

Town of Indian Shores

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SPECIAL COUNCIL MEETING

MINUTES - APRIL 30, 2010

INDIAN SHORES SPECIAL COUNCIL MEETING convened at 9:30 A.M. Those present were Mayor Lawrence, Vice Mayor Herndon, Councilor Smith, Councilor Sutch and Councilor Irelan.

Also Present: Marcia Grantham, Town Clerk; Mary Karayianes, Director of Finance; Chief Williams; Lawrence Nayman, Building Official.

1. Consideration of approving Contract with Hennessy Construction Services for construction of the Town's new Municipal Center.

Chief Williams reported speaking to Mr. Bronson Alexander with Hennessy Construction Services and the Contract will be here Monday, advising he is requesting contingency approval, subject to the language wanted being included in the Contract.

Chief Williams further reported that Attorney Morris recommended liquidated damages and Mr. Alexander indicated during their presentation it was understood that there would be no liquidation damages assessed. A compromise was for liquidation damages of \$2,000.00 daily after 360 days.

Chief Williams stated the only other contingency would be the Builder's Risk Insurance and would go with the carrier which provides the best coverage, with Hennessy Construction Services paying the deductibles, and with a not-to-exceed price for the Contract with Hennessy Construction Services

Chief Williams advised that all wording changes by the Town's lawyer was acceptable to Hennessy Construction Services.

James J. Lawrence
Mayor

Joan G. Herndon
Vice Mayor

Carole Irelan
Councilor

Steve Sutch
Councilor

William F. Smith
Councilor

E.D. Williams
Town Administrator
Chief of Police

Mary Karayianes
Director of Finance
and Personnel

Marcia Grantham
Town Clerk

James Yacavone
Town Attorney

Lawrence G. Nayman
Building Code
Administrator

Special Town Council Meeting Minutes
April 30, 2010 - Page 2

Chief Williams reported on a situation during demolition of the Town's Annex building involving a young child and his father, wherein the child was too close to the area and holding onto the yellow tape around the area, and upon speaking to the father about the dangerous area he seemed not to realize the imminent danger.

Chief Williams stated this situation was discussed at a Staff meeting, and he was recommending the playground area be exclusively closed off during construction for safety purposes.

It was a consensus of the Council members for the playground area to be exclusively closed off for use during the time of construction for safety purposes.

Lawrence Nayman, Building Official, reported he had reviewed each deduct item on a line-by-line basis at the Workshop meeting on 4/28/2010, wherein they were discussed.

The Building Official stated the Contract would include a not-to-exceed figure of \$3,932,740.00, and the Town will receive \$55,000.00 as a result of the Direct Purchase Program at a later date. **The Building Official** advised he was working on a few things to try and get a few more dollars back.

The Building Official further stated he was very comfortable with the Contract and Hennessy Construction had worked well with him and he was recommending approval of the Contract.

Mayor Lawrence stated he was very comfortable with the process and the people the Town has been coordinating with, and thanked the Building Committee for all their efforts, especially Chief Williams and Lawrence Nayman, Building Official.

MOTION by Councilor Irelan – seconded by Councilor Sutch – to approve a Contract with Hennessy Construction Services at a not-to-exceed cost of \$3,932,740.00, subject to recommended language being inclusive in the Contract.
Motion carried 5-0.

2. Consideration of approving structure for bank loan on new Municipal Center.

Mary Karayianes, Director of Finance, reported she was requesting approval for Bond Counsel to protect the Town's interests, who will certify the bank qualification loan and the tax exempts status, noting a Resolution reflecting this would be forthcoming at the June Council meeting.

MOTION by Vice Mayor Herndon – seconded by Councilor Sutch – to approve the Finance Director proceeding with engaging Bond Counsel with Bryant Miller Olive, P.A. , at a cost of \$12,500.00, plus reimbursable expenses with the total cost being deducted from the note proceeds. Motion carried 5-0.

INDIAN SHORES SPECIAL TOWN COUNCIL MEETING adjourned at 9:45 A.M.


MARCIA GRANTHAM, CMC
Town Clerk