

Town of Indian Shores

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TOWN COUNCIL MEETING

MINUTES - OCTOBER 12, 2010

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

Absent: Mayor Lawrence

Also Present: Attorney Yacavone; Marcia Grantham, Town Clerk; Chief Williams, Town Administrator; Lawrence Nayman, Building Official Bob Brotherton, Engineer.

1.0 REGULAR COUNCIL MEETING

**** Chief Williams recognized Officer Joe Ferro and presented him with a plaque commemorating 20 years of service with the Town of Indian Shores.**

1.1 **Consideration of approving Council Agenda for October 12, 2010.**

Vice Mayor Herndon requested adding two items to the Agenda, a letter from Governor Crist and a report by Fire Board Commissioner Larry Schear

MOTION by Councilor Smith -- seconded by Councilor Irelan -- to approve Council Agenda for October 12, 2010 as published, subject to adding the two items requested by Vice Mayor Herndon. Motion carried 4-0.

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

A. <u>MINUTES:</u>	Admn. Com.	9/21/2010
	Council	9/22/2010

MOTION by Councilor Irelan -- seconded by Councilor Smith -- to approve "Consent Agenda", covering Minutes, as published. Motion carried 4-0.

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

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

From 9/14/2010 thru 9/28/2010.

MOTION by Councilor Sutch -- seconded by Councilor Smith -- to approve "Consent Agenda", covering Re-Occurring Expenses, as published. Motion carried 4-0.

1.3 APPROVAL of Committee expenditures: NONE

1.4 Correspondence: Memo from the Town Clerk dated October 1, 2010, regarding qualification requirements for the upcoming municipal election on March 8, 2011.

Marcia Grantham, Town Clerk, addressed her Memo regarding qualification requirements, advising there are two Council positions open, and the deadline for qualifying is NOON, on Friday, December 10, 2010.

Vice Mayor Herndon read a letter from Governor Crist addressed to Janet Hoppe, former Mayor, appointing her to serve on Southwest Florida Water Management District's Anclote-River Basin Board.

1.5 Town Attorney's Report. None

1.6 PUBLIC HEARING: Second 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 Second Reading of proposed Ordinance 2010-7, by reading the title in full.

Vice Mayor Herndon stated this was 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 2010-7, by title only. Motion carried 4-0.

1.7 PUBLIC HEARING: First Reading of proposed ORDINANCE 2010-8, repealing the buoy ordinance.

Chief Williams requested the Council to table this item and schedule for a Workshop meeting, which has been tentatively set for November 2, 2010 at 2:00 P.M.

It was a consensus of the Council members to table Agenda Item 1.7, and schedule for discussion at a Workshop meeting.

1.8 PUBLIC HEARING: RESOLUTION 14-2010, amending the Town's FY 2010/11 Budget.

Attorney Yacavone read the title of proposed RESOLUTION 14-2010, by reading the title in full.

Chief Williams presented a detailed report on the purpose of proposed Resolution 14-2010, which basically represented re-appropriating the balance of funds to complete the tracking of expenses in three separate accounts in the General Ledger in the amount of \$3,419,815.09 covering construction expenses for the new Municipal Center.

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

Councilor Smith requested clarification on the direct purchase program the Town is using for the new Municipal Center, and Chief Williams explained the process.

MOTION by Councilor Smith -- seconded by Councilor Irelan -- to approve adopting proposed RESOLUTION 14-2010, as published. Motion carried 4-0.

- 1.9 Consideration of approving expenditure of \$5,790.00 to Buccaneer Landscape covering 49 re-generated palm trees for replacement, and additional 9 trees at 200th Avenue.**

Chief Williams reported this is an extrapolation off of the original grant with FDOT, substituting re-generated palm trees, which have been planted for about seven (7) months and greatly improves the growth period, in order to ensure reimbursement on the grant. He further stated that FDOT has agreed to a reduced growth period of 30 days.

Chief Williams further reported that Sand Castle Condo was very cooperative during the Town's undergrounding process and gave up a parking space for a vault to be placed on their property, and lost trees during the initial road clearance. He advised these trees were promised to Sand Castle during the road project.

MOTION by Councilor Sutch -- seconded by Councilor Irelan -- to approve expenditure in the amount of \$5,790.00 to Buccaneer Landscape covering 49 re-generated palm trees for replacement, and additional 9 trees at 200th Avenue. Motion carried 4-0.

- 1.10 Consideration of approving Vice Mayor Jerry Knight of North Redington Beach, to represent the beach communities on the Pinellas Planning Council, effective January 2011.**

Vice Mayor Herndon reported Vice Mayor Jerry Knight has served as a representative for several years and is very effective in this position.

MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve Agenda Item 1.10, as presented. Motion carried 4-0.

