

Town of Indian Shores

19305 Gulf Boulevard, Indian Shores, FL 33785
ph 727.595.4020 fax 727.596.0050

www.myindianshores.com



TOWN COUNCIL MEETING

MINUTES - SEPTEMBER 22, 2010

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

Also Present: Attorney Yacavone; Elaine Jackson, Deputy Clerk; Mary Karayianes, Director of Finance; Lawrence Nayman, Building Official; Chief Williams, Town Administrator; Robert Brotherton, Town Engineer.

1.0 REGULAR COUNCIL MEETING

1.1 **Consideration of approving Council Agenda for September 22, 2010.**

Motion by Councilor Irelan, seconded by Councilor Sutch to approve the Council Agenda for September 22, 2010. 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 proposed final Ad Valorem millage rate is 1.7500, which is the present rate, noting it does not exceed the rolled-back rate of 1.9953.

1.3 **PUBLIC HEARING: Adoption of final Ad Valorem millage of 1.7500 mills per \$1,000.00 of assessed valuation for FY 2010/2011, by RESOLUTION 12-2010.**

Attorney Yacavone read Resolution 12-2010 by title only.

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

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 Smith, seconded by Vice Mayor Herndon, to adopt the final Ad Valorem millage of 1.7500 mills per \$1,000 of assessed valuation for FY 2010/2011, by RESOLUTION 12-2010. **Motion carried 5-0.**

1.4 PUBLIC HEARING: Amendment of proposed Budget and adoption of final Budget for FY 2010/2011, by RESOLUTION 13-2010.

Attorney Yacavone read Resolution 13-2010 by title only.

Mary Karayianes, Finance Director, reported budgeted revenues for FY2010/2011 were as follows: General Fund: \$2,760,885.00; Capital Improvement: \$753,483.00; Road and Bridge: \$113,600; and Parking Fund: \$82,000.00.

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 Irelan, to adopt the final Budget for FY 2010/2011, by Resolution 13-2010. **Motion carried 5-0.**

1.5 Consideration of approving "CONSENT AGENDA", as follows:

A. <u>MINUTES:</u>	PZB Com.	-	9/7/2010
	Council	-	9/8/2010

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

1.6 APPROVAL of Committee expenditures: NONE

1.7 Correspondence: NONE

1.8 Town Attorney's Report: NONE

1.9 PUBLIC HEARING: Second 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.

Attorney Yacavone conducted the Second Reading of Ordinance 2010-5 by reading the title in full.

Chief Williams reported receiving a letter from the actuary, Foster and Foster indicating there would be no adverse impact from the amendments.

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 Irelan, to approve Second Reading of Ordinance 2010-5 by title only. Motion carried 5-0.

- 1.10 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2010-6, amending Section 18-254 of Article VIII of Chapter 18 of the Code of Ordinances regarding the Board of Adjustments and Appeals to hear appeals under the Standard Unsafe Building Abatement Code (SUBAC) by terminating the terms of the current members of the Board and providing that future Board members shall be appointed as necessary to hear SUBAC appeals following which their terms shall end; providing for an effective date; and providing for the uniform numbering system of the Indian Shores Code.*

Attorney Yacavone conducted the Second Reading of Ordinance 2010-6 by reading the title in full.

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

Motion by Councilor Sutch, seconded by Councilor Smith, to approve Second Reading of Ordinance 2010-6 by title only. Motion carried 5-0.

- 1.11 **PUBLIC HEARING:** *First Reading of proposed ORDINANCE 2010-7, amending Chapter 86 of the Code of Ordinances, entitled "Floods", by amending Article III, entitled "Stormwater Management", by amending the definitions of "Design Storm", "Erosion", "Subsurface Drainage", "Unimproved Land", "Waterbody", "Watercourse", and "Wetland", by defining "Municipal Separate Storm Sewer System"; by amending Section 86-122, entitled "Violations and Penalties" and Section 86-124, entitled "Stormwater Management Plan Required" and by deleting Section 86-123, entitled "Compliance with Article Required"; creating Article IV, entitled "Construction Site Stormwater Runoff Control", to provide requirements for the control of stormwater runoff from construction sites and enacting Sections 86-129 through 86-135 to provide for Definitions, Permit Requirements, Inspections, and Enforcement.*

Attorney Yacavone conducted the First Reading of Ordinance 2010-6 by reading the title in full.

Mr. Nayman, Building Official reported some minor changes were still needed in the definitions and verbiage.

