

Town of Indian Shores



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

www.myindianshores.com

TOWN COUNCIL AGENDA

SEPTEMBER 21, 2011

PLEDGE OF ALLEGIANCE TO THE FLAG

1.0 REGULAR COUNCIL MEETING

Begins at 7:00 P.M.

- 1.1 *Consideration of approving Council Agenda for September 21, 2011.*
- 1.2 **PUBLIC HEARING:** *Announcement of proposed final Ad Valorem millage and percent, if any, by which final millage exceeds the rolled-back rate.*
- 1.3 **PUBLIC HEARING:** *Adoption of final Ad Valorem millage of 1.8500 mills per \$1,000.00 of assessed valuation for FY 2011/2012, by RESOLUTION 8-2011. (Ref.: Pg. 1)*
- 1.4 **PUBLIC HEARING:** *Amendment of proposed Budget and adoption of final Budget for FY 2011/2012, by RESOLUTION 9-2011. (Ref.: Pgs. 2 – 4)*
- 1.5 *Consideration of approving "CONSENT AGENDA", as follows:*
 - A. **MINUTES:** Council - 9/7/2011
(Packet distributed separately.)
- 1.6 **APPROVAL of Committee expenditures:** NONE
- 1.7 **CORRESPONDENCE:**
Memo from Town Clerk dated September 16, 2011, regarding Qualification Requirements for Municipal Election to be held on March 13, 2012. (Ref.: Pgs. 5 – 6)

PLEASE DISABLE ALL CELL PHONES DURING MEETING.

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

- 1.8 *Town Attorney's Report.*
- 1.9 *PUBLIC HEARING: - Quasi-Judicial:
Consideration of a request from the Town of Indian Shores to construct a Community Garden for the purpose of providing recreational gardening activities on a 40' X 80' lot which will include vegetable and landscape gardens, sidewalks, esthetics, drainage, fencing and walkways for pedestrians and will be ADA accessible, with site to be located at 19109 Whispering Pines Drive (Ref.: Pgs. 7 - 8)*
- 1.10 *Consideration of retro-active approval for proposal from Haskell Termite & Pest Control, Inc., in the amount of \$2,675.00, for the purpose of tenting and fumigating the present Town Hall building for drywood termites prior to demolition. (Ref.: Pg. 9)*
- 1.11 *Consideration of ratifying the Collective Bargaining Agreement between the Town and the Fraternal Order of Police, effective October 1, 2011. (Ref.: Pg. 10)*
- 1.12 *Consideration of retro-active approval for proposal from Cross Construction Services in the amount of \$3,720.00 asbestos abatement of Town Hall. (Ref.: Pg. 11)*
- 1.13 *Consideration of accepting donation of one (1) Automatic Defibrillator, serial number 0301025607, from Dr. Nicholas Colmenares, which has a fair market value of \$2,500.00. (Ref.: Pg. 12)*
- 1.14 *Consideration of approving that Chief Williams and Major Hughes be allowed to carry over accrued vacation time in excess of 240 hours.*
- 1.15 *Consideration of approving Council meetings beginning at 6 PM, instead of 7 PM, and also reschedule the date of the Council meeting in October which is scheduled for October 11, 2011. (Ref.: Pg. 13)*
- 1.16 *Update Report on status of construction of the new Municipal Center.*
- 1.17 *Town Administrator's Report.*

- 1.18 *Citizens' Comments on any subject.*
(Please limit time to 3 minutes for your comments.)
- 1.19 *Mayor's and Council Members comments on any subject.*


MARCIA GRANTHAM, CMC
Town Clerk

Any person who decides to appeal any decision of the Town Council with respect to any matter considered at any such meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

RESOLUTION NO. 08 - 2011

**A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, ESTABLISHING A
MILLAGE RATE FOR FISCAL YEAR 2011-2012.**

WHEREAS, the Town Council of the Town of Indian Shores, Florida, must establish a Millage levy for Fiscal Year 2011-2012 (FY 11-12), the fiscal year beginning 1 October 2011 and extending through 30 September 2012; and

WHEREAS, the applicable requirements of Section 129.03 (3) (b), Florida Statutes, Section 200.065, Florida Statutes, Section 200.085, Florida Statutes, and all other provisions of Chapter 200, Florida Statutes, for FY 2011-2012 have been complied with; and

WHEREAS, the required public hearings have been held and public notices have been given;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA:

The Millage rate to be levied for FY 2011-2012, for the purpose of imposing an Ad Valorem tax in the Town of Indian Shores, shall be **1.8500 mills**, which millage rate is **less than** the rolled-back rate of 1.8777 by **1.48%** as defined in Section 200.65 (1) F.S.

