

Town of Indian Shores

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TOWN COUNCIL MEETING

MINUTES - MARCH 23, 2010

INDIAN SHORES TOWN COUNCIL MEETING convened at 7:00 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; Chief Williams, Town Administrator; Lawrence Nayman, Building Official.

1.0 REGULAR COUNCIL MEETING

**** CHIEF WILLIAMS PRESENTED "RECOGNITION AWARDS" to the following officers: Major Terry Hughes, Officer Yates and Officer Griffin.**

1.1 OATH OF OFFICE ADMINISTERED TO COUNCILOR JOAN HERNDON AND COUNCILOR BILL SMITH, unopposed in March 2010.

Attorney Yacavone administered the Oath of Office to Councilor Joan Herndon and Councilor Bill Smith, who were unopposed for re-election.

1.2 PRESENTATION BY ATTORNEY YACAVONE REGARDING THE "SUNSHINE LAW".

Attorney Yacavone reviewed the requirements of the "Sunshine Law", under Florida Statutes 286.011.

1.3 Consideration of approving Council Agenda for March 23, 2010.

MOTION by Vice Mayor Herndon-- seconded by Councilor Smith -- to approve Council Agenda for March 23, 2010 as published, subject to moving Item 1.12 up to Agenda Item 1.5(1). 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

1.4 Consideration of approving "CONSENT AGENDA", as follows:

A. MINUTES:

Council - 2/9/2010

PZB Committee - 2/16/2010

Public Services Committee - 2/23/2010

Admn. & Finance Com. - 3/2/2010

MOTION by Councilor Sutch-- seconded by Councilor Smith-- to approve "Consent Agenda" covering Minutes as published, subject to correction on page 18 of the Public Services Committee meeting on 2/23/2010 to accurately reflect the route of the Mad Dog Triathlon. Motion carried 5-0.

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

From 2/2/2010 thru 2/24/2010.

MOTION by Councilor Smith-- seconded by Councilor Irelan -- to approve "Consent Agenda" covering Re-Occurring Expenses, as published. Motion carried 5-0.

1.5 APPROVAL of Committee expenditures:

PZB Com. (2/16/2010): (1) \$711.75 covering Floodplain Managers Association Conference in Lake Mary, FL, 3/3/2010 – 3/5/2010; (2) \$444.00 covering 2010 BOAF Annual Conference in Tampa, FL, 6/6/2010 – 6/9/2010; (3) \$269.00 covering IAEI Conference in Tampa, FL, 5/5/2010 – 5/8/2010; (4) \$435.00 covering Level 4, Officer Safety and Field Applications at Florida Institute of Government, from 4/12/10 thru 4/15/2010.

MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to approve expenditures by the PZB Committee on 2/16/2010, as presented in Agenda Item 1.5. Motion carried 5-0.

Admn. & Fin. Com. (3/2/10): (1) \$1,015.00 plus per diem – Chief Williams to attend National Hurricane Conference in March 30 – April 2, 2010.

MOTION by Vice Mayor Herndon -- seconded by Councilor Irelan -- to approve Committee expenditures for the Administrative and Finance Committee on 3/2/2010, as presented in Agenda Item 1.5. Motion carried 5-0.

1.5(1) Discussion of "Mad Dog Triathlon".

Mr. Mike Maxemow, Director of Public Services, City of Madeira Beach, addressed Council members and advised this is the 25th year for this event and the route was changed only once when the re-claimed water project was under way.

Mr. Maxemow noted there was a traffic issue one time and they will hire officers or whatever it takes to ensure it will not happen again.

Mr. Maxemow reported he has spoken with other cities and they have no problems with the event, and stated he is here to plead their case, advising if there is any problem it will be taken care of.

Councilor Smith expressed his concern with the past year's event wherein the traffic was held up for a long length of time, which he believes is not necessary.

Mr. Maxemow responded and stated he does understand the traffic is held up and assured Council members that it will not be that long this year as they will have officers present and the event is starting earlier.

Councilor Sutch suggested the Town put something on the Town's message board relative to the event and to avoid use of the bridge at that time.

MOTION by **Councilor Smith** – seconded by **Councilor Irelan** – to approve the "Mad Dog Triathlon" event continuing on the same basis as last year, subject to more emphasis placed on informing the public to avoid that area of Park Boulevard Bridge during that time of day. **Motion carried 5-0.**

1.6 Correspondence: NONE

1.7 Town Attorney's Report. NONE

1.8 Council election of Vice Mayor.

MOTION by **Councilor Irelan** – seconded by **Councilor Smith** – to nominate Councilor Joan Herndon to serve as Vice Mayor. **Motion carried 5-0.**

1.9 Consideration of approving appointment of Council members and citizens to serve on the following Committees:

*Administrative and Finance Committee
Public Services Committee
Planning, Zoning and Building Committee*

Mayor Lawrence reported he had solicited input from Councilors and all seemed to be content with the present appointments, noting the only change would be a future appointment for a citizen member on the Public Services Committee.

