

# 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 - SEPTEMBER 5, 2012

**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 Yacavone; Marcia Grantham, Town Clerk; Mary Karayianes, Director of Finance; Anne Miller; Charlie Parrott; Art Newsome; Larry and Diantha Schear; Steve Uhlhorn; Matt Towson; Jeannie Carlson, reporter.

#### 1.0 REGULAR COUNCIL MEETING

- \*\* Bob Hill, President, Indian Rocks Volunteer Fire Association (IRVFA), and Marshall Eiss, Fire Inspector, presented a Stewardship Award to Mayor Lawrence, Council members and the Town, recognizing their contribution and devotion to the IRVFA 911 Memorial.**

*Diantha Schear announced the 911 Memorial luncheon to include a Fire Department Cookbook would be held on September 11, 2012, at the Municipal Center.*

#### 1.1 Consideration of approving Council Agenda for September 5, 2012.

**MOTION by Councilor Irelan – seconded by Councilor Smith – to approve Council Agenda for September 5, 2012, as published. Motion carried 5-0.**

#### 1.2 PUBLIC HEARING: Announcement of proposed tentative Ad Valorem millage and percent, if any, by which tentative millage exceeds the rolled-back rate.

*Mayor Lawrence explained the term “rolled-back rate” means the tax dollars remain the same as what the Town received in the current year.*

**Mary Karayianes, Director of Finance, stated the Town’s proposed tentative Ad Valorem millage is 1.8700 mills, which is 0.23% less than the rolled-back rate of 1.8744.**

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

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**Mayor Lawrence** stated this is a public hearing and called for comments from the audience.

**Matt Towson, resident, 19750 Gulf Boulevard,** stated it seems ridiculous that the taxes do not go down, and that government should have to shrink. He further stated the Town has been on the same path for the last three years and it is not working.

**Mayor Lawrence** responded stating the comment sounds like an assumption the Town has not been cutting expenses, and reported the Town has been cutting every year.

**Matt Towson** further stated the Town has higher electric costs, and the recreation classes should pay to off-set cost, as it is not right the people should have to pay when property values are going down.

**Councilor Smith** cited the figures for property value drops from 2007/08 to the current year, advising the Town's expenses cannot be cut as fast.

**Matt Towson** stated most of the drop in values happened early on from 2008/2012, and the budget should reflect that, and it does not.

**Mary Karayianes, Director of Finance,** reported that in looking at the whole dollar amount of the Budget, you do not see the cuts put into the Budget, however line-by-line budget cuts have been made.

**Councilor Smith** noted that the homestead (save our homes) process is in the recapture stage.

**Mayor Lawrence** pointed out another problem with Indian Shores is that only about 16% of residents are homesteaded.

**Vice Mayor Herndon** shared her TRIM notice info, noting her taxes only went up a small amount, and larger amounts come from Pinellas County and the School Board, with other miscellaneous items.

**Councilor Smith** reported the millage increase this year to 1.8700 from last year's 1.8500 represents \$2.00 per \$100,000.00 of valuation.

**1.3 PUBLIC HEARING: Adoption of tentative Ad Valorem millage of 1.8700 mills per \$1,000.00 of assessed valuation for FY 12/13.**

*Mayor Lawrence stated this is a public hearing and called for any comments from the audience.*

*Anne Miller, resident, stated she attends all the Workshop meetings on the Town's Budget, and feels everyone has worked very hard on the Budget proposed.*

*MOTION by Councilor Sutch -- seconded by Vice Mayor Herndon -- to approve adoption of tentative Ad Valorem millage of 1.8700 mills per \$1,000.00 of assessed valuation for FY 2012/2013. Motion carried 5-0.*

**1.4 PUBLIC HEARING: Adoption of tentative budget for FY 2012/2013.**

*Mary Karayianes, Director of Finance, reported the Budget was presented with explanation and includes an Executive Summary and overview, which reflects a 10 year history of property value assessments.*

*The Director of Finance further reported there is more information in the Budget packet regarding the millage impact, which equates to a difference of \$126.00 from last year.*