The above and foregoing Resolution, upon Motion by _____ and seconded by _____ was duly approved and adopted at a Special Council Meeting held on the 22nd day of September 2010.

Voting in favor of the Resolution:

Voting in opposition to the Resolution:

Absent:

Abstaining:

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town clerk

RESOLUTION NO. 09 - 2011

A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, ADOPTING A FINAL BUDGET FOR FISCAL YEAR 2011 - 2012.

WHEREAS, the Town Council of the Town of Indian Shores, Florida, must adopt a Final Budget for Fiscal Year 2011-2012 (FY 11-12), the fiscal year beginning 1 October 2011 and extending through 30 September 2012; and

WHEREAS, the applicable requirements of Section 129.03(3)(b), Florida Statutes, Section 200.065, Florida Statutes, Section 200.085, Florida Statutes, and all other provisions of Chapter 200, Florida Statutes, for FY 2011-2012 have been complied with; and

WHEREAS, the required public hearings have been held and public notices have been given;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA:

1. The Town of Indian Shores shall adopt the Final Budget for Fiscal Year 2011-2012 as follows:

<u>GENERAL FUND</u>	Beginning Fund Balance	\$	<u>1,499,878</u>
<u>Revenue</u>			
Revenue	\$	2,573,808	
Appropriated Fund Balance		88,369	
Transfers In		-	
	TOTAL REVENUE	\$	<u>2,662,177</u>
<u>Expenditures</u>			
General Government	\$	871,083	
Law Enforcement		1,177,134	
Protective Services		195,321	
Capital Expenditures		21,714	
Transfers Out		396,925	
	TOTAL EXPENDITURES	\$	<u>2,662,177</u>
	Ending Fund Balance	\$	<u>1,499,878</u>

<u>ROAD AND BRIDGE FUND</u>		Beginning Fund Balance	\$	<u>59,649</u>
<u>Revenue</u>				
Intergovernmental Revenue	\$	30,700		
Charges and Services	\$	27,000		
Transfers in		45,900		
Appropriated Fund Balance		30,000		
		TOTAL REVENUE	\$	<u>133,600</u>
<u>Expenditures</u>				
Road and Street Facilities	\$	133,600		
		TOTAL EXPENDITURES	\$	<u>133,600</u>
		Ending Fund Balance	\$	<u>59,649</u>

<u>CAPITAL IMPROVEMENT FUND</u>		Beginning Fund Balance	\$	<u>3,705,832</u>
<u>Revenue</u>				
Intergovernmental Revenue	\$	130,000		
Grants		150,000		
Reserve Transfers		126,585		
Transfers In		351,025		
		TOTAL REVENUE	\$	<u>757,610</u>
<u>Expenditures</u>				
Law Enforcement		27,590		
Capital Expenditures		150,000		
Debt Service		580,020		
		TOTAL EXPENDITURES	\$	<u>757,610</u>
		Ending Fund Balance	\$	<u>3,705,832</u>

The above and foregoing Resolution, upon Motion by _____ and seconded by _____ was duly approved and adopted at a Special Council Meeting held on the 21st day of September 2011.

Voting in favor of the Resolution:

Voting in opposition to the Resolution:

Absent: None

Abstaining: None

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town Clerk

Town of Indian Shores

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MEMORANDUM

TO: All Potential Candidates

**FROM: Marcia Grantham, Town Clerk
Supervisor of Elections**

DATE: 16 September 2011

**SUBJECT: Qualification Requirements for Municipal Election to be held on
13 March 2012**

1. A Municipal Election will be held on Tuesday, **13 March 2012** to fill one (1) Mayor's position for a three (3) year term.
2. Voter Registration books, for the registration of voters eligible to vote in the election, will be closed as of 5:00 P.M., Monday, **11 February 2012**. Voters can register at the Pinellas County Supervisor of Elections office or mail in a registration form; however, the form must be received by the election office 29 days prior to the election date.
3. To qualify as a Candidate, a person must file with the Town's Supervisor of Elections not earlier than Noon on Friday, **December 2, 2011**, the first Friday of December prior to the scheduled date of the election, nor later than Noon on **Friday, December 9, 2011**, the second Friday of December prior to the scheduled date of the election in which he/she desires to become a candidate, all appropriate forms consisting of the following:

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

Memo – 1 October 2011

Re: Qualification Requirements for Municipal Election

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- a. Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates. (After submission of this form an election packet will be provided.)
- b. Financial Disclosure.
- c. Loyalty Oath
- d. A tentative total number of **thirty-four (34) Candidate Petition Cards** are required to be submitted for the **2012** election. Each petition form must be signed by only one qualified elector. Candidate Petition Cards are equal to three (3) percent of the Town's registered electors. (**Note:** This number will be adjusted pending the total number of registered voters reported by the Pinellas County Supervisor of Elections on **November 30th, 2011**, of the year immediately preceding the election.)

Each person seeking to qualify for election to a municipal office shall pay a filing fee of **\$25.00**.

In addition, all candidates for municipal office must pay an election assessment of 1 % of the annual salary of the office sought when qualifying for office. Assessment for the Mayor's position is **\$112.15**.

All qualifying fees must be paid by check, written from the Candidate's Campaign account and payable to the Town of Indian Shores General Fund.

DEADLINE DATE FOR QUALIFYING AS A CANDIDATE

NOON, FRIDAY 9 DECEMBER 2011.

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TOWN OF INDIAN SHORES STAFF REPORT

Date: September 20, 2011

TO: PLANNING, ZONING AND BUILDING COMMITTEE
FROM: PLANNING & ZONING DEPARTMENT
HEARING
DATES: PZB: September 20, 2011 TOWN COUNCIL: September 21, 2011
SUBJECT: Site Plan Review for Town to construct a Community Garden

I. APPLICANT INFORMATION

A. Description: A recreational Community Garden on a 40' X 80' lot.
B. Applicant: Town of Indian Shores
C. Agent: N/A
D. Owner: Town of Indian Shores

II. PROPERTY INFORMATION

E. Location: 19109 Whispering Pines Drive
F. Parcel Number/Zoning: 15 30 30 34722 003 0160
G. Surrounding Zoning & Existing Uses: Resort/Facilities/Medium (RFM)

III. BACKGROUND

Description of what currently exists: Vacant Lot

IV. PZB REVIEW AND COMMENTS:

Site Plan Review Date: September 20, 2011

V. PUBLIC CORRESPONDENCE None

VI. REQUIREMENTS

- A. The applicant is responsible for acquiring all other jurisdictional permits.
B. Construction plans, signed and sealed by a registered architect/engineer licensed to practice in the State of Florida, must be submitted within six months of the date of final site plan approval, unless an additional six month extension is granted (or site plan will expire).

List of Exhibits: Plan/rendering on file for review

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

VII. STAFF RECOMMENDATION

It is permissible under Town ordinances for ROR and Special Uses as Recreation Facilities.

To the best of my knowledge, the following plans are in compliance with the Federal Statutes, the State of Florida Statutes, the Pinellas County Ordinances and the Town of Indian Shores Ordinances. Thus, I give my recommendation for approval.


LAWRENCE G. NAYMAN
Building Official

Memorandum

To: Honorable Mayor James Lawrence and Members of Council

From: E.D. Williams, Town Administrator



Date: 09/13/2011

Re: Approval of Contract with Haskell Termite & Pest Control

A termite inspection was required prior to the demolition of our current Town Hall. Haskell Termite & Pest Control performed an inspection of the building on Friday, September 9, 2011 and found drywood termites. The building must be treated for the termites before it can be demolished.

Request is made for retroactive approval for a contract with Haskell Termite and Pest Control, Inc. in the amount of \$2,675 to tent and fumigate the building. Tenting of the building is to take place from September 16 – September 18 with little or no interruption of service to the operation of Town Hall. This will ensure that we are in compliance with requirements for demolition and will maintain the current construction/demolition schedule that is in place.