Mr. Brotherton, Town Engineer, stated he will be submitting for approval additions to Section 90, to bring the Town into compliance with NPDES permitting requirements dealing with illicit discharges. This will be proposed as a First Reading in the same meeting as the current Section 86 changes are approved at the Second Reading.

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

Motion by Vice Mayor Herndon, seconded by Councilor Smith, to approve First Reading of Ordinance 2010-7 by title only. Motion carried 5-0.

1.12 Consideration of approving the Town contract with Office Furniture Center to provide furniture for the new Municipal Center.

Chief Williams stated the Administrative and Finance Committee had chosen Office Furniture Center as the preferred company from three companies which were eligible under state contract. The negotiated price of \$83,000 will need to be revised after dealing with some issues and will probably bring the cost up to approximately \$86,000.

Motion by Councilor Smith, seconded by Councilor Sutch, to approve the Town contract with Office Furniture Center to provide furniture for the new Municipal Center, in an amount not to exceed \$86,422.97. Motion carried 5-0.

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

Chief Williams reported meeting with four phone service vendors under the State of Florida contract including the SunCom system with voice-over IP; looking at a wiring proposal, and dealing with Verizon relative to bringing main service to point of demarcation; a phone vendor providing a host system that resides offsite; and looking at different options and pricing involved. He stated recommendations will be coming shortly for pre-wiring and other issues relating to the phone and data systems.

Mr. Nayman reported the beam structure for the first livable floor has been poured, and they will be setting slabs next week, and adding columns and walls for the next floor. He explained the testing techniques needed to verify strength of concrete, which takes time to evaluate. He anticipated decisions would need to be made relative to the locations of inside wiring by November.

1.14 Town Administrator's Report.

Bob Brotherton addressed the need to replace about 25% of the Palm trees in the landscaping project and stated he would be meeting with Buccaneer Landscaping on Thursday, September 23, 2010 to discuss the issue. There were about 225 palm trees installed originally and about 60 of them need to be replaced.

Chief Williams announced the town had received a notice to proceed on placement of Palms at Sandcastle Condo.

Chief Williams also reported he had met with vendors regarding door entries, security systems and panic alarms.

Chief Williams stated he would like to clear up the issue of the buoys since it has come to light once again and he is not sure how much more explicitly he can explain it.

Mayor Lawrence requested that the issue be addressed during Council comments.

1.15 Citizens' Comments on any subject.

There were no comments.

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

Councilor Irelan thanked Mr. Nayman for his expertise and staying on top of the new municipal building project.

Councilor Irelan announced a Read and Feed is scheduled for Wednesday, September 29, 2010 at 11:30 A.M. in the conference room. The book "Eat, Pray and Love" will be discussed, Italian food will be served and there will be a yoga demonstration.

Councilor Sutch announced he had received flyers for the October 16, 2010 Coastal Cleanup and expected students from Clearwater High School to participate to earn credits for scholarships.

Councilor Smith addressed the Florida Shore and Beach Preservation Association conference presently underway. At a directors meeting he learned the Sand Key Renourishment project will be delayed due to the Federal government not appropriating the funds.

Vice Mayor Herndon shared handouts and photos depicting the various locations where new benches, trash receptacles and mailboxes have been installed, which had elicited positive comments from citizens. She stated she would pursue more cooperation from neighbors at the north end of town.

Mayor Lawrence announced the Big-C is scheduled to meet on Wednesday, September 29, 2010 at Belleair Beach, and that he would attend his first meeting with the EMS Advisory Council on September 23, 2010, hoping to address his concerns relative to the changes in service and response time affecting the citizens.

Mayor Lawrence also addressed the letter submitted by Wes Westphal regarding the removal of the buoys, stating Mr. Westphal did not understand the criteria for the decision more than a year ago to eliminate the buoys after a new system was tried and failed, and Council voted to de-activate them. The process was delayed due to inaction by the Florida Fresh Water Game Commission, but is now on track. He advised if the Council would like to reconsider the issue, it may be brought back for discussion at a workshop. He asked each Councilor to closely read Mr. Westphal's letter provided to each Councilor and to discuss the rationale with Chief Williams which led to the decommissioning decision in 2009.

Mayor Lawrence also asked each Councilor to communicate their desire to reopen or not reopen the issue for public discussion to the Town Clerk early next week.

The Indian Shores Town Council meeting adjourned at 7:50 P.M.


ELAINE JACKSON, MMC
Town Clerk