

Town of Indian Shores



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TOWN COUNCIL MEETING

MINUTES - JANUARY 15, 2014

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

Also Present: Attorney Metz; Chief Williams; Major Hughes; Marcia Grantham, Town Clerk; Lisa Robinson, Finance Director; Anne Miller; Diantha Schear; Susan Lashley; Pat and Barbara Soranno; Steve Tisdale; Kathy Helmus; Jeannie Carlson, Reporter.

ABSENT: Councilor Sutch

1.0 REGULAR COUNCIL MEETING

1.0 **Consideration of approving Council Agenda for January 15, 2014.**

MOTION by Councilor Herndon-- seconded by Councilor Irelan -- to approve Council Agenda for January 15, 2014, as published. Motion carried 4-0.

2.0 **Comments from the public on any Agenda item.**

No comments from audience members.

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

A. MINUTES: Council - December 10, 2013
PZB Com. - December 17, 2013

MOTION by Vice Mayor Smith -- seconded by Councilor Herndon -- to approve "CONSENT AGENDA" covering Minutes, as published. Motion carried 4-0.

James J. Lawrence
Mayor

William F. Smith
Vice Mayor

Carole Irelan
Councilor

Steve Sutch
Councilor

Joan G. Herndon-Parrott
Councilor

E.D. Williams
Chief of Police/
Administration

Lisa G. Robinson
Director of Finance
and Personnel

Marcia Grantham
Town Clerk

Robert J. Metz, Jr.
Town Attorney

Steve Andrews
Building Official

B. RE-OCCURRING EXPENSES:

From 12/3/2013 thru 12/30/2013.

MOTION by Councilor Herndon -- seconded by Vice Mayor Smith -- to approve "CONSENT AGENDA" covering Re-Occurring Expenses, as published. Motion carried 4-0.

4.0 APPROVAL of Committee expenditures: NONE

5.0 CORRESPONDENCE:

(1) Mayor Lawrence reported on receiving a letter from the Boys and Girls Club thanking the Town for its donation of \$185.00. Mayor Lawrence stated the donation was not tax funds, and was given by the people who attended the holiday luncheon for the Mayors' Council organization.

(2) Mayor Lawrence reported receiving an e-mail from Brian Niemann, inviting a member from the Town to serve on an advisory committee for the Florida Friendly Landscaping Program in Pinellas County, advising he had no knowledge of this program.

Chief Williams stated he thought the Town would like to participate and advised he would have a recommendation in two weeks relative to this program.

(3) Mayor Lawrence reported on receiving a check from the Woman's Club in the amount of \$300.00 to purchase a freezer for the Town.

MOTION by Councilor Irelan -- seconded by Vice Mayor Smith -- to amend Council Agenda to include accepting this donation. Motion carried 4-0.

MOTION by Councilor Herndon -- seconded by Councilor Irelan -- to approve the Town accepting a donation of \$300.00 from the Indian Shores Woman's Club to purchase a freezer for the Town. Motion carried 4-0.

6.0 Town Attorney's Report.

No report.

7.0 PUBLIC HEARING: Quasi-Judicial:

Consideration of approving a request for Site Plan Review from Tisdale Construction to construct a new single family residence located at 19132 Gulf Boulevard.

Attorney Metz reviewed the Quasi-Judicial process, determined from Council members that there had been no ex-parte communication regarding Item 7.0, and administered the Oath to those individuals who would be presenting testimony relative to Item 7.0.

Steve Andrews, Building Official, reported they had gone through quite a bit of site plan review regarding use, building area, square foot of units, actual footprint, and have approved for allowable height, setbacks worked out, green space is good, parking provided adequately, landscaping exceeded points and the project meets architectural requirements. He stated it has been reviewed by the Town engineer and is forwarded for approval, together with the PZB Committee's recommendation.

Steve Tisdale, Applicant, stated they have met all the criteria for this proposed project, noting it is a single family home, and stated he had no questions of the Town.

