



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

REGULAR TOWN COUNCIL MEETING

Thursday, June 28, 2012  
3:30 p.m.

**PRESENT:** Thomas W. Cadden, Chairman  
Gerard A. Weick, Board Member  
Frances F. Atchison, Board Member  
Richard M. Haverland, Board Member  
Michael B. Ochsner, Board Member

**STAFF PRESENT:** Richard Jefferson, Town Manager      Laura Aldrich, Town Clerk  
Chester Clem, Town Attorney      Rob Stabe, Director, PSD  
Judith Lewis, Town Treasurer      Mike Jacobs, Lt., PSD  
Shawn Hoyt, Sgt., PSD

**OTHERS PRESENT:** Chris Hendricks, PZV Vice Chairman; 5 other Residents  
Tim Zorc, IRC Commission Candidate      Ann Benedetti, SJRWMD  
Reporters Janet Begley (Press Journal)      Lisa Zahner (VB 32963)  
Stephanie Labaff (VB News Weekly)

1. **Call to Order**

- a. Pledge of Allegiance
- b. Invocation (Councilman Ochsner)
- c. Roll Call

Mayor Cadden called the meeting to order at 3:30 p.m. The roll call was taken as reflected above and the Pledge of Allegiance and Invocation were performed.

2. **Consent Agenda**

- a. Acceptance of Planning, Zoning & Variance Board Minutes dated May 14, 2012
- b. Approval of Regular Town Council Meeting Minutes dated May 17, 2012
- c. Approval of Special Call Town Council Meeting Minutes dated May 31, 2012

Asking if there were any comments or concerns with the consent agenda, Councilman Ochsner noted two corrections, the first being in the PZV Minutes dated May 14, the word “readjournd” rather than “reconvened” was used in the first line of the last paragraph. On the Town Council minutes dated May 17, there was an omission of “Atchison” following the word Councilmember on page 4, paragraph 6 b) 1. The Town Clerk said she would ensure the changes were made. Mayor Cadden received Councilmember Atchison’s **motion to approve the consent agenda with corrections as mentioned**, seconded by Councilman Ochsner, which **passed 5-0**.

3. **Planning, Zoning and Variance Board Report** (Vice Chairman Christian Hendricks)

Mr. Hendricks reported that at the June 11 meeting, a setback variance for 143 Silver Moss Drive and a four-foot chain link fence on Mariner Beach Lane were approved. The PZV Board also concurred with the Council’s April 26<sup>th</sup> decision to approve the removal of the oak trees at John’s Island, about which they agreed they would have voted the same with that information before them.

4. **Mayor’s Matters**

MPO Alternate

*Please Note: The Town of Indian River Shores does not routinely keep verbatim minutes. Any party interested in 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.*

Mayor Cadden deferred to the Town Clerk on this item, who asked if someone else might consider being alternate on the MPO Board. It meets on the second Wednesday, and Councilman Haverland is not able to make meetings from June through September. The Vice Mayor filled in once, but it conflicts with a long-standing commitment of his. Councilmember Atchison agreed to be the primary alternate, and the Vice Mayor as secondary alternate.

5. **Town Attorney**

Mr. Clem had nothing to report.

6. **Town Manager**

a. Silver Moss Variance

Mr. Jefferson said that a variance is requested for 143 Silver Moss Drive, which was platted in 70's, and most units of this type have already been granted one. A **motion to approve the variance** was made by Vice Mayor Weick, supported by Councilmember Atchison, and **passed unanimously**.

b. Florida League of Cities Annual Conference Voting Delegate

Continuing, the Town Manager asked if any of the Council would be representing the Town at the FLC Annual Conference on August 23-25. Councilmember Atchison recommended that the Town Manager attend. He agreed.

c. State Board of Administration (SBA) Request for Florida Prime Disclosure Statement

Mr. Jefferson said this simply states that we will be in compliance with the State's requirement for transparency by the SBA, for which Vice Mayor Weick made a **motion to approve signing the Prime Disclosure Statement**, supported by Councilman Ochsner, which **passed unanimously**.

d. Budget Workshop and Public Hearing Dates Recommendation (Town Clerk)

Mrs. Aldrich said the Public Hearings would be at 5:01 p.m., as they are not allowed to be held before 5:00 p.m. The three available dates for the first Public Hearing are September 7, 10 or 13 based on untaken dates from the County and School Board, and Council commitments. The September 7 date was requested by Councilmember Atchison and agreeable to the other members of the Council. The second Public Hearing was set as following our regular Town Council meeting on September 27<sup>th</sup> at 5:01 p.m. All agreed to the Budget Workshop date and time 1:30 on July 26, prior to the regular Town Council meeting. The Town Clerk said there is no room for natural disaster or other interference with the Public Hearing schedule without a ruling from the Governor.

