



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

19305 Gulf Boulevard  
Indian Shores, Florida 33785-2214  
Tel. << 727 >> 595-4020  
FAX: 596-0050  
E-Mail: indshore@myindianshores.com

**TOWN COUNCIL MEETING**

**MINUTES - SEPTEMBER 23, 2009**

**MAYOR**

James J. Lawrence

**VICE MAYOR**

Joan G. Herndon

**COUNCILORS**

Carole Irelan  
William F. Smith  
Steve Sutch

**TOWN CLERK**

Marcia Grantham

**DIRECTOR OF  
FINANCE**

Mary Karayianes

**CHIEF OF POLICE**

**TOWN ADMINISTRATOR**

E. D. Williams

**BUILDING CODE  
ADMINISTRATOR**

Lawrence G. Nayman

**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.

**Also Present:** Attorney Yacavone; Marcia Grantham, Town Clerk; Mary Karayianes, Director of Finance; Lawrence Nayman, Building Official.

**1.0 REGULAR COUNCIL MEETING**

**1.1 Consideration of approving Council Agenda for September 23, 2009.**

**MOTION** by Councilor Irelan – seconded by Councilor Smith – to approve the Council Agenda for September 23, 2009, as published.  
**Motion carried 5-0.**

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

**Mary Karayianes, Director of Finance, announced the Town's final proposed ad valorem millage rate is 1.7500, and is less than the rolled-back rate of 1.9425 mills by 9.91%.**

**Mayor Lawrence stated this was a public hearing and called for comments from the public, however there were none.**

- 1.3 PUBLIC HEARING: Adoption of final Ad Valorem millage of 1.7500 mills per \$1,000.00 of assessed valuation for FY 2009/2010, by RESOLUTION 9 - 2009.**

*Attorney Yacavone read the title of proposed Resolution 9-2009, in full.*

*Mayor Lawrence stated this was a public hearing item and called for any comments from the public, however there were none.*

*MOTION by Councilor Sutch -- seconded by Vice Mayor Herndon -- to adopt proposed Resolution 9-2009, as published. Motion carried 5-0.*

- 1.4 PUBLIC HEARING: Amendment of proposed budget and adoption of final Budget for FY 2009/2010, by RESOLUTION 10 - 2009.**

*Attorney Yacavone read the title of proposed Resolution 10-2009, in full.*

*Mary Karayianes, Director of Finance, advised there are four (4) operating accounts consisting of General Fund, Road and Bridge, Capital Improvement and Parking Fund, not all balance with revenues equaling the expenditures.*

*Mayor Lawrence stated this was a public hearing item and called for any comments from the public, however there were none.*

*MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to adopt proposed Resolution 10-2009, as published. Motion carried 5-0.*

- 1.5 PUBLIC HEARING: RESOLUTION 11-2009, approving an amendment to the Loan Agreement dated February 1, 2005 between the Town of Indian Shores, Florida and the Florida Municipal Loan Council, for the purpose of further identifying projects to be acquired or constructed additional with use of proceeds of the loan.**

*Attorney Yacavone read the title of proposed Resolution 11-2009, in full.*

*Mary Karayianes, Director of Finance, advised the proposed Resolution "amends" the loan covenants when the Town borrowed money for the Undergrounding of Utilities project. She stated the Town is not borrowing more money. The amendment allows the Town to use the funds left, approximately \$309,000.00, which represents interest earned on the initial loan of \$5,930,000.00.*

*Mayor Lawrence* asked if the Municipal Center did not proceed accordingly, would the Town have to again go back and request another project or could the funds just be used on another capital project. **The Director of Finance** advised the Loan Council would prefer a specific capital project be identified.

*Mayor Lawrence* stated this is a public hearing and called for any comments from the public.

*Mr. Tawil, resident*, questioned where the funds are coming from.