Attorney Metz stated this is a public hearing and called for any comments in opposition or support of this project, however there were no comments from the audience members.

Bob Brotherton, Town Engineer, reported there are some remaining drainage items to complete and obtain approval from FDOT relative to the site plan, but this will be done prior to the permit being issued.

Vice Mayor Smith and Councilor Irelan both stated they were glad to see some new construction starting.

MOTION by Councilor Irelan--- seconded by Councilor Herndon -- to approve a request for Site Plan Review from Tisdale Construction to construct a new single family residence located at 19132 Gulf Boulevard. Motion carried 4-0.

8.0 PUBLIC HEARING : Ouasi-Judicial:

Consideration of approving a request for Site Plan Review from Windsong on the Beach, LLC, to construct a new single family residence and three (3) rental units located at 19904 Gulf Boulevard.

Attorney Metz determined from Council members that there had been no ex-parte communication on Item 8.0, and administered the Oath to those individuals who would be presenting testimony on Item 8.0.

Steve Andrews, Building Official, reported this proposed project is for four (4) units, two (2) buildings, encompassing a single family home, plus three (3) units. He further reported they have reviewed and complied with all the Code and land use requirements, relative to lot size, have adjusted setbacks, square footage, parking provisions have been met, together with architectural requirements, landscaping meets maximum code and parking setbacks. Noted the drainage design is complete for this project.

The Building Official advised he recommended approval for the project, and PZB has forwarded project also for approval.

Kathy Helmus, Applicant, stated she is happy and thrilled to get to this point, and they plan on living here the rest of their lives. She stated she had no questions for the Town, and advised the Town had been very helpful.

Attorney Metz stated this is a public hearing and called for any comments in opposition or support of this project, however there were no comments from audience members.

Vice Mayor Smith asked why handicap parking was not provided.

Steve Andrews, Building Official, stated it is only needed for a business, hotel, or motel when over 15 units, and under the Fair Housing Code only required for single family homes when there is a fifth unit.

MOTION by Councilor Herndon -- seconded by Councilor Irelan -- to approve request for Site Plan Review from Windsong on the Beach, LLC, to construct a new single family residence and three (3) rental units located at 19904 Gulf Boulevard. Motion carried 4-0.

9.0 PUBLIC HEARING: RESOLUTION 1-2014, urging members of the Florida Legislature to oppose legislation that would mandate the use of a uniform Chart of Accounts for all governmental entities to report financial information.

Town Attorney Metz read the title of proposed RESOLUTION 1-2014, in full.

Lisa Robinson, Director of Finance, reported the proposed Resolution was drafted by the Florida Government Finance Officers Association (FGFOA), requesting cities oppose this legislation passed in 2011 by the Florida Legislature, requiring chief financial officer to recommend uniform chart of accounts for reporting for all state agencies, local governments, education entities and entities of higher education on a monthly basis.

The Director of Finance further reported she spent two and one-half hours compiling and determining an estimate of what this would cost, advising it would require about 100 hours to set up, and would cost between \$2,000.00 and \$5,000.00. She further reported it would be an additional four (4) hours of work each month to compile and report the information.

The Director of Finance also reported the Town now follows the Uniform Chart of Accounts in the Administrative Chapter, noting the proposed requirement does not take into account accruals, or transfers, and there are no guidelines and does not give a true picture, noting items are redundant. She noted the State wants to look at the figures by category.

The Director of Finance reported that some opposing were Clerk Ken Burke, Pinellas County; City of Clearwater and Madeira Beach.

Chief Williams reported this item was discussed at Staff level and it was determined that the proposed requirements would serve no useful purpose.

Mayor Lawrence stated this is a public hearing and called for comments from the audience, however there were no comments.

MOTION by Vice Mayor Smith – seconded by Councilor Irelan – to adopt proposed RESOLUTION 1-2014, as published. Motion carried 4-0.

