

Town of Indian Shores



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

www.myindianshores.com

TOWN COUNCIL MEETING

MINUTES - NOVEMBER 12, 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 Metz; Chief Williams; Marcia Grantham, Town Clerk; Lisa Robinson, Director of Finance; Steve Andrews, Building Official; Patti Stough, Architect; Anne Miller; Mike Petrucci; Pat Soranno; Larry and Diantha Schear; Janet and Mark McKee; Jeannie Carlson, Reporter.

1.0 REGULAR COUNCIL MEETING

1.0 Consideration of approving Council Agenda for November 12, 2013.

MOTION by Councilor Herndon— seconded by Vice Mayor Smith – to approve Council Agenda for November 12, 2013, as published. Motion carried 5-0.

2.0 Comments from the public on any Agenda item.

Mayor Lawrence reported this item was new State Legislation and called for any comments, however there were no comments from the public.

3.0 Consideration of approving “CONSENT AGENDA”, as follows:

A. <u>MINUTES:</u> Council	October 8, 2013
Sp. Council	October 22, 2013
PZB Com.	November 5, 2013

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

MOTION by Vice Mayor Smith -- seconded by Councilor Sutch -- to approve "CONSENT AGENDA" covering Minutes, as published. Motion carried 5-0.

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

From 10/7/2013 thru 10/28/2013.

MOTION by Vice Mayor Smith-- seconded by Councilor Herndon -- to approve "CONSENT AGENDA" covering Re-Occurring Expenses, as published. Motion carried 5-0.

4.0 APPROVAL of Committee expenditures: NONE

5.0 CORRESPONDENCE:

Mayor Lawrence read a letter from Progressive Waste Solutions, formerly Waste Services, advising of their change of name on 6/4/2013. The Town has a franchise with this company for solid waste removal and recycling pickup.

6.0 Town Attorney's Report.

Attorney Metz advised he had no report to present.

7.0 PUBLIC HEARING – Quasi-Judicial: Consideration of a request from Ronald J. Araujo, for site plan review for a new garage, with studio, located at 19716 Gulf Boulevard, Indian Shores.

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

Mayor Lawrence advised Attorney Metz of a meeting he had sat in on earlier with Patti Stough, Steve Andrews and Bob Brotherton in order to work out some communication problems, and asked if this would be considered ex-parte discussion.

Attorney Metz stated he did not believe that it would constitute ex-parte discussion and asked Mayor Lawrence if anything happened at the meeting for him to have impartial feelings, and Mayor Lawrence responded in the negative. Attorney Metz stated he would not consider that meeting to be ex-parte discussion.

Steve Andrews, Building Official, addressed the Staff Report advising the site plan proposed reflects a free standing addition, with a bathroom and bedroom above, noting they have reviewed drainage, parking and turning radius through several revisions.

The Building Official reported he and Bob Brotherton, Town Engineer, feel comfortable with the proposed project and recommend approval of the site plan, which should benefit the owner and the town.

Attorney Metz called for any questions from the public for the Building Official, however there were no questions or comments from the public.

Patti Stough, Architect, representing the applicant, reported the home was purchased in January 2013 for his family and he needs more room with two teenage children. She noted the structure is independent, with a utility room and air conditioning. She further stated she had no questions for Town Staff and agreed with the Staff Report.

Attorney Metz called for any comments from the public opposing the proposed project, however there were no comments from the public.

Attorney Metz called for any comments from the public in support of the proposed project, however there were no comments from the public.

Attorney Metz called for any closing statements from the Applicant and the Building Official, however neither had any closing remarks.

Mayor Lawrence asked Council members if they had any questions, however they had no questions.

MOTION by Vice Mayor Smith -- seconded by Councilor Sutch -- to approve request from Ronald Araujo, for site plan review for a new garage, with studio, located at 19716 Gulf Boulevard, as proposed. Motion carried 5-0.

- 8.0 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2013-3, revising Chapter 70, Traffic and Vehicles, of the Code of Ordinances by repealing Section 70-7 – Vehicles Used for Human Habitation Prohibited; and enacting a new Section 70-7 entitled, Recreational Vehicles, Boats, or Trailers on Public or Private Property; Establishing Definitions, Permit Requirements for Parking, Conditions of Permit, Habitation Prohibition and Prohibited Overnight Parking on Streets.*

Attorney Metz conducted the Second Reading of proposed ORDINANCE 2013-3, by reading the title in full.

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

MOTION by Councilor Irelan -- seconded by Vice Mayor Smith -- to approve Second Reading of proposed ORDINANCE 2013-3, by title only. Motion carried 5-0.

- 9.0 **PUBLIC HEARING:** *RESOLUTION 10-2013, supporting the 12th Annual Florida Gulf Beaches Holiday Halfathon.*

Attorney Metz read the title of proposed RESOLUTION 10-2013, in full.

