

INDIAN SHORES

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TOWN COUNCIL WORKSHOP MINUTES TUESDAY, MARCH 9, 2021, BEGAN AT 3:00 P.M. INDIAN SHORES MUNICIPAL CENTER 4th FLOOR (Social distancing observed)

The meeting convened at 3:03 p.m.

Those present: Mayor Patrick C. Soranno, Vice Mayor Diantha Schear, Councilor–Mike Hackerson, Councilor Mike Petruccelli, Councilor Bill Smith, and Town Attorney Regina Kardash.

Also present: Town Clerk Freddie Lozano, Chief Rick Swann, Police Captain Glen Smith, Building Official Darin Cushing, Town Engineer Larry Fluty, Fire Commissioner Larry Schear, Planning, Zoning and Building Citizen Member Dr. Candiss Rinker, and Mr. Nick Simons of Beach Service West Inc.

Those absent: None

ITEM # AGENDA ITEM

AGENDA AMENDMENTS:

3.0A Carpet installation.

3.0B Monument Project.

3.0C 193rd Street Shower.

3.0D Report from Florida Department of Transportation (FDOT) District Landscape Architect Michael Kidde regarding the second FDOT Landscape Beautification Project.

Motion by Councilor Hackerson – seconded by Vice Mayor Schear to approve the Town Council Workshop Agenda for March 9, 2021 as amended. Motion carried 5-0.

Patrick C. Soranno
Mayor

Diantha Schear
Vice Mayor

Mike Hackerson
Councilor

Michael (Mike) Petruccelli
Councilor

William F. (Bill) Smith
Councilor

Bonnie Dhonau

Richard (Rick) Swann

Susan L. Scrogam

Freddie G. Lozano

Regina Kardash, Esq.

1.0 Discussion regarding request from Beach Service West, Inc. seeking a letter of support from the Town Council of their business on the beach in Indian Shores to the Florida Department of Environmental Protection.

Mr. Simons petitioned the Council for their support to allow his business to continue at the beach in Indian Shores. It is an inventory-based business that delivers the chairs and umbrellas to each participating condominium based on demand.

Chief Swan is still concerned about vehicles driving on the beach, but reported that the Police Department has not received any complaints on Beach Service West, Inc. They remained compliant with the 60-day special beach access permit issued to the business in November.

Discussion ensued and ultimately, the business will have to directly ask the Florida Department of Environmental Protection (FDEP) for permission to allow the business to continue at the beach in Indian Shores. The FDEP has the jurisdiction to grant a beach access permit. The Town does not.

Mayor Soranno asked Attorney Kardash to prepare a list of options for the FDEP request from the business and bring it to the Town Council Meeting. The options discussed were:

1. Endorse with previously approved conditions.
2. Letter of no objection with previously approved conditions.
3. Letter of no objection.
4. No action

2.0 Discussion on proposed Driving on the Beach ordinance.

Attorney Kardash mentioned that this ordinance was tabled at the January 12, 2021, Planning, Zoning and Building Committee meeting. After doing research on past ordinances regarding vehicles on the beach, she did not think this new ordinance could be passed as written as it is not in line with the Town's Comprehensive Plan. She also thought vehicles on the beach should be part of the General Code of Ordinances and not in the Land Development Code.

3.0 Discussion regarding proposed ordinance banning all bicycle traffic on the beach in Indian Shores.

Attorney Kardash mentioned that the coastal protection section of Florida Statutes Chapter 161 only mentions "vehicle", which is ambiguous when it is being applied to a specific class of vehicle. Under Florida Statute Chapter 316 regarding vehicular traffic, electric bicycles are afforded the same privileges and rights as regular bicycles as they can also be powered by manual pedaling. More clarification is needed before passing an ordinance that bans both electric and non-electric bicycles on the beach at Indian Shores. She recommended seeking an Attorney General Opinion (AGO) for guidance, which involves submitting a memorandum of law and a letter of request of the Town Council through a resolution to direct her to send the AGO.

Initial action is being taken by sending letters to local and state representatives to assist with this concern at a legislative level. Members of the Barrier Islands Governmental Council (BIG C) will send letters as well.

AGENDA AMENDMENTS:

3.0A Carpet Installation.

Ms. Dhonau mentioned that Lori Kauffman is assisting with the design of the proposed carpet tiles to replace the carpeting on the 3rd and 4th floors including the Library. Next year, she would like to budget for carpet replacement for the 2nd floor.

3.0B Monument Project.

Mr. Fluty is working on the plans and documents to put together the bid package. He is working on details and structural design, which includes all elements of the monument arch, for the contractor to come back with a price. He is also working with an electrical engineer and a landscape architect for design proposals and cost estimates.

3.0C 193rd Street Shower.

Ms. Dhonau mentioned that a resident asked if signage at the beach entrance can be re-positioned so that they are visible to those entering the

beach. She will have the Public Services Department have additional signage made and posted in a manner that can be easily read by those entering the beach.

The resident also asked about installing a shower/rinse at the access. The shower would be an ongoing expense and is under the Council's purview for consideration. A property survey would be needed before installation.

Mayor Soranno thanked the resident and recommended tabling the suggestion for now to explore next year as a comprehensive beach enhancement.

3.0D Report from Florida Department of Transportation District (FDOT) Landscape Architect Michael Kidde regarding the second FDOT Landscape Beautification Project.

Mayor Soranno and **Ms. Dhonau** have been working with Mr. Kidde on concept designs for plantings. There is \$580,000 in funding for this project that can also cover a few properties in Town that still need work. The plantings will come with a 2-year guarantee from the vendor selected to do the project. FDOT will also replace the grass in the medians that is now mostly weeds.

4.0 Comments from the public on any agenda item.

The drainage project will resume in April.

Mayor Soranno and Mayor Cookie Kennedy will start up meetings with County Commissioners regarding the need for sidewalks on Gulf Boulevard in both Towns.

The workshop adjourned at 4:40 p.m.


Freddie Lozano, CMC
Town Clerk