

Town of Indian Shores

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TOWN COUNCIL MEETING

MINUTES - DECEMBER 14, 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 Daignault; Marcia Grantham, Town Clerk; Mary Karayianes, Director of Finance and Personnel; Chief Williams, Town Administrator.

1.0 REGULAR COUNCIL MEETING

1.1 Consideration of approving Council Agenda for December 14, 2010.

MOTION by Vice Mayor Herndon -- seconded by Councilor Sutch -- to approve Council Agenda for December 14, 2010 as published, subject to adding consideration of request to purchase a new police vehicle and discussion of the proposed legislation to combine the Pinellas Planning Council and the Metropolitan Planning Organization. Motion carried 5-0.

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

A. MINUTES: Council 11/9/2010

MOTION by Councilor Smith -- seconded by Councilor Irelan -- to approve "CONSENT AGENDA" covering Minutes, as published. Motion carried 5-0.

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

From 11/2/2010 thru 11/30/2010.

MOTION by Vice Mayor Herndon -- seconded by Councilor Sutch -- to approve "CONSENT AGENDA" covering Re-Occurring Expenses, as published. Motion carried 5-0.

1.3 APPROVAL of Committee expenditures: 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

1.4 CORRESPONDENCE:

Mayor Lawrence reported on receiving notice of the upcoming Law Seminar to be held on January 21, 2011, and advised anyone interested in attending to contact the Town Clerk.

Mayor Lawrence also reported receiving a "thank you" card from the employees thanking the Council for their extra holiday pay.

1.5 Town Attorney's Report. NONE.

1.6 PUBLIC HEARING: *Second Reading of proposed Ordinance 2010-9, amending Article V, entitled "Conservation", of Chapter 90 of the Code of Ordinances, dealing with planning and development by amending Section 90-102, entitled "Maintenance of Recreational Water Quality" to prohibit new discharges into the intracoastal waterway and to allow the Town to enter into Interlocal Agreements to prevent pollutant discharges; creating Section 90-103 to be entitled "Town of Indian Shores Stormwater Pollution Control Ordinance" to provide rules, regulations, prohibitions, penalties and enforcement to control the discharge of pollutants to the Town's storm sewer system, to the Gulf Boulevard drainage system onto private property, and to surface waters and surrounding coastal waters.*

Attorney Daignault conducted the Second Reading of proposed Ordinance 2010-9, by reading the title in full.

Mayor Lawrence reported the proposed Ordinance has been discussed in Committee and Mr. Nayman, Building Official and Mr. Brotherton, Engineer, have both explained the purpose which is part of the Town's requirements under the NPDES permit and has to be passed for the Town to comply.

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

MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve Second Reading of proposed Ordinance 2010-9, by title only. Motion carried 5-0.

1.7 PUBLIC HEARING: RESOLUTION 15-2010, supporting the "LET'S MOVE!" Campaign.

Attorney Daignault read the title of proposed Resolution 15-2010, in full.

Mayor Lawrence reported initially this proposed Resolution came from the National League of Mayors down through the Florida League of Mayors Association.

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 15-2010, as published. Motion carried 5-0.

1.8 Consideration of awarding Bid for police vehicle.

Mayor Lawrence opened the one (1) Bid submitted for the police vehicle from Mr. Bill Starr in the amount of \$2,102.00.

MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to approve Bid from Mr. Bill Starr in the amount of \$2,102.00 for purchase of 2000 Ford Crown Victoria. Motion carried 5-0.

1.8.1 Consideration of approving request from Chief Williams to purchase a new Police Vehicle.

Chief Williams reported on request to purchase a new 2011 Dodge Charger police vehicle at a cost of \$25,064.72, which represents a decrease of \$1,697.03 from the cost of the new vehicle in 2010.

Chief Williams further reported a new vehicle is purchased annually using Capital Improvement Funds, and this price is under the State Contract.

MOTION by Vice Mayor Herndon -- seconded by Councilor Smith -- to approve Chief Williams purchasing a new 2011 Dodge Charger police vehicle at a cost of \$25,064.72. Motion carried 5-0.

1.9 PROCLAMATION proclaiming the week of December 26, 2010 through January 2, 2011 as "Childhood Cancer Awareness Week".

Mayor Lawrence reported on signing the above Proclamation.

1.10 Consideration of the Town accepting donation of a Roto-tiller from Vicki and Bruce Lawrie.

Mayor Lawrence reported on the donation of a Roto-tiller from Vicki and Bruce Lawrie, who are relatives of Bonnie Dhonau, stating they are moving and cannot use the equipment. *Mayor Lawrence* advised the Public Services Department could utilize this Roto-tiller.

MOTION by *Councilor Smith* – seconded by *Councilor Sutch* – to accept donation of a Roto-tiller from Vicki and Bruce Lawrie for the Town's Public Services Department. **Motion carried 5-0.**

1.10.1 Discussion of proposed second draft of the proposed legislation combining the Pinellas Planning Council (PPC) and the Metropolitan Planning Organization (MPO).

Mayor Lawrence reported spending a lot of time reviewing the proposed legislation and felt they had taken concrete steps to relieve some of the concerns expressed by the City of South Pasadena.

Mayor Lawrence further reported he did not feel it would have a big affect on smaller cities, but can see some of the concern for larger cities, but does not see any constraint on Indian Shores, stating he was inclined to respond with no objections, however he wanted the Council members to also have a voice.

