



**MINUTES**  
**THE TOWN OF INDIAN RIVER SHORES**  
**6001 North Highway A1A, Indian River Shores, FL 32963**  
**REGULAR TOWN COUNCIL MEETING**

**Thursday, May 21, 2015**

**9:00 a.m.**

**PRESENT:** Brian M. Barefoot, Mayor  
Gerard A. Weick, Vice Mayor  
Richard M. Haverland, Councilman  
Michael B. Ochsner, Councilman  
Thomas F. Slater, Councilman

**STAFF PRESENT:** Robert Stabe, Town Manager  
Chester Clem, Town Attorney  
Richard Rosell, Public Safety Director  
Jose Guanch, Building Official

Laura Aldrich, Town Clerk  
Heather Christmas, Town Treasurer  
Shawn Hoyt, Public Safety Department  
Mark Shaw & Tony Dudley, PSD Lt.'s

**OTHERS PRESENT:** Dr. Michael Mattice, IRSPSD Medical Director; Ross Whitley; County Attorney Dylan Reingold & Himanshu Mehta, IRC Utilities; Bruce Barkett, Joe Schulke, Jared Della Valle, Margaret Cooke, Katherine McConvey, August Schwartz, Kenneth Louard, Billy Cosrold (sp); 8050 A1A project; RESIDENTS Chris Hendricks, PZV Chairman, PZV Members Judy Orcutt & Marcia Henderson; Bob Auwaerter, Finance Committee Member; Caroline Irvin, Barbara Tilney, Chuck & Bonnie Wurmstedt; Reporters Colleen Wixon & Lisa Zahner

**1. Call to Order**

- a. Pledge of Allegiance
- b. Invocation – Councilman Slater
- c. Roll Call – Town Clerk

The meeting was called to order by Mayor Barefoot at 9:06 a.m. The pledge of allegiance and invocation were recited and the roll call is as reflected above.

**2. Proclamations / Presentations**

- a. Update from Public Safety Medical Director Michael Mattice

Mr. Stabe introduced Dr. Mattice, acknowledging that per Florida Statutes, as an Advanced Life Support system provider we have to have a medical director, which position Dr. Mattice has held for more than 25 years. As a paramedic from 1990-2013, Mr. Stabe met monthly with Dr. Mattice, and has witnessed the positive impact through his leadership, going above and beyond what is required of a medical director in spending time with our staff in training. Dr. Mattice asked to address Council, since many had not met him.

Dr. Mattice said he has been with our PSD since its inception, and has run our program with its very talented staff. It is unique in that we run a full paramedic program, and our staff members have four (4) functions: as a paramedic, police officer, firefighter, and a transporter. No other system in the state does that. Most agencies employ Emergency Medical Technicians (EMT's), which qualify to feed the paramedic the basic patient information (the vitals, EKG, list of medicines, etc.). During the monthly teaching meetings, he has been able to see how the team operates and what they would do with patients. He said he does not see very many errors, and the level of care here is excellent. The paramedics take a history and do a physical, focusing on the patient. The two paramedics work together to make the best decisions by thinking of possible scenarios, which is not a traditional EMS responsibility. He is very proud of our men and women and the major quality difference, as the County and most of the state have a fire-medec system. The patients here are different, often ones who are used to being in control, and our staff has to work with them. If the patient refuses to transport and the paramedic sees that the situation is critical, they must complete a 4-page form to refuse transport. The focus of our very caring staff is to get the best care for the patient.

*Please Note: The Town of Indian River Shores does not routinely keep verbatim minutes. Any party interested in such an appeal relating to any decision made by the Council with respect to any matter considered at this meeting is responsible to record the meeting and include the testimony and evidence upon which the appeal is to be based.*

The Medical Director encouraged the Council to take into serious consideration that it is very difficult to find these quality individuals who are capable of performing as an EMT or paramedic, fireman and police officer, and it takes a very dedicated individual. He expounded that there have been several exceptional paramedics who have gone elsewhere because of benefits or pay scales, and expressed concern with staffing after hours if time off necessitates the need to call another ambulance if our staff is not available, which he did not believe would result in the same level of service. He related two occurrences whereby our officers made a definitive positive difference, one about a police officer who had to start an IV and get the patient stabilized and quickly transported, and another when our paramedic was in the hospital emergency room and the patient coded with only our paramedics there to respond. He opened the discussion to the Council, stating that he is available to them at any time, encouraging the Council to call him with any questions.