*The Director of Finance advised the two largest taxing entities are Pinellas County and the School Board. She reported the outlined changes are reflected in the Executive Summary, which reflects a deficit of \$85,673.00, which was taken from the Unassigned Fund Balance.*

*The Director of Finance further reported that together with Chief Williams and Major Hughes she reviewed all items on a line-by-line basis.*

*Mayor Lawrence stated it was a public hearing and called for comments from the audience.*

*Larry Schear, resident and Fire Board Commissioner, stated that they have just completed the Budget for the Fire Board he appreciates what the Council members do in preparing a Budget.*

*MOTION by Councilor Irelan -- seconded by Councilor Smith -- to approve adoption of proposed tentative budget for FY 2012/2013, as presented. Motion carried 5-0.*

- 1.5 **PUBLIC HEARING:** *Re-computation, if necessary, of proposed millage rate and announcement of percent, if any, by which recomputed proposed millage rate exceeds the rolled-back rate.*

*Re-computation was not necessary.*

- 1.6 *Consideration of approving "CONSENT AGENDA", as follows:*

A. **MINUTES:** Council - 8/15/2012

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

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

*From 8/7/2012 thru 8/27/2012.*

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

- 1.7 **APPROVAL of Committee expenditures:** NONE

- 1.8 **CORRESPONDENCE:**

*Mayor Lawrence read a letter from the Beach Welcome Center thanking the Town for their support and presented each Council member with a hat with "Indian Shores" imprinted on them, from the Center.*

- 1.5 **Town Attorney's Report.** None

- 1.9 **PUBLIC HEARING:** *RESOLUTION 6-2012, supporting the "11<sup>th</sup> annual Florida Gulf Beaches Holiday Halfathon", on December 9, 2012.*

*Attorney Yacavone read the title of proposed RESOLUTION 6-2012, in full.*

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

*MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to adopt proposed RESOLUTION 6-2012, as published. Motion carried 5-0.*

- 1.10 PUBLIC HEARING: RESOLUTION 7-2012, supporting the "Clearwater Marathon", formerly known as the Florida Gulf Beaches Marathon, on January 20, 2013.**

*Attorney Yacavone read the title of proposed RESOLUTION 7-2012, in full.*

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

*MOTION by Councilor Smith -- seconded by Councilor Sutch -- to adopt proposed RESOLUTION 7-2012, as published. Motion carried 5-0.*

- 1.11 *Consideration of approving an Interlocal Agreement with the Town of Redington Shores for Building Department services.***

*Mayor Lawrence reported he had attended a Workshop and Special Council meeting held by Town of Redington Shores, wherein they approved the proposed Interlocal Agreement as discussed.*

*Mayor Lawrence requested Attorney Yacavone to check into the matter as the Agreement had not yet been received, noting it can be placed on the Council's Agenda for the Council meeting scheduled for September 19, 2012.*

*It was a consensus of the Council members to table this item until the meeting on September 19, 2012.*

- 1.12 *Consideration of retro-active approval for Contract with Construction Moisture Consultants (CMC), covering testing for water intrusion at a cost of \$4,400.00.***

*Mayor Lawrence reported this contract as previously discussed is to protect the Town prior to the final walk through by Hennessy.*

*MOTION by Councilor Irelan -- seconded by Councilor Smith -- to retro-actively approve the Town entering into a Contract with Construction Moisture Consultants (CMC), covering testing for water intrusion at a cost of \$4,400.00. Motion carried 5-0.*

**1.13 Chief Williams' Report.**

*Mary Karayianes, Director of Finance, reported the project for additional parking spaces is proceeding by Acerbo, with Bob Brotherton following up, and should be completed very soon.*

