

# Town of Indian Shores

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## TOWN COUNCIL MEETING

MINUTES - JUNE 8, 2010

**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; Deputy Chief Hughes; Lawrence Nayman, Building Official.**

### 1.0 REGULAR COUNCIL MEETING

#### 1.1 Consideration of approving Council Agenda for June 8, 2010.

**MOTION by Councilor Irelan – seconded by Councilor Smith – to approve Council Agenda for June 8, 2010, as published. Motion carried 5-0.**

1.2	<u>MINUTES:</u>	Council	-	5/11/2010
		Public Serv. Com.	-	5/12/2010

**MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to approve "Consent Agenda" Minutes, as published. Motion carried 5-0.**

#### RE-OCCURRING EXPENSES: (Resolution 7-2008):

**From May 3, 2010 thru May 25, 2010. (Ref.: Pg. 1)**

**MOTION by Councilor Smith -- seconded by Councilor Irelan -- to approve "Consent Agenda" for Re-Occurring Expenses, as published. Motion carried 5-0.**

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

- 1.3 ***APPROVAL of Committee expenditures: Public Ser. Com. – 5/12/2010 - \$616.08, covering landscape improvements at the Town sign at north end of Town.***

*MOTION by Vice Mayor Herndon -- seconded by Councilor Smith -- to approve expenditure of \$616.08 by Public Services Committee at their meeting held on 5/12/2010. Motion carried 5-0.*

*Mayor Lawrence reported there are plans to also refurbish the sign.*

- 1.4 ***Correspondence: NONE***

- 1.5 ***Town Attorney's Report. NONE***

- 1.6 ***PUBLIC HEARING: Second Reading of proposed ORDINANCE 2010-4, amending Article VII of the Code of Ordinances entitled "Beaches" of Chapter 106 entitled "Waterways" by enacting Section 106-90 to be entitled "Unattended or abandoned umbrellas, canopies, volleyball nets, etc., on beach" to prohibit umbrellas, canopies, volleyball nets, etc., on Town beaches and parks between the hours of 10:00 P.M. and 6:00 A.M.***

*Attorney Yacavone conducted the Second Reading of proposed Ordinance 2010-4, by reading the title in full.*

*Mayor Lawrence stated this proposed Ordinance was discussed at last month's meeting.*

*Lawrence Nayman, Building Official, stated he concurs with the ordinance as it is a step forward to clean up the beach.*

*Mayor Lawrence stated the Town worked to create a fair ordinance for everyone.*

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

***MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve Second Reading of proposed Ordinance 2010-4, by title only. Motion carried 5-0.***

**1.7 PUBLIC HEARING: RESOLUTION 8-2010, authorizing loan for the Town's new Municipal Center.**

*Attorney Yacavone read the title of proposed Resolution 8-2010, in full.*

*Mary Karayianes, Director of Finance, stated this is preliminary approval by the Council, reporting she has put together a Request for Proposals to the banks which will be sent by June 17, 2010, with a due back date of July 15, 2010.*

*The Director of Finance further reported Staff would make a recommendation on July 23, 2010, and award the loan to a selected bank on July 27, 2010, with documents being signed on August 10, 2010.*

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

*MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to adopt proposed Resolution 8-2010, as published. Motion carried 5-0.*

**1.8 PROCLAMATION declaring June 15, 2010 as "Elder Abuse Awareness Day".**

*Mayor Lawrence reported he would be signing the Proclamation.*

**1.9 PROCLAMATION declaring the month of June 2010, as "HURRICANE AWARENESS MONTH" in the Tampa Bay region.**

*Mayor Lawrence reported he would be signing the Proclamation.*

**1.10 Consideration of approving purchase of six (6) additional trash receptacles at a cost of approximately \$4,656.00 (\$776.00 each), to be located as follows: Four (4) receptacles for the new Municipal Center, one each for the walk-over accesses at 195<sup>th</sup> Avenue W. and 200<sup>th</sup> Avenue W.; together with purchasing four (4) new benches for the new Municipal Center at a cost of approximately \$1,200.00 (\$300.00 each), with an approximate total cost of \$5,856.00.**

*Vice Mayor Herndon reported purchase of additional trash receptacles and benches was discussed at the Public Services Committee meeting recently, stating the benches are very attractive and popular, and are installed really well.*

*MOTION by Vice Mayor Herndon -- seconded by Councilor Sutch -- to approve Agenda Item 1.10, covering expenditure of \$5,856.00 for additional trash receptacles and benches. Motion carried 5-0.*

- 1.11 Consideration of approving proposal from Overhead Door Company of Clearwater in the amount of \$1,568.00, to replace garage door on the Public Services Building.**

*Mary Karayianes, Director of Finance, reported the door cannot be repaired and must be replaced.*

*MOTION by Councilor Smith -- seconded by Councilor Irelan -- to approve Agenda Item 1.11, covering expenditure of \$1,568.00 to replace the garage door on the Public Services Building. Motion carried 5-0.*

- 1.12 Consideration of approving invoice from Attorney Herbert Langford, Special Magistrate, dated April 14, 2010 in the amount of \$5,000.00, covering charges from 6/9/2009 through 9/21/2009.**

*Councilor Smith reported that he and the Building Official had an extensive discussion with Mr. Langford, not so much to reduce the invoice, but where to go in the future.*

