

Town of Indian Shores

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TOWN COUNCIL MEETING

MINUTES - August 10, 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; Chief Williams, Town Administrator; Lawrence Nayman, Building Official.

1.0 REGULAR COUNCIL MEETING

1.1 **Consideration of approving Council Agenda for August 10, 2010.**

MOTION by Councilor Sutch -- seconded by Councilor Smith -- to approve Council Agenda for August 10, 2010, as published. Motion carried 5-0.

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

A. <u>MINUTES:</u>	Council	-	7/27/2010
	PZB Com.	-	8/3/2010
	Adm. & Fin. Com.	-	8/3/2010
	Public Ser. Com.	-	8/3/2010

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

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

From 7/7/2010 thru 7/27/2010.

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

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

- 1.3 APPROVAL of Committee expenditures: Public Ser. Com. - (8/3/10): \$1,000.00 covering 10 small mesh trash containers to be placed at bus stop locations without shelters.*

MOTION by Vice Mayor Herndon -- seconded by Councilor Sutch -- to approve expenditure of approximately \$1,000.00 by Public Services Committee on 8/3/2010, for 10 mesh trash containers. Motion carried 5-0.

- 1.4 Correspondence: NONE*

- 1.5 Town Attorney's Report. NONE*

- 1.6 PUBLIC HEARING: RESOLUTION 9-2010, authorizing the issuance of its Revenue Note, Series 2010 in the principal amount of \$2,000,000.00 for the principal purpose of financing the construction and equipping of a portion of the Municipal Town Center Project.*

Attorney Yacavone read the title of proposed RESOLUTION 9-2010, in full.

Mary Karayianes, Director of Finance, introduced Adam Horn with Sun Trust Bank and Grace Dunlap, with Bryant Miller Olive, P.A., Note Counsel.

The Director of Finance reported all went well and everyone was working together, advising four (4) bids had been received, however Sun Trust Bank had presented some unique options for the Town.

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

MOTION by Councilor Smith -- seconded by Councilor Irelan -- to adopt proposed RESOLUTION 9-2010, as published. Motion carried 5-0.

- 1.7 PUBLIC HEARING: RESOLUTION 10-2010, supporting the "9th Annual Florida Gulf Beaches Holiday Halfathon".*

Attorney Yacavone read the title of proposed RESOLUTION 10-2010, in full.

Mr. Chris Lauber addressed Council members and expressed gratitude for their continued support of the Holiday Halfathon, noting the event always goes well.

Mr. Lauber reported there are about 300 pre-registrations for the event, and he anticipates a count of 1,100 to 1,300 by race time.

Mayor Lawrence stated this was a public hearing and called for any comments from the audience.

Barbara Stone's grandson stated it was an excellent event and he would be participating in the marathon.

MOTION by Councilor Sutch – seconded by Vice Mayor Herndon – to adopt proposed Resolution 10-2010, as published. Motion carried 5-0.

- 1.8 PUBLIC HEARING: RESOLUTION 11-2010, opposing Brighthouse Networks' new location of governmental access channels to a digital only tier, and urging that public access channels are made available to all cable customers without additional fees.**

Attorney Yacavone read the title of proposed Resolution 11-2010, in full.

Mayor Lawrence reported that over a year ago Brighthouse moved the government access channel to a digital tier, which eliminates the channel for a lot of people, and thus some cities are opposing this change.

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

MOTION by Vice Mayor Herndon – seconded by Councilor Irelan – to adopt proposed Resolution 11-2010, as published. Motion carried 5-0.

- 1.9 PUBLIC HEARING: Consideration of approving request from Hyla K. Griesdorn Trust, to construct a single family home located at 19900 Gulf Boulevard, Units C & D, consisting of two stories over parking.**

Attorney Yacavone reviewed the quasi-judicial process, determined from Council members that there had been no ex-parte communication and administered the Oath to those individuals who would be presenting testimony.

Lawrence Nayman, Building Official, reported the site plan application was on page 28, the contractor's letter on page 29 and his Staff Report was on page 31.

The Building Official further reported a single family home would replace a duplex, advising it meets all local and State codes, stating he recommended approval and the PZB Committee reviewed and recommend approval also.

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 Councilor Irelan -- to approve request from Hyla K. Griesdorn Trust, to construct a single family home located at 19900 Gulf Boulevard, Units C & D, consisting of two stories over parking. Motion carried 5-0.

- 1.10 PUBLIC HEARING: First Reading of proposed ORDINANCE 2010-5, amending and restating the Town of Indian Shores Police Officers' Pension Trust Fund, adopted by Ordinance 2001-3, as subsequently amended; providing for severability of provisions; providing for conflict; providing an effective date hereof; providing for conformity to the uniform numbering system of the Indian Shores Town Code.**

Attorney Yacavone conducted the First Reading of proposed ORDINANCE 2010-5, by reading the title in full.

Chief Williams reported this had been brought to his attention by a letter from Scott Christiansen, a premier pension lawyer, and was responding to the Pension Board in order to be in compliance with Chapter 185.

Chief Williams further reported on researching that the ordinance was adopted as is in 2003, and has been amended with IRS complications, referred to in the letter, noting he has discussed this with Attorney Yacavone, as he does not want to go through this again as this has cost \$4,000.00.

Chief Williams stated it needs to be correct in the future or adjust to future amendments if possible, and recommended the ordinance be approved.

Attorney Yacavone stated he is not an expert in pension law, however he will talk with someone in his firm to determine if it is possible to incorporate any updates.

