

# Town of Indian Shores



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## TOWN COUNCIL MEETING

MINUTES - MAY 14, 2013

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

**Also Present: Attorney Yacavone; Chief Williams; Marcia Grantham, Town Clerk; Mary Karayianes, Director of Finance; Attorney Robert Metz; Anne Miller; Art Newsome; Charlie Parrott; Jeannie Carlson, Reporter for Beacon; Chris Guinn, Reporter for Tampa Bay Times.**

### 1.0 REGULAR COUNCIL MEETING

#### 1.1 Consideration of approving Council Agenda for May 14, 2013.

**MOTION by Councilor Sutch – seconded by Councilor Herndon-- to approve Council Agenda for May 14, 2013, as published. Motion carried 5-0.**

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

**A. MINUTES:**

Council	-	April 9, 2013
Workshop	-	April 23, 2013 & May 7, 2013
Spec. Council	-	May 7, 2013

**MOTION by Councilor Sutch – seconded by Councilor Irelan -- to approve "Consent Agenda" covering Minutes, as published. Motion carried 5-0.**

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

**From 4/2/2013 thru 4/30/2013.**

**MOTION by Councilor Herndon -- seconded by Vice Mayor 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: NONE**

**1.4 CORRESPONDENCE: NONE**

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

**1.6 PUBLIC HEARING: RESOLUTION 2-2013, urging retailers to help stop the sale and marketing of tobacco products to the youth population in Pinellas County, Florida.**

*Attorney Yacavone read the title of proposed Resolution 2-2013, in full.*

*Mayor Lawrence reported this was a request from Chairman Welch, Board of County Commissioners, for the Town to consider adopting this Resolution.*

*Mayor Lawrence stated this is a public hearing and called for any comments from the audience members, however there were none.*

*MOTION by Councilor Irelan – seconded by Vice Mayor Smith – to adopt proposed RESOLUTION 2-2013, as published. Motion carried 5-0.*

**1.7 PUBLIC HEARING: RESOLUTION 3-2013, amending the Town's FY 2012/2013 Budget.**

*Attorney Yacavone read the title of proposed RESOLUTION 3-2013, in full.*

*Mary Karayianes, Director of Finance, reviewed her Memo dated 5/14/2013, wherein the proposed request for transfer of funds for various needs, as specifically outlined in the Memo.*

*Mayor Lawrence stated this is a public hearing and called for any comments from audience members, however there were none.*

*MOTION by Vice Mayor Smith – seconded by Councilor Sutch – to adopt proposed RESOLUTION 3-2013, as published. Motion carried 5-0.*

**1.8 Consideration of approving hiring Attorney Robert Metz, to replace Attorney Yacavone, who is retiring in August 2013.**

*Mayor Lawrence advised Council members and Staff had already been acquainted with Attorney Metz, and at the last Workshop discussed the position with him.*

*Mayor Lawrence reported on receipt of a letter from the firm of Frazer, Hubbard, Brandt, Trask, Yacavone, Metz and Daigneault, proposing to continue their present fees for the Town.*

*Mayor Lawrence solicited any concerns or comments from the Council, stating all seems to be positive feedback.*

***MOTION by Councilor Herndon -- seconded by Vice Mayor Smith -- to approve hiring Robert Metz, as the Town's attorney, upon the retirement of Attorney Yacavone in August 2013. Motion carried 5-0.***

**1.9 Consideration of approving proposal from Howard Jimmie, Inc., in the amount of \$4,000.00, to demolish the Town's present Pavilion.**

***MOTION by Vice Mayor Smith -- seconded by Councilor Irelan -- to approve proposal from Howard Jimmie, Inc., in the amount of \$4,000.00 to demolish the Town's present Pavilion, following the Town's annual Picnic on Memorial Day. Motion carried 5-0.***

**1.10 Consideration of approving replacement lighting for the Town's Tennis Court.**

*Chief Williams reported re-furbishing of the Tennis Court was completed today.*

*Chief Williams advised Council if they wanted to proceed with new lights now they could, and he would recommend the Lithonia proposed by Graybar at a cost of \$4,710.24.*

*Mayor Lawrence stated he agrees with that as there is not a lot of night time usage, and the efficiency is still good on the Lithonia, as compared to the more expensive LED lights. Mayor Lawrence reported he did review info on-line and saw no big difference.*

*Brief discussion among Council members relative to cost difference of approximately \$2,500.00 for LED lights, the length and life of bulbs, energy use, etc.*

**MOTION by Vice Mayor Smith -- seconded by Councilor Herndon -- to approve proposal from Graybar for 6 Lithonia light poles and lights at a cost of \$4,710.24. Motion carried 5-0.**

- 1.11 Consideration of approving request for the 28<sup>th</sup> annual Madeira Beach Triathlon to be held at Archibald Park, Madeira Beach on June 2, 2013, with bikers crossing Park Boulevard Bridge and heading south, from approximately 7:30 AM to 9:30 AM.**

*Chief Williams reported it was the same route as in past years, and Police coverage had been lined up.*

**MOTION by Councilor Irelan -- seconded by Vice Mayor Smith -- to approve Agenda Item 1.11, as proposed. Motion carried 5-0.**

- 1.12 Consideration of approving "Unclaimed Evidence and Abandoned Property, to-wit, Monies (US currency), pursuant to Florida Statute, for the purpose of retaining the property for the Agency's own use, and deposit into the Law Enforcement Fund.**

*Chief Williams reported evidence is purged every so often for any unclaimed monies the Town is entitled to under State Statute, noting Major Hughes has reviewed this and noted \$4,069.50 is eligible for the Town's forfeiture Fund.*