Vice Mayor Weick asked if he is also available in the emergency room at the hospital, and Dr. Mattice said he was one of the owners of that contract 20 years ago, and chose not to continue. He sees the result of emergency room visits the next day in his private practice. An unidentified audience member commented that it sounds like this is a program everyone should have. The Council thanked him very much for the update, and said they were glad to have him on staff.

b. FYE September 30, 2014 Audit Presentation (Ross Whitley, Berman, Hopkins, Wright & LaHam CPAs)

Mr. Whitley said he is a partner at the firm, and presented briefly the results of the audit of Fiscal Year Ended September 30, 2014. Their opinion is an unqualified opinion stating that the financial statements are in conformity with generally accepted accounting principles.

He began by noting on Page 16, last year we had total fund balances of \$2.6 million, of which about \$1.3 million is unassigned, and the designated emergency fund is \$1.9 million. This year we had a positive unassigned funds of almost \$300,000 in the general fund. Last year there were no unassigned funds since the Town prepaid the firetruck, which was almost \$1 million. That was in reserve, so this skews the numbers some.

Page 18 is the results of operations of the General Fund, which had a negative net change of \$67,523 and for all funds a positive net change of \$59,727.

In the Findings on page 98, they are required to test internal controls for compliance, such as major ordinances, and this year they tested calculation of permit fees. As part of that, calculation errors of about \$19,000 were found from the sampling. They did not feel that it was a material weakness, but it was deemed to be a significant deficiency in that if there were a number of those errors, it could raise to the material weakness level. The Town has already followed the recommendation to put in place an automatic calculation of fees rather than manual calculations to overcome this. There was minor discussion, which concluded with the Mayor noting as the important thing is that it was quickly caught and corrected.

Mr. Whitley passed out the required audit letter which showed no problems, and noted that Heather wrote the financial statements and did an awesome job. The audit went very well, with just one finding on the second page under Other Matters. It was where one policy that checks over a certain amount were required to have double signatures did not, which Mayor Barefoot noted was also already corrected. **A motion to accept the audit as presented for FYE 9-30-2014 passed 5-0** upon being made by Vice Mayor Weick with support from Councilman Ochsner.

c. Status of the Basin Management Action Plan (BMAP) – Central Indian River Lagoon (Judy Orcutt)

Mrs. Orcutt reported that she went to the state level meeting, and has not seen anyone from Indian River Shores at these meetings. Reviewing that the Clean Water Act in 1972 mandates that when a body of water is determined to be impaired, the Florida Department of Environmental Protection (FDEP) is required to write a plan to determine what causes the plan. This is the Basin Management Action Plan (BMAP), which covers our 156 mile-long Indian River Lagoon (IRL). The problem areas are divided in sections, and Indian River Shores is in the Central IRL. The first plan showed that we were impaired based on the sea grass beds, which are reported in a delayed fashion. They weren't mandated to have any reductions yet. At the meeting, the latest studies now show the Central Lagoon failed in measurements in two ways, and the Total Maximum Daily Load (TMDL) for reductions of nitrogen and phosphorus are 6,000 per year requirement in our Town. She distributed a copy of the Draft TMDL requirements. This is a complicated and interesting process to determine what will work best. She asked the Council to form a committee and let that committee work on studying this BMAP and what will be the cost effective way to reduce the nitrogen, especially. Phosphorus is not as critical. There is a timeframe requirement, and she volunteered to work on this committee.

Councilman Haverland said the problem we have is from many sources, such as the canals, seepage from septic systems, and Vero Beach water system putting out reuse water overloaded with nitrogen and

phosphorus. This all has some impact, and the Town is a minor contributor. He asked what she expects the Town to accomplish through this committee in our Town with our residents. Mrs. Orcutt said there are about 400 septic tanks in Town, lots of stormwater runoff, and a few hotspots for stormwater runoff. Mr. Stabe said we have not yet done a survey of all of the Town's outlets to the lagoon, and the quality of water that is reaching it. Hot spots are within the stormwater system, Mr. Stabe clarified. She discussed a computer model study being done in the Western County addressing things from soil types to the age of septic systems, and model a plume that it mapped with GFS system with calculations of how much nitrogen is coming out of an area. In Stuart, they used this model with how to meet the TMDL requirements, and responded to Councilman Slater's question that this is how we will have to measure our results. Mrs. Orcutt said this will take a budgeted amount. Councilman Haverland asked if this is redundant with about 20 other committees, and she did not see that anyone was responsible for Indian River Shores. The Town is now responsible for meeting measurements.

