

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 - APRIL 12, 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; Chief Williams, Town Administrator; Lawrence Nayman, Building Official.

1.0 REGULAR COUNCIL MEETING

1.1 **Consideration of approving Council Agenda for April 12, 2011.**

MOTION by Councilor Sutch -- seconded by Councilor Smith -- to approve Council Agenda for April 12, 2011, as published. Motion carried 5-0.

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

A. MINUTES: Council 3/22/2011
Admn. & Fin. Com. 3/29/2011

MOTION by Vice Mayor Herndon -- seconded by Councilor Smith -- to approve "Consent Agenda" covering Minutes, as published. Motion carried 5-0.

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

From 3/1/2011 thru 3/31/2011

MOTION by Vice Mayor Herndon -- seconded by Councilor Smith -- to approve "Consent Agenda" covering Re-Occurring Expenses, 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

- 1.3 APPROVAL of Committee expenditures: Admn. & Fin. Com.(3/29/11): Expenditure of \$1,616.95, covering purchase of Proximity /ID Card Security System, with software, hardware and cards for new Municipal Center.**

MOTION by Councilor Smith – seconded by Councilor Sutch – to approve Agenda Item 1.3, approving expenditure of \$1,616.95, covering purchase of Proximity/ID Card Security System, with software, hardware and cards for the new Municipal Center. Motion carried 5-0.

- 1.4 CORRESPONDENCE: None.**

- 1.5 Town Attorney's Report.**

Attorney Yacavone reported the Chapman trial has been scheduled for August 2011, and briefly discussed status of the Penny for Pinellas Agreement with Mayor Lawrence.

- 1.6 PUBLIC HEARING: First Reading of proposed ORDINANCE 2011-2, amending Chapter 86, Floods, by amending Sections 86-71(1), 86-71(2) and 86-86(d), to add that during a ten (10) year period the cumulative cost of improving the structure equals or exceeds 50% of the market value of the building.**

Attorney Yacavone conducted the First Reading of proposed ORDINANCE 2011-2, by reading the title in full.

Lawrence Nayman, Building Official, reported the proposed changes are strictly housekeeping items, advising that after the recent FEMA Audit, the word "equals" was missing in the definition and this is to clarify by adding this text and in the process hopes to receive more points for the Town.

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

Larry Schear, resident, questioned whether it was only one improvement, and it was clarified that each improvement is taken into account and they are cumulative.

Councilor Smith advised the change was in language only.

MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve First Reading of proposed **ORDINANCE 2011-2**, by title only. **Motion carried 5-0.**

- 1.7 PROCLAMATION** declaring the week of May 15, 2011 through May 21, 2011, as "National Public Works Week".

Mayor Lawrence reported on Proclamation he would be signing declaring the week of May 15, 2011 through May 21, 2011, as "National Public Works Week".

- 1.8 Consideration of approving proposed Interlocal Agreement between the Town of Indian Shores and the Florida Department of Transportation (FDOT) relative to NPDES permit requirements.**

Bob Brotherton, Engineer, addressed the proposed Agreement advising the Town's NPDES permit requires the Town to have an Interlocal Agreement, which makes it known who is responsible if pollution enters the system, noting the Town's prior ordinance passed relating to NPDES, also requires the Town to have this Agreement.

Mr. Brotherton stated the proposed Agreement was modeled after similar agreements, and is being presented to the Town Council and Town Attorney for review prior to be forwarded to FDOT for any proposed changes, and it will again be presented to Council for final approval.

Mayor Lawrence reported the Chief's Memo recommended approval of this item.

MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve proposed Interlocal Agreement between the Town of Indian Shores and the Florida Department of Transportation (FDOT), relative to NPDES permit requirements. **Motion carried 5-0.**

- 1.9 Consideration of approving the Town's annual Library Report.**

Mayor Lawrence reviewed the annual Library Report for FY 2009-2010, stating he was happy to see the \$3,000.00 dollar figure for monies collected, advising they all work hard in the Town's Library.

MOTION by Councilor Sutch -- seconded by Councilor Smith -- to approve annual Library Report for FY 2009-2010, as submitted. Motion carried 5-0.

1.10 Consideration of approving Financial Statement covering the period ending March 31, 2011.

Mayor Lawrence reported Mary Karayianes, Director of Finance, was on vacation, noting the Town was in good financial condition.

MOTION by Vice Mayor Herndon -- seconded by Councilor Irelan -- to accept Financial Statement covering the period ending March 31, 2011, and hold for audit. Motion carried 5-0.

1.11 Consideration of approving Police Activity Report covering the month of March 2011.

Chief Williams reported criminal reports are up, physical arrests and crashes are down, citations and warnings up, with parking citations down, with calls for service up, noting an increase over last month due in part to spring break.

Chief Williams advised Council he would be attending the meeting at the Town of Redington Shores tomorrow night for presentation of renewal of the five (5) year contract and the target budget, which he expects to be successful.

MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve Police Activity Report covering the month of March 2011. Motion carried 5-0.