Major Hughes reported there is no problem with the December 15, 2013 event, however there is a greater impact with the traffic regarding the January 19, 2013 event. He further reported he is awaiting a call back from Mr. Lauber to complete signing of the contracts, which include payment for police services for traffic control.

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

MOTION by Vice Mayor Smith-- seconded by Councilor Sutch -- to adopt proposed RESOLUTION 10-2013 as published, contingent upon Mr. Lauber signing the Contract as specified. Motion carried 5-0.

10.0 PUBLIC HEARING: RESOLUTION 11-2013, supporting the 15th annual Clearwater Marathon, formerly known as the "Florida Gulf Beaches Marathon".

Attorney Metz read the title of proposed RESOLUTION 11-2013, in full.

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

MOTION by Vice Mayor Smith -- seconded by Councilor Irelan -- to adopt proposed RESOLUTION 11-2013 as published, contingent upon Mr. Lauber signing the Contract as specified. Motion carried 5-0.

Note: For the record Mr. Chris Lauber came to the meeting late after the above Resolutions were already approved, however he was informed he needed to contact Major Hughes to sign the Contracts, to which he agreed.

Mr. Lauber thanked the Town for their co-operation over the years, reporting most of the participants were locals, and some from all around the world, with 65% being female and medium age range was from 40 – 42 years.

11.0 Consideration of revised BID from Playmore for upgrading fence around new Playground area.

Chief Williams reported upon direction at the last meeting he obtained a revised BID from PLAYMORE to upgrade the fence around the new Playground Area.

Chief Williams further reported the proposed upgraded fence would be a 4 ft. tall Alamo style two-rail aluminum fence, with a 60' walk gate, and the railing would look like the balconies on the Municipal Center only straight instead of curved. The cost difference is \$4,451.50 for the upgraded fence, with the total cost for the Playground Area being \$31,401.50.

Chief Williams stated this item was discussed at the Administrative and Finance Committee meeting prior to this meeting and the Committee recommended approval, and noted this item is within the budget.

MOTION by **Vice Mayor Smith** -- seconded by **Councilor Herndon** -- to approve revised BID from Playmore for an increased amount of \$4,451.50 for an upgraded fence similar to the balcony railing on the Municipal Center, with a total cost of \$31,401.50 for the Playground Project. **Motion carried 5-0.**

- 12.0 Consideration of approving renewal of annual Service Maintenance Agreement with AVI-SPL covering the Town's sound system, in the amount of \$2,798.00, which includes preferred services and on-site technical response, from 12/11/2013 thru 12/10/2014.**

Town Clerk reported the proposed renewal Service Maintenance Agreement mirrors the prior year, with the cost remaining the same at \$2,798.00.

MOTION by **Councilor Herndon** -- seconded by **Vice Mayor Smith** -- to approve renewal of annual Service Maintenance Agreement with AVI-SPI, in the amount of \$2,798.00, with includes preferred services and on-site technical response, from 12/11/2013 thru 12/10/2014. **Motion carried 5-0.**

Mayor Lawrence asked if some training could be scheduled with AVI for the purpose of showing members of the Property Owners' Association and the Women's Club how to use the system in order to play music for events.

The Town Clerk stated she would contact someone at AVI to set up a session.

- 13.0 Consideration of approving the Town's Floodplain Management Plan/Local Mitigation Strategy Annual Report.**

Steve Andrews, Building Official, advised last year's report has been revised and updated, noting the Town enjoys a flood discount because the Town requires higher standards, such as breakaway walls, venting, and on-going programs to lower rates.

Mayor Lawrence stated this plan is very important in light of the Biggert-Waters legislation.

Vice Mayor Smith reported that former Building Official, Larry Nayman, had V zone construction included for all of the Town, and noted elevation certificates are available on the Town's website.

MOTION by **Councilor Herndon** -- seconded by **Councilor Sutch** -- to approve the Town's Floodplain Management Plan/Local Mitigation Strategy Annual Report, as presented. **Motion carried 5-0.**

14.0 Consideration of approving the Town entering into a Mutual Aid Agreement with Lafayette County Sheriff's Office for combined Operational Assistance and Voluntary Cooperation.

Chief Williams reported Lafayette County is between Dixie and Madison Counties.

Chief Williams further reported that Emily Smoak is a retired Captain with Tallahassee Police Department and Tim Smoak was a reserve with the Town and they have relocated to Indian Shores, He advised that Tim Smoak is a radio engineer and runs a mobile stand-alone EOC and would like to assist the Town during storms, and special events, as they want to be a part of the community.

Chief Williams stated that Sheriff Brian Lamb has executed the Mutual Aid Agreement.