- 1.11 PROCLAMATION declaring the month of November as "Pancreatic Cancer Awareness Month".**

Vice Mayor Herndon reported Mayor Lawrence had signed the Proclamation declaring the month of November as "Pancreatic Cancer Awareness Month".

1.12 Consideration of approving request from Neighborly Care Network for a donation of matching funds in the amount of \$2,500.00.

Vice Mayor Herndon reported on the attached background material stating this was a much needed program which the Town had contributed to for many years, noting that last year for some reason the Town did not make a contribution.

MOTION by Councilor Sutch-- seconded by Councilor Irelan -- to approve the Town donating matching funds in the amount of \$2,500.00 to Neighborly Care Network. Motion carried 4-0.

1.13 Consideration of approving appointments to Seat #5 and Seat #6 on the Board of Adjustment, with three year terms expiring on October 28, 2010.

Vice Mayor Herndon reported Mayor Lawrence was still in the process of accepting names of any candidate to fill Seat #5, however Mr. Sanderbeck was willing to accept re-appointment.

MOTION by Councilor Irelan -- seconded by Councilor Sutch -- to approve re-appointment of James Sanderbeck to Seat #6 on the Board of Adjustment, with term expiring October 2013. Motion carried 4-0.

1.14 Consideration of approving appointments to the Police Pension Board with four (4) year terms for Michael Petruccelli and Bill Priakos expiring in October 2010.

Vice Mayor Herndon reported that Mr. Petruccelli and Mr. Priakos were willing to accept re-appointment to the Pension Board.

MOTION by Councilor Sutch -- seconded by Councilor Smith -- to approve appointment of Michael Petruccelli and Bill Priakos to the Police Pension Board, with terms to expire in October of 2014. Motion carried 4-0.

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

Chief Williams reported criminal and physical reports were up, crashes were down, citations and warnings were up, and calls for service were down slightly.

Chief Williams reported the Town is applying and will receive some left over traffic money from FDOT in the amount of \$2,500.00, which will be used for crosswalk enforcement.

MOTION by **Councilor Smith** -- seconded by **Councilor Sutch** -- to approve the Police Activity Report covering the month of September 2010, as published.

Motion carried 4-0.

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

Chief Williams reported that *Bonnie Dhonau*, his Administrative Assistant, had done tremendous research, advising the furniture was resolved, telephones were near completion, the Building Official has been meeting with door security, and will probably piggyback off of St. Pete College, close to finalizing wiring and Councilor Smith and the Town Clerk are researching audio/video equipment.

Lawrence Nayman, Building Official, reported the first floor is up and they are ready for the beam structure on the second floor, noting that every day they are pouring concrete, with pressure break test of over 7,000 lbs., advising all is going well. He further reported he is working on setting up the front door, and within the next two weeks the next floor will be capped and sealed and they will begin framing, and noted he is also working out uniform lighting.

1.17 Town Administrator's Report.

Chief Williams reported that mowing season is slowing down and *Dave Berger* is working on road signs and able to do a few other things. *Chief Williams* advised he has been working on the landscape issue.

1.17.1 Presentation by Larry Shear regarding Pinellas Suncoast Fire & Rescue, Station #26.

Fire Commissioner Larry Shear reported the Board received 40 applications for Fire Chief, narrowing those down to 11 applicants, with the top two scheduled to appear before the Board tomorrow to determine the best candidate, noting that Chief *Livernois* will stay long enough to ensure a smooth transition.

Fire Commissioner Larry Shear also reported on the status of Station #26, which is now gone, noting last year the Board absorbed the cost, however this year Pinellas County removed all funding for that station.

Fire Board Commissioner Larry Schear they were planning on beginning a letter writing campaign to try and restore Station #26, and possibly another one, in hopes of expanding with the beach communities and would need the assistance of the Town and organizations like the Property Owners' Association and the Woman's Club.

1.18 Citizens' Comments on any subject.

(1) Art Newsome, President, Property Owners' Association, announced they would hold Happy Hour tomorrow at 5:30 P.M. at Mickey Quinn's.

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

Councilor Irelan stated she had no report to present.

Councilor Sutch announced the Coastal Cleanup would be held on Saturday, October 16, 2010 at 8:00 AM, and he was expecting 10 students from St. Pete College to participate.

Councilor Smith reported that Andy Squires at Pinellas County is the person who co-ordinates the beach re-nourishment program, and at the last BIG-C meeting reported it is federal funding that is not being received, noting earmarks are just not happening, therefore the Sand Key re-nourishment project will be over a two (2) year period, with Indian Shores in the second half.

Vice Mayor Herndon reported the Town's beautification efforts are really coming together, noting the paper racks at 197th Avenue E. have been vacated, and the dumpster enclosure is to be re-done, advising she has met with Art Newsome to see if it can be re-located.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:52 P.M.


MARCIA GRANTHAM, CMC
Town Clerk