

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

REGULAR TOWN COUNCIL MEETING
Thursday, June 26, 2008
3:30 p.m.

PRESENT: **Thomas W. Cadden, Mayor**
 E. William Kenyon, Vice Mayor
 William H. Ahrens, Councilman
 Frances F. Atchison, Councilmember
 David J. Becker, Councilman

STAFF PRESENT: **Robert J. Bradshaw, Town Manager**
 Laura Aldrich, Town Clerk
 Chester Clem, Town Attorney
 Richard Jefferson, Building Official
 William Schauman, Director of Public Safety

OTHERS PRESENT: **4 Residents, 3 Guests**

1. **Call to Order.** Mayor Cadden called the meeting to order at 3:30 p.m.
 - a. Pledge of Allegiance
 - b. Invocation – Vice Mayor Kenyon
 - c. Roll Call – Town Clerk

2. **Consent Agenda.**
 - a. Acceptance of May 12, 2008 Planning, Zoning and Variance Minutes
 - b. Acceptance of June 9, 2008 Planning, Zoning and Variance Minutes
 - c. Approval of May 29, 2008 Regular Town Council Meeting Minutes
 - d. Approval of June 17, 2008 Request for Payment of Carl Brobst’s Invoice #17 - FinalMayor Cadden asked if there were any questions or discussion on the consent agenda. Hearing none, Vice Mayor Kenyon made a motion, which was seconded by Councilman Becker, to approve the items on the consent agenda. The Council **voted unanimously to approve the consent agenda as presented.**

3. **Mayor’s Items.**
 - b. Piper Contribution
 Mr. Joe Baird, County Administrator, was enroute when Mayor Cadden began this discussion reminding those present that last October they had approved use of \$60,000 of the Town’s funds as part of the incentive package offered to Piper Aircraft if they decided to stay in Vero Beach. They had agreed that there was no annual commitment, but a pledge that had to be renewed each year by the Council. Mr. Clem confirmed that this would be the case. Councilman Becker asked if the County would ask each year for this, and the Mayor affirmed.

(Mr. Baird and Mr. Brown arrived later, and the following is discussion that ensued after 3 b)

Mr. Baird apologized for his tardiness, as traffic was unexpectedly slow. He said that some of the other municipalities had questions about how the MSTU and General Fund were divided. He had some examples how this worked out better for the municipalities, and provided a handout. Jason Brown, Budget Director for Indian River County, said that the illustration showed a home with \$300,000 value, with a funding split of \$105.32 if combined using Town and County funds (\$39.80 and \$65.52, respectively) versus \$195.95 from the County only. These are estimates based on previous tentative agreements from the cities. Mr. Bradshaw asked if this was based on the \$60,000 commitment, and he replied that it was the total package share based on population, or \$336,000 (\$45,000 per year for 8 years). Mayor Cadden asked when the contract would be paid, and Mr. Brown said in 3 years. Mayor Cadden said that they had approved the \$60,000 increment earlier. Mr. Baird said they will work with the Town in any fashion we desired as far as the payments were concerned. Mr. Bradshaw asked if the Council was comfortable with the \$60,000 for now, and asked Mr. Baird if he would invoice them for that amount and other amounts in future years. Mr. Baird agreed. Mayor Cadden said future town councils will have to approve those amounts, and all agreed. Mr. Baird said he thinks Sebastian will also contribute, even though now they have not committed to one dollar. The County is on the line regardless of the municipalities contributions.

