



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

SPECIAL CALLED TOWN COUNCIL MEETING

Friday, April 13, 2018

8:00 a.m.

PRESENT: **Brian M. Barefoot, Mayor**
Michael B. Ochsner, Vice Mayor
Robert F. Auwaerter, Councilman
Richard M. Haverland, Councilman
Deborah H. Peniston, Councilmember

STAFF PRESENT: **Robert Stabe, Town Manager** **Laura Aldrich, Town Clerk**
Chester Clem, Town Attorney **Mark Shaw, Capt., Public Safety Department**
Heather Christmas, Treasurer **... Sgt. Shawn Hoyt, Sgt. Bart Crosby, PS Dept.**
Michelle Fentress, Executive Assistant **PSO Rick Villars, Public Safety Department**

OTHERS PRESENT: **RESIDENTS: Bill Cull – Finance Committee, Nancy Auwaerter, Ocean Colony; Tom Slater, John’s Island; Bill Begley, The Estuary; REPORTER Janet Begley, Press Journal**

1. Call to Order

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

The meeting was called to order by Mayor Barefoot at 8:06 a.m. The Pledge of Allegiance and invocation were followed by the roll call as reflected above.

2. Recommendation for Community Center Reconstruction

- a. Council Discussion and Action

The Mayor said the primary purpose of the meeting is to review the bids for the Community Center, and then have preliminary discussion around the upcoming collective bargaining process.

The Mayor noted that the Council had already seen the bids and were all probably quite shocked before turning the discussion over to Jerry Weick, who has chaired the committee on this project. Mr. Weick said the bids were opened on April 3 and admitted being honestly shocked with the prices submitted. He reviewed some of the pertinent pricing included and noted what was not requested. The big difference was in the bids, \$935,000 from Bill Bryant & Associated, Inc. and \$826,000 from Summit Construction of Vero Beach, LLC. They are both very good and knowledgeable companies. By removing the items not requested from Bryant’s bid, it was \$841,000 compared to Summit’s \$826,000, which is less than 2% difference. Bryant can build in 180 days, Summit stated 300 days. Contractors are so busy, that several such as Toby Hill, Croom, and Helmet House are too busy to bid. Lumber prices have doubled in the past two years, cement is much higher, and there is a heavy demand for concrete blocks especially since one local company went out of business. Another unexpected expense is upgraded electric lines at a cost of about \$15,000.

Mayor Barefoot asked how much it might be if it were 680 square feet smaller, and Mr. Weick said that Bill Bryant said less than \$1 square foot (or about \$68,000 less). Councilman Haverland mentioned the three things he saw as different from the current Center: the porta cachere, a significant lanai, and the driveway. Mr. Weick said the porta cachere is what sets it apart and helps the handicap and delivery people. The extra size doesn't make a big difference to reduce it for the 2’ variance, as he was told that cutting 2’ in the middle is the same price for the building.

Councilman Haverland questioned if the Town would have to pay for what is not included in the bids, like landscape lighting, etc. He offered a proposal that the existing building could be used for a couple more years, and still sees no evidence that we need a building the size we are proposing. He offered to take responsibility for building a \$600,000 building and pay for any difference if it costs more than that, with more parking, no porta cachere, no lanai, the same seating capacity, by December 2020, as he strongly feels that the current building is more than adequate. Mr. Weick said the fire code sign says you can fit 178 people

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.

in the building, but it is physically impossible, even at standing room only. He and Mr. Guanch had the current Fire Inspector look at it, and he laughed at the sign, saying it was wrong. The size they came up with for 100 people is the proposed size. Councilman Haverland had data from Michelle that was non-specific, "loose" data. He was unaware if any meetings other than bridge use tables. To build a new center for an extra \$300,000 at a time when the market is crazy does not make sense, the Councilman concluded. Mr. Weick reminded him that the building material is better, soundproofing is better, infrastructure is better than it all was due to the improved building codes. He could not see the rationale in building the same size building, but thought they should do it right for the community.

Councilman Auwaerter asked what the useful life is for the new building, and Mr. Weick said 50 years or more. The Councilman urged them to look longer term, and the one Soup Bowl event that he has been to is so close people are knocking elbows.

Vice Mayor Ochsner said he is familiar with both contractors and they are top notch. One thing we have not discussed yet is value engineering, reviewing necessities versus niceties. He recounted a building project on which he was involved, and reduced costs by 10%. He agreed with Councilman Haverland about the size and encouraged a smaller building, as he could not agree with spending \$800,000, even though we are in a nice area.

Mr. Slater said Councilman Auwaerter hit on what he was thinking, longer term rather than short term vision. This building has lasted since 1988, but it is on its last leg.

Mayor Barefoot said when he was involved with home building and design, they evaluate where adjustments can be made. Mr. Weick asked one of the contractors if they would consider building cost-plus. We are dream building with energy efficient icynene, blocks filled with styrofoam, sound proofing, 5/8" sheetrock vs half inch, LED lights. Mayor said not to get into the details, but May to October is the busiest time for contractors. If we have them build it later, we could probably save money.

