

# INDIAN SHORES

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## PLANNING, ZONING AND BUILDING COMMITTEE

### MINUTES – NOVEMBER 14, 2017

**The Planning, Zoning and Building Committee convened at 2:02 P.M.** Those present were: Councilor Hackerson, Chairperson; Councilor Smith, Vice-Chair; Fred Strahlendorf, Citizen Member; Mark Housman, Alternate Citizen Member; Carole Irelan, Alternate Citizen Member; and Candiss Rinker, Alternate Citizen Member.

Also Present: Town Attorney Regina Kardash; Mayor Soranno; Vice Mayor Schear; Greg Yantorno, Building Official; Bob Brotherton, Town Engineer; Bonnie Dhonau, Town Administrator; and Stephanie Waters, Town Clerk

#### ITEM #                      AGENDA ITEM

#### 1.0 Approval of Agenda for November 14, 2017.

**Motion** by **Fred Strahlendorf**– seconded by **Councilor Smith** to approve the Agenda for November 14, 2017. **Motion carried 3-0.**

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

There were no comments.

#### 3.0 Consideration of approving the Minutes of the August 2, 2017 meeting.

**Motion** by **Councilor Smith** – seconded by **Fred Strahlendorf** to approve the Minutes of August 2, 2017. **Motion carried 3-0.**

**Patrick C. Soranno**  
Mayor

**Diantha Schear**  
Vice Mayor

**Mike Hackerson**  
Councilor

**Michael (Mike) Petrucci**  
Councilor

**William F. (Bill) Smith**  
Councilor

**Bonnie Dhonau**  
Town Administrator

**Terry E. Hughes**  
Chief of Police

**Susan L. Scrogam**  
Director of Finance  
and Personnel

**Stephanie V. Waters, CMC**  
Town Clerk

**Gregory Yantorno**  
Building Official

**Regina Kardash, Esq.**  
Town Attorney

#### 4.0 PUBLIC HEARING:

**Review of Proposed Town Ordinance No. 2017-03.**  
**AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING THE TOWN OF INDIAN SHORES COMPREHENSIVE PLAN PURSUANT TO 163.3184, FLORIDA STATUTES, BY AMENDING THE INFRASTRUCTURE, TRANSPORTATION, INTERGOVERNMENTAL COORDINATION, RECREATION AND OPEN SPACE, CAPITAL IMPROVEMENT, AND COASTAL MANAGEMENT AND CONSERVATION ELEMENTS TO REFLECT CHANGES IN FLORIDA STATUTES, CHAPTER 163, SINCE 2008, UPDATING THE FUTURE LAND USE ELEMENT TO MAINTAIN CONSISTENCY WITH THE COUNTYWIDE PLAN FOR PINELLAS COUNTY, DELETING OBSOLETE DATA AND ANALYSIS, REMOVING OUTDATED REFERENCES, UPDATING DEFINITIONS AND TERMINOLOGY THROUGHOUT THE COMPREHENSIVE PLAN, AND UPDATING THE TOWN'S CAPITAL IMPROVEMENT PROJECTS AS HEREINAFTER PROVIDED; ESTABLISHING THE LEGAL STATUS OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**Linda Fisher, Principal Planner with Forward Pinellas** reviewed the changes proposed in the Comprehensive Plan Amendment. She said minimum policy changes are proposed in the plan.

**Ms. Fisher** said most changes to the plan were to conform with State law, or simple updates to map labeling and terminology. She said the plan no longer references State Transportation Concurrency, as it is no longer required.

**Mark Housman** asked about the references to current versus future conservation. He questioned the various figures used.

**Ms. Fisher** said the Future Land Use Map was previously adopted. She said some figure variations are related to codes generated by the Property Appraiser's Office. For example, she said, a property considered preservation may be labeled as vacant.

**Ms. Fisher** said she would review the maps and references again.

**Councilor Hackerson** said the land behind Sandcastle showed as green, for preservation. He said recently when pursuing easements for

Beach Nourishment, no one could determine who owned that section of land.

**Town Attorney Kardash** read Ordinance 2017-03 by title only.

**Councilor Hackerson** opened the public meeting.

**Town Attorney Kardash** said that one item in Data and Analysis on page 15 needed corrected. She said the Fire District's official name is Pinellas Suncoast Fire and Rescue District.

**Councilor Hackerson** closed the public meeting.

**Councilor Smith** said this was a mouthful to digest. He said the document is very well done, and the changes make sense.

**Motion** by **Councilor Smith**– seconded by **Fred Strahlendorf** to approve recommendation to the Town Council to adopt Ordinance 2017-03. **Motion carried 3-0.**

## 5.0 **PUBLIC HEARING:**

**Review of Proposed Town Ordinance No. 2017-04.  
AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA,  
AMENDING SUBPART B – LAND DEVELOPMENT REGULATIONS,  
CHAPTER 110. – ZONING, ARTICLE IV. – SUPPLEMENTARY  
DISTRICT REGULATIONS, DIVISION 2. – GENERAL BUILDING  
AND USE REQUIREMENTS, BY ADDING SECTION 110-351,  
MEDICAL MARIJUANA TREATMENT CENTER DISPENSING  
FACILITIES, TO PROHIBIT MEDICAL MARIJUANA TREATMENT  
CENTER DISPENSING FACILITIES WITHIN THE BOUNDARIES  
OF THE TOWN AS AUTHORIZED BY SECTION 381.986, FLORIDA  
STATUTES; PROVIDING FOR A MORATORIUM CONTINGENCY;  
PROVIDING FOR CONFLICT WITH OTHER ORDINANCES;  
PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT  
CODE; PROVIDING FOR A SEVERABILITY CLAUSE; AND  
PROVIDING AN EFFECTIVE DATE.**

**Town Attorney Kardash** read Ordinance 2017-04 by title only.

**Town Attorney Kardash** said that when legislation was pending, the Town put in place a moratorium on Medical Marijuana facilities, until the laws were known. She said the legislation does provide for preemption, and provides very little for the Town to regulate.

