

# Town of Indian Shores

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## TOWN COUNCIL MEETING

MINUTES - DECEMBER 13, 2011

**INDIAN SHORES TOWN COUNCIL MEETING convened at 6:00 P.M. Those present were Mayor Lawrence, Vice Mayor Herndon, Councilor Smith, Councilor Sutch and Councilor Irelan.**

**Also Present: Attorney Daigneault; Chief Williams, Town Administrator; Marcia Grantham, Town Clerk; Mary Karayianes, Director of Finance.**

### 1.0 REGULAR COUNCIL MEETING

#### 1.1 **Consideration of approving Council Agenda for December 13, 2011.**

**MOTION by Councilor Sutch -- seconded by Vice Mayor Herndon -- to approve Council Agenda for December 13, 2011, as published. Motion carried 5-0.**

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

<b>A. <u>MINUTES:</u></b>	<b>Council</b>	<b>-</b>	<b>11/ 8/2011</b>
	<b>Public Services Com.</b>	<b>-</b>	<b>11/15/2011</b>
	<b>Workshop</b>	<b>-</b>	<b>12/6/2011</b>

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

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

**From 11/1/2011 thru 11/29/2011.**

**MOTION by Councilor Smith -- seconded by Councilor Irelan -- 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: NONE**

**1.4 CORRESPONDENCE:**

*Mayor Lawrence reported on receiving a card from staff members with comments relative to their holiday pay, which he will pass around for all to read.*

*Mayor Lawrence also reported on a letter sent to Deborah Clark at Pinellas County Election office advising the Town has two qualified candidates for the Mayor's position for the March 13, 2012 municipal election.*

**1.5 Town Attorney's Report. NONE**

**1.6 PUBLIC HEARING: Second Reading of proposed ORDINANCE 2011-5, amending the Code of Ordinances by amending § 26-76 to eliminate the Town's authority to suspend the sale, dispensing or transportation of firearms during a state of emergency, by repealing § 50-2 which makes it unlawful to discharge a firearm in a public place or within the Town limits, and by amending § 54-6 to eliminate the prohibition against firearms in public parks; providing that conflicting provisions of ordinances be repealed; providing that conflicting provisions of ordinances be repealed; providing for an effective date; providing for the uniform numbering system of the Indian Shores Code.**

*Attorney Daigneault conducted the Second Reading of proposed ORDINANCE 2011-5, by reading the title in full.*

*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 2011-5, by title only. Motion carried 5-0.*

**1.7 PUBLIC HEARING: RESOLUTION 10-2011, supporting emergency medical care first response and ambulance transport by the fire service of Indian Shores.**

*Attorney Daigneault read the title of proposed RESOLUTION 10-2011, in full.*

**Town Council Meeting Minutes**  
**December 13, 2011 - Page 3**

**Mayor Lawrence** reported this item was discussed at the Workshop last week, however Councilor Irelan had been absent, and Captain Millican had also made a presentation to the BIG-C, and Resolutions of support had been received from other cities.

**Mayor Lawrence** advised Council members they did not have to vote on this item tonight, if they wanted to review more information, and reported the County was putting together a task force committee to review so this item will be on-going for a long time. **Mayor Lawrence** stated some of the County Commissioners had asked the Town to consider so he had placed it on the Agenda.

**Councilor Irelan** stated she was in favor of supporting fire-based transport, and questioned if this Resolution was passed and future numbers were not good would the Town then have to rescind this Resolution.

**Councilor Smith** stated that basically this proposed Resolution was keeping the discussion on this subject alive.

**Mayor Lawrence** reported he had received an e-mail from Captain Millican advising that 11 of 18 providers have requested the County not to renew the contract with Sun Star.

**Councilor Sutch** stated he felt the Town was in a unique situation with two bridges that make the resident vulnerable.

**Councilor Smith** noted that it did not help the Town when Station #26 was closed.

**Fire Board Commissioner Larry Shear** noted the fire engines do other work, however they can be retrofitted to transport patients. **Commissioner Shear** addressed the concern expressed by **Councilor Sutch** reporting the Fire Department does have a boat and transportation across the water would not be a problem, and it was later noted that ambulances are connected to the Fire Departments.