Vice Mayor Ochsner said the contractor helped them with a menu selection of what to build. Design and bid items. Mr. Weick said he has done a lot of this with one of the contractors already. Councilman Haverland said contractors do work a year out, and if you want the best price, you want to ask for a start date 8 months out for a 20-30% lower price. Mayor Barefoot said the timeframe we imposed was to try not to disrupt the bridge season and elections, which could be to our detriment. The **options are to** rebid, release restrictions, or ask for a price reduction to fit our budget even if it goes to a longer build time, the Mayor said. Councilman Auwaerter asked if we did defer construction, when would we thinking, end of 2019?

b. **Determination to Begin Demolition of the Community Center**

Town Manager Stabe said he has been purposefully quiet while the Council works this out, but wanted to call their attention to the fact that we have already taken steps towards the demolition of this building. We have reduced costs by reusing bathroom vanities and countertops, which have been carefully removed and are waiting in the garage to be reinstalled along with the refrigerator and other items that were removed. Six months ago, he was told that we are taking on a liability by allowing people to be in there, the floor has several spots that are ready to give way. We have a contract with a company at a very good price to demolish the building and remove several oak trees that have to come out, he added, and asked if we could we move forward with demolition. We can't use the building as it is.

Councilmember Peniston made a proposal to split this into two separate actions, demolish the current building and move forward in getting the bids to a reasonable price by pushing the date out, and work with the two builders without a time constraint. Mayor Barefoot agreed, and perhaps at the end of the summer there will be a better opportunity. We don't want to rush into this. Mr. Weick agreed, the site preparation can be done ahead of time, which is estimated at \$40,000 in the bid. Councilmember Peniston made a **motion to move forward with the demolition of the Community Center and prepare the site for reconstruction**, which was seconded by Councilman Haverland. More discussion about engaging the two firms with value engineering. Mr. Clem said that the motion just for demolition and preparing the site was sufficient. The **motion passed 5-0**.

Mr. Stabe asked whether they were just working with the two builders or going out to rebid, and it was determined to revisit it at the April 26th meeting with a process and timeline to proceed. We can reject the bids to lower the cost and expand the timeline.

(Councilmember Peniston left at 8:52)

3. **Discussion on Collective Bargaining Process (Mayor Barefoot)** (8:54)

The Mayor said regarding the Collective Bargaining process, the Council agreed to hire a consultant, who is very late in delivering what he was to provide in comparing our agency with others.

Councilman Auwaerter asked if someone could explain the timeline followed in last negotiation for internal and meetings with Public Safety. Mr. Stabe said they began about five (5) months ahead at last negotiation session, they went very long, it expired September 30, 2015 and settled the contract in May 2016 with retroactive changes to October 2015.

(Mr. Weick left at 8:55)

Part of the problem was the amount of data and agreeing on the reliability of the data presented. This is one of the reasons Mr. Stabe and Councilman Haverland agreed that it would be important to have a consultant provide data that was properly analyzed. Councilman Auwaerter asked if the Town or Union makes demands first, and Mr. Stabe said the Union does typically ask to open certain articles. The Mayor added that shade meetings are allowed with the Council and Town Manager discussing negotiation strategy, and then public meetings with their representative. Sgt. Crosby said that Nick Viglio was the representing attorney during the last negotiation, and is no longer providing that service. The new one is Ryan Burton.

Councilman Haverland said the consultant was to provide the data by January to the Finance Committee. He still has not provided anything to the Finance Committee yet. Mr. Stabe said he has tried several times to contact Mr. Evertsen, who has had meeting with consultant group, trying to develop a way to analyze the data short of creating an internal matching of salary and benefit to the Town's step system. Conversation among the Council followed, with Councilman Haverland stating he wasn't to develop, just show our baseline and how we compare with everyone else. His job was to collect data. Councilman Haverland asked that this be on the agenda for the next Council meeting with data or terminate his contract. Another group that was considered when we contracted with Mr. Evertsen was a Tallahassee group of 54 versus 2 or 3 employees.

After more discussion, a **motion to instruct the Town Manager to have the contractor (Dave Evertsen) deliver the product or terminate the contract** was made by Councilman Auwaerter with a second from Mayor Barefoot, **which passed 5-0.**

4. **Staffing** (9:11)

Mr. Stabe updated the Council that Mr. Guanch is leaving, and we have some good prospects to fill the position. Could hire temporarily, and we are interviewing one highly qualified building official with an excellent background next week.

The Fire Inspector, Dave Johnson got promoted to Bureau Chief at the County, and Mr. Stabe has already interviewed a potential candidate with similar skills to Dave. He will let us know Monday of his decision.

Councilman Haverland asked about the **construction on Old Winter Beach Road**, which the Town Manager said has officially begun, with weekly project meetings on Thursdays. We are having some issues with keeping people away from the construction site, and we understand their curiosity. Safety is the main concern with a closed sidewalk.

A question about the **cell tower** was answered with the explanation that our relationship is with Datapath Tower, and they want this completed as badly as we do since they are not making any money until something is installed and transmitting. Verizon is moving forward, and the electric connection from behind Public Safety to the site (around the water tank and driveway) has to be hand dug, not with a backhoe, 3' below the surface, because there are 180' - 200' of water and other electric lines all over the area. A big meeting with Vero Electric, Vero Water/Sewer, DataPath, and Verizon (ATT was invited but didn't show up). Datapath is concerned that there is so much pressure to get ATT to sign, they (ATT) may make them wait until next year. The fence and screen are up, and Mr. Stabe will send photos to the ATT contact to assure them that the tower is ready.

Councilman Haverland asked when we don't have community center, can anyone use this room? Mr. Stabe said HOA's only with no clubhouse have been allowed. Other groups have already arranged to meet in other places.

Mr. Stabe presented Mayor Barefoot with an engraved clock plaque and gavel, thanking him for his 5 years of service to the Town. After the applause, the Mayor thanked him

11. **Adjournment.** The Mayor adjourned the meeting at 9:20 a.m.

Respectfully submitted,

/s
Laura Aldrich, Town Clerk

(Approved by the Town Council at the April 26, 2018 meeting)