Councilmember Atchison requested to be excused from the September 27<sup>th</sup> Regular Council meeting. The Council was agreeable to this. Councilmember Atchison then asked when the Finance Committee was meeting, and Councilman Ochsner said it was at 9 a.m. on July 10. She said she would be likely attending, and asked for the minutes from that meeting as quickly as possible.

e. Committee Alternate Appointment Status (Finance and Planning, Zoning & Variance)

Mr. Jefferson said that last month the Council decided to delay the appointment of a Finance Committee Alternate until they had an opportunity to interview the candidates. Neither of the alternates was able to attend this meeting. Councilman Ochsner noted that John Klein is an Alternate who has been available and filling in for an absent member, so we are fine at the moment. Councilman Haverland asked if we advertised for these openings, and the Clerk said she had. Mr. Jefferson recognized Tom Peschio, an interested resident in the audience, but he recently was appointed to the Code Enforcement Board and is not in Town this July or August.

7. **Call to Council**

a. Committee Reports

**Coastal Structures Subcommittee Meeting.** Councilman Ochsner said a presentation was given by Dr. Jenkins at the meeting on June 11 regarding the alternatives to dumping sand on the beach. He spoke of a project on Singer Island in Palm Beach County that had 11 breakwaters and was under consideration for 10 years. They were permitted by FDEP but not by the Federal government; then the project was cancelled by the County as not cost effective. Dr. Jenkins said he

recommends that each County ask if there 1) is an area that makes sense to install a structure, such as hot spots with an adjacent cold spot (excess & loss of sand); 2) are structures less costly than sand (normally not within a 20-30 year period); and 3) is permission from DEP/FEMA. There is existing data that is sufficient without further studies, and it is available relatively inexpensively. Councilman Ochsner concluded that the County will probably not be well served by installing a structure along our coastline.

**Beach & Shores Committee.** Councilman Ochsner said Vice Mayor Weick attended in his stead, who reported that they met on June 18. FDEP wants to form a regional plan and without a planned structure, may have permit problems for sand alone. They are still identifying hot spots, and may hire consultant. All of the County beach parks are open and in good shape, and the Sebastian Inlet dredging is ongoing. The sand containment area was discussed briefly.

**TCRLC (Treasure Coast Regional League of Cities).** Councilmember Atchison said she will be attending the annual TCRLC luncheon in July, with FLC President Pat Bates as the guest speaker. All elected officials are invited. RSVPs are due by July 9<sup>th</sup>, and we must RSVP by tomorrow morning if Richard will be attending the breakfast on Saturday at the FLC Annual meeting on August 25. He said he would, and Laura would RSVP.

**Emailing Council Members.** Vice Mayor Weick mentioned that he does not open emails from other Council members or anyone he does not know, and that the proper procedure is to send it through the Town Clerk using the Town website email address ([council@irshores.com](mailto:council@irshores.com)).

**IRC Executive Roundtable.** Vice Mayor Weick said at the Mayor's request, on May 18 he represented the Town at this meeting, and this group wants to organize a committee to bring all of the child assistance services together and call it the Interagency Coalition of IRC. It looks like they will ask for donations from the Town, and he was noncommittal.

**Elected Officials Oversight Committee (EOOC).** Vice Mayor Weick reported that he attended this June 8 annual meeting that relates to the School District, and their planning activities for the year are reviewed. Updates on school expansions included Sebastian High School having 19 classrooms added, and there are no more portable rooms. Vero Beach Elementary School has been rebuilt, the old school is being torn down. Osceola Magnet is moving to Thompson Elementary School, but he was unclear with what was happening to the Osceola Magnet building. Fellsmere Elementary is having an addition to replace portable buildings scheduled to be completed by September, and Beachland Elementary School is now overcrowded with portables. The overall five-year plan did not foresee an increase or reduction in enrollment, and no more capital required for at least two years.