**\*\* Larry Shear, Fire Board Commissioner, reported on the following:**

- 1. Fire Dept. passed their 2013 Budget, with no increase, flat rate of \$260.00 remains the same.*
- 2. Added one Fire Fighter/EMT to staff from the volunteers.*
- 3. Recognized two Firefighter/EMT's for Service Awards – one for 5 years and one for 30 years.*
- 4. Firehouse Subs donated a new John Deere 4WD vehicle fitted out as a beach rescue vehicle, which is now being repainted with appropriate insignia, etc.*
- 5. Last month responded to 25 calls for fire/EMT service, 20 inspections, 22 re-inspections, 21 pre-plan and 19 fire hydrant checks.*
- 6. Public Awareness Activity....to set specific color flags indicating, high winds, high surf, etc., during tourist season.*

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

*(1) Art Newsome, President of ISPOA, announced "Happy Hour" would be held on 9/12/2012 at the Wine Cellar from 5 to 7 PM.*

*(2) Diantha Shear, President of Women's Club, announced the 911 remembrance luncheon that will be held on 9/11/2012 at the Municipal Center, and includes a Fire Department Cookbook.*

*Diantha Shear advised she had handed out flyers for the upcoming Veteran's Fall Fest at the Gecko Fest in Gulfport this past weekend and Mayor Lawrence reported he handed out some 30 flyers at a festival he attended in Tarpon Springs.*

*Mayor Lawrence reported that at the last meeting by Staff on the upcoming festival it was reported that very few vendors out of 300 contacted had responded. He advised that a deadline had been set for October 1, 2012, and if there were not somewhere around 25 vendors the festival probably will have to be cancelled.*

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

**Councilor Irelan** reported the Library would hold a "Read and Feed" on October 26, 2012 featuring the book "Blood, Bone and Butter". She further reported the Christmas boat parade has been scheduled for December 23, 2012, and she will attend their first meeting on September 10, 2012.

**Councilor Sutch** reported that Tiki Park had been really trimmed back, with several plants and vegetation completely gone.

**Councilor Smith** reported on the following:

- 1) At the Florida League of Cities Conference attended a meeting on advocacy relative to Florida Shore and Beaches on education on influencing the State legislature for assistance.
- 2) Conference call with Andy Squires and other DEP person tomorrow regarding rules to qualify for beach re-nourishment funds, and will speak on Indian Shores issues to provide eligibility in other ways.
- 3) Florida Shore and Beaches Conference in Naples on 9/26-28, 2012, whereby he and Vice Mayor Herndon will represent the Town.
- 4) Re-nourishment project shut down for storm Isaac, started up on 9/4/2012 and moving to the next deployment, advising they should start at the North end of Indian Shores on 9/22/2012, be at Tiki Park area on 10/4/2012 and at the South end of Indian Shores by 10/17/2012.

**Vice Mayor Herndon** reported she noticed a lot of bicycles on the beach this weekend, and feels DEP should give credit for what the Town is providing.

**Vice Mayor Herndon** advised of being contacted by a lady who is interested in some type of dancing class, wherein costumes are worn, and will bring more information when it is received.

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*Mayor Lawrence reported he had requested Mary Karayianes to speak to the Florida League of Cities regarding the status of the Town's liability insurance coverage as it relates to recreation instructors, as there has been an issue of some vendors having problems seeking their own or a prohibitive cost. Councilors shared their opinions on the issue of liability to the Town and Attorney Yacavone discussed the liability aspects if no secondary insurer is provided by the activity vendor.*

*Mary Karayianes, Director of Finance, reported the League advised that the Town can do what it wants, and they encourage vendors to have their own insurance coverage, however this would be a policy decision by Council.*

*Council members discussed at length and Attorney Yacavone advised of certain waivers and releases, and noted the Town carries insurance for negligence on the premises. Attorney Yacavone stated it is always helpful to have another insurance policy in effect, as it limits the Town's exposure.*

*After lengthy discussion, Mayor Lawrence called for a consensus by the Council on their desire to continue discussion on potential policy changes to the current requirement to require insurance coverage for non-physical as well as physical recreation classes. The four Councilors voiced support for keeping the current insurance requirement in force.*

*Mayor Lawrence stated he would send out some information on proposed Amendment 4 for Council members to review, and would schedule it for discussion at a Workshop.*

**INDIAN SHORES TOWN COUNCIL MEETING adjourned at 7:22 P.M.**

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