Alan Goldie, resident of Indian River Shores, asked if what he read in the Press Journal was true, that most of the \$32 million pledged to Piper would be paid in case of hurricane damage. Mr. Baird replied that the State pledged \$20 million and County had pledged \$12 million, and Piper has to put a certain amount back into plant retooling. He did not think it was for hurricane damage, which he said was down to \$1 million. Most of the funds were for building expansion. Mr. Brown said that in order to receive the third payment from Indian River County and the State, Piper has to document that they have invested \$20 million in product development in Indian River County and document that at least \$21.3 million has been expended in tooling and equipment at the Indian River County facility. Mr. Goldie expressed concern that if a bad hurricane struck next year, they would come to us for more money. Property insurance was discussed briefly, with the determination that Piper is insured.

c. Urban Service Area “Stand Down” Agreement

Mr. Bradshaw asked the Council to consider adopting the Interlocal Agreement as presented in the Council packet, in which the Town waives the right to Chapter 164, disputing resolution, since the group feels strongly that the interlocal service boundary agreement resolution process will work if extended until October 31st. Last month the Council extended the process until October 31st, but it did not have the language in that agreement relating to F.S. Chapter 164. Fellsmere and Orchid are adopting this. If the ISBA does not work, the mediation would be done under Chapter 164. Councilman Becker and Mr. Bradshaw discussed mediation briefly. (Mr. Baird and Mr. Jason Brown arrived at 3:35 p.m.) Councilmember Atchison asked how Sebastian voted, and Mr. Bradshaw said they wanted to keep dispute resolution in the agreement. The County, Fellsmere and Orchid have already adopted this language, and Vero Beach and Sebastian have not. Councilman Becker asked if the dispute resolution applied on the way to the interlocal agreement, and then other solutions would be sought, and Mr. Bradshaw affirmed. Mayor Cadden said that this was an extension of time, not a change in process. Councilman Becker **moved to approve adoption of the Interlocal Urban Service Area Stand Down Agreement as presented**, and was supported by Councilmember Atchison. **The Council unanimously approved the motion.**

(At this point, discussion returned back to 3 a)

d. Interlocal Service Boundary Agreement (ISBA).

Mayor Cadden said that this was the first joint meeting of all elected officials from the municipalities and the County. He thought the initial agreement was good, although it is unfinished, with a lot of work to be done by various towns, as well as negotiations between the municipalities and the County. Vice Mayor Kenyon added that those who have participated in these meetings thus far are very dedicated in this task, which is not an easy one. Mr. Bradshaw asked if the Council was content with the reserve area for the Town of Indian River Shores, and the non-contiguous boundary for annexation. He recommended that it be left in the agreement for now, as most seemed comfortable with the Town's presentation. Nothing can be annexed in the future if it is not on the reserve-area map, and all future annexations would be up to the elected officials at that time, he concluded. Councilman Ahrens and Vice Mayor Kenyon agreed verbally while others nodded that it was best to leave the non-contiguous language in the agreement. A **motion** was made by Vice Mayor Kenyon and supported by Councilman Ahrens **to approve what was presented in the initial agreement and what is in the reserve area annexation map as it relates to Indian River Shores.** Mayor Cadden mentioned that Sea Oaks and Island Club had requested annexation in the past, and Councilman Ahrens said that annexing northward to the County line on the barrier island is realistic. **The motion passed unanimously.**

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

Mr. Jefferson said that there was nothing to report.

5. **Town Attorney**

Mr. Clem said that Resolution 08-04 was prepared by the Town Clerk to meet the bank's requirement, which restates the Town's investment policy because there was a change in a number referenced in the legislation. There was no change in the policy, as stated in the Title printed below:

Resolution 08-04

A RESOLUTION OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA
CONTINUING THE INVESTMENT POLICY AS IMPLEMENTED IN 1995.

Vice Mayor Kenyon made a **motion to approve Resolution 08-04 as presented to continue the Town's investment policy**, which was supported by Councilmember Atchison and **unanimously approved** by the Council.

