted as follows:

Commissioner Curtis	Yes
Vice Mayor Bennett	Yes
Commissioner Jagielski	Yes
Commissioner Knight	Yes
Mayor Radcliffe	Yes

Motion passed. The proposed millage rate for 2003/04 FY is one mill.

**B. BEACH ADVISORY BOARD MEMBERS WHOSE TWO-YEAR TERMS EXPIRE 7/21/03 - WILLIAM QUEEN, EDWARD FAASEN AND TERRY GRABER.**

The motion made by Commissioner Jagielski to reappoint William Queen, Edward Faasen and Terry Graber to the Beach Advisory Board was seconded by Commissioner Curtis and passed by voice vote. Vice Mayor Bennett pointed out two new applications to that board had been received, but not considered. He proposed changing the number of Beach Advisory Board members to nine rather than seven. Several other solutions were discussed before the commissioners agreed with Mr. Peck's suggestion to increase the number of alternates from one to "up to three". He read the title of an ordinance he will write up to make this change. **AN ORDINANCE PERTAINING TO THE BEACH ADVISORY BOARD, AMENDING SECTION 74-46, MEMBERSHIP, ADDING THAT THE BOARD OF COMMISSIONERS MAY APPOINT UP TO THREE ALTERNATE MEMBERS; PROVIDING INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE.**

Commissioner Jagielski made a motion to approve the ordinance on first reading. Commissioner Knight seconded the motion and the following resulted from a roll call vote:

Commissioner Knight	Yes
Commissioner Jagielski	Yes
Vice Mayor Bennett	Yes
Commissioner Curtis	Yes
Mayor Radcliffe	Yes

Motion passed.

**C. TRAFFIC CONCERNS AT NORTH BATH CLUB, BATH CLUB CIRCLE AND ROSA LEE WAY**

Mayor Radcliffe spoke of a traffic concern and agreed-upon solution to avoid a potentially dangerous situation at the intersection of Bath Club Circle & Bath Club Blvd. N. A yellow stripe has been painted in the middle of North Bath Club to make sure cars stay in the proper lane; and a wide yellow stripe painted across the west-bound lane was added to slow traffic down so cars don't wander into the wrong lane when turning south on Bath Club Circle.

Amy Rozelle of 549 173<sup>rd</sup> Avenue wrote a letter to the mayor stating her concern for the safety of children/dogs/pedestrians on 173<sup>rd</sup> Avenue when cars are exiting Rosa Lee Way turning west. She asked for a stop sign on Rosa Lee, but the Commissioners felt the same type of striping as that applied on North Bath Club Blvd. should work in this situation as well.

**D. ORDINANCE 2003-570 ORDINANCE PERTAINING TO CODE ENFORCEMENT; AMENDING SECTION 2-98; PROVIDING FOR SERVICE OF THE AFFIDAVIT OF VIOLATION; PROVIDING FOR THE RIGHT TO RESPOND AND REQUEST A HEARING PRIOR TO THE ENTRY OF AN ORDER IMPOSING FINES; PROVIDING FOR FACTORS IN DETERMINING THE AMOUNT OF ANY FINES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING AN EFFECTIVE DATE. FIRST READING**

Mr. Peck explained the method of code enforcement outlined in our Code of Ordinances whereby the Special Master finds noncompliance, the property owner is given so many days to bring compliance or pay a specified fine. At the end of the allotted period, the Code Enforcement Officer inspects the property and if he feels it has not complied with the ordinance, he signs an affidavit and the fine is imposed. The Courts have found the process does not allow due process because the respondent has no chance of a hearing before the fine is imposed. This ordinance requires a copy of the affidavit of non-compliance be given to the violator. The respondent then has 20 days after a copy of the affidavit of non-compliance has been served to appeal the finding of the affidavit.

Commissioner Jagielski made a motion to pass the ordinance on first reading. The motion was seconded by Commissioner Curtis and the Board members voted as follows:

Commissioner Curtis	Yes
Vice Mayor Bennett	Yes
Commissioner Jagielski	Yes
Commissioner Knight	Yes
Mayor Radcliffe	Yes

Motion passed.

**E. PROJECT APPROVAL/FUNDING FOR LOCATING & MAPPING N.R.B SEWER LATERALS; AWARD OF BID FOR PROJECT**

Mayor Radcliffe informed those present a 1993 State Statute provided for voluntary participation in the "Sunshine State One-Call of Florida, Inc." In 1997 a law to amend that statute required participation by all underground utilities operators except, until January 1, 2003, small cities. After January 1, 2003, the Town must now locate laterals within 24" on all sides to identify them for those who ask locations. The Town has received bids for identifying and mapping those locations. Two bids came in on time and a third was mailed at 3:12 the day of the deadline and received before the bids were opened. Accurate Designating Technologies bid \$21,923.77; Find It First (the late entry) bid \$29,900.00; and Craig A Smith and Associates bid \$119,374.20. Mr. Peck stated the Find It First bid has an irregularity because of the time received and the B.O.C. has authority to waive any irregularities. Commissioner Jagielski made a motion to accept all bids; Vice Mayor Bennett seconded the motion and all showed favor by voice vote. Mayor Radcliffe recommended the Board accept the lowest bid.

Chris Jackson, Principal of ADT, introduced his partner, Randy Hotchkinson, then spoke of their combined 45 years in the utilities business. He will locate and map all estimated 373 laterals in the Town and coordinate with the undergrounding project. He estimated the overall project should

take fifteen days. They will probably make a saw-cut in the curb to identify a lateral location. In answer to a question Mr. Jackson stated the machine that will be used to accurately depict horizontal lines is not the best depth indicator. If contractors do not hand dig within 24" of the mark, they are responsible for any break. Discussion followed about other uses for this technology and equipment. Mapping of the laterals will be done as a field drawing, however, the Board was interested in having ADT come back and make a CAD file drawing. Mr. Jackson said he could provide a cost for the CAD work and drawing the next day. Commissioner Jagielski made a motion to accept Mr. Peck's suggestion that the Board authorize the Mayor to spend an amount out of sewer reserves up to \$25,000 for the location, mapping and CAD drawing process of the sewer laterals in North Redington Beach. Commissioner Knight seconded the motion and the motion passed by voice vote. The project should start within a week of a completed contract.

**F. MISCELLANEOUS.**

- Commissioner Jagielski thanked those responsible for the coordination of the July 4<sup>th</sup> festivities.
- Vice Mayor Bennett explained the B.O.C. had moved the regular meeting in August to the 21<sup>st</sup> and suggested it be moved to the 28<sup>th</sup> to coincide with the budget hearing. All agreed.
- The placement of the stakes in Radcliffe Park marking the gazebo was discussed and will be clarified.
- Commissioner Knight stated he would like to pursue the FRDAP grant for the playground at Radcliffe Park but noted some deficiencies in available information he found when reading the application. Commissioner Curtis suggested contacting Pinellas Planning Council to do the application. Everyone could participate in the process, but P.P.C. could do the paperwork. Commissioner Knight will contact David Healey as well as Mike Nadeau at Redington Shores about grant contacts.
- Ants in the park and trash on the beach following the holiday were mentioned. Commissioner Curtis suggested having a volunteer committee to do cleanup following a holiday/event starting Labor Day. Volunteers can meet at the south end of the beach about 6 p.m. the evening of the event.

A motion to adjourn was made by Commissioner Knight and seconded by Commissioner Jagielski. The meeting adjourned at 8:55 p.m.

*Respectfully submitted,*

Sharon V. Proehl  
Town Clerk