



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

TOWN COUNCIL CLOSED EXECUTIVE SESSION  
For ELECTRIC UTILITY LITIGATION

Monday, November 23, 2015

9:00 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  
Chester Clem, Town Attorney

Laura Aldrich, Town Clerk

**OTHERS PRESENT:**

*Attending Telephonically:* Special Legal Counsel Bruce May, Special Legal Counsel Karen Walker, Special Legal Counsel Kevin Cox; Court Reporter

1. **Call to Order**

- a. Roll Call – Town Clerk

The meeting was called to order by Mayor Barefoot at 9:00 a.m. The roll call is as reflected above.

2. **Purpose of Meeting**

- a. Mayor Barefoot announced that the estimated length of this attorney-client session should be approximately 30 minutes. This “shade” meeting was openly requested by Town Attorney Clem and Attorney Bruce May at the November 19, 2015 Regular Town Council meeting to hold a strategy session for the purpose of obtaining Council advice related to pending litigation and associated expenditures in accordance with Section 286.011(8), Florida Statutes.

3. **Recess**

Mayor Barefoot then called a recess to allow the Town Clerk to exit to the Council Chambers at 9:05 a.m.

4. **Reconvene**

The Session publicly reconvened in the Council Chambers immediately following the recess at 9:50 a.m., which portion of the meeting was recorded and transcribed by a court reporter. The Town Clerk called the roll which remained as above, including the telephonic attendees.

Mayor Barefoot proposed a **motion to authorize the counsel to evaluate the various options the Town has to pursue the lawsuit with the City of Vero Beach, and take whatever appropriate action is necessary**, which was seconded by Councilman Haverland and **passed 4-0**. Mr. Clem clarified that Mr. May would file the appropriate pleadings related to the pending lawsuit.

5. **Public Comment**

There was no one present for public comment.

6. **Adjournment.** The meeting was adjourned at 9:58 a.m.

Respectfully submitted,

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

Laura Aldrich, Town Clerk

(Approved by the Town Council at the December 17, 2015 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.*