6. **Town Manager**

a. Voting Delegate – Florida League of Cities Annual Conference

Mr. Bradshaw reminded everyone that the Mayor, as a member of the Board of Directors for the Florida League of Cities, he traditionally serves as the voting delegate for the Town as he will attend. Councilman Becker **motioned to appoint Mayor Cadden as the Town's voting delegate at the Florida League of Cities Annual Conference** in August, which was supported by Vice Mayor Kenyon. **The motion passed unanimously.**

b. Budget Workshop and Public Hearing Dates

Mr. Bradshaw said that the three dates recommended for the Budget Workshop and two Public Hearings are July 24, September 11, and September 25. The Council

discussed several options with the Town Manager and Town Clerk, who agreed to find a date that would be acceptable for the First Public Hearing. The regular Town Council dates of July 24 and September 25th were approved by the Council.

c. FY 06-07 Transfer of Designated Emergency Reserve Funding

Mr. Bradshaw said that this is the transfer of the \$250,000 from the General Fund Unreserved Account to the Emergency Reserve Fund. There was no discussion prior to a **motion** by Councilmember Atchison to **transfer \$250,000 from the General Fund Unreserved Account to the Emergency Reserve Fund**, seconded by Councilman Becker. It **passed unanimously**.

d. Resident Letter

Mr. Bradshaw said that after the workshop, the Council's consensus was for staff to begin the draft of a letter outlining the Council's position on Charter County government. Today, staff needs authorization to draft a letter based on formats as discussed, and to plan for the distribution of this letter. **A motion directing Town staff to draft a letter to the residents stating the Council's position of Charter County Government and to begin planning for its distribution** was made by Councilman Becker and supported by Councilmember Atchison. Vice Mayor Kenyon asked if the attorney would review the letter, and Mr. Bradshaw affirmed. The motion **passed unanimously**.

(At this point, the Mayor brought forward Item 8, and allowed Mr. Alan Goldie to speak)

Mr. Goldie was invited to address the Council regarding the Piper agreement. He said he had reviewed the copy that Mr. Baird had left earlier in the meeting, and did not see any mention of property insurance in the agreement. He encouraged the Council to ensure that they are insured, which Mayor Cadden said he personally would do and would let Mr. Goldie know their level of insurance.

7. **Call to Council – Committee Reports**

Metropolitan Planning Organization (MPO). Councilman Becker said that the MPO did not meet.

Parks and Recreation. One item on the agenda at this meeting of potential interest to the Town, Councilman Becker continued, was a lovely new hiking and cycling trail in Sebastian. The Town Clerk will get information from Beth Powell, Indian River County Parks Department, and hopefully maps that show how to access them from U.S. 1, 58th Avenue and I-95.

Beach and Shores Preservation. Councilman Ahrens said that the final 10 year restoration budget for beach and shores is \$56 million County-wide. Unfortunately, the largest portion, \$26 million, is due next year for completion of restoration to Sector 3 and Sector 7. The State has agreed to increase their amount to help the County, and the remainder is to be generated by the one-cent sales tax, leaving a projected shortfall of \$1.8 million. They are hoping there will be an increase in tourist taxation from the two new hotels, and a proposal to have a special taxing district is currently dormant. They also may cut back on the extent of restoration on Sector 3, which extends from Disney property to the northern part of John's Island. Sector 7 will start again in the fall.

Land Acquisition Advisory Committee (LAAC). Meeting was cancelled.

Sustainability. Meeting was cancelled.

Treasure Coast Regional League of Cities (TCRLC). Vice Mayor Kenyon said that the TCRLC did not meet since early May. At the last meeting, Jamie Titcomb, the Executive Director of the Palm Beach League of Cities, spoke about how to avoid difficulties they faced as a League. Also, at the last meeting, the Mayor was selected to be on the nominating committee. Mayor Cadden added that he will go off the Board of Directors in August and will nominate his replacement. The next meeting will be July 8th, Vice Mayor Kenyon concluded.

Treasure Coast Council of Local Governments (TCCLG). Mayor Cadden said there was nothing much to report, but the next meeting will include a barbeque.

8. **Call to Audience**

(One comment was received between items 6 and 7 above)

9. **Adjourn**. Mayor Cadden asked if there was any further business, and hearing none, adjourned the meeting at 4:21 p.m.

/s
Laura Aldrich, CMC, Town Clerk

(Approved by the Town Council at the July 24, 2008 Meeting)