



MINUTES
THE TOWN OF INDIAN RIVER SHORES
6001 State Road A1A, Indian River Shores, FL 32963

SPECIAL CALLED COUNCIL MEETING
Cell Tower Land Lease Agreement
Monday, October 31, 2016
8:15 a.m.

PRESENT: Brian M. Barefoot, Mayor
Gerard A. Weick, Vice Mayor
Richard M. Haverland, Councilman
Michael B. Ochsner, Councilman
ABSENT: Thomas F. Slater, Councilman (excused)
STAFF PRESENT: Robert Stabe, Town Manager Laura Aldrich, Town Clerk
Chester Clem, Town Attorney
OTHERS PRESENT: Bob Auwaerter & Debbi Peniston, Council-Elect; Reporter Janet Begley

1. **Call to Order**

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

The meeting was called to order by Mayor Barefoot at 8:31 a.m. The Pledge of Allegiance and invocation were recited and the roll call is as reflected above.

2. **Amendment to the Proposed Cell tower land Lease Agreement**

Mayor Barefoot reminded them of the Council meeting last Thursday whereby he said he would call Datapath. He did call Curt Jones Friday, and it was explained to him by Mr. Jones that it is not a generally accepted practice to remove the base, particularly here as the ground is wetlands and the concern is a potential sinkhole. It could be a 40-50' deep hold filled with a concrete and steel base to meet the requirements for wind mitigation.

What Mr. Jones did agree to do is what is in the agreement, to knock the platform down to 2' below grade and fill it in with dirt and sod the top. The idea of bringing a crane or cranes in to remove the base is impractical, he was told and agreed that what is proposed is a reasonable solution.

With no further discussion, a **motion to approve the land lease agreement as it was presented with “removing the platform top down to 2' below grade and filling it in with dirt and sod the surface”** was made by Councilman Ochsner and seconded by Councilman Haverland, which **passed 4-0.**

3. **Public Comment**

Just one word from Mrs. Begley, “Finally.”

4. **Adjournment**

Mayor Barefoot asked for further questions or comments, the meeting was adjourned at 8:36 a.m.

Respectfully submitted,

/s _____
Laura Aldrich, Town Clerk

(Approved by the Town Council at the November 17, 2016 meeting)

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.