10.0 Consideration of approving Other Post Employment Benefits (OPEB).

Lisa Robinson, Director of Finance, advised of a letter from Foster & Foster, dated December 13, 2013, submitting this report of the actuarial valuation of the Town and Other Postemployment Benefits (OPEB) Plan.

The Director of Finance advised the Town is required to do a report of other benefits on retirees, and they have submitted this summary report. She reported an additional increase this year of \$6,000.00 over last year, noting this is the Town's liability should they have to pay, noting if all retired at once the Town's liability would be \$25,000.00.

MOTION by Councilor Irelan -- seconded by Vice Mayor Smith -- to approve Other Post Employment Benefits (OPEB) Executive Summary Report, as presented. Motion carried 4-0.

11.0 Consideration of approving establishing a Plat Fee, with recommendation of a proposed flat fee of \$2,500.00.

Chief Williams reported the Town had an Ordinance under which this fee can be set, noting there has just never been a project to which it would apply, and now the Ashton Woods "Waterside" project requires a Plat review due to it being a subdivision and having roads within.

Chief Williams further reported he came up with a cost version which is consistent with the Town's neighbor to the South, and is recommending a flat fee of \$2,500.00, to cover Plat reviews.

MOTION by Councilor Irelan -- seconded by Vice Mayor Smith-- to approve the Town establishing a flat fee of \$2,500.00, covering Plat Fee reviews. Motion carried 4-0.

12.0 Consideration of approving permit fees relative to the Ashton Woods project on a "phase-in basis".

Chief Williams advised from a business position he feels it is better to take the fees over a two (2) year period and zero out at the end of the year, noting one year of normal fees may be little and would then have funds coming in over the next year.

Chief Williams stated this project reflects quality building and should have no downside to phasing in the fees.

Bob Brotherton, Town Engineer, reported that they cannot sell land until the Plat is approved, and advised they would be putting a Letter of Credit with the bank, in case of any issues with fees, which the Town could redeem.

Mayor Lawrence asked if they would be paying for the pedestrian crosswalk.

Chief Williams advised he would have to check into that and would get him an answer.

MOTION by Vice Mayor Smith -- seconded by Councilor Herndon -- to approve permit fees relative to the Ashton Woods project being collected on a "phase-in basis". Motion carried 4-0.

13.0 Consideration of approving request from Chief Williams for Building Official Services for Ashton Woods "Waterside Project" at 19915 Gulf Boulevard.

Chief Williams stated this request is based on budget, need, and budget limitation.

Chief Williams reported he was dealing with Quorum Services, which is a privatized company, and piggy-backing, as this project had been excluded with our Contract with Steve Andrews. He further reported this project would involve 1,000 to 1,100 inspections, and thru Quorum this would eat up all the permit fees at \$250.00 per trade stop.

Chief Williams stated that he and Steve Andrews differ on the number of inspections, and there is also the need to review construction plans, which is estimated to equal about 20 hours, at a cost of about \$1,000.00 for Building #1 and the pool structure. He said he would negotiate with Steve Andrews on the remaining 7 Buildings construction plan review cost.

Chief Williams further reported he felt a better method would be to use the existing Contract the Town has with Redington Shores at \$35.00 per stop, advising he has discussed this with Mayor Adams, and he was interested, but needs authorization from Council to pursue negotiations with the Town.

MOTION by Councilor Irelan-- seconded by Vice Mayor Smith -- to authorize Chief Williams to pursue negotiations with Mayor Adams for Building Official Services associated with the Ashton Woods "Waterside Project" at 19915 Gulf Boulevard. Motion carried 4-0.

14.0 Consideration of approving Financial Statement for period ending December 31, 2013.

Lisa Robinson, Director of Finance, reported the Financial Statement as presented is at a spend rate of 25%, with revenues at 35.5% and expenditures at 20.4%, and noted will see a slight increase in expenses due to Pavilion and Playground projects.

The Director of Finance reported that over 60% of budgeted Ad Valorem tax funds have come in. She noted Road & Bridge is in the negative, as the revenue runs a month or two behind.