Discussion followed among Council members with *Mayor Lawrence* citing the motivation was the duplication of effort among the agencies, noting that he had pointed this out as the Town uses the staff on the PPC in planning efforts and they have helped the Town for many years. He stated that they have assured him that function will still be available.

Chief Williams stated he had reviewed it briefly advising the representative seat is rotated, however he did not see the process set out for doing that.

Chief Williams reported he had received a communication from Sally Bishop, head of Emergency Management for the County, advising he could see a trend as they were pushing mitigation control from Emergency Management to the County, and this too is going to the Planning Department, noting the Council might want to review this aspect. *Mayor Lawrence* stated he would take a look.

After discussion of the proposed PPC/MPO Special Act it was the unanimous consensus of the Town Council to support the Special Act as provided by Pinellas County for review.

1.11 Consideration of approving Financial Statement covering November 30, 2010.

Mary Karayianes, Director of Finance, reported it is only two months into the fiscal year and accrued revenue is still being collected, noting some of the revenue comes in 2 to 3 months later.

The Director of Finance further reported that of the General Fund revenue of \$427,533.00, taxes represent 21% of that figure, advising the General Fund was in a good position, and noted the restricted fund balances for Police Education and Beautification.

***MOTION** by Councilor Smith -- seconded by Councilor Sutch -- to accept Financial Statement for the period ending November 30, 2010, and hold for audit. Motion carried 5-0.*

1.12 Consideration of approving Police Activity Report covering the month of November 2010.

Chief Williams, Town Administrator, reported it was a busy month with 62 calls for service, which was an increase over last year at this time. He noted traffic citations were down, with warnings, accidents and arrests all being up.

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

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

Chief Williams, Town Administrator, reported that prior to his vacation time he had questioned completion time and was advised around mid-February. He further reported he had toured the new center up to the Assembly Room, noting it had quite a view, and today had viewed the first floor.

Chief Williams further reported on meeting with the Building Official, and advised of a slow down on the plank for the roof, as the Engineer had not sanctioned the work until warmer weather for the floor covering, noting he was not aware of anything thing else.

Chief Williams advised they would be capping the roof, then putting up the dry wall, noting the building was taking shape and looking good. He further advised of some conflict with change orders involving some electrical work in the range of \$4,000.00 - \$5,000.00, and they will be discussing these items.

1.14 Town Administrator's Report.

Chief Williams, Town Administrator, reported he had been out on vacation, however the following had taken place: (1) FDOT landscape project was about to be finalized, noting they replaced 49 dead trees with re-generated trees, and had allowed for a 30-35 day grow in period and the Town could then move toward reimbursement; (2) Dave Berger, Public Works Supervisor, completed a lot of trimming at the Nature Refuge Park, and noted a couple of the Christmas banners had been lost to the wind; (3) Waste Services repaired the dumpster in the front parking lot of the Bay Mariner Shops; (4) Tree replaced at 197th Avenue E.

Fire Board Commissioner, Larry Shear, reported the new Fire Chief was blending into the community, noting he had visited all the Towns and Departments, and was communicating with the County and also with the State regarding a grant for the ratings status.

Mayor Lawrence reported he had met with Chief Polk last week and they were trying to set up a meeting with Mayor Adams to discuss some ideas to save Station #26.

1.15 Citizens' Comments on any subject.

(1) *Dr. Steve Greenberg, 19930 Gulf Boulevard,* expressed concern with bike riders in the driving lane and seeing more unleashed dogs on the beach.

Chief Williams responded stating it is also a pet peeve of his, however he has done some research and by law you cannot make them use the bike lane.

Chief Williams stated he would like to see a State law requiring bike riders to use the bike lane when there is one available.

Mayor Lawrence stated he has seen a couple of articles in the paper which indicated if they are impeding traffic they can be cited, and advised he would review these with Chief Williams and try and locate the specific statute.

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Chief Williams responded to the dog issue and advised people need to call when they see dogs on the beach, as in most instances people are not told that they cannot be on the beach.

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

Councilor Irelan welcomed Chief Williams back, thanked all of the Staff for their hard work and wished all a happy holiday.

Councilor Sutch reported he spoke with the County representative regarding the status of Tiki Park, and he advised him that there is some room for improvement, but could not expand on that as several jobs are going to be lost. Councilor Sutch advised that he did ask for the name of another contact person.

Councilor Sutch wished everyone a happy holiday.

Councilor Smith stated he was reflecting on this last year of being in the old building, and expressed his gratitude to all of the Staff for all their help on the many projects in town, and grateful to Council for all working well together and to the citizens as Indian Shores is the envy of other towns. Councilor Smith wished all a happy holiday.

Vice Mayor Herndon agreed with Councilor Smith that other Town's are envious of Indian Shores, with the undergrounding project and road project completed and now a new Municipal Center nearing completion. Vice Mayor Herndon reported new things are coming up for the new year, and there will be a Public Services Committee meeting on 1/4/2011. She also wished everyone a happy holiday.

Mayor Lawrence thanked the Staff for all their work on the Christmas party and the BIG-C party, and wished everyone a great holiday.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 8:00 P.M.


MARCIA GRANTHAM, CMC
Town Clerk