**MPO (Metropolitan Planning Organization).** On June 13, Vice Mayor Weick attended this meeting, where the five year plan was reviewed. The big topic was another study on the Twin Pairs, a federally funded grant, which explores parking on two of the four lanes. Councilmember Atchison asked if the Town supported it, and the Vice Mayor said after lengthy questioning, he ended up voting in favor of it and there was only one vote against it.

**EDC (Economic Development Council).** On June 19, Vice Mayor Weick attended this, which focused on the status of the FPL purchase of the City of Vero Beach electric utility. There is some concern with agreements for OUC and FMPEA. He questioned some of the financial information and did not receive a sound answer. Mayor Cadden asked if he spoke in favor of selling, and Vice Mayor said he had.

**TCCLG (Treasure Coast Council of Local Governments).** No report.

**Mayor's Matters.** None.

b. Council Items

1) Retiree Health Care (Councilman Haverland) (*discussed after TCRLC*)

Councilman Haverland said he was concerned with the Town's health care costs, which appear to be higher than the County or State per employee. Because the Town's plan is good and the subsidies are on the high end, 100% of employees participate versus other places' 85-90% participation. Our retiree health care is also subsidized, while other local governments do not or

provide a limited subsidy. Councilman Haverland deemed that we have a significant problem, and asked that the Council consider eliminating the retiree healthcare subsidy. We carry \$1.8 million liability on a footnote in the audit and have a significant annual cost per current employee of about four times higher than anyone except Vero Beach. This is not subject to union negotiation, but was put in place in 2002 and is overly costly to maintain.

Councilman Haverland **made a motion that any current retiree or anyone who retires before the end of CY 2012, continue with the insurance through end of 2014.**

Mayor Cadden said it is a State requirement to provide insurance to retirees, but not to fund it, which is why it was instituted as a recommendation from the Finance Committee in 2002. Councilman Haverland added we have to provide medical insurance to retirees up to age 65 at the same rate that it is provided to regular employees, calling it a significant "implied subsidy."

Councilmember Atchison asked how many are eligible, and the Town Treasurer said that there are now about ten retirees, clarifying that the Town does not subsidize any retiree dependent cost, only the retired employee's health insurance at a maximum of 51%, which is only about \$3,000/year. There is a tiered scale, and the implicit subsidy is no matter what, the Town must offer retiree health insurance which includes those ages within our group plan, Mrs. Lewis said. Councilman Haverland disagreed with her, stating (if we did not subsidize their cost) it would reduce the Town's cost by \$3,000 per year per retiree. Also, some who remain on our plan may choose to go on a spouse's plan if available, with far greater savings per employee. Vice Mayor Weick suggested that the Town offer a buyout, as an incentive to drop the insurance plan.

Councilmember Atchison **seconded the motion for discussion**, asking if the Council could think about it for a month with numbers accompanying it. Councilman Haverland said he could provide information, and Councilmember Atchison replied she was interested in knowing how many retirees we have now, the number of employees and how much the cost savings would be. Vice Mayor Weick discussed spouse insurance with Councilman Haverland, who had provided information applicable to regular employees. Councilman Ochsner asked if the Finance Committee could review this first. **The motion was withdrawn** by Councilman Haverland and Councilmember Atchison, to be reconsidered at the July Council meeting.

#### 9. Call to Audience

Mayor Cadden invited **candidate for District 3** Tim Zorc to address the audience, who said he was raised in Vero Beach and is running as a Republican. If elected, he will always have an open door to the Council of Indian River Shores. He has great respect for the community, and the Town has always contributed much more to the County than they ask for in return. His key platform is for the County to help push the sale of Vero's electric utility. He spoke with Councilman Ochsner briefly regarding the beach renourishment issue. He thanked them for the opportunity to speak, and asked if there were any particular areas of concern to please let him know.

Councilman Ochsner asked about the Employee Handbook or **Personnel Manual**, and the Mayor said that suggestions and input are being received, but it is somewhat on hold pending the impact the budget may have on it. It was decided to add the Personnel Manual to the agenda in October after the budget season.

#### 10. Adjournment

Hearing no further comments, the Mayor thanked everyone for coming and adjourned the meeting at 4:19 p.m.

Respectfully submitted,

/s \_\_\_\_\_  
Laura Aldrich, Town Clerk

(Approved by the Town Council at the 7-26-12 meeting)