INDIAN SHORES POLICE DEPARTMENT

INTER-OFFICE MEMORANDUM

To: E.D. Williams, Chief of Police 

From: Sgt. J.K. Rawson, Criminal Investigations Division

Subject: Collective Bargaining Agreement – Ratification

Date: September 15th, 2011

Copies: K. Afienko, Esq.; FOP Lodge 43; Maj. T.E. Hughes;
Director M. Karayianes; M. Grantham, Town Clerk

On Wednesday, September 14th, 2011 all members of the Collective Bargaining Unit (FOP) were afforded the opportunity to vote on the proposed changes to the Collective Bargaining Agreement that had tentatively been agreed upon by the Town and the Union. The results of the vote were 7 “yes” votes and 1 “no” vote.

It is my pleasure to inform you that the proposed changes have been approved and ratified by a majority of the Collective Bargaining Unit members, and as such we would ask that you move forward with presenting the final proposal to the Town Council for approval at your earliest convenience.

Memorandum

To: Honorable Mayor James Lawrence and Members of Council

From: E.D. Williams, Town Administrator



Date: 09/16/2011

Re: Request for Authorization – Asbestos Abatement

In February of 2011 a proposal was submitted by Cross Construction Services to remove approximately 2030 SF of asbestos containing flooring. The proposal includes the required 10 day notification and fee to Pinellas County Air Quality.

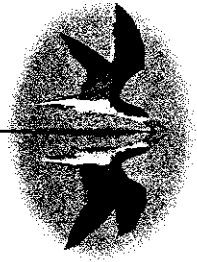
Request is made for retroactive approval for the asbestos abatement of Town Hall by Cross Construction Services in compliance with EPA and OSHA rules, regulations and guidelines in the amount of \$3,720.

Ten day notification with Pinellas County will be set on Monday, September 19 allowing for abatement to begin on Monday, October 3, 2011.

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September 15, 2011

Nicholas F. Colmenares, D.D.S., P.A.
Brandon Oral Surgery
4620 West San Jose Street
Tampa, FL 33629

Re: Donation of Automatic Defibrillator

Dear Dr. Colmenares

The Town of Indian Shores is grateful for your donation of the Agilent Heartstream FR2 Automatic Defibrillator serial number 0301025607. This will be particularly useful in supplementing our existing inventory at our new Municipal Center.

This equipment will be officially accepted by Town Council on September 21, 2011 at our regular meeting. For your tax purposes we are assigning a fair market value of \$2,500.

I would personally like to thank you for this generous donation to the Town and its citizens.

Sincerely

James J. Lawrence
Mayor

James J. Lawrence
Mayor

Joan G. Herndon
Vice Mayor

Carole Ireland
Councilor

Steve Sutch
Councilor

William F. Smith
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MEMO

TO : Mayor Lawrence
FROM : Marcia Grantham, Town Clerk *MG*
DATE : September 8, 2011
SUBJECT : Rescheduling time of day to conduct Council meetings.

I would like to invite your thoughts relative to changing the time of day that Council meetings are held.

New Municipal Center New beginnings.....I think it would be a good time to entertain the possibility of changing the time of present Council meetings from 7 PM to 6 PM.

It has been over 10 years since the initial time of Council meetings starting at 7:30 P.M. was changed and moved up to 7:00 P.M. This was done on a "trial basis", and the Council never looked back.....it seemed to work for everyone.

I have thought about this for a long time, and have recently been asked about whether the meeting time could be changed. The Town Charter only requires a meeting be held once a month, with no specific time stated.

I would not endorse this change if Town meetings played to a large number of residents and attendees. Unfortunately, as we all know, it is always a very small audience usually under 6 or 7, which sometimes includes a reporter, unless there is a very controversial subject, which thankfully is not too often.

I feel that selecting the time of 6 PM would be conducive to all those who attend the meetings, from Council members, Staff, residents, interested parties, and those who would come after work.

As you know, we have just adjusted the PZB Committee meetings from 4:30 PM, up to 2:00 P.M., with the first meeting at the new time being held on 9/20/2011, and everyone, including Committee members were in favor of this change.

I look forward to your response and feel this would be a very positive direction for the Council to embark on in the Town's new Municipal Center.

Respectfully submitted....

James J. Lawrence
Mayor

Joan G. Herndon
Vice Mayor

Carole Irelan
Councilor

Steve Sutch
Councilor

William F. Smith
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