

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

**REGULAR TOWN COUNCIL MEETING  
Thursday, April 23, 2009  
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:** Robert J. Bradshaw, Town Manager  
Laura Aldrich, Town Clerk  
Chester Clem, Town Attorney

**OTHERS PRESENT:** Burl (Bo) Reardon, TetraTech-HAI  
Diane Wilson, IRC Stormwater Division, 1 Resident

1. **Call to Order.** Mayor Kenyon called the meeting to order at 3:30 p.m. The Pledge of Allegiance was recited and the invocation given, followed by the roll call as reflected above.
  - a. Pledge of Allegiance
  - b. Invocation – Councilman Ochsner
  - c. Roll Call – Town Clerk Aldrich
  
2. **Consent Agenda.**
  - a. Approval of March 26, 2009 Sunshine Law Workshop Minutes
  - b. Approval of March 26, 2009 Regular Town Council Meeting Minutes  
Mayor Kenyon asked for a motion on the consent agenda, which was made by Councilmember Atchison and seconded by Vice Mayor Ahrens. With no discussion, the Council **voted unanimously to approve the items as presented on the consent agenda.**
  
3. **Mayor's Items.**  
None.
  
4. **Planning, Zoning and Variance Board**  
(Mr. Clem reported that there was nothing brought before the PZ&B Board this month.)
  
5. **Town Attorney**  
None.
  
6. **Town Manager**
  - a. NPDES Stormwater Pollution Prevention Presentation (Bo Reardon, TetraTech HAI)  
Mr. Bradshaw introduced Bo Reardon from TetraTech HAI, the firm contracted to handle the Town's engineering needs. The annual stormwater pollution presentation is part of the NPDES permit requirement, Mr. Reardon began, explaining that the National Pollutant Discharge Elimination System was a byproduct of the 1972 Clean Water Act. It is a Federal-mandated program to protect the waters of the United States from pollution, and has been implemented in

*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.*

the Town since 2003, with the second 5-year permit just renewed last year for the Town. In response to a question by a council member regarding what the permit allows, and Mr. Reardon replied it actually disallows pollution by setting preventative measures, such as permitting actions that require silt infiltration protection. He continued that this presentation is geared towards the average homeowner, and mentioned several examples of common household hazardous wastes that are important to keep away from the stormwater drainage systems. The question on who monitors the Town was answered that the Code Enforcement, Maintenance and Building officials all are watching for illicit activities as they perform their regular duties. Anyone can also report suspected violations to the Town or DEP at any time. This presentation is to encourage public awareness and involvement.

Mr. Jack Mitchell, resident at 220 Sandpiper Point, inquired about getting information to the residents, to which Mr. Reardon assured him that mailing pamphlets to the residents is a requirement, as well as holding advertised meetings. Councilman Ochsner asked if our website had any links to EPA or DEP, and the Town Clerk replied that there is an entire new web page devoted to stormwater pollution education and resources. Councilmember Atchison mentioned that the Town participates in recycling and Keep Indian River Beautiful, and we could also educate the boat owners on our website.

Mayor Kenyon asked if Mr. Reardon knew any statistics about the volume of pollution that goes into the Indian River, to which he replied the State has a monitoring program. Councilman Ochsner asked if there was a public monitoring site. Diane Wilson, a public educator from the Indian River County Stormwater Division, was present and said that there are several projects implemented and underway to address stormwater issues in the County. She complimented the Town Clerk's stormwater web page, and added that at the strong encouragement of DEP, the County is in the process of developing an illicit discharge ordinance to address the "minor" pollutants. There is no government jurisdiction in private or gated communities, but the waterways are mandated by the FDEP Aquatic Preserve. Mr. Reardon noted that the Town has been very proactive in that they do have an illicit discharge ordinance, performs monitoring activities, and has implemented progressive measures such as the mosquito impoundment and other stormwater catch-basins. Concerns about how to get the attention of the residents were discussed, and Mr. Reardon agreed to provide specific sources for statistical information. Mr. Mitchell said that perhaps an article in the local newspaper, Vero Beach 32963, could focus on this issue.

Mr. Reardon continued with his presentation by pointing out that "green," or less hazardous products are available for household use, and to use proper disposal methods for hazardous waste and recycle to reduce the volume of trash in the landfills. Lawn maintenance was discussed, with Ms. Wilson informing them that the State legislature is considering three or four bills requiring landscapers to be certified, which would help greatly with chemical pollution. Boat-owners measures for preventing pollution to the waters and septic system maintenance were briefly discussed to conclude the presentation, after which the Council thanked Mr. Reardon. Mayor Kenyon reminded him to provide Laura with materials to add to the website, and he agreed.

b. Appoint for Open Position Chapter 175/185 Pension Board – Paul Rancatore

Mr. Bradshaw said that this was to fill the vacancy created by the resignation of Joe Duncan. As requested at the last meeting, several Council members have now met with applicant Paul Rancatore. A **motion was made** by Councilman Weick and supported by Mayor Kenyon, **to approve the appointment of Paul Rancatore to the Chapter 175/185 Pension Board.** Councilmember Atchison and Vice Mayor Ahrens said that they have not met him. Councilman Weick said he has known him for about five years, and he is an active, intelligent member of the community. Councilman Ochsner and the Mayor agreed. The motion **passed unanimously.**

## 7. Call to Council – Committee Reports

Parks and Recreation. This meeting took place on April 2<sup>nd</sup>, Councilman Ochsner reported, which was spent determining how to revise the ordinance that established the committee. The consensus was to have a representative appointed from each of the Board of County Commissioner's districts.