**Town Attorney Kardash** said the law is specific to dispensaries, and does not prohibit the use of Medical Marijuana within the Town. She said the State allows the Town to treat the dispensaries as pharmacies, and the Town does not have any pharmacies.

**Town Attorney Kardash** said the ordinance contains a contingency clause so if the state law is found invalid, an automatic moratorium goes into place. She said this would allow the Town time to react and not be stuck.

**Councilor Hackerson** opened the public hearing.

**Candiss Rinker** asked if under state law this ordinance is the most restrictive measure allowed by the Town.

**Town Attorney Kardash** said this is as restrictive as the State allows.

**Councilor Hackerson** closed the public hearing.

**Fred Strahlendorf** asked if the State could override the ordinance.

**Town Attorney Kardash** said the State provide this specifically as the option to municipalities. However, she said, the State could change the law or a court order could overrule the law.

**Mr. Housman** asked if the ordinance uses standard language and if other jurisdictions had similar wording.

**Town Attorney Kardash** said the Florida League of Cities and other communities are using this language. She said she added the one year moratorium provisions so that if there is a challenge, the Town will have time to react.

**Councilor Hackerson** commented that the Medical Marijuana policy group only recommended one dispensary per 60,000 people. He said Indian Rocks Beach has approved one, so they are available.

**Town Attorney Kardash** said the County is addressing the processing facilities and their allowable locations.

**Motion by Fred Strahlendorf**– seconded by **Councilor Smith** to recommend to the Town Council approval of Ordinance 2017-04.  
**Motion carried 3-0.**

**6.0 Consideration of recommending to the Town Council the approval of the purchase of Building Software from CityForce in the amount of \$7,149.00.**

**Building Official Greg Yantorno** reviewed the need by the Building Department for new software, and the process used to vet the recommended product.

**Mr. Yantorno** said the new product would allow for electronic submittals, and for most permits to be applied for, paid for, and completed without having to come into Town Hall.

**Mr. Yantorno** said he and the Town Administrator were both particularly impressed with the amount of functionality provided for such a reasonable price.

**Town Administrator Bonnie Dhonau** said they reached out to Tyler Technologies, the company the Town receives Finance software from, about their Building software. She said other jurisdictions have had problems with that program.

**Carole Irelan** said she used to work in permitting and Indian Shores was known as a bad place to work with because the Contractor had to physically come down to the building. She said this was an excellent idea and will save Contractors a lot of time.

**Ms. Rinker** said she had sent questions to Mr. Yantorno, and thanked him for getting her the answers. She asked if the Town already had the tablets and equipment to run the software.

**Mr. Yantorno** said the Town did already have the necessary equipment.

**Mr. Strahlendorf** questioned which fees would apply to the purchase, and specifically asked about the Annual Fee.

**Mr. Yantorno** explained the Town would pay the fee for continued support and updates, and for the information hosted by the vendor.

**Councilor Smith** asked about references and if any local jurisdictions were using this program.

**Mr. Yantorno** said most of the references were in Ohio. He said that the company he works for, Universal Engineering, is looking into the product as well.

**Mr. Housman** asked about how information from the existing system would be archived and preserved. He questioned what file types would be used and cautioned against having files which could not be opened later.

**Town Clerk Stephanie Waters** said that as Records Custodian she would be working with Building. She said much of the data is not required for retention purpose, and most of the long term documents are preserved in paper format and/or electronically as .pdf files already.

**Mr. Housman** said several pricing options were referenced and said it did not add up to the price staff is requesting.

**Ms. Dhonau** said that they were purchasing the Budget Package plus 5 additional forms, at an extra \$150 per form.

**Mr. Housman** said on page 4 it says Standard, but the price listed matches the Budget Package price. He also questioned the contract duration.

**Ms. Dhonau** said the contract was for a term of 6 years.

**Mayor Soranno** questioned the language on page 10 regarding termination.

**Town Attorney Kardash** said the Town needs the ability to terminate an agreement, and they would be required to give the Town a minimum 30-day notice if they were to terminate or have issues. She said this gives the Town options.

**Ms. Rinker** asked about the space available on servers and the locations in which data and the software will reside.

**Mr. Yantorno** said the software is hosted in CityForce's system, but the cost is significantly less than comparable programs.

**Vice Mayor Schear** said it is not unusual for software to be hosted on the cloud nowadays, and said as long as the Town maintains its data there should not be an issue. She said for what is provided and the time it saves, this is a good use of Town funds.

**Motion by Councilor Smith**– seconded by **Fred Strahlendorf** to recommend to the Town Council approval of Ordinance 2017-04.  
**Motion carried 3-0.**

**7.0 Open discussion**

**The meeting adjourned at 3:07 p.m.**



Stephanie V. Waters, CMC  
Town Clerk