

MINUTES
THE TOWN OF INDIAN RIVER SHORES
6001 North Highway A1A, Indian River Shores, FL 32963
REGULAR TOWN COUNCIL MEETING
Thursday, October 28, 2010
3:30 p.m.

PRESENT: E. William Kenyon, Mayor
William H. Ahrens, Vice Mayor
Frances F. Atchison, Councilmember
Michael B. Ochsner, Councilman
Gerard A. Weick, Councilman

STAFF PRESENT: Richard Jefferson, Town Manager
Laura Aldrich, Town Clerk
Chester Clem, Town Attorney
Bill Schauman, Director, Public Safety
Robbie Stabe, Capt., Public Safety

OTHERS PRESENT: 4 Residents; 4 Guests, VB 32963 Reporter

1. **Call to Order**

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

Mayor Kenyon called the meeting to order at 3:30, noting that the Pledge and Invocation were recited at the earlier meeting. The roll call was taken as reflected above.

2. **Consent Agenda**

- a. Acceptance of September 13, 2010 Planning, Zoning and Variance Board Minutes
- b. Approval of September 23, 2010 Regular Town Council Meeting Minutes
- c. Approval of September 23, 2010 2nd Budget Public Hearing Minutes
- d. Approval of Invoice from GAI Consultants dated September 27, 2010
- e. Approval of Invoice from Town Attorney dated September 30, 2010

Councilman Weick asked to withhold item d) Approval of Invoice from GAI Consultants dated September 27, 2010 due to the current controversy of possible double billing as mentioned in Vero Beach 32963 today. He thought a clarification on the billing to determine the validity of the article prior to acting on the invoice was needed. Councilman Ochsner agreed, and none objected with removing this item. A **motion to approve the amended consent agenda with Item 2 d) removed** was made by Councilmember Atchison and seconded by Councilman Weick. It **passed 5-0** with no discussion further discussion.

3. **Mayor's Items**

- a. Proclamation Recognizing October 2010 as National Arts and Humanities Month

Mayor Kenyon asked the Town Clerk to read the Proclamation, which was done in its entirety. Joyce Levi was present to receive the Proclamation from the Mayor, and expressed the regrets of Executive Director Mary Jayne Kelly and the Board Chair who were at their Annual Indian River County Cultural Council meeting. She thanked the Council for this proclamation, and spoke about the calendar that is updated weekly on the website, <http://www.cultural-ir.org>, with over 900 events posted last year. This year, for the first time ever, they have prepared a comprehensive cultural plan. With help of Indian River Community Foundation, they expect to

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raise \$175,000 in needed funding. They will be stopping by later to talk about how the Town can arrange to participate in creating a cultural plan, which is already in place in many counties. The arts, humanities, sciences and the environment and all aspects of what makes living in Indian River County so wonderful will be covered in this plan. The Mayor said that the County and Shores benefit greatly by their presence and their activity, and thanked her.

Upcoming meeting. Mayor Kenyon said that the agenda is very limited today, and wanted to note that a major workshop is planned for November 10 to discuss the water segment of the utilities needs of this community, and urged all of the Council to thoroughly read the material supplied by the Town Manager in preparation. Questions will be fielded, he added, and we have not made any commitments to anyone other than our consultant, who is preparing the information the Town Council needs to make a good decision.

Councilman Weick asked for a better copy where changes were noted, and Mr. Jefferson said he would provide it. Mayor Kenyon said that more materials would probably be coming.

Vice Mayor Ahrens asked about the misinformation that had been printed in a local paper, and the Mayor discussed the press in general.

4. **Planning, Zoning and Variance Board**

Draft Minutes from 10-11-10 were provided, with Chairman Beardslee reporting to the Council that the request for a variance to allow a 4' aluminum fence in the Estuary was unanimously approved. Following the formal part of the meeting, they had an informal discussion regarding having an ordinance drafted revising the fence requirements. Mr. Clem said that he would be submitting an ordinance that would go through the PZV and back to the Town Council for their approval.

Councilman Ochsner asked if the change involved screening material. Mr. Beardslee said that landscaping was required for perimeter chain link fencing to screen the view from neighbors. The change is to be applicable to only perimeter fencing, not all fences. The proposal is that all perimeter fences would follow the requirement for landscaping as applicable to chain link fences.