*Councilor Smith stated it was made very clear what problems this has caused with the invoice not being in the correct fiscal year, in addition to letting the Town know what work is being performed. He further stated an invoice was requested each month for any work performed.*

*MOTION by Councilor Smith -- seconded by Councilor Irelan -- to approve Agenda Item 1.12, covering expenditure of \$5,000.00. Motion carried 5-0.*

- 1.13 Consideration of approving Professional Services Employment Agreement with Attorney Herbert Langford, covering Code Enforcement hearings.**

*Councilor Smith stated the proposed Employment Agreement was very good and touched on every point needed.*

*MOTION by Vice Mayor Herndon -- seconded by Councilor Smith -- to approve Professional Services Employment Agreement with Attorney Herbert Langford, covering Code Enforcement hearings. Motion carried 5-0.*

**1.14 Consideration of approving Financial Statement for the period ending May 31, 2010.**

*Mary Karayianes, Director of Finance, reported General Fund revenue of \$2,035,079, of that \$1,096,000 is tax revenue, which equals 92% of the tax levy.*

*The Director of Finance noted revenue is a little behind in month by month comparison, but is normal to lag by 2 to 3 months, advising the Town is in a good position.*

*The Director of Finance further reported in the CIP fund that once the Town starts paying out more in volume as a result of construction that figure will go up., and briefly addressed balances in the restricted funds.*

*The Director of Finance advised on June 1, 2010 the Town received an estimate of tax value from the Property Appraiser's office, noting the property value has declined by 10.7%. She stated the proposed FY 10/11 Budget is being prepared using a 13% reduction, and any excess can be added back in.*

***MOTION by Councilor Sutch -- seconded by Councilor Smith -- to accept Financial Statement for the period ending May 31, 2010, and hold for audit. Motion carried 5-0.***

**1.15 Consideration of approving Police Activity Report covering the month of May 2010.**

*Deputy Chief Hughes stated he would entertain questions concerning the Activity Report, and reported the new records report writing system is amazing with regard to the information it can provide.*

***MOTION by Councilor Smith-- seconded by Vice Mayor Herndon -- to approve Police Activity Report for month of May 2010, as published. Motion carried 5-0.***

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

*Lawrence Nayman, Building Official, reported five (5) test pilings were put in today, which hit substantial soil, and advised the weight test may start tomorrow with 60 tons of weight to test the pilings. They might then release for casting and may start putting in more pilings on Friday.*

*The Building Official stated he is very pleased with what he has seen and been told, noting the schedule for this month is to get them all in the ground and they believe we will be in for the Christmas party.*

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

1. **Art Newsome, President, Indian Shores Property Owners' Association,** announced the Association's Happy Hour would be held tomorrow at 5:30 P.M. at Mickey Quinn's Restaurant.

**1.19 Mayor's and Council Members Comments on any subject.**

**Councilor Irelan** noted the meeting with Pinellas County relative to their CIP Budget is scheduled for Thursday, and advised the recent Suncoast League of Cities meeting was excellent with a speaker from the Coast Guard addressing the oil-spill disaster by BP and the cleanup efforts.

**Councilor Sutch** reported the recent Town Clean-up Day went extremely well. He noted the Suncoast League meeting was very well organized and reported attending a Progress Energy storm meeting today concerning pre and post activities related to hurricanes and storms.

**Councilor Smith** reported on the following: (1) **Mad Beach Triathlon** – Advising this event went very well this year as they had an electronic sign put up, event started earlier, more space between bikers and the police did an excellent job of moving traffic when there was a break in bikers; (2) **Oil-Spill** – Advised there is no evidence at this time that spill is coming to this area. **Mayor Lawrence** stated he receives situation reports daily and will put together an e-mail update on this matter; (3) **FSBPA Conference** – Reported the annual Florida Shore and Beaches annual conference would be held locally this year at the Hyatt on Clearwater Beach in September, and encouraged any and everyone to attend, as highly educational and there would be no transportation cost this year; (4) **Condo statutes** – Reported Governor Crist signed a bill into law which will provide relief and good things for condos relative to delinquent condo fees and monthly rental funds; (5) **Parking space requirements for beach nourishment** – Reported Pinellas County is in the process of putting together information regarding parking on the beaches and the County must show the State a certain level of parking to obtain full reimbursement for beach re-nourishment. He further reported the area from 198<sup>th</sup> Avenue to 200<sup>th</sup> Avenue is starved for parking, and if Andy Squires, Pinellas County Coastal Management, cannot locate enough parking spaces someone has to come up with funds for the shortfall. It was noted this would be discussed at the Workshop next week.

**Mayor Lawrence** advised that Councilor Smith sent an excellent e-mail to Andy Squires in this regard.

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*Vice Mayor Herndon reported that thanks to efforts of the Indian Shores Property Owners' Association continual requests for new mailboxes were coming in for improving properties along Gulf Boulevard.*

*Vice Mayor Herndon stated that the medians at the south end of Town turned out really nice, however there are many weeds in the peanut grass, which need removing as soon as possible.*

*Mayor Lawrence stated that most of the topics he had to address were discussed in the reports by Council, and he had nothing further to report on.*

***INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:55 P.M.***

*Marcia Grantham*  
MARCIA GRANTHAM, CMC  
Town Clerk