More discussion ensued, with septic system location, discharge from septic tanks flowing east versus west, and our actual control over this. Councilman Haverland added that the reuse water causes at least as much problem as the septic system, and opined that the City of Vero Beach water system needs to do what the County did to have impoundment to cleanse the system. Mayor Barefoot questioned what the benefit is to the Shores to be part of this?

She said whether we do anything or not we are obligated to meet these requirements. The IRLNEP is for the entire lagoon, so the idea is to be involved in this so you could be able to get funding. This was under the SJRWMD and is now being reorganized, "pay to play" so to speak she concluded. Mayor Barefoot said every 4 years we would have a representative. Where do we get involved, Mayor Barefoot added, as we have to decide what the best thing to do for the Town. She said by having someone go to the meetings, we would be better informed about what is being funded and what isn't, such as the announcement at the recent BMP meeting when they said they were not going to fund any more stormwater grants.

Mr. Clem said if we have a legal obligation to take action, the PZV Board could be the proper body to be delegated this responsibility. She is on that Board.

Mayor Barefoot told Mrs. Orcutt that they appreciated her enthusiasm and focus on this, as it helps clarify the issue. With guidance from the State about our requirements, and having a representative attend these meetings that focus on the IRL may be wise. He said we will take this under advisement and determine our course of action. The Town Manager will be notified by the State. Mrs. Orcutt said she didn't propose the committee to replace the Town's participation in BMAP planning. Mayor Barefoot said this is a good start. Councilman Ochsner observed that if we got rid of all of our septic systems, this wouldn't be enough to satisfy the requirement. She said we get credits for meeting education requirements.

### 3. Consent Agenda

- a. Acceptance of August 19, 2014 Finance Committee Minutes
- b. Acceptance of April 13, 2015 Planning, Zoning & Variance Board Minutes
- c. Approval of April 23, 2015 Regular Town Council Meeting Minutes
- d. Approval of May 1, 2015 Special Called Town Council Meeting Post-Mediation Minutes
- e. Approval of Invoices from Utility Litigation Attorney Dated May 14, 2015
- f. Approval of Invoice from Town Attorney dated April 30, 2015
- g. Approval of Progress Billing Invoice from Auditor dated April 30, 2015

There being no items pulled from the consent agenda, the Mayor received **a motion** from Councilman Ochsner with a second by Vice Mayor Weick **to approve the consent agenda as presented, which passed 5-0.**

### 4. Town Attorney

- a. Update on Election Date Change Procedure per Councilman Haverland's Request

Mr. Clem said he looked into the change in date from March to November, and referred to the memos prepared by him and the Town Clerk with the procedures outlined. An ordinance would have to have two readings and be passed, and placed on the ballot in 2015. If it passed, three positions in November 2016 would be shortened by three months. Mayor Barefoot asked what the costs would be, which the Town Clerk said are roughly \$7,000 now. Councilman Slater said the number of votes cast would be higher, which Councilman Haverland said were four times as many in November. Councilman Ochsner said it seems that the logical thing to do is to change it.

Mr. Clem reviewed the timeline, which if they decide to move forward, would be to have the ballot

language to the Supervisor of Elections by August. Vice Mayor Weick noted that we would be the 33<sup>rd</sup> item down the ballot, and Councilman Haverland replied that no one would care if there are 3000 people voting rather than 800 people. The cost per ballot was also discussed as 25 cents per ballot, which the Town Clerk was told would be 50 cents per ballot rather than \$2.

Mr. Clem added that the qualifying period would be August 20 to September 4, which Councilman Ochsner said is a different issue, as a lot of residents are not here in August. Councilman Slater said if they are not here in August, they may be missing a lot of meetings in June, July and August. Councilman Haverland noted that if they wanted to run for election, they would make it a point to be here in August to qualify, which is a quick process.

Mayor Barefoot asked if any residents had comments on this, and Mr. Wurmstedt said there are not more people here in November than March. March is our peak population period. Councilman Haverland said they are counting votes, and absentee ballots are widely used. The increase in November is by a factor of four (4) independent of how many people are here. Mayor Barefoot noted that the last two elections had very few voters participate, being 1300 and 800.

