

# Town of Indian Shores

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## TOWN COUNCIL MEETING

MINUTES - MARCH 22, 2011

**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 **OATH OF OFFICE ADMINISTERED TO COUNCILOR CAROLE IRELAN AND COUNCILOR STEVE SUTCH, unopposed in March 2011.**

*Marcia Grantham, Town Clerk, administered the Oath of Office to Councilor Carole Irelan and Councilor Steve Sutch, who were unopposed for re-election in March 2011.*

#### 1.2 **PRESENTATION BY ATTORNEY YACAVONE REGARDING THE "SUNSHINE LAW".**

*Attorney Yacavone reviewed the requirements of the "Sunshine Law", under Florida Statutes 286.011.*

#### 1.3 **Consideration of approving Council Agenda for March 22, 2011.**

**MOTION by Councilor Sutch-- seconded by Councilor Smith -- to approve Council Agenda for March 22, 2011, 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

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

A. MINUTES: Council - March 8, 2011

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

B. RE-OCCURRING EXPENSES: None.

1.5 Correspondence: NONE.

1.6 Town Attorney's Report.

*Attorney Yacavone* reported the Chapman case has been firmly set for trial in August 2011.

1.7 Council election of Vice Mayor.

*Councilor Sutch* made a Motion to nominate Councilor Smith. Motion failed for lack of a Second.

*MOTION* by Councilor Smith – seconded by Councilor Irelan – to nominate Councilor Herndon to serve as Vice Mayor. Motion carried 5-0.

1.8 PUBLIC HEARING: Consideration of approving a Development Agreement to allow the development of a single multifamily residential building consisting of three single family units with a maximum allowable height of fifty feet on land located at 20256 Gulf Boulevard.

*Mayor Lawrence* reported this item had been on the Agenda several times, a closed door executive session was held, and it was scheduled on the March 8, 2011 Council Agenda for action, however there was some matter that had to be cleared up first and it was continued to the meeting tonight.

*Mayor Lawrence* further reported the only change in this revised Development Agreement is in item 5.C regarding setbacks, advising if everyone recall that Steve Westphal raised some concerns and all had agreed on the wording.

*Mayor Lawrence* stated the revised section repeats what is in the Town ordinances. *Mayor Lawrence* also stated that Wes Westphal had sent a letter expressing concern also, however today an e-mail was received stating he is withdrawing his letter of opposition.

*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 Sutch** -- to approve the revised Development Agreement to allow the development of a single multifamily residential building consisting of three single family units with a maximum allowable height of fifty feet on land located at 20256 Gulf Boulevard. **Motion carried 5-0.**

**1.9 Consideration of approving appointment of Council members and citizens to serve on the following Committees:**

*Mayor Lawrence reported that fortunately all are willing and eager to remain in the present positions, and is assuming the citizens do also, and stated he is proposing the same Committee assignments, for the following Committees:*

*Administrative and Finance Committee  
Public Services Committee  
Planning, Zoning and Building Committee*

**MOTION** by **Councilor Irelan** – seconded by **Councilor Smith** – to approve Mayor's recommendation to retain the present Committee assignments. **Motion carried 5-0.**

**1.10 Consideration of approving Council representatives for the following positions:**

*Mayor Lawrence stated he was also recommending the representatives for the following positions remain the same.*

- (1) BIG-C: Voting representative and alternate.**
- (2) Liaison to Property Owners' Association.**
- (3) Boat Parade representative.**

**MOTION** by **Councilor Smith** – seconded by **Councilor Sutch** – to approve Mayor's recommendation to retain the present representatives for the BIG-C, Liaison to Property Owners' Association and the Boat Parade event. **Motion carried 5-0.**

**1.11 Consideration of approving Town's Audit for fiscal year ending September 30, 2010.**

*Janine Bittinger, Auditor, thanked Mary Karayianes, Director of Finance, for all her excellent work assisting with preparation of the Audit.*

**Ms. Bittinger** reported page 2 of the Audit Report reflected the Opinion Letter, which was a clean opinion, which is the highest that can be obtained. She encouraged the Council members to read other parts also, such as the Management Review which was prepared by the Director of Finance.