Councilman Weick suggested that since the law had changed whereby all swimming pools had to be fenced in, the Planning, Zoning and Variance Board should not be hearing these cases. Mr. Beardslee said he would not have an objection to this.

Mayor Kenyon asked if the fences in place would be affected, and Mr. Clem said it would not, but the Town Manager would have authority to waive certain things such as the five foot perimeter.

Councilman Ochsner asked if more planting would be required when installing a fence where landscaping was already in place and the fence would be hidden. Mr. Beardslee said it would be fine, it would just be an insurance company requirement in that case.

4. **Town Attorney**

Nothing to report.

5. **Town Manager**

Mr. Jefferson had nothing for discussion.

7. **Call to Council**

a. Committee Reports

Beach and Shores. Councilman Ochsner reported that this meeting was held on October 18. The primary subject was beach renourishment, the current state of the monitoring, and Phase II that will begin December 1. Everything seems to be on track, with Phase II encompassing about 2.5 miles, 267,000 cubic yards that will cover the area from Sea View to Golden Sands. The park at Golden Sands will be closed the first three weeks, and again the month of March. Treasure Shores will be closed February through March. The contractor has asked for 50% prepayment, with which the sand is being processed and stockpiled for use. The turtle reproduction success rate is anticipated to be reported around mid-November.

Mayor Kenyon asked about the newly placed sand being washed out, and Councilman Ochsner said that some escarpments have been created due to the direction of the wind and waves, which is just repositioning of the sand. Orchid had a pretty large area of impact with 8-10' cutaway.

When Councilman Ochsner mentioned that Treasure Shores is now an unguarded beach, Councilman Weick said that the parking problem at Wabasso Beach had gotten worse. He wondered if the parking lot across the street was still being planned. Commissioner Solari said that there were environmental concerns with the lot at CR510 and SR A1A.

MPO. Councilmember Atchison attended the October 13 meeting, and the Long Range Transportation Plan cost feasibility for 2035 is still being considered. Kimly Horne has paid attention to a lot of concerns of the committee members as they have discussed highways, roadways, and now the pressure is on for neighborhood grids. The keyword is mobility. Mayor Kenyon asked what she meant by "neighborhood grids," which was explained as shorter routes to access the other roadways instead of just widening major roads. They are still hoping for the Oslo interchange at some point. Focus is being diverted to adding more bike and walking paths in neighborhoods. Inter-county connectivity (Indian River to Brevard and Indian River to St. Lucie) is very important, as is the public bus transportation system. The cost per mile of a road today is 3 – 4 times higher than it was in 1990. Mayor Kenyon discussed this briefly with Councilmember Atchison.

Sustainability. Did not meet.

TCRLC meets every other month.

Affordable Housing Advisory Committee. Vice Mayor Ahrens reported that they did not meet, and the November meeting was cancelled.

Economic Development Council (EDC). Councilman Weick said this meeting was cancelled. Mayor Kenyon and the Councilman discussed this committee in general.

Elected Officials Oversight Committee. No meeting.

TCCLG. Mayor Kenyon said that they had an interesting speaker at the October meeting, the area director of the USDA. The range of assistance available to local government and businesses was quite an eye-opener, such as a fire truck or a USDA loan to Habitat for Humanity. He suggested that the Town Manager get in touch with them, with the Town's median income and our population as contributing criteria. Whether or not we qualify for anything, it is good information of which to be aware.

6. **Call to Audience**

No one offered any comments. Mayor Kenyon mentioned the November 10 Water Utility Workshop to Jim Moller, encouraging him to attend. They discussed the water infrastructure briefly, as well as goals for the water service provider and price.

Commissioner Solari discussed the letter the County sent to the Town early in October, which states they are not able to respond. The Mayor replied that the Town had sent a letter in reply to the County's response.

7. **Adjournment**

There being no further comments, the Mayor adjourned the meeting at 4:07 p.m.

Respectfully submitted,

/s _____
Laura Aldrich, CMC, Town Clerk

(Approved by the Town Council at the 11-17-10 Meeting)