MOTION by Vice Mayor Smith -- seconded by Councilor Sutch -- to approve Town entering a Mutual Aid Agreement with Lafayette County Sheriff's Office for combined Operational Assistance and Voluntary Cooperation. Motion carried 5-0.

15.0 Consideration of approving request from Chief Williams relative to Public Services Staff and Police Department Reorganization.

Mayor Lawrence stated this item was just reviewed at the Administrative and Finance Committee meeting just prior to this meeting.

Chief Williams stated the Administrative and Finance Committee had forwarded this item to Council and recommended approval.

Chief Williams reported his Contract expires 9/30/2014, and he is putting into effect a continuity plan, which must include a transition period.

Chief Williams stated he would be supporting Major Hughes for Police Chief and will submit his formal resignation on 1/2/2014.

Chief Williams reviewed the two measures he is recommending for Public Services Department and Reorganization of the Police Department as reflected in his Memo dated 11/6/2013, as follows:

Public Services Department

- *With the loss of both a full time and part-time employee the Department has only one contract worker remaining.*
- *Chief Williams is currently working with the Public Services Supervisor to retain an additional contract labor person to assist Willis Knight while they explore a permanent full-time skilled worker employee candidate to recommend to the Public Services Committee for employment. If additional human resources are required, he recommended expansion of contract labor, and will address permanent arrangements mid-January 2014.*

Police Department Reorganization

- *As Chief of Police he will continue to exercise ultimate authority and have responsibility for all police matters.*

He would relocate his office to the third floor in Administration.

- *Major Terry Hughes would be responsible for day to day operation and administration of the Police Department.*
- *Major Hughes would relocate to his office on the second floor.
Noted: There is no additional salary consideration associated with this assignment pending his retirement.*
- *Detective Sergeant Jeffrey Rawson would be promoted to the rank of Captain and will continue to supervise/command patrol operations and criminal investigations.
Noted: There is no additional salary consideration associated with this assignment pending his retirement.*
- *Officer J.D. Tindall will be assigned as a Detective in the Criminal Investigation Division. He will also supplement uniform patrol shortages on the day watch. There is a 5% premium associated with this assignment by collective bargaining agreement.*

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- **Officers Shaun Griffin and John Wiseman** will be assigned as Master Patrol Officers. Both are eligible for promotion on the most recent Sergeant's List and have each earned a four year college degree. There is a 3% premium associated with this assignment by CBA/MOU.

Chief Williams advised his retirement date would be March 24, 2014, noting this would be a cost saving measurement by using up vacation and buy-out sick leave instead of lump sum buy-out. Stated retirement notice will be formally given on January 2, 2014.

Council Members again expressed bittersweet feelings regarding Chief Williams' retirement announcement.

MOTION by **Councilor Irelan** -- seconded by **Councilor Sutch** -- to approve request from Chief Williams relative to Public Services Staff and Police Department Reorganization, as proposed in his Memo dated November 6, 2013. **Motion carried 5-0.**

- 16.0 **Consideration of retro-actively approving donation from the Indian Shores Property Owners' Association in the amount of \$1,000.00, towards the cost of installing an "island counter-top" in the kitchen of the Municipal Center.**

MOTION by **Vice Mayor Smith** -- seconded by **Councilor Herndon** -- to approve donation from the Indian Shores Property Owners' Association in the amount of \$1,000.00, towards the cost of installing an "island countertop" in the kitchen of the Municipal Center. **Motion carried 5-0.**

- 17.0 **Consideration of approving proposed holiday hours for the Municipal Center for Christmas and New Year's Day holidays, together with approving holiday pay for Town employees.**

Mayor Lawrence explained past practice of the Town allowing 4 hours and the employee taking their vacation or personal time for the other 4 hours and the Town closing on both eve holidays.

Mayor Lawrence reported that with Christmas being on a Wednesday that Staff is recommending the Town be closed on Monday, December 23, 2013, with employees taking their own time that day and the Town allowing the employees 8 hours on Tuesday, December 24, 2013, by giving up their one-half day on December 31, 2013, and only be closed on the holiday of January 1, 2014 for the New Year's day holiday.

MOTION by **Councilor Irelan** -- seconded by **Councilor Herndon** -- to approve proposed holiday schedule for the Municipal Center. **Motion carried 5-0.**

18.0 Consideration of approving Financial Statement for period ending September 30, 2013.

Lisa Robinson, Director of Finance, advised Council members this is an abbreviated September statement, and all transactions are not completed and she has not finished closing the books for September 30, 2013.

The Director of Finance reported she had reviewed a couple of things with Chief Williams, advising all is on par and running for October and November. She noted that new ad valorem funds have not yet been received, with only minor interest payment and residual payment from the State.

The Director of Finance stated the Town is in a good place to start FY2013/2014, noting the audit would start the first week of December.