**A motion to authorize the Town Attorney to prepare an ordinance that would result in elections to switch to November from March** was made by Councilman Haverland with support from Councilman Ochsner, which **passed 3-2** with Mayor Barefoot and Vice Mayor Weick opposed.

5. **Mayor's Items (Possible or Probable Action)**

a. Electric Litigation Update

Mayor Barefoot announced that on Tuesday, May 29, an amended complaint was filed with a couple of relatively minor changes. We are proceeding aggressively, and expressed that it is unfortunate that we have gotten to this point. Months have passed with plenty of opportunity for the City to do something, and absolutely nothing has been done for the residents of Indian River Shores. It is time to get moving.

6. **Discussion with Possible or Probable Action**

a. May 11, 2015 Meeting Report - Planning, Zoning & Variance Board (Chris Hendricks)

Mayor Barefoot thanked Chairman Hendricks for accepting this position before Mr. Hendricks continued that they had reviewed two requests, the first being a Silver Moss Drive variance, which was within their authority to approve.

The second was to review the preliminary site plan for the **8050 Highway A1A Condominium** project on 4.5 acres, with 6 units per acre. The Board is responsible to ensure compliance with the LDC, and study the reports from the Town Engineer, Building Official, and Fire Inspector. The Building Official said there are some issues that can be approved during the permitting stage, so the PZV Board agreed that the plan is in compliance with Land Development Code and is ready for Council's review, with open items to be satisfied at the permitting stage, and DEP approval must be obtained.

Councilman Ochsner questioned the Council's responsibility in dealing with the volume of paperwork associated with the project, and Vice Mayor Weick expressed concern with the height of the proposed condominium buildings. Mr. Guanch, Building Official, explained that it is considered to be a multi-family building and falls under the commercial building code. The LDC for single family is 50' above sea level, but the LDC does not restrict the allowable height for multi-family buildings. It is taken by the average grade to the top of the building. The Town Engineer reviewed it, and since the Carlton had already been approved under the LDC,; there is nothing that prevents the requested height.

This was sent to the Engineer Mr. Schulke, who addressed all but four (4) items of concern from our Town Engineer, which will be referred to the Building Official. These four items were addressed by the PZV Board and will be addressed again when the permitting is accomplished. He said the LDC definition for height is 40' above average grade for multi-family oceanfront, and is limited to three (3) stories.

Councilman Haverland recapped this building is within code other than the four issues, and Mr. Guanch said there are also some fire issues that will also be addressed. He added that this building is actually lower than the Carlton building to the south of it.

Joseph Schulke, answered their questions about the height by stating that the R2A district, which is multifamily, allows 40' from the proposed grade around the project or 3 stories in height, or 4 stories if the bottom floor is below grade. This meet the criteria, they looked at how both Sea Colony and Carlton calculated their height, and this is actually 1-2' lower than the 68' Sea Colony and 8-10' lower than 60' Carlton. The project building height is 65', the roof line is consistent with eave line of Carlton. Their roof line at Carlton is what is higher. The window height at Carlton is the same as this building.

Vice Mayor Weick asked about the Fire Inspector issues, which are for minor issues such as iron gates, padding for pavement, and service entrances with push button entry. The plans had 5.5' wide stairs and the Fire Inspector wanted them to be 6' wide, which will all be addressed. Vice Mayor Weick also asked about the sloping grade to the garage level, which may be a flood insurance problem with below grade garages.

Jerry Della Valle, Architect, said they are building up landscape to conceal parking, the technique used at Carlton. The building is entirely in Flood Zone X, so there are no flood insurance issues at existing grade. The dune elevation is 15'-16', and FDEP will do a site specific report later. The air conditioning will be between the buildings and A1A concealed in the landscape, with nothing on the roof.

A **motion to approve the preliminary site plan for 8050 Highway A1A Condominiums** was made by Councilman Ochsner with support from Councilman Slater, **which passed 5-0**. The Council thanked the team for coming to answer any questions.

- b. Proposed Interlocal Agreement for Indian River County Lagoon Coalition (Mayor Barefoot)

Mayor Barefoot said we discussed this earlier this morning, and asked if any Council wanted to be part of this. Councilman Slater made a **motion to approve the interlocal agreement for the Indian River County Lagoon Coalition**, which motion died for lack of a second.

