



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

REGULAR TOWN COUNCIL MEETING

Thursday, July 26, 2012

3:30 p.m.

**PRESENT:** Thomas W. Cadden, Mayor  
Frances F. Atchison, Councilmember  
Richard M. Haverland, Councilman  
Michael B. Ochsner, Councilman

**ABSENT:** Gerard A. Weick, Vice Mayor (Excused – Telephonic Attendance)

**STAFF PRESENT:** Richard Jefferson, Town Manager  
Laura Aldrich, Town Clerk  
Chester Clem, Town Attorney  
Judith Lewis, Town Treasurer  
Robert Stabe, Public Safety Director  
Shawn Hoyt, Public Safety Sergeant

**OTHERS PRESENT:** Residents John Porta (Finance Committee) & Chris Hendricks (PZV)  
Reporters Press Journal (Janet Begley) & VB 32963 (Lisa Zahner)

1. **Call to Order**

- a. Pledge of Allegiance
- b. Invocation
- c. Roll Call

Mayor Cadden called the meeting to order at 3:30 p.m. with the Pledge of Allegiance and Invocation, followed by the roll call by the Town Clerk as reflected above.

2. **Consent Agenda**

- a. Acceptance of Finance Committee Minutes dated May 15, 2012
- b. Acceptance of Planning, Zoning & Variance Board Minutes dated June 11, 2012
- c. Approval of Regular Town Council Meeting Minutes dated June 28, 2012

With no corrections to any of the above minutes, a **motion to approve the consent agenda items as presented** was made by Councilmember Atchison, supported by Councilman Ochsner, which **passed 4-0**.

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

- a. Draft Minutes July 9, 2012

Vice Chairman Hendricks reported that at the July meeting, a variance was approved for 271 Silver Moss Drive. Per the Town Attorney and according to the Code of Ordinances, a variance request greater than ten feet (10') requires Town Council approval. The Board recommends approval, for which a **motion to approve the Variance for 271 Silver Moss Drive** was made by Councilman Ochsner, seconded by Councilmember Atchison, which **passed 4-0**. (See Item 6 a below. Mr. Chris Milner from Gould Cooksey Fennel, PA was present and departed after this vote)

*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.*

4. **Mayor's Items**

Mayor Cadden asked that Item 6 I be pulled from the Town Manager's agenda for future discussion.

5. **Town Attorney**

a. Resolution 12-02 Against Candy-Flavored Tobacco Products

Mr. Clem said we had received this resolution, and explained it related to prohibiting the sale of this type of product, primarily sweet snuff, to deter children's use of the product. There are two retailers in Town who might be affected. The Council did not recognize this Resolution from committees they attend, and was not in favor of addressing the issue.

6. **Town Manager**

a. Variance Request for 271 Silver Moss (*see Item 3 a*)

b. Florida League of Cities Legislative Policy Committee (Town Clerk)

After minor discussion, Councilmember Atchison said she has been on the Intergovernmental Relations Committee (Transportation and Intergovernmental Relations) and would continue as a member. The meetings are in Orlando area, four during the year, and she usually attends the November meeting for voting. No one else expressed a desire to be appointed for the other committees.

c. Expend Forfeiture Funds – Software, Laptop Computers & Air Cards (Chief Stabe)

Chief Stabe said the largest item has to do with connect-ability for the laptop computers, and the NetMotion software allows our laptop computers in the vehicles to connect in the Sheriff's Office dispatch center. Most of the dispatch activity is silent now, which shows up on the computer. Our current software very antiquated, and the cell phone service results in dropped connections. To sign back in after a dropped connection is a long process, and it is happening six to ten times in an 8-hour shift. The new software keeps the officer from continually reentering the information, as it automatically retries until connectivity is restored. This is a definite need for patrol vehicles and ambulances. The two laptop computers are to supplement current computers, and would replace the patrol unit's computers which will then be placed in the ambulance and fire truck. The Verizon air cards are for the new laptop computers.

Councilman Haverland asked what forfeiture funds are, and Chief Stabe explained that any felony seized property lends a procedure to acquire ownership and sell equipment back to the owner. This is a restricted cash fund that currently has roughly \$6,800. A **motion to approve the use of forfeiture funds to purchase software, laptop computers and air cards** was made by Councilman Ochsner and seconded by Councilmember Atchison, which **passed 4-0**.

Mayor Cadden asked about the discussion years ago when it was decided to **not** have a cell phone tower in Town, asking if it would help with the communications. It would definitely help from Town Hall north, the Council and Chief agreed. Mayor Cadden noted that there have been denials for a cell tower in the past, when a third party provider was the contact. Mr. Jefferson agreed to look into it.

d. Expenditure for Bumper for Ambulance

Chief Stabe explained that the new power stretcher will not work with the current bumper on the older ambulance. Modifying the bumper is not recommended by the ambulance manufacturer. The requested amount of \$2,452.25 includes delivery and installation, which is a capital purchase. Councilmember Atchison, supported by

Councilman Ochsner, **made a motion to purchase a new bumper as recommended for the ambulance which passed 4-0.**

e. PSD Mission Statement (Chief Stabe)

Chief Stabe said the revised Mission Statement was provided for information only. Councilman Haverland, Councilman Ochsner and Councilmember Atchison all noted that it was well done and thanked him.