*The Director of Finance* stated the initial funds were borrowed in 2005, with a small balance left in the investment account, and the Town anticipates utilizing these funds for another capital project.

**MOTION** by *Councilor Irelan* – seconded by *Councilor Sutch* – to adopt proposed **Resolution 11-2009**, as published. **Motion carried 5-0.**

**1.6 Consideration of approving “CONSENT AGENDA”, as follows:**

<b>A. <u>MINUTES:</u></b>	<b>Council</b>	<b>9/9/09</b>
	<b>Admn. &amp; Fin. Com.</b>	<b>9/10/09</b>
	<b>Special Council</b>	<b>9/15/09</b>
	<b>Workshop</b>	<b>9/15/09</b>

**MOTION** by *Councilor Irelan* – seconded by *Councilor Smith* – to approve Minutes “Consent Agenda”, as published. **Motion carried 5-0.**

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

**NONE.**

**1.7 APPROVAL of Committee expenditures: NONE**

**1.8 Correspondence: NONE**

**1.9 Town Attorney’s Report.**

*Attorney Yacavone* advised he is happy to be back and stated the Town is fortunate to have the Council it has.

**1.10 Consideration of approving merit increases for Department Heads.**

*Mayor Lawrence stated the Administrative and Finance Committee discussed a 3% merit increase to go with the zero percent CIP this year.*

*Councilor Smith stated he felt some things about the performance reviews should be discussed while fresh.*

*Mayor Lawrence stated he feels the process has become gratuitous and it should be a recognition type system and the Council can discuss at a future Workshop meeting.*

*Councilor Irelan stated she feels if the economy is as bad next year the question of any raises should be addressed.*

*MOTION by Councilor Irelan – seconded by Councilor Smith – to approve 3% merit increases for Department Heads. Motion carried 5-0.*

**1.11 Consideration of approving request from Chief Williams for Council approval of “Baker Act Memorandum of Understanding”.**

*Captain Hughes reported this proposed Memorandum of Understanding (MOU) is mandated by F.S. Chapter 394, with receiving facilities, whereby this is one blanket MOU, rather than each entity having an individual one.*

*MOTION by Councilor Smith – seconded by Councilor Sutch – to approve the “Baker Act Memorandum of Understanding”, as submitted by Chief Williams. Motion carried 5-0.*

**1.12 Consideration of approving License Agreement between the Town of Indian Shores and Pinellas County, which allows access for landscaping within the Town.**

*Mayor Lawrence stated those who have been to the Beautification Committee meetings are aware the Town is endeavoring to do some beautification work on the bus shelters, noting some property is on County and FDOT property. Mayor Lawrence advised obtaining permission is a complex process and the Town is requesting the County to allow the Town to do some landscaping, and will use as an example to request FDOT allow the same.*

*MOTION by Councilor Irelan – seconded by Vice Mayor Herndon – to approve Agenda Item 1.11, as presented. Motion carried 5-0.*

- 1.13 Consideration of retroactive approval to relocate the recycle drop-site to another location and install a fence (\$3,529.00), a new pad for trash dumpster (\$5,071.53), and paving and drainage improvements (\$19,600.53) in Public Services work area, for a total cost of \$28,201.06.**

*Mayor Lawrence reported something had to be done to improve this area, noting the funds were available this year to complete this proposed improvement project.*

***MOTION by Councilor Irelan – seconded by Councilor Smith – for retroactive approval to relocate the recycle drop-site to another location and install a fence (\$3,529.00), a new pad for trash dumpster (\$5,071.53), and paving and drainage improvements (\$19,600.53) in Public Services work area, for a total cost of \$28,201.06. Motion carried 5-0.***

- 1.14 Consideration of approving Chief Williams and Councilor Irelan to serve as Project Managers for the proposed construction project of a new Municipal Center.**

***MOTION by Councilor Smith – seconded by Councilor Sutch – to approve Chief Williams and Councilor Irelan to serve as Project Managers for the proposed construction of a new Municipal Center. Motion carried 5-0.***