***MOTION** by Councilor Sutch -- seconded by Councilor Smith -- to approve the present Committee appointments as recommended by Mayor Lawrence. Motion carried 5-0.*

1.10 Consideration of approving Council representatives for the following positions:

- (1) BIG-C: Voting representative and alternate.*
- (2) Liaison to Property Owners' Association.*
- (3) Boat Parade representative.*

Mayor Lawrence reported his recommendation would be for these positions to remain the same, except for adding the Coastal Clean-Up event with Councilor Sutch as Chairman and Councilor Irelan as Vice-Chairman.

***MOTION** by Councilor Sutch -- seconded by Councilor Smith -- to approve Mayor's recommendation for the representatives to remain the same. Motion carried 5-0.*

1.11 Consideration of approving Town's Audit for fiscal year ending September 30, 2009.

Richard Cristini, Auditor, reviewed the Town's Audit for fiscal year ending September 30, 2009.

Mr. Cristini noted the Auditor's Letter which reflects that all assets and expenditures are accurately reported. Mr. Cristini stated the Town is in good financial condition, even with the projects the Town has planned. He reported the Town collected more in revenue and spent less than was anticipated for both.

Mr. Cristini stated the Town has complied with reporting the implicit rate subsidy, which is a matter of disclosure only.

Mr. Cristini noted due to changes the description of Fund Balance will be different next year.

Mr. Cristini thanked the Town's Staff, especially Mary Karayianes, Director of Finance, for all their assistance.

*MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to approve Town Audit for fiscal year ending September 30, 2009, as published. **Motion carried 5-0.***

1.12 Discussion of "Mad Dog Triathlon".

See discussion and action taken under Agenda Item 1.5(1) above.

1.13 Consideration of approving proposed Police Target Budget for FY 2010/2011.

Chief Williams reported the proposed Police Target Budget for FY 2010/2011 was discussed at length at the Administrative and Finance Committee meeting.

Chief Williams briefly reviewed the different categories of the budget noting an overall budget increase of 3.5%, and reported the annual fee for providing Police Services to Redington Shores is \$411,647.00.

Mayor Lawrence reported the prognosis for property values is not good for next year, and advised that Pam Dubov, Pinellas County Property Appraiser will be the speaker at the BIG-C meeting next week.

*MOTION by Councilor Smith -- seconded by Councilor Sutch -- to approve proposed Police Target Budget for FY 2010/2011. **Motion carried 5-0.***

1.14 PUBLIC HEARING: Second Reading of proposed ORDINANCE 2010-3, enacting Section 14-36 of the Code of Ordinances, to be entitled "Supervision, Confinement and Tethering of Canines," to provide for the protection of tethered canines and for penalties for improperly tethered canines.

Attorney Yacavone conducted the Second Reading of proposed ORDINANCE 2010-3, by reading the title in full.

Mayor Lawrence reported he has received several e-mails thanking the Town for taking this action on tethering of canines.

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

MOTION by **Councilor Smith** -- seconded by **Councilor Sutch** -- to approve Second Reading of proposed **ORDINANCE 2010-3**, by title only. **Motion carried 5-0.**

- 1.15** **Consideration of approving request from Chief Williams to purchase a Server and back-up software as part of the JAG-Countywide American Recovery and Reinvestment Act Grant in the amount of approximately \$8,000.00 from Dell on Government Contract Pricing.**

Chief Williams addressed his Memo dated March 9, 2010, regarding request to purchase Server and back-up software for an updated server and records management system, noting funds are available.

MOTION by **Councilor Smith** -- seconded by **Vice Mayor Herndon** -- to approve expenditure of \$8,000.00, as requested for Agenda Item 1.15. **Motion carried 5-0.**

- 1.16** **Consideration of approving request from Chief Williams to advertise Car #15 for sale to the highest bidder, as time to rotate an older vehicle.**

MOTION by **Councilor Smith** -- seconded by **Councilor Irelan** -- to approve Agenda Item 1.16, as presented. **Motion carried 5-0.**

- 1.17** **Consideration of approving request from Chief Williams for transfer of confiscated property to be converted to Town assets.**

Chief Williams reported this item is a confiscated golf cart held beyond the required time frame, and a value of \$500.00 has been placed on the item.

MOTION by **Vice Mayor Herndon** -- seconded by **Councilor Sutch** -- to approve Agenda Item 1.17, as presented.

- 1.18** **PROCLAMATION** declaring the month of May 2010 as "Older Americans Month".

Mayor Lawrence reported on signing the Proclamation declaring the month of May 2010 as "Older Americans Month".

1.19 Consideration of approving Financial Statement for the period ending February 28, 2010.

Mary Karayianes, Director of Finance, reported revenues were at 42%, and of that \$1,567,000.00, ad valorem taxes amount to \$1,071,000.00, which represents 82% of taxes budgeted for revenue.