**Anne Miller, citizen**, stated the article in the Beach Beacon the next day was very good.

**Councilor Smith** agreed with Anne Miller stating it was an excellent article.

*Commissioner Schear reported he attended the Legislative Delegation meeting and was embarrassed by the lack of knowledge on the part of some of the County Commissioners who did not seem to know that much about the subject, stating he totally supports the proposed Resolution.*

**MOTION by Councilor Smith -- seconded by Councilor Irelan -- to adopt proposed RESOLUTION 10-2011, as published. Motion carried 5-0.**

- 1.8 Consideration of approving proposals from R.E. Beckner Construction, Inc., covering new parking spaces for 198<sup>th</sup>, 199<sup>th</sup> and 200<sup>th</sup> Avenues E., with asphalt base totaling \$9,042.00.**

*Chief Williams reported he had placed this item on the Agenda hoping to receive some information by today, however he has not received the information and requested the item be tabled.*

**MOTION by Vice Mayor Herndon -- seconded by Councilor Sutch -- to table Agenda Item 1.8. Motion carried 5-0.**

- 1.9 Consideration of approving appointment to Seat #6 on the Board of Adjustment, with term expiring on 10/28/2013, as a result of the resignation of James Sanderbeck.**

*Mayor Lawrence reported that Diantha Schear had graciously volunteered for this position.*

**MOTION by Vice Mayor Herndon -- seconded by Councilor Sutch -- to approve appointment of Diantha Schear to Seat #6 on the Board of Adjustment, with term expiring on 10/28/2013. Motion carried 5-0.**

- 1.10 Discussion relative to advanced cost recovery by Progress Energy for nuclear reactors.**

*Mayor Lawrence reported this was an item introduced at the Workshop meeting last week, and was placed on the Council Agenda to determine if it was the desire of the Council to take action or review for a while.*

*Mayor Lawrence stated he has done a lot of reading on the subject, and after discussion with Council it was a consensus to proceed with a Resolution.*

**Mayor Lawrence** advised he would draft a Resolution opposing the advanced cost recovery by Progress Energy, while trying not to offend persons from Progress Energy and still get the Town's point across and schedule for a January meeting.

**Councilor Smith** reported St. Pete College was holding a series of events on energy with a forum on 1/11/2012 entitled "Our Energy Future I: Are Nukes Still Viable, and Do Lawmakers Get It on Energy?" at the Seminole Campus.

**Councilor Smith** stated he would be attending and if anyone was interested to let him know and the Town could register anyone interested in attending.

**1.11 Consideration of approving Financial Statement for the period ending November 30, 2011.**

**Mary Karayianes, Director of Finance**, reported it was only the second month into the fiscal year, noting revenue is limited as it is a month or two behind as it is accrued in last year's revenue.

**The Director of Finance** further reported the General Fund revenue of \$413,272.00, with \$258,059.00 being tax revenue which equals about 22% of budgeted tax revenue. She noted a large sum of tax funds were received yesterday.

**The Director of Finance** stated the Road and Bridge Fund was the same in that revenue is not being credited and debt payments being made, and noted the balances in the Police Education and Beautification funds.

**MOTION by Councilor Smith-- seconded by Councilor Irelan -- to accept Financial Statement for the period ending November 30, 2011, and hold for audit. Motion carried 5-0.**

**1.12 Consideration of approving Police Activity Report covering the month of November 2011.**

**Chief Williams** reported a reduction in almost all areas across the board, advised no accidents in both towns, traffic citations down, calls for service were up, criminal reports were down, noting it was a busy month.

**MOTION by Councilor Smith-- seconded by Councilor Sutch -- to approve Police Activity Report covering the month of November 2011, as published. Motion carried 5-0.**