- 1.15 Update Report on status of proposed construction of a new Municipal Center.**

*Mayor Lawrence stated in the absence of Chief Williams he would review some notes given to him by the Town Clerk.*

*Mayor Lawrence briefly summarized events relating to the proposed new Municipal Center from opening Requests for Qualifications, through Workshops on the Budget and Capital Improvement Plan wherein the construction project was discussed through tonight's meeting wherein Resolution 11-2009 was approved, and the first public hearing to present information on the project scheduled for January 12, 2010.*

- 1.16 Citizens' Comments on any subject.**

*(1) **Mary Lois Harrison** stated several people have told her they feel a referendum should be held on the proposed new Municipal Center, and she reported a large landscape truck parking on the road in front of Del Mar Condo.*

(2) **Larry Schear, resident**, reported the proposed new building was briefly addressed at the last Property Owners meeting and some concern was expressed regarding the present building.

**Lawrence Nayman, Building Official**, even though there were many issues with the present building it is not in "condemnable" condition, however if there was a hurricane it would probably not be standing, and the building would not withstand flooding.

(3) **Anne Miller, resident**, reported that a blower was still being used to remove debris from in front of the Bay Mariner Shops on the east side of Gulf Blvd.

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

**Councilor Irelan** announced the Luau to be held on October 17, 2009 at 6 P.M., and tickets to be available at the Womens' Club meeting on October 8, 2009.

**Councilor Irelan** advised the library is celebrating its 45<sup>th</sup> anniversary and hosting a High Tea Festival on November 1, 2009 at 4:30 P.M., with author Laura Kehoe addressing her book "Beach Cottage Bliss".

**Councilor Sutch** announced the Coastal Clean-up was also scheduled for October 17, 2009 from 8 AM to 11 PM, with a book sale in the afternoon and the Luau in the evening.

**Councilor Smith** reported attending the Florida Shore and Beaches Association Conference in Amelia Island, noting many elected officials and legislators present. **Councilor Smith** advised of attending the Board meeting, noting he was the only elected official serving on the Board of Directors.

He advised the Board was working on a program to educate people, as there is a well funded lobbyist group trying to convince people to allow drilling 10 miles off-shore. He stated it was an excellent conference, and it was again brought to his attention how fragile the beach is and the importance of keeping beach nourishment alive.

**Vice Mayor Herndon** reported on wanting benches by bus stops without shelters, noting presently there are 7 sheltered bus stops, with another one soon to go in at The Pub Restaurant.

**Vice Mayor Herndon** further reported on receiving responses from four condos wanting to participate in the beautification project to beautify the corridor, which they will agree to maintain, and these sites will be reviewed for compatibility.

***Town Council Meeting Minutes  
September 23, 2009 - Page 7***

***Mayor Lawrence*** reported on attending the County Commission meeting last night, as back in June the County staff changed the amount of money the County was to return to cities from the Penny for Pinellas funds was reduced by 25% from \$35 million to \$26.25 million, and extended the start date from 2011 to 2013.

***Mayor Lawrence*** advised that when the Budget passes it also includes passing of the Capital Improvement Plan Budget also.

***Mayor Lawrence*** stated he made a brief presentation advising the gist was that the County misinterpreted, as it was not a brick and mortar project, but rather a County commitment, and he requested the Board of Commissioners to live up to their 2008 commitment.

***Councilor Smith*** reported he saw it on television and stated the Mayor did a great job and got the point across.

***Mayor Lawrence*** stated that informal polling indicates at least five of the seven County Commissioners support the initial commitment. He advised he would be requesting the BIG-C members submit their projects between now and April, to facilitate getting some nice improvements in a short time.

***INDIAN SHORES TOWN COUNCIL MEETING adjourned at 8:00 P.M.***

  
***MARCIA GRANTHAM, CMC***  
***Town Clerk***