The Director of Finance also reported the beginning of the year balance figures are in the Audit Report, advising the Town is in a good position. She noted the new parking machine has been installed and now takes credit cards, and briefly noted the Road and Bridge fund reflects accruals and the CIP fund reflects debt payment for undergrounding and payments for the new Municipal Center.

MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to accept Financial Statement for the period ending February 28, 2010, and hold for audit. Motion carried 5-0.

1.20 Consideration of approving Police Activity Report covering the month of February 2010.

Chief Williams reported a reduction in criminal reports, physical arrests and Notices to Appear, with tickets and warnings up and service calls down.

Chief Williams also reported that there were a couple of cat burglars in the area from 195th Avenue N. to the Town limits and into Indian Rocks Beach, advising they were entering by unlocked doors and balconies. He noted they were coinciding with spring break, and encouraged anyone with information to call the department.

MOTION by Councilor Smith -- seconded by Vice Mayor Herndon -- to approve Agenda Item 1.20, as published. Motion carried 5-0.

1.21 Update Report on status of proposed construction of a new Municipal Center.

Chief Williams deferred to the Building Official.

Lawrence Nayman, Building Official, reported three presentations by General Contractors were presented today and there will be three more tomorrow.

The Building Official further reported that all bids were higher than anticipated, and the Town will now have to decide what to sacrifice in the building to bring it into budget and work with the Architect and Engineer, emphasizing he would not want to sacrifice wind load factor and foundation of the building.

Mayor Lawrence stated he was encouraged by the Contractors today to sit down and discuss "value engineering" to try and bring down the cost of the project.

The Building Official recommended the Town cancel the Special Council meeting scheduled for 3/30/2010 to select the General Contractor, as it would probably need to be rescheduled for the end of next month.

The Building Official reported receiving the Abatement Report on the Annex building and the building should be ready to demolish very soon.

1.22 Town Administrator's Report.

Chief Williams congratulated Vice Mayor Herndon and Councilor Smith on being re-elected unopposed.

Chief Williams reported the Landscaping Contractor was moving forward with work on the medians, and had hired an off-duty officer to abate any concerns from FDOT.

Chief Williams further reported on about five easements for trees to go on private property, i.e., bank property, Holiday Villas III, Wendy's, Wiley Sandbox and will work with the County on the Boat Ramp area.

Chief Williams advised Redington Shores Town sign had been broken, noting the Town will replace and Mayor Adams has agreed to share the sign with Indian Shores. He reported the pedestrian markings are down and the Property Owners' Association is working to solicit interest in the new mail box project.

1.23 Citizens' Comments on any subject.

(1) Lawrence Dasenbrock, 18650 Gulf Boulevard, expressed his concerns with canopies and canopy frames left up on the beach for prolonged periods of time.

Mayor Lawrence stated he and Chief Williams have discussed this issue many times, and he has received an ordinance passed by another municipality and he will look into the possibility of the Town passing an ordinance, after discussing with the Town Attorney.

(2) Jamie Neumann, resident, stated it was nice to see parking reserved for the meeting tonight.

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

Councilor Irelan reported the Women's Club held a Fashion Show at Salt Rock Grill and Mary Sutch fell and broke her wrist, and sent best wishes to her. She also reported the Library book sale went well and on March 25, 2010 another Library "Read and Feed" would be held.

Councilor Sutch reported the luncheon Fashion Show made \$777.00. He thanked Kay and Robert Boyce for their help with the Coastal Clean-up. He further reported several kids attended from a Gainesville school and thanked Sunshine Bakery for the donuts served.

Councilor Smith thanked the Director of Finance and the Town's staff for managing the Town's funds and still added to the fund balance, noting it was great to be in a good financial position. He thanked the citizens for supporting him and not running against him in the election.


Vice Mayor Herndon also thanked supporters and for not running against her. She stated the Indian Shores Property Owners' Association is a vital part of the Town and recognized Art Newsome, Jamie Neumann, Fred Strahlendorf and Anne Miller, as four Board members present.

Mayor Lawrence reported the Town's first annual Indian Shores St. Patrick's Day Festival was a success. He stated he did not have a full count of how many attended the event, however it was full all the time.

Mayor Lawrence further reported the event was conducted without spending a penny of Town money and a lot of the expenses were absorbed by Mickey Quinn's, and there is still a few hundred dollars to use as seed money for next year. He noted next year there may be a small admission fee and possibly run a trolley shuttle and more food on the midway.

Mayor Lawrence reported a tentative date of 5/13/2010 for 4th annual Hurricane Party, and advised a representative to assist with Census forms would be available in the Town's Library on Tuesdays, Wednesdays and Fridays from 10 to 3 PM.

INDIAN SHORES TOWN COUNCIL MEETING adjourned at 9:00 P.M.


MARCIA GRANTHAM, CMC
Town Clerk