**1.13 Update Report on status of construction of the new Municipal Center.**

*Chief Williams reported on items, as follows: 1) Mayor moderated a meeting last Thursday with Hennessy and other contractors, advising it was very productive and Bronson Alexander agrees there are problems with two (2) windows and whether they meet the pressure requirements; 2) Building Official had some concern with three (3) office balcony openings due to some claims that were made, however they had not been verified; 3) Steve Vinci, ARC3, posed the questions regarding problems and agreed some type of additional anchoring was needed on doors to satisfy pressures; 4) Cast Krete is to provide the math calculations by 12/14/2011 for windows appearing to fail; 5) Bronson Alexander was pretty forthright and offered to X-ray the building and all were in a problem-solving mood; 6) Building Official did not like methodology of steel in lentils; 7) Mohammed was not happy with it; 8) Building Official in court on Chapman lawsuit; 9) Believe have solved more at meeting than in 14 months, and am seeing a different side and is feeling good and feel Town has a structurally sound building; 10) Theme heard over and over from ARC3 is...Town paid for a CAT 5 building....and that is what the Town wants. 11) Completed re-claimed water today and County approved; 12) Lot of progress made on the landscape and they are repairing some areas with standing water; 13) Progress Energy does not want to come in and set the lights until Beckner done with the landscape, but the lights should be in by the end of December; 14) Working on running the line to the electronic sign and coordinating with the IT person; 15) At a point where things are being approached on a more selective basis, i.e. electrical spiking, ways to reduce power consumption, i.e. energy credits, by window tint/vertical blinds; 16) Met today with recreational instructors to open lines of communications with regards to new building use and rules.*

**1.14 Town Administrator's Report.**

*Chief Williams reported the Town's permit for beach raking has expired and has sent letter to Steve West for a renewal, and he testified today at the Chapman trial.*

**\*\* Fire Board Commissioner Larry Schear,** reported Chief Polk was named President of Pinellas County Fire Chiefs' Association and appointed to the Government Relations Committee of with the Florida Fire Chiefs' Association. He further reported that Pinellas County would be holding a meeting on 12/20/2011 regarding the EMS Contract with Sun Star,

*Commissioner Schear also reported that Dave Impagiatelli had received a 20 year service pin, and last year a 30 year pin was awarded to Michael Brief.*

**Town Council Meeting Minutes**  
**December 13, 2011 - Page 7**

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

1) **Art Newsome** reported the ISOPA would hold "happy hour" at the new Municipal Center on Thursday, 12/15/2011 at 5:30 P.M.

2) **Larry Schear** stated most businesses that collect money, should consider offering ownership or some other form of equity, in reference to the advance cost recovery by Progress Energy, noting he believes the Public Service Commission has fallen down on this matter.

\*\* **Mayor Lawrence** advised Chief Williams that ISPOA has a paver issue regarding the pattern that was put down, and he will need to discuss it with him.

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

**Councilor Irelan** reported the Library would hold a read and feed on Dickens on Thursday from 1 to 5 PM, advised the BIG-C would meet here tomorrow morning.

**Councilor Irelan** gave her condolences to Commissioner Schear on the recent passing of fireman, James Fehl.

**Councilor Irelan** wished all a Merry Christmas and a Happy New Year!

**Councilor Sutch** reported there were only about 12 boats in the parade, and **Councilor Irelan** advised this was due to 4 events being held the same evening.

**Councilor Sutch** stated that Tiki Park was still looking good. He advised he was going to PA for Christmas and wished all a Merry Christmas and a Happy New Year.

**Councilor Smith** reported that listening to the problems with the security system reminds him of the problems being worked on with the audio system.

**Councilor Smith** thanked Staff for all their work on the new building and wished everyone a Merry Christmas and Happy New Year.

**Vice Mayor Herndon** reported she spoke with a lot of people at the Boat Parade party held at the Municipal Center Saturday night, who stated they are thrilled with the beautiful building, and noted there were two great articles in the paper on the new center.

**Vice Mayor Herndon** wished everyone a Merry Christmas and a Happy New Year!

**Mayor Lawrence** announced the BIG-C meeting in the morning which the Town will be hosting.

**Mayor Lawrence** reported it was a great turnout of about 300 people for the Boat Parade party, however some did not get food. He thanked Larry Schear and his wife for helping clean up after the party.

**Mayor Lawrence** advised of receiving a call from a newspaper company that takes special newspaper articles and affixes them to a piece of new wood for displaying, and he thought this would be nice for the picture of the new Municipal Center which was in the paper.

**All Council members concurred that this was a good idea and Mayor Lawrence stated he would proceed with contacting them.**

**INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:20 P.M.**

  
**MARCIA GRANTHAM, CMC**  
**Town Clerk**