Beach and Shores. Councilman Ochsner reported that at the April 20 meeting, Sector 3 restoration remained the main topic. Permits are now expected by the beginning rather than the end of August, bids in September and construction in November or December. The \$13.2 million from the State is still short of staff's estimate of \$19.5 million for this one project. The County has applied for a portion of the National Oceanographic and Atmospheric Administration (NOAA) grant, which has up to \$8 million in stimulus funds available, and should know the outcome by May 1<sup>st</sup>. Upland sand is still being discussed as the less-costly source for restoration. There was minor discussion about restoration options. Wabasso Beach park is scheduled to open tomorrow, he concluded.

Metropolitan Planning Organization (MPO). Councilmember Atchison reported that they did not meet.

Sustainability. As Indian River Shores was the first municipality to support the sustainability and "green initiative" in the County, Councilmember Atchison reported that she had attended the County Commission meeting on the 14<sup>th</sup> to witness their Gold Level award presentation, which should result in huge tax savings for the County.

Councilmember Atchison said she also went to the Taxpayers Tea Party, which was attended almost evenly by the residents from the barrier island and the mainland, the minor league baseball announcement, and as part of the task force, attended the Community Leaders Summit, which is involved in rebranding the Treasure Coast as the Research Coast.

Treasure Coast Regional League of Cities (TCRLC). No meeting.

Treasure Coast Regional Planning Council. Vice Mayor Ahrens said he did not attend as he had pneumonia. He mentioned "The Roadmap to Florida's Future," an Enterprise Florida strategic planning process to regionally promote the economic development of Florida through grassroots outreach. Eight regional forums will be held, he said, adding that he hopes there is broad scale coordination of various groups in Florida's economy.

Land Acquisition Advisory Committee (LAAC). Councilmember Weick informed the Council that this group meets next week.

Economic Development Council (EDC). Mayor Kenyon reported that they are reviewing their charter and finances. The media was another broad topic discussed, with the Mayor having the opportunity to discuss how to affect media by contacting the advertisers.

Treasure Coast Council of Local Governments (TCCLG). This group is working on how to add private sector growth and possibly a regional summit to set regional goals and promote them in Tallahassee, Mayor Kenyon continued.

Utility Commission Meetings. Mayor Kenyon said that Tom Cadden has not reported on this to the Council, as the agreement is to wait until there is something to report. Mr. Cadden has been spending an extraordinary amount of time visiting the various facilities and attending meetings. The rate and cost of service studies should be ready by the end of May, and we anticipate a report around the end of July.

Mayor Kenyon spoke about the Council's role in the community, with the Resident's Association and Concerned Citizens serving for periods of time to unite the community. The last event was the Town picnic a few years ago. He asked the Council for input on ways to involve the residents. Councilmember Atchison said that the picnic was a very good way to connect them, and Mr. Bradshaw added that the Town had contributed some funding, but the

organizational aspects were handled by the Association. Councilman Weick said that the new Oceanside Rotary Club may be the next vehicle for involvement, and agreed to mention the Council's interest to the Rotarians. Sending personal invitations to residents to attend the Council meetings was discussed, with one suggestion to invite the president of each resident association. Councilman Weick said that this has been tried with the Triad organization, which was short-lived. The Town Manager said that direct mail, e-mail, telephone, knocking on doors all have been unsuccessful. Councilmember Atchison said that she, representing the Council as a liaison to the Public Safety Department, went to every POA/HOA annual meeting they could, and they stopped inviting the PSD. The consensus is that if the residents believe that the Council is doing an adequate job, they don't want to be involved. Mr. Mitchell opined that a letter from the new Council to the residents asking what they are concerned about, and telling them what they (the Council) are concerned about, might generate interest. Vice Mayor Ahrens agreed that this is a good idea, as he has met some residents in his neighborhood who are unaware that they live in an incorporated municipality. The Mayor asked if we should try sending a letter. Councilman Weick stressed that if there is a problem, the Council would certainly see action from the residents, and thought things are fine as they are now.

Councilman Weick said that he spoke to the owner of the Vero Beach 32963, Milt Benjamin, and mentioned that very little news coverage is done on Indian River Shores, such as the elections and police certification. Mr. Benjamin admitted that it had been overlooked, and agreed to check into adding an area at the bottom of the real estate page. Mr. Mitchell said a monthly Town Manager's column would be nice. Councilmember Atchison suggested that rotating coverage between Vero, the County, Orchid and Indian River Shores each issue would be wonderful.

Mayor Kenyon also mentioned having a lunch with the four or so former mayors of the Town to seek their input. Vice Mayor Ahrens wondered how this would be of benefit, as this Council has done a marvelous job in looking after the employees and former employees of the Town compared with past Councils.

Councilmember Atchison said that the Florida League of Cities is trying very hard to restore civics education in the schools and among the populace. Having the children and their parents participate in a Council meeting could be very good. Councilman Ochsner agreed, but liked the idea of teaching the residents or children about civics with live meetings would be good to illustrate a leadership position.

Mayor Kenyon concluded that the empty seats are a vote of confidence.

8. **Call to Audience.** None.

9. **Adjournment**

Mayor Kenyon adjourned the meeting at 4:28 p.m.

/s

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Laura Aldrich, CMC, Town Clerk

*(Approved by the Town Council at the May 28, 2009 Meeting)*