



*Town of*  
**INDIAN SHORES, FLORIDA**

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**TOWN COUNCIL MEETING**

**MINUTES - SEPTEMBER 9, 2009**

**MAYOR**

James J. Lawrence

**INDIAN SHORES TOWN COUNCIL MEETING convened at 7:00 P.M. Those present were Mayor Lawrence, Vice Mayor Herndon, Councilor Smith, Councilor Sutch and Councilor Irelan.**

**VICE MAYOR**

Joan G. Herndon

**Also present: Attorney Daigneault; Elaine Jackson, Deputy Clerk; Mary Karayianes, Director of Finance; Chief Williams; and Lawrence Nayman, Building Official.**

**COUNCILORS**

Carole Irelan

William F. Smith **1.0**

Steve Sutch

**REGULAR COUNCIL MEETING**

**1.1 Consideration of approving Council Agenda for September 9, 2009.**

**TOWN CLERK**

Marcia Grantham

*MOTION by Councilor Smith – seconded by Councilor Irelan, to approve Council Agenda for 9 September, 2009, as published. Motion carried 5-0.*

**DIRECTOR OF FINANCE**

Mary Karayianes

**1.2 PUBLIC HEARING: Announcement of proposed tentative Ad Valorem millage and percent, if any, by which tentative millage exceeds the rolled-back rate.**

**CHIEF OF POLICE**

**TOWN ADMINISTRATOR**

E. D. Williams

*Director of Finance, Mary Karayianes, announced the proposed tentative Ad Valorem millage rate is 1.7500, which is 9.91% less than the rolled back rate of 1.9425.*

**BUILDING CODE ADMINISTRATOR**

Lawrence G. Nayman

**1.3 PUBLIC HEARING: Adoption of tentative Ad Valorem millage of 1.7500 mills per \$1,000.00 of assessed valuation for FY 2009/2010.**

*MOTION by Councilor Irelan – seconded by Councilor Smith, to adopt the tentative Ad Valorem millage of 1.7500 mills for FY 2009/2010. Motion carried 5-0*

1.4 **PUBLIC HEARING:** *Adoption of tentative budget for FY 2009/2010.*

*Ms. Karayianes stated due to changes in assessed values of properties, which is the Town's main revenue source, the taxable value was reduced 17.04% from last year. Indian Shores was the hardest hit in the county, with a loss of \$129,000.00 in revenue. General Fund operating costs are reduced 9.4% from last year, and expenditures are decreased by \$40,000.00 Total budget for the FY 2009/2010 is \$2,739,368.00.*

*MOTION by Councilor Smith – seconded by Vice Mayor Herndon, to approve adoption of tentative budget for FY 2009/2010. Motion carried 5-0.*

1.5 **PUBLIC HEARING:** *Re-computation, if necessary, of proposed millage rate and announcement of percent, if any, by which recomputed proposed millage rate exceeds the rolled-back rate.*

*No action necessary.*

1.6 **PROCLAMATION** *proclaiming the week of September 6-12, 2009, to be "Suncoast Yellow Ribbon Suicide Awareness and Prevention Week".*

*Mayor Lawrence presented the Proclamation to Marlene Jehs, Chapter Director of the Suncoast Yellow Ribbon Suicide Prevention Program.*

*Ms. Jehs presented Council with informational packets relative to the National prevention program, stating that seventeen cities in Pinellas County are participating and displayed a Life Keeper quilt.*

1.7 **Consideration of approving "CONSENT AGENDA", as follows:**

A. **MINUTES:** Council 8/11/09

*MOTION by Councilor Sutch – seconded by Councilor Irelan, to approve the "Consent Agenda" minutes, as published. Motion carried 5-0.*

B. **RE-OCCURRING EXPENSES (Resolution 7-2008)**

*From 8/4/09 through 8/25/09*

*MOTION by Councilor Smith – seconded by Councilor Sutch, to approve the Re-occurring expenses as were amended and submitted. Motion carried 5-0.*

1.8 **APPROVAL of Committee expenditures: NONE**

1.9 Correspondence: NONE

1.10 Town Attorney's Report: NONE.

1.11 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2009-5, amending Article V of Chapter 2 of the Code of Ordinances, dealing with Code Enforcement, by amending the definitions in Section 2-161 of the Code to define the costs recoverable by the Town, by amending Section 2-207 of the Code to provide that the Town may recover its costs in a successful code violation prosecution, and by amending Section 2-208 of the Code to make a Code Enforcement lien superior to other liens.*

Attorney Daigneault conducted the second reading of proposed Ordinance 2009-5, by reading the title in full.