MOTION by Councilor Irelan -- seconded by Councilor Herndon -- to accept Financial Statement for period ending December 31, 2013 as published, and hold for audit. Motion carried 4-0.

15.0 Consideration of approving Police Activity Report covering the month of December 2013.

Chief Williams reported criminal reports are down, noting 4 less than last year, accidents up, arrests, citations and warnings down, ordinance violations up, and calls for service up. Chief Williams further reported the Department had stepped up enforcement of "no dogs on the beach", as a result of several complaints.

MOTION by Vice Mayor Smith-- seconded by Councilor Irelan -- to accept Police Activity Report covering the month of December 2013, as published. Motion carried 4-0.

16.0 Chief Williams' Report.

Chief Williams' reported on the following items:

- 1) Playground Area: Advised the new Playground area should be completed by next week, noting equipment is in, borders are done and wood chips have been brought in, stating it is looking good. Also advised fence configuration has been discussed with one tree remaining inside fenced area.*

Town Council Meeting Minutes
January 15, 2014 - Page 9

- 2) **Pavilion Project:** *Met with Project Manager, Certus Builders, today and received schedule list of job progress, with substantial completion on or about February 7, 2014, and completion by February 25, 2014 of the new Pavilion, which should be ample time to set up for the St. Pat's Festival on March 15, 2014.*
- 3) **Workshop Meeting:** *Advised of Council Workshop meeting scheduled for January 21, 2014 @ 2:00 P.M., to discuss his recommendation for Reorganizing, Filling Positions and Establishing Salary for Department Heads, as a result of his retirement and the Town Clerk's, effective March 24, 2014.*

17.0 Comments from the public on any subject.

- 1) ***Diantha Schear, resident, addressed her request for permission to hold a fund raiser for the National MS Society, which would be a yard sale type of activity on February 1, 2014. She noted the Library would also like to have a book sale in conjunction with the event, and would be from 8 AM to 2 PM.***

Mayor Lawrence stated that about three or four months after moving into the new Municipal Center the Council had discussed and approved certain activities. He noted they did not approve renting the facilities, but would allow government agencies to use for educational purposes or some event which would provide a benefit to the residents.

Mayor Lawrence further stated that the Council had never discussed use of the parking lots. He advised he would like to discuss this issue at the upcoming Workshop scheduled for January 21, 2014, in order to reaffirm and clarify this matter.

Mayor Lawrence reported on a concern expressed by Councilor Sutch, who is not here tonight, regarding parking with regards to classes, library, etc. He stated that Councilor Sutch suggested they might want to wait until the Pavilion was complete and hold the event in back.

Diantha Schear responded stating the date was set and the visibility from the road was one of the biggest draws for the event.

Council members discussed the proposed event and there was no opposition voiced against the event, with everyone in favor of it moving forward.

Town Council Meeting Minutes
January 15, 2014 - Page 10

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

Councilor Irelan reported the Woman's Club would be holding a meeting on February 6, 2014, and the Library has scheduled another Read & Feed on February 20, 2014 featuring the book "Heart Menders", with the annual Library Appreciation dinner being held on January 31, 2014.

Councilor Sutch was absent.

Councilor Herndon reported the Library dinner would be at 5:30 P.M. at Salt Rock Grill, with Mayor Lawrence and First Lady Alice, hosting a cocktail party at 4:30 P.M. in the Library on January 31, 2014.

Vice Mayor Smith reported how for several years they have suffered through flooding at the 7/11 property when it rained, and after this recent rain there was no water, and came to find out that a sump pump has been installed and pumps the water to a grassy area, and stated that Steve Andrews had a lot to do with this happening.

Vice Mayor Smith reported he will miss the February Council meeting to attend a FSBPA Board of Directors meeting.

Mayor Lawrence reported that David Jolly won the primary election yesterday garnering 44.58% of the votes, and the general election will be held on March 11, 2014 with him running against Democrat, Alex Sink.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:45 P.M.


MARCIA GRANTHAM, CMC
Town Clerk