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

19.0 Consideration of approving Police Activity Report covering the month of October 2013.

Chief Williams reported minor increase in Police Activity Reports, physical arrests were up, no change in crashes, traffic citations up and warnings down, and noted 41 less calls for service this year than last year.

MOTION by **Councilor Sutch** -- seconded by **Councilor Herndon**-- to approve Police Activity Report covering the month of October 2013, as published. **Motion carried 5-0.**

20.0 Chief Williams' Report.

- 1) **Certus Builders Kick-Off Mtg.:** Held a kick-off meeting and issued Notice to Proceed and Notice of Commencement, together with permits, and they are to mobilize tomorrow and a chain-link fence will be going up. He noted it will be an 82 day project, with the holidays, and advised it would dove-tail with the Playground Project at the end, with completion anticipated at the end of January 2014.

- 2) **Street Art Meeting:** *Advised Mayor Lawrence could brief on this item.*

Mayor Lawrence reported that with the \$35 million Gulf Boulevard Beautification commitment from Pinellas County over a period of 7 years, \$4.1 million coming to our Town, the Town has already been approved for \$2.1 million for the Undergrounding Project. He further reported any art work in Town would fall under the Phil Graham Beautification Plan, and the Town will be receiving money over the next 4 years for beautification purposes on Gulf Boulevard.

- *Fire Board Commissioner Larry Shear, reported there is a vacancy on the Board for a candidate to represent both City of Belleair Beach and Town of Belleair Shore, if anyone might know of someone interested in serving.*

21.0 Comments from the public on any subject.

- 1) *Janet McKee, resident, questioned whether there were any future road improvements planned.*

Mayor Lawrence responded that there are no large scale plans, only maintenance, pointing out it is a State road and \$20 million dollars of drainage was dropped from FDOT plans when the road was improved.

Janet McKee, stated there are not many restaurants in Town and asked if this was related to zoning issues.

Mayor Lawrence responded the reason would not be related to zoning.

Janet McKee announced that ISPO would hold Happy Hour at Jimmy Iguana's tomorrow from 5:30 to 7:30PM.

Diantha Shear announced that the Women's Club and ISPO would hold a combined Christmas party on December 12, 2013. She reported the Women's Club purchased a 12' tree for the Community Room and the Club contributed decorations.

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

Councilor Irelan reported the Library would hold a Read and Feed on December 17, 2013 at Noon, and would feature the book "Worthy McGuire".

Councilor Sutch reported the fall clean-up went well with 51 volunteers, and 38 tickets were distributed for a complimentary lunch at Mickey Quinn's for workers.

Councilor Sutch recommended everyone turn their money in for the donation to the Boys and Girls Club for the Mayor's Christmas luncheon, and the Town could then cut one check to cover all, and everyone concurred with that recommendation.

Councilor Herndon reported she was looking forward to the Town hosting the BIG-C Christmas party, and she and **Councilor Irelan** were working on the event.

Vice Mayor Smith reported he is still following the flood insurance events and advised the Senate and the House have agreed upon a Bill, however it now needs to pass, then a 4 year delay of the Biggert-Waters Bill will hopefully happen, noting the value of the delay will be to re-evaluate the legislation.

Vice Mayor Smith also reported the Park Boulevard Bridge will be closing for a month in June of 2014.

Mayor Lawrence reported on the following items:

- 1) **News conference** held at the Municipal Center for David Jolly who served on the Public Services Committee and presently sits on the Board of Adjustment, and he owns a condo at Barefoot Beach and is a registered voter in Town, and thus he afforded him the ability to hold the new conference at the Town's Municipal Center to announce his candidacy to run for the Congressional seat held for many years by Bill Young, who recently passed away.
- 2) **Council Meeting** scheduled for January 14, 2014 may need to move to January 15, 2014, should there be a primary election for the Congressional seat.

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- 3) **Street Art** – Met today with Sara Mullins, and a local artist to discuss some street art the Town is proposing for the area of 19500 Gulf Boulevard, noting they were given a theme and they will come back in 4 – 6 weeks with some ideas.
- 4) **Mayor Lawrence** reported he met Miss Indian Shores, whose reign is up in February 2014 at the Art Reception.
- 5) **Town Christmas Party** will be held on 12/7/2013 at 6 PM, and RSVP to Town Clerk.
- 6) **Donations** to Boys and Girls Club can be turned in and Town will write a check.
- 7) **Grinchmas** office party will be held on 12/10/2013 at Noon.
- 8) **Christmas Boat Parade** will be held on 12/15/2013 and starts at 5:45 from the Tom Stuart Causeway in Madeira Beach.
- 9) **Mayor Lawrence** out of Town from 11/22/2013 until 12/2/2013.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:35 P.M.


MARCIA GRANTHAM, CMC
Town Clerk