Councilor Smith stated he had read the letter and it is all about changing IRS codes, except for paragraph number 2, wherein the terms of the board members are increased.

Chief Williams stated that is permissible and provides for continuity, which he agrees with.

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

1.11 Consideration of approving renewal of Town's health insurance through City of Treasure Island, together with renewal of dental and long-term disability rates, effective October 1, 2010.

Mary Karayianes, Director of Finance, reported this item was reviewed by the Administrative & Finance Committee, and covers the annual renewal of health insurance with an 11.2% increase, dental rates with an increase of 6.9% and long-term disability insurance with an increase of 9.2%. She further reported the increases were anticipated and funds have been budgeted for these rates.

MOTION by **Councilor Smith** -- seconded by **Councilor Irelan** -- to approve Agenda Item 1.11, covering increases in health, dental and long-term disability as presented, effective October 1, 2010. **Motion carried 5-0.**

1.12 Consideration of approving Financial Statement for the period ending July 31, 2010.

Mary Karayianes, Director of Finance, reported the Town was in good financial position, with revenue to date of \$2,381,459.00, with \$1,269,000.00 of that figure representing taxes collected, which is 101.6% of budgeted amount, and 96.4% of the total levy, and why she recommended budgeting at 96% for the upcoming budget.

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

1.13 Consideration of approving Police Activity Report covering the month of July 2010.

Chief Williams reported the month was not remarkable, with criminal reports remaining the same, with a drop in traffic citations, which was off set by warning tickets.

MOTION by Councilor Sutch -- seconded by Councilor Irelan -- to approve Police Activity Report covering the month of July 2010, as published. Motion carried 5-0.

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

Chief Williams reported on the following items: 1) No meeting for two weeks, but will hold a meeting tomorrow; 2) South stairwell poured with approximately 114 Cu. Yards; 3) Working on shear wall metal form and doing other pile caps; 4) Bonnie Dhonau met today with another furniture vendor, and will have a better handle next week; 5) Discussed security and will get down as figure came in high.

Lawrence Nayman, Building Official, reported receiving an e-mail that they will be pouring pile caps on Thursday, and getting inspection lab reports with arguments on strength of material, noting they need to get out of the ground before a schedule can be established.

1.15 Town Administrator's Report.

Chief Williams reported on the following items: 1) Dave has been trimming Palms near the Town Hall and has borrowed the bucket truck from Madeira Beach and will work on lights on Second Street, and also is working on mailboxes and getting the grass under control near the bridge, noting the flowers will come back; 2) 19 Palm trees are suspect, but are holding out till a better evaluation is made and will be replaced if necessary, it was noted there is a one (1) year warranty, with a 90 day growing in period; 3) Thanked Mary Karayianes for the tremendous amount of work and remarkable job she did on the Town's loan for the new Municipal Center.

**** Larry Schear, Commissioner, Pinellas Suncoast Fire & Rescue, reported the District is continuing discussion for funding and re-location of Station #27; County is taking funding away from Station #26 and will have to close down, however still looking for funding or another location; Fire Chief Livernois has resigned and they are looking at resumes.**

1.16 Citizens' Comments on any subject.

1) **Anne Miller, resident, announced the Indian Shores Property Owners' Association will hold Happy Hour tomorrow at Mahuffers.**

**** Mr. Bob Lasher, PSTA, addressed Council members and presented information on fare increases and service adjustments, noting there would be no affect on the trolley. He reported on a 67% fuel savings on the trolleys.**

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

Councilor Irelan thanked the Building Official for all his efforts and work on the new building. She reported she had spoken with furniture vendors about furniture for the Library shelves.

Councilor Irelan further reported researching the type of Indians in this area, and stated she thought a painting of the shoreline would look good. She also reported on looking into rubber mulch, which comes in different colors with a 12 year guarantee. She advised next week she would be attending the Florida League of Cities Conference.

Councilor Sutch reported on meeting with Fred Stager, Pinellas County representative, regarding the poor condition of the landscape area and questioned what could be done to improve the site. Mr. Stager advised he would meet with the County's horticultural person and determine what could be done.

Councilor Smith reported the re-nourishment of Sand Key is scheduled to start in the spring, however there is no appropriation from the Federal government and that may not happen.

Councilor Smith reminded everyone of the Florida Beach and Shore Association Conference in September at the Hyatt Hotel on Clearwater Beach and encouraged all to attend since it is local this year.

Vice Mayor Herndon reported at the Public Services Committee meeting the idea of a "Community Garden" had been discussed in the Town Square area, noting there was plenty of parking. She further reported Chief Williams had come up with a good arrangement for the plots.

Vice Mayor Herndon also reported on new modular units for newspapers being considered for Bay Mariner Shopping Center and Indian Pass Village, to improve the look of all the news racks at those locations.

Mayor Lawrence stated that Chief Livernois is a good man and will be missed.

Mayor Lawrence reported a Special Magistrate meeting would be held tomorrow, and advised a Workshop was scheduled for August 17, 2010 at 2:00 P.M., to discuss Pinellas County approving the extended hours for businesses to sell alcohol, noting the Town presently has an ordinance requiring closing at 2:00 A.M.

Mayor Lawrence advised that Pam Dubov, Pinellas County Property Appraiser, has sent one of the TRIM notices for taxes, noting that it looks different this year.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 8:07 P.M.


MARCIA GRANTHAM, CMC
Town Clerk