**Ms. Bittinger** advised there are always some changes, noting there will be verbiage changes in the new Fund Balance, which will make everything more "comparable". She also noted that to comply with some of these changes the Town has already closed the parking fee fund, and it is now in the General Fund.

**Ms. Bittinger** briefly addressed various sections of the Audit Report, which she was recommending Council members review for further information and interesting history and statistics.

**MOTION** by **Councilor Smith** – seconded by **Councilor Sutch** – to approve the Town's Audit Report for Fiscal year ending September 30, 2011, as presented.  
**Motion carried 5-0.**

**1.12 Consideration of approving the 26<sup>th</sup> annual Madeira Beach Mad Dog Triathlon event held on May 21 and May 22, 2011 coming through Indian Shores.**

**Mayor Lawrence** reported the Town Clerk has spoken with Jennifer Sullivan, representative for the event, and they have agreed to conduct the event in the same manner as last year.

**All agreed and Mayor Lawrence stated he would like for the Town Clerk to remind them to put up the warning sign to educate people about the event and for the time to start early again.**

**MOTION** by **Councilor Smith** – seconded by **Vice Mayor Herndon** – to approve the 26<sup>th</sup> annual Madeira Beach Mad Dog Triathlon event held on May 21 and May 22, 2011, given that the event is conducted the same as the prior year.  
**Motion carried 5-0.**

- \*\* Fire Board Commissioner, Larry Shear, reported on the following items pertaining to Suncoast Fire and Rescue Department: 1) Searching for a replacement for Mr. Todia; 2) Fire Engine for sale for \$30,000.00; 3) Researching multiple avenues to try and get another unit down South, and suggested anyone write Mr. LaSala, County Administrator, in support of this; 4) Budget agreed upon, with rates not being increased.**

*Mayor Lawrence stated the average response time used to be 3 ½ to 4 minutes, however since they closed Station #26 we have convinced them to have a Sun Star Ambulance in N. Redington Beach, and they have been inching up to County standards of 7 ½ minutes, and everyone is not happy with that. Mayor Lawrence further stated they are continuing to look at that and work with the Redington's.*

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

- 1) *Linda Henson, resident, questioned why fire trucks respond to every emergency call and asked about the Boat Parade event held in December 2010, as it was very cold that night and she never saw it.*

**1.14 Mayor's and Council Members comments on any subject.**

*Councilor Irelan reported the Women's Club Fashion Show was a great success, the next Read and Feed will be on March 27, 2011, with Mayor Lawrence making pancakes, and another Read and Feed will be on April 13, 2011.*

*Councilor Sutch reported 28 volunteers came out for the Coastal Clean-Up on March 19, 2011. He also reported the Town would hold a clean-up day on April 13, 2011, where all items, other than hazardous, could be set by the curb for pickup, and that on May 14, 2011, City of Indian Rocks Beach would hold a hazardous waste drop off from 9 AM to 2 PM.*

*Councilor Smith reported there was no word yet as to whether the State will receive any beach nourishment funds, however Sand Key will not receive any funds this year. Councilor Smith congratulated Councilors Smith and Irelan, stating it is a great Council that get along.*

*Vice Mayor Herndon reported the Community Garden would have a spade in it by September, noting she met with Bob Brotherton, and it will be a great event.*

*Mayor Lawrence reported the Administrative and Finance Committee would hold a meeting on March 29, 2011 at 2 PM. Mayor Lawrence reported this was his 12<sup>th</sup> year to participate in the Swearing-In Ceremony, and this year the Town Clerk and Deputy Clerk wanted to do something different, and invited all to stay for appetizers and drinks. Mayor Lawrence stated he was happy to have another year to work with this excellent Council.*

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

*Marcia Grantham*  
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**MARCIA GRANTHAM, CMC, Town Clerk**