**MOTION by Vice Mayor Smith -- seconded by Councilor Sutch -- to approve the Town retain property for the Agency's own use in the amount of \$4,069.50 and deposit into the Law Enforcement Fund. Motion carried 5-0.**

- 1.13 Consideration of approving request from Chief Williams to use forfeiture funds to purchase radio batteries.**

*Chief Williams reported it has reached the point where all the radio batteries are not making it through a shift, and under the Contract with Pinellas County, and for a public safety use, requesting purchase of 26 batteries.*

**MOTION by Councilor Herndon -- seconded by Councilor Irelan -- to approve purchase of 26 batteries from Motorola Solutions in the amount of \$2,629.90, utilizing forfeiture funds. Motion carried 5-0.**

**1.14 Consideration of approving Financial Statement for the period ending April 30, 2013.**

*Mayor Lawrence reported that most are probably aware that Mary is retiring in August, and the Staff has conducted a search, interviewed 6, and selected the top three applicants and presented their recommendation of Lisa Robinson, Assistant Finance Director with the City of Indian Rocks Beach, she will start as Finance Director Trainee on June 3, 2013. The Council approved the hiring of Ms. Robinson at a Special Council meeting on May 7, 2013.*

*Mary Karayianes, Director of Finance, reported General Fund is in a good position, with revenue at 65% in the amount of \$1,791,782.00 to date, and \$1,055,000.00 of that is tax money received and represents 94% of budgeted funds.*

*The Director of Finance reviewed revenues/expenditures, pointed out Road & Bridge Fund in deficit due to funds being about 3 months behind, CIP in good position with majority being debt payments, and noted the restricted funds.*

***MOTION by Vice Mayor Smith -- seconded by Councilor Sutch -- to accept Financial Statement for the period ending April 30, 2013, and hold for audit. Motion carried 5-0.***

**1.15 Consideration of approving Police Activity Report covering the month of May 2013.**

*Chief Williams reported this report covers part of Spring break, with criminal reports up significantly, as well as arrests, citations and warnings, crashes also up, and an overall increase of service calls with 18 over last year, noting it was a very busy month.*

***MOTION by Vice Mayor Smith -- seconded by Councilor Sutch -- to approve Police Activity Report covering the month of May 2013. Motion carried 5-0.***

**1.16 Chief Williams' Report.**

*Chief Williams reported on the following items:*

- 1) **Tennis Court:** Advised re-furbished Tennis Court is completed.*
- 2) **Park Survey:** Reported meeting with Surveyor, Lauren Penny, tomorrow in the AM to layout parameters for playground area in the Park, and will then contact Department of Community Affairs for transition of area.*

- 3) **Gateway Entrance:** *Reported Public Services Dept. had re-done the medians and are selecting more yellow flowers for background, have replaced 3 dead Palms on the South island. Shell has been placed out front, which looks very nice and would like to place more shell around the building.*
- 4) **Fathoms Property Project:** *Reported he has spoken to Ashton Woods and they were anticipating moving forward for June, however he has also talked with Bob Brotherton, Town Engineer, and he has identified several items that are needed and they have been advised of these things about mid-week last week and the ball is in their court.*

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

- 1) *Anne Miller, resident, asked if there was going to be a Hurricane Party scheduled this year, and Mayor Lawrence responded there would be and he would address more information under his report.*

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

*Councilor Irelan reported the Woman's Club held their last meeting of the year last week at Salt Rock Grill, and the Library will hold another Read and Feed sometime this summer.*

*Councilor Sutch reported he did not have much noting the Tiki Parking lot is still holding its own. Mayor Lawrence stated he has had a few complaints about signs being posted for "No Pets".*

*Chief Williams reported having conversations with about three different people, advising the County now closes the parks at dark, and are trying to standardize all the parks. He further reported the County is re-writing the Agreement for more latitude and wants the Town to sign a "hold-harmless" Agreement, to which he advised the Town is not interested in doing, and he will be in conference on this matter.*

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**Councilor Herndon** related an incident on the beach in front of her home, wherein a family of about 8 came with shovels and a post-hole digger and just kept digging very deep, and stated she called an Officer over to talk with them.

She further stated that Officer Ferro advised them that they needed to fill in the hole, and she questioned whether the Town might need an ordinance on this matter.

**Vice Mayor Smith** reported the beach re-nourishment legislative session is over and \$37.5 million in funds for nourishment was approved, which is very good news. He noted there are 12 Federal projects having to do with Storms Debby and Sandy, with one in Treasure Island and Long Boat Key.

**Vice Mayor Smith** further reported that DEP held a webinar regarding Rule 62B-36, and they had made a decision to reduce the credit for parking spaces to 50 feet from the 52.8 feet, however they are going back to the 52.8 feet for spaces, and provide credit for bike racks and bus stops. He advised there is some discussion as to why City of Belleair Beach is receiving credit for a wider range.

**Mayor Lawrence** reported the following items:

**Suncoast League Annual Conference** in Crystal River, May 18 – 19, 2013.

**Workshop meeting** on May 21, 2013 @ 2:00 P.M., for preliminary Budget considerations for FY 2013/2014.

**Art Reception** (4<sup>th</sup> floor) – May 23, 2013 from 5:30 – to 7:30 P.M., with a painting demonstration.

**Memorial Day Picnic** – May 27, 2013 from 1 to 4 P.M., with music and serving fried chicken dinner.

**Hurricane Awareness Gathering** - June 13, 2013 @ 6:00 P.M., with refreshments following.

**INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:05 P.M.**

  
**MARCIA GRANTHAM**  
Town Clerk