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

Chief Williams reported on the following items: (1) Parking lot was to be completed last week, but delayed due to a lot of rain, and is anticipated to be done by end of this week or early next week; (2) Met with Frank Chivas regarding opening between Town's lot and N. parking lot, and reviewed correspondence relative to the demolition of the triplex and parking lot, noting Mr. Chivas contributed money for improvements to the parking lot and landscaping, and advised there was a "gentlemen's agreement" to allow use by each party. **Chief Williams** stated he did not want the N. entry used for valet parking, and noted Salt Rock has encroached into our northern boundary 6 ft. and will prepare a License Agreement for Frank Chivas to execute. He has recommended a gate and has spoken to ARC3 about amending the plan and this area will be a green space, and will need to cut out a portion of the asphalt, with Mr. Chivas paying for this and the gate; 3) Have walked the new building, noting they have done a few things, however there is not a lot of activity.

Lawrence Nayman, Building Official, reported he had walked the new building with the engineer from ARC3 and noted a couple of A/c units which had not been placed properly, and they have been adjusted. He further reported once they pour the cap on the roof they will start installing the trusses, noting there are on 5 to 10 trusses left to approve.

Mr. Nayman stated the Town's engineer has been making recommendations for improving some things, noting the rail around the roof and need corner diagnostics.

Chief Williams reported he has withheld payment on the windows, noting it is a 3 way deal, as there is a sub-vendor and the Town's deal with Hennessy and doing the direct purchase order, advising he will be speaking with Attorney Bob Morris about this issue.

1.13 Town Administrator's Report.

Chief Williams reported on the following items: 1) Addressing complaint received from Bayshore Yacht and Tennis Club Condo regarding debris from a roof torn off in the tornado which is lying between Marker 18 & 19 north of Barefoot Beach, with most of the roof on the east side, advising he has completed the NPDES form and sent to Andy Squires, Pinellas County Coastal Engineering Department for follow-up, as it is the County's responsibility to remove; 2) Porticos in front of Town Hall have been moved to the future site of the Community Garden, with plans to elevate, kill grass and rototill, with more dirt to be brought in, and have moved two Buttonwood trees north of the Library, in hopes they will survive the transplant; 3) Working on estimate for north one-half of the Second Street E. project to place pavers 18' wide-flared, and for road basing and concrete ribbon; 4) Stormwater Management Fee which was proposed and presented by Bob Brotherton, Engineer, will soon be reviewed by the Public Services Committee; 5) Status of buoys – re-installing project will cost approximately \$34,000.00, noting Sun & Fun Motel has committed \$1,000.00 for a buoy, Mr. Caruso at Holiday Villas is on vacation, and advised something might be put in a Town Newsletter to generate interest. He advised it is the same process as applying for a permit, and that should be the first step, and would like to place them per new coordinates by GPS; 6) Chief Williams advised he would like to take a week of vacation starting on 4/18/2011.

Town Council Meeting Minutes
April 12, 2011 - Page 6

- ** Larry Shear, Fire Board Commissioner** the following: 1) Three candidates for the opening on the Fire Commission; 2) Former Fire Chief, John B. Terry, Sr., passed away; 3) He responded to a concern from a citizen in Town, and will be reviewing the matter; 4) Fire engine still for sale.

1.14 Citizens' Comments on any subject.

- (1) **Art Newsome, resident**, announced the Property Owners' Association would hold "happy hour" tomorrow at 5:30 PM at the Indian Shores Coffee House, and noted the Association's regular meeting would be held on April 19, 2011 at 5:30 PM., and would be the kick-off for the "Brick Paver Program".
- (2) **Lindsey Noble, resident**, reported on a section of the walkway for pedestrians eroding, which will soon be going into the bikepath, and is dangerous at this point near 19812 Gulf Boulevard.

Chief Williams stated he had been reviewing some ordinances to provide for good road repairs, and would contact Mr. Guiliani at Pinellas County to look into this situation.

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

Councilor Irelan announced the Library's "Read and Feed" tomorrow at 11:30 AM, the "Happy Hour" tomorrow, and the Women's Club luncheon/cruise on the Princess line by Corey Avenue.

Councilor Sutch announced the special curbside pickup tomorrow by Waste Services, with the hazardous items drop-off at City of Indian Rocks Beach on May 14, 2011.

Councilor Smith reported the State will have a budget for beach renourishment, with the House settling on \$8 million all from trust funds, and the Senate approved \$16 million, the same \$8 million as the House and \$8 million from general revenue, noting the Governor's Budget had none.

Councilor Smith advised the representatives statewide have come through, as the key was to keep the program alive. He stated the first half of the Sand Key project would not be done until 2012.

Vice Mayor Herndon reported she and Councilor Irelan will be attending the Suncoast League of Cities meeting in Safety Harbor on 4/16/2011, and she is working on a new recreation program.

Town Council Meeting Minutes
April 12, 2011 - Page 7

Vice Mayor Herndon also reported that Chief Williams in putting together a wonderful plan for the Community Garden, and thanked Bob Brotherton for the great pictures of Earth Boxes watered from a central source, with no erosion. She advised there will soon be a meeting to discuss this item

Mayor Lawrence reported the speaker at the BIG-C meeting last month was the County Property Appraiser, Pam Dubov, who advised that for the second time in 3 years the Town will have the highest de-valuation rate on property at 8% – 10%.

Mayor Lawrence stated it is part of the Town's demographics, as 17% of property owners are homesteaded and 83% are not homesteaded.

Mayor Lawrence advised he would be attending the Tourist Development Council meeting tomorrow.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 8:10 P.M.


MARCIA GRANTHAM, CMC
Town Clerk