- c. Proposed Interlocal Agreement for Fertilizer Regulation Enforcement (Town Manager)

Mr. Stabe said that Mr. Clem has been developing this agreement with Indian River County. The City is also entering into a similar Interlocal agreement. It is an approximate \$2,000 annual cost to provide both education and enforcement of our fertilizer ordinance. Councilman Haverland asked about the percentage set aside for education and enforcement, and the Town Manager said the County's Code Enforcement Officer, Alexis Thomas, and he will meet and arrive at the specifics. The Town Manager said he anticipates that she will visit the Town for two (2) hours a week to access developments, and ensure they are using the proper products, staying in the bounds, and following the ordinance. There will not be enforcement by educational sessions, but educating the applicators by site visits. Licensing and permits to apply were briefly discussed by Mr. Clem.

Councilman Ochsner asked if we have ever received a complaint, and Mr. Stabe said there was only one against a professional, licensed applicator who instantly showed that he has complied and is using the appropriate products. A **motion to approve entering into an interlocal agreement for fertilizer regulation enforcement with Indian River County** was made by Councilman Haverland, seconded by Councilman Slater, and **passed 5-0**.

- d. Approval to Purchase Baffle Box from Suntree Technologies (Town Manager)

We are at the point where we are ready to order the baffle box related to the grant we received, and have the proposal from Suntree Technologies with a 5% discount to buy from them directly. It is \$47,310 which is for less than we budgeted. Councilman Haverland made a **motion to approve the purchase of a baffle box from Suntree Technologies as part of the grant**, which was supported by Councilman Ochsner and **passed 5-0**.

- e. Approval to Hire Treasure Coast Construction Management to Install Baffle Box (Town Manager)

Mr. Stabe then asked for permission to hire Treasure Coast Construction Management to install the baffle box. When he contacted the initial company to apply for the grant, he was told it would be about \$45,000, and the final quote increased substantially to \$77,995. The Project Manager, Aaron Bowles, was able to find and negotiate with Treasure Coast Construction Management to install the baffle box for \$49,500, which was much more in line with the original quote to install the baffle box. Councilman Haverland **motioned to approve hiring Treasure Coast Construction Management to install the baffle box at a cost of \$49,500**, which was supported by Councilman Ochsner and **passed 5-0**.

- f. Board or Committee Updates (Town Manager)

- 1) Finance Committee Overview and Responsibilities

A Finance Committee Overview and Town Policy Statement with one minor revision was prepared by the Town Clerk, which was explained by Mr. Stabe from a historical perspective of the Finance Committee and a policy statement of choosing members and a chairman of this committee. He said the Council could expect a letter from the Chairman of the Finance Committee.

The policy statement was updated in Section 4 d to add that the Chairman is appointed by the Town Council unless statutorily directed otherwise. This is how it has been done, but it was not specified in our policy. Only the members were addressed in the policy, not the Chairman, so this was added for consistency. A **motion to approve the Policy Change Section 4 d)** was made by Councilman Ochsner with a second by Vice Mayor Weick, **which passed 5-0**.

- 2) Finance Committee Changes Resignation of Hap Schroeder, Appointment of Paul Johnson to Full Member from Alternate, Openings for 1 Full Member and 2 Alternates

Mr. Stabe asked for the Council's **approval of resignation of Hap Schroeder and appointment of Paul Johnson as full member from alternate to the Finance Committee**, which **motion** was made by Councilman Slater with support by Councilman Ochsner, **passing 5-0**. Mr. Stabe mentioned that there are openings for Finance Committee that are posted on the website.

- 3) Update on Planning, Zoning & Variance Board

Barbara Palumbo has asked to be bumped back down to an alternate position temporarily due to personal issues. This is information only.

- g. Set Budget Discussion & Review Dates (Staff)

The Town Clerk provided calendars with the dates for upcoming budget review, which importantly reflects that we must have a tentative millage rate by July 24. Staff is suggesting that the Council hold the Budget Workshop on July 23<sup>rd</sup> at 9 a.m. with the Regular Town Council meeting immediately following.

Councilman Haverland asked if the Finance Committee can participate by phone, and Mr. Clem said so long as a majority is present. Mayor Barefoot asked if the Finance Committee also comes to the Budget Workshop, and Mrs. Aldrich said typically at least the Chairman is there, sometimes Mr. Porta or others as well. The Finance Committee will be meeting prior to the Council so that they may provide a recommendation from the Committee. Timing of receiving draft budgets was discussed briefly.

A **motion to change the Council meeting to immediately following the 9 a.m. July 23<sup>rd</sup> budget workshop** was made by Councilman Ochsner with support from Vice Mayor Weick, which **passed 5-0**.