f. Proposed Holiday & Tentative Town Council Meeting Schedule for 2013 (Town Clerk)

The Town Hall closing dates and Council meeting schedule for next year was provided, and the Council discussed moving the December meeting to the 12<sup>th</sup>, to which everyone was agreeable. **A motion to approve the Proposed Holiday and Tentative Council Meetings schedules as presented with one change in December to the 12<sup>th</sup> rather than the 19<sup>th</sup> was made by Councilman Ochsner and seconded by Councilmember Atchison, which passed 4-0.**

g. Set Proposed Tentative Millage Rate Ceiling for FY 2012/2013 Budget

Mr. Jefferson said that they are proposing to keep the current millage rate of 1.4731 in place, and **a motion was made by Councilman Ochsner to set the tentative millage rate for FY 12-13 to 1.4731**, which was seconded by Councilman Haverland and **passed 4-0.**

h. Approve the Tentative Budget for FY 12/13

Mr. Jefferson asked for approval of the proposed budget with the changes as discussed amounting to approximately \$38,900, and received a **motion to approve the tentative FY12/13 budget as proposed with changes as discussed at the Budget Workshop** made by Councilman Ochsner and seconded by Councilmember Atchison, which **passed 4-0.**

i. Approval of Collective Bargaining Agreement for FY 13-15 (*Item Withdrawn*)

7. **Council Discussion**

a. Council Items

1) Retiree Health Care (Carried Forward by Councilman Haverland)

Councilman Haverland said he had continued with his research on this, and determined that the Town's retiree insurance program is the most generous and most costly in the State. He suggested eliminating the retiree health care subsidy, stating that most of our retirees today can achieve a lower rate than what we charge them, if they are non-smokers and there is not a chance of using maternity benefits. If the Town did not offer a subsidy, he supposed it would increase their likelihood of using the outside market and significantly reduce the Town's \$1.8 million liability for retiree medical (insurance expenses). Fellsmere offers no retiree medical insurance, and Sebastian subsidizes it for two years. Sixty or seventy percent of the towns he looked at do not offer medical subsidies. Since the movement appears to be in this direction, he asked the Council to consider it.

Councilman Ochsner said the Finance Committee discussed recommending dropping the Town's contribution towards medical insurance for retirees at age 65 at their recent meeting, and Mrs. Lewis said we rarely have a retiree staying on after that age. Mayor Cadden asked if she would check with Blue Cross/Blue Shield to see if they offered an individual plan for them. Councilman Ochsner said he tried to get a rate similar to what Councilman Haverland suggested, and was unable. Councilman Haverland told him to call a certain agency and ask for a package number 70, to which the reply was that they are not writing the policy at the rate quoted.

Town Manager Jefferson said they will get actual prices for the next meeting. Councilman Haverland offered the information he had gathered for the next meeting.

b. Committee Reports

**TCCLG (Treasure Coast Council for Local Governments).** Councilman Ochsner attended the July annual BBQ meeting as the Alternate with Town Manager Jefferson. Not much business was conducted, but representatives from the offices of Bill Nelson, Marco Rubio, Tom Rooney and Joe Negron were there. Committee Vice-Chair Peter O'Bryan discussed trying to get a coordinated fiber-optic network for the Treasure Coast as an incentive for more research or office-type businesses. The featured speaker was Tom Clemons, a third-generation provider to the livestock market, who talked about being a cowboy in Okeechobee.

**Beach and Shores.** Councilman Ochsner reported that this meeting was canceled.

**TCRLC (Treasure Coast Regional League of Cities).** Councilmember Atchison said that the July meeting was the first time a Florida League of Cities President had visited our region, with Pat Bates as the featured speaker. The other noteworthy news from this group is that Waste Pro is switching its fleet from diesel to compressed natural gas for cost savings and cleaner air, and is volunteering to help other companies who are interested in enacting this change.

**2010 FL Code Requirements.** Councilmember Atchison mentioned this change in code for remodeled homes that was recently addressed in an article in the Vero Beach News Weekly. She asked Mr. Jefferson if it was true that if a cabana or pool house remodeling was in excess of \$50,000 it triggered the package requirement increase, and he said only if there is a building permit for \$50,000 on the entire home, and if it is insured for more than \$350,000, roof to wall connections must be done. If the home is insured for more than \$750,000, all openings have to be up to code. He added this has been in effect for almost six years. This is only on the existing structure, not an addition. It must be up to the 2001 code with impact resistant openings, and if the house was built after 2001, it is probably already in compliance.

**GASB Changes.** Councilman Haverland said he had not attended any meetings. He did report, however, related to the **net assets** of the Town, a new GASB regulation has been passed that requires us to book the currently \$4 million unfunded portion of the pension plans as a liability, and the GASB is also considering this change for unfunded medical liability.

**Vice Mayor Weick** reported that he did not attend any meetings. He asked Chief Stabe if there is a resale or trade-in value on the ambulance bumper, who said he had inquired and was told there is not. He will follow up to see if Braun is able to do something with it.

**Mayor Cadden** said he had nothing to report.

8. **Call to Audience**

No response.

9. **Adjournment**

Hearing no further comments, the meeting was adjourned at 4:05 p.m.

Respectfully submitted,

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

(Approved by the Town Council at the 8-23-12 meeting)