MOTION by Councilor Smith – seconded by Councilor Sutch, to approve the second reading of Ordinance 2009-5, by title only. Motion carried 5-0.

1.12 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2009-6, amending Chapter 18, Buildings, Section 18-280. Adoption of Standard Existing Building Code; Section 18-281. Code on file, and Section 18-282, Board of Appeals, for the purpose of adopting the "Florida Existing Building Code" with amendments.*

Attorney Daigneault conducted the second reading of proposed Ordinance 2009-6, by reading the title in full.

Mr. Nayman, Building Official, explained the Ordinance was for housekeeping purposes and that the Town is required to adopt what the state of Florida adopts.

MOTION by Councilor Smith – seconded by Vice Mayor Herndon, to approve the second reading of Ordinance 2009-6, by title only. Motion carried 5-0.

1.13 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2009-7, amending Chapter 110, Zoning, Section 110-1. Definitions, to add a definition for "Outpatient Clinic"; and amending Section 110-202.(a)(2), Permitted Uses, to add "Outpatient Clinic".*

Attorney Daigneault conducted the second reading of proposed Ordinance 2009-7, by reading the title in full.

Mr. Nayman stated the Ordinance was necessary to eliminate the words "hospital" and "nursing home" and add "outpatient clinic", to be compliant with the countywide ordinance and eliminate FEMA restrictions.

*MOTION by Councilor Irelan – seconded by Councilor Sutch, to approve the second reading of Ordinance 2009-7, by title only. Motion carried 5-0.*

**1.14 Consideration of approving appointment to Seat #1 on the Board of Adjustment, with term expiring October 28, 2009.**

*Mayor Lawrence reported Noelle Daniel was no longer a resident of Indian Shores, although she remains a property owner. Mayor Lawrence nominated Larry Shear to Seat #1.*

*MOTION by Councilor Sutch – seconded by Vice Mayor Herndon, to approve appointment of Larry Shear to Seat #1 on the Board of Adjustment. Motion carried 5-0.*

**1.15 Consideration of approving appointment to Seat #2 on the Board of Adjustment, with term expiring October 28, 2009.**

*MOTION by Councilor Smith – seconded by Councilor Sutch, to approve appointment of Lindsey Noble to Seat #2, Board of Adjustment. Motion carried 5-0.*

**1.16 Consideration of approving appointments to Seat #1 (Scott Martinez) and Seat #2 (Lindsey Noble) on the Standard Unsafe Building Abatement Code (SUBAC) Board, which terms expired in September 2008.**

*Mr. Nayman explained this was a specialty board and all members must be involved in the construction industry.*

*MOTION by Councilor Irelan – seconded by Vice Mayor Herndon, to approve appointments of Scott Martinez to Seat #1 and Lindsey Noble to Seat #2 on the SUBAC Board. Motion carried 5-0.*

**1.17 Consideration of approving appointments to Seat #3 (Ed Burnett), Seat #4 (Rodney Moore) and Seat #6 (Peter Goldhammer), with terms expiring in September 2009.**

*MOTION by Councilor Smith – seconded by Councilor Irelan, to approve appointments of Ed Burnett to Seat #3, Rodney Moore to Seat #4, and Peter Goldhammer to Seat #6 on the SUBAC Board. Motion carried 5-0.*

**1.18 Consideration of “Status of Local Mitigation Strategy” Report submitted by Lawrence Nayman, Building Official.**

*Mr. Nayman stated the report must be submitted yearly as a requirement by FEMA and essentially states what plan has been formulated and how it has been processed*

*MOTION by Councilor Smith – seconded by Councilor Sutch, to accept the “Status of Local Mitigation Strategy”, as submitted. Motion carried 5-0.*

**1.19 Consideration of approving budgeted replacement of “main file” server at a cost of \$4,141.00.**

*Chief Williams stated this was a planned budget replacement based on capacity and recommended by the IT support.*

*MOTION by Councilor Smith – seconded by Councilor Irelan, to approve the purchase of server at a cost of \$4,141.00. Motion carried 5-0.*

**1.20 Consideration of approving Financial Statement for period ending August 31, 2009.**

*Mary Karayianes reported the General Fund is in good position, with year-to-date balance of \$2.6 million, expenditures at 70% or \$1.9 million. Revenue includes \$1.4 million in tax revenue.*

*MOTION by Councilor Smith – seconded by Councilor Irelan, to approve accepting the Financial Statement for period ending August 31, 2009, and hold for audit. Motion carried 5-0.*