- h. Approval to Purchase Bunker Gear as Budgeted (Town Manager/PSD Lt. Shaw)

Lt. Shaw budgeted for this and they have received a grant as well as piggy-backed on Lake County's contract, \$4709 to replace bunker gear. There are five officers who need their bunker gear replaced, and this is a matching grant. Total cost of the gear is \$9,418. A **motion to approve the purchase of bunker gear as requested** was made by Councilman Ochsner with support from Vice Mayor Weick, **passing 5-0**.

- i. Consideration of PSD Director Entering ICMA Pension Plan, Resolution 15-03 (Town Manager)

Resolution 15-03 was presented, acknowledging the PSD Director enrolling in the ICMA defined contribution (DC) in lieu of the regular employee's DC Pension Plan. The Town has allowed this in the past, and the advantage to the employee is that there is no vesting or entry date limitations. It does not affect the amount the Town contributes other than slightly earlier participation. The Director agreed not to enter the Police-Fire Defined Benefit Plan. We budgeted well in excess of what this would be, as we budgeted for Captain Jacobs at 53% in the Defined Benefit Plan, and this is 11% Town contribution. This has been done in the past for Mr. Bradshaw (Town Manager) and Mr. Jefferson (Building Official).

The Resolution was read by title by Mayor Barefoot as follows: **"A resolution of the Town of Indian River Shores acknowledging the participation of the Public Safety Director in the International City Managers' Association (ICMA) Deferred Compensation retirement plan in lieu of participation in the Town's Defined Contribution or Defined Benefit pension plans."**

A **motion to approve Resolution 15-03 passed 5-0** upon being made by Councilman Haverland with a second by Councilman Slater. This plan is open to any Town employee with voluntary contribution on their part and no Town contribution in addition to regular pension plans.

- j. FY 2015 Police & Fire Pension Contribution Rate

The actuarial valuation required 42.2% of payroll for the Police-Fire Defined Benefit Plan, and our current contribution rate is 50%. The Finance Committee unanimously agreed to recommend remaining at 50%. Mr. Stabe asked the Council for their direction.

Councilman Haverland said we have gone out of our way to head towards being properly funded in five (5) years, and saw no reason to accelerate funding. He wants to save what we can now, and go with the actuarial recommendation.

Mayor Barefoot asked Finance Committee Chairman Bob Auwaerter for their rationale, who replied that the judgements as to shortfalls and overages are not stationary, and the Committee made the decision that it is better to close the gap while the equity market and interest rates are quite low.

Vice Mayor Weick made a motion, which was seconded by Councilman Haverland **to reduce the contribution rate from 50% to the recommended 42.2%**.

Mayor Barefoot asked when this changes, Ms. Christmas said we have paid 50% and will be requesting a refund, which will be absorbed by other expenditures. The budget calculation will have use in this current FY. Last year it was paid up front, this year it is paid bi-weekly. The **motion passed 5-0**. Mayor Barefoot

suggested that next year the Finance Committee would look at this again. Mr. Auwaerter asked Council to reconsider the funding the payment upfront, as it is significantly going to the equity market all at once, and over time you would catch the ups and downs. You will earn interest right away, and the interest rates may move up. There could be an advantage in spreading the payments out rather than an expenditure all at once. Vice Mayor Weick thanked him for a point well taken, and Mayor Barefoot clarified it is a policy decision, not a market decision.

## 7. Town Manager

### a. Cell Tower Update

Mr. Stabe said that rather than a presentation by the Datapath Tower Company, he met with them and explained that he is recommending that the Town do an RFP for something of this magnitude. They agreed, as he brought up that it could give an unfair advantage to competitors. He has reviewed other RFPs, and they are 75-100 pages long. He asked if the Council would allow Aaron Bowles of MBV Engineering, who helped with the baffle box, and is familiar with these RFP's, to prepare it for a rough cost of less than \$2,000, which would be very specific and broadly advertised. There will be plenty of information to give the Council multiple options for the Town within the Town's property or possibly private property. Part of the process is also to select a location.,

Councilman Haverland said he is in favor of this if it is going to be financially favorable for the Town. The Town Manager said he has explored this and it should be. Mayor Barefoot asked to have a workshop prior to the Council meeting when we expect to have the RFP responses, and include John's Island or others who have experience.