**1.21 Consideration of approving Police Activity Report covering August 2009.**

*Chief Williams reported criminal reports were down, however, there was an increase in parking and traffic citations, as well as ordinance violations. Service calls were relatively slow.*

*In response to a question from Mary Lois Harrison, Chief Williams stated it was legal for citizens to record license numbers of vehicles parking or passing on the right, and the police department could write a letter.*

*Chief Williams also addressed the problem of bicyclists riding in the right-of-way.*

**1.22 Town Administrator’s Report.**

*Chief Williams congratulated Director of Finance Karayianes on compiling the proposed budget, stating the Town did well in cutting costs and putting together an excellent plan. In spite of the fact that the Town has been the hardest hit, it is in better financial shape than most cities.*

*(1) The parking machine at the Tiki Gardens lot will be replaced and paid for by Indian Shores and Pinellas County, since the current machine is inoperable.*

(2) Three bus shelters scheduled for beautification are on county property. PSTA has no problem with the plan, however, the county is concerned relative to public safety and is requesting more information. In addition, the county is denying ownership of land on the west side of Tiki and at the boat ramp.

(3) The Landscaping grant permit has been issued. The south three islands will need to have reclaimed water irrigation system installed before planting can begin. The Town is searching for a contractor to do the directional boring.

(4) The Building Official is reviewing a plan to black top the Public Service building parking area and will obtain a cost bid analysis, wherein the Town might be able to piggyback on other projects to be completed before October 1<sup>st</sup>.

(5) Mr. Brotherton is pleased with the 197<sup>th</sup> Avenue project, however the surface needs some repair after an incident with a boat which marred the surface.

**1.23 Citizens' Comments on any subject.**

Mr. Robert Nunez inquired about benches and bus stop at Sea Club.

Art Newsome, president of the Indian Shores Property Owners Association, announced there will be a Luau on October 17, 2009, in conjunction with the Indian Shores Women's Club and the Town of Indian Shores as part of their 60<sup>th</sup> Anniversary celebration. Only one hundred tickets will be sold.

**1.24 Mayor's and Council Members comments on any subject.**

Councilor Irelan thanked Chief Williams for using the microphone and stated she heard every word he said.

Councilor Irelan added that the Luau starts at 6:30 P.M. on October 17, 2009, with the Coastal Cleanup event being held the same day at 8:00 A.M..

Also, the Read and Feed will be held at 10:30 A.M. on October 21, 2009. The book featured is "My Sister's Keeper". Space is limited to the first twenty four people and cost is \$8 per person.

Councilor Sutch stated the Coastal Cleanup will run from 8:00 A.M. to 11:00 A.M. on October 17<sup>th</sup>. The Town has a commitment for twenty students from Seminole High School who will be doing community service towards credit for college scholarships.

Councilor Sutch added that the Recreation Department was unable to put together a square dance, however, for those still interested, lessons will be held on September 17, 2009, from 6:00 P.M. to 7:15 P.M., followed by a dance, at the Pinellas Park Senior Center, 7625 - 59<sup>th</sup> Ave. N., Pinellas Park.

*Councilor Smith announced he and Marcie would be attending the Florida Shore and Beach Preservation Association (FSBPA) annual meeting at Amelia Island next week and that he would be attending the board meeting.*

*Councilor Smith addressed a recent meeting with other local officials for putting together a strategy to oppose off-shore drilling, as the State has control of only ten miles off shore and that is where the drilling will take place. They have obtained permission to conduct a session at the FSBPA annual meeting and invited Senator Dennis Jones to attend. Since FSBPA also represents some counties that are not opposed to off-shore drilling, they are trying to maintain a neutral position. Councilor Smith stated he is also hoping for Big-C support.*

*Vice Mayor Herndon stated the town was waiting for the reclaimed water to be supplied to the traffic islands, the new mailboxes have been approved for the show case area, landscaping for the bus shelters has been chosen and new street signs have been designed in the shape of a sea gull.*

*Mayor Lawrence stated the evaluation committee for Requests for Qualification (RFQ's) consists of Chief Williams, Mary Karayianes, Mr. Nayman and Councilor Smith. Those chosen from the list will be the engineers and architects who will work with the Town to design a new Town Hall.*

*Mayor Lawrence announced the final activity for the 60<sup>th</sup> Anniversary will be a Gala Ball held on Saturday, November 7, 2009. He reported he has already received responses from the town attorney, accountants and a local realtor as gold and silver sponsors. He anticipates the tickets will be \$25 per person.*

*The Indian Shores Town Council meeting adjourned at 8:15 P.M.*



**ELAINE JACKSON, MMC**  
**Deputy Town Clerk**