Councilman Slater made a **motion to authorize the Town Manager up to \$2,000 to hire MBV Engineering to prepare and administer a Request for Proposal the cell tower**, which was seconded by Councilman Haverland. There was minor discussion in general and that it has to go before PZV Board for a variance. Once the RFP's are received, we will have more information. The **motion passed 4-1**, with Vice Mayor Weick dissenting.

### b. RFP for Cell Tower Proposals & Project Management Discussion (*Included in 7.a. above*)

### c. Republic Service Recycling Update

Mr. Clem and Mr. Stabe met with Republic Services, and they agreed to honor the solid waste and recycling franchise agreement as it stands, with no changes to level of service and no increase in costs. On October 1 they will no longer be required to separate recyclables, so it will be single stream recycling (garbage is still separated) and weekly recycling for everyone.

Vice Mayor Weick asked if moving it to the curb would result in a reduced charge. Mr. Stabe said not necessarily, we pay for the service in our Tax assessment. Himanshu Mehta, Indian River County Solid Waste, said the assessment from Property Appraiser includes trash, recycling convenience centers, and curbside recycling. The Town's agreement with Republic Services has our residents paying a little extra in the quarterly bills. The County Commissioners acknowledged Town's agreement with Republic Services yesterday, and asked that the Interlocal Agreement with the Town would be updated.

Vice Mayor Weick asked if we would have less cost with Republic Services for curbside, and was told that the residents would not. Mr. Mehta continued because this assessment is from the Property Appraiser, our cost is going up for recycling, from \$1.67 to \$2.25 for cart services. However, residents will not be getting the cart service, but will continue to receive backdoor service. It will be approximately an \$80 increase in taxes to residents. Republic will not be paid for picking up by the County, so they are agreeing to pick up the recycling for free. The County will try to keep an inventory of used bins, but will not be buying more bins. Mr. Mehta clarified that the Town does not have the ability to get carts right now, and will have to negotiate with Republic Services to see if they will use them rather than the blue bins. The Town has an education effort on this change for the residents, Mayor Barefoot concluded.

### d. Collective Bargaining Update

Mr. Stabe said there is an executive session immediately following this meeting to discuss collective bargaining, and a session has been scheduled for May 28<sup>th</sup> at 10 a.m. with the bargaining team.

### e. Departmental Reports (Building, Financial Balance, Public Safety)

No discussion.

## 8. Council / Committee Reports or Non-Action Items

### a. Council Committee Reports (MPO, EDC, TCCLG, TCRPC, TCRLC, Others)

**Beach & Shores.** Councilman Ochsner said they met on the 18<sup>th</sup>, and recommended to the BCC that we withdraw from having an engineered beach in Sector 5, the reason being that the Army Corps has been pushing for a plan that is in contrast to the County-approved Beach restoration plan, and that it would cost a lot more. There are too many variables.

**TCRPC.** The Mayor had no report.

**TCRLC.** Councilman Slater had no report.

**TCCLG.** Councilman Haverland had no report.

**EDC.** Vice Mayor Weick attended on May 19<sup>th</sup>, and they had update on local jobs grants program, with 173 jobs created so far with grant expenditures of \$780,000.

**MPO.** Councilman Haverland had no report.

9. **Call to Audience**

Chuck Wurmstedt, a resident since the 70's, said he has been following efforts with the Vero Beach electric, and is concerned about harming our relationship with Vero Beach. The Town's Sewer System used to be where the maintenance building is, and we were able to hook up to Vero Beach Water and Sewer and it solved the problem. We worked out another deal for reuse water that saved a lot of trouble and expense. Also in 2004 he said he had electricity quickly restored after the hurricanes. Our relationship is very important, he said, and wouldn't care what the bill was, just that they had electricity.

Mayor Barefoot said the Town has extended the state mandated mediation period, and the City chose to do nothing. When the IG Audit of the FMPA came out, it revealed that poor judgements were exercised. The City was in a position to request that the FMPA get the purchase power agreement amended, and they didn't make the request. We have made many efforts, and they have not reduced the transfer at all even though they said they would.

There was more discussion with Councilman Slater, Mr. Wurmstedt and Mayor Barefoot, who concluded that we would love to have a resolution, and we have gone out of our way to be good neighbors. Mr. Wurmstedt said hopefully it will stay that way.

10. **Adjournment.** The meeting was adjourned at 11:33 a.m.

Respectfully submitted,

/s \_\_\_\_\_

*(Approved by the Town Council at the June 25, 2015 meeting)*