

MAYOR
THOMAS F. SLATER

VICE MAYOR
ROBERT F. AUWAERTER

COUNCIL:
JESSE L. "SAM" CARROLL, JR.
BRIAN T. FOLEY
DEBORAH H. PENISTON



TOWN MANAGER
JOE GRIFFIN

TOWN CLERK
LAURA ALDRICH

TOWN ATTORNEY:
CHESTER CLEM

MINUTES
REGULAR TOWN COUNCIL MEETING
THURSDAY, JULY 23, 2020
IMMEDIATELY FOLLOWING BUDGET WORKSHOP, APPROXIMATELY 10:00 A.M.
TOWN OF INDIAN RIVER SHORES
6001 N. STATE ROAD A1A INDIAN RIVER SHORES, FL 32963

1. Call to Order

- a. Invocation
- b. Pledge of Allegiance
- c. Roll Call

The meeting was called to order at 10:08 by Vice Mayor Auwaerter, with the Invocation and the Pledge of Allegiance foregone as they were done at the Budget Workshop Meeting. The Town Clerk called the roll, with those present as follows: Mayor **Slater** (by Zoom), Vice Mayor **Auwaerter**, Councilman **Carroll**, Councilmember **Peniston** (by Zoom) and Councilman **Foley**. Also present were STAFF: Town Manager **Griffin**, Town Clerk **Aldrich**, Town Attorney **Clem**, Town Treasurer **Christmas**, HR/Finance Manager **Wiltzius**, Assistant to the Town Clerk **Pallo**, Public Safety Director **Rosell**, and Building Official **Martinez**. RESIDENTS present were Dylan **Reingold**, IRC Attorney (Peppertree); PZ&V Board Chair Patty **Gundy** (Pebble Bay), Paul **Spellman** (Ocean Pearl), Jerry **Weick** (Bermuda Bay), Mark and MaryLou **Margadonna** (Pebble Beach Villas), John **Rose** (River Club) and Kim **Anderson** (John's Island). GUESTS present were Buck **Vocelle**, Vocelle & Berg, LLP; and Rebecca **Grohall**, MBV Engineering.

2. Agenda Reordering, Deletions, or Emergency Additions 10:08 AM

3. Presentations/Proclamations

- a. City of Vero Beach Water Issue Presentation – Outside Counsel (Buck Vocelle) 10:09 AM

Mr. Vocelle stated that he has spoken with each Council member individually but wanted to give an update to refresh their recollection. On October 1, 2012, the Town entered into a franchise agreement with the City of Vero Beach that provided **reuse** water at the rate of \$0.67 per 1,000 gallons. In March of last year, the County published their new rates, which went down to \$0.21 per 1,000 gallons. The City was notified that the Town wanted the benefit of the new published County rates, and the City refused. With that, the Town gave the City a Notice of Default of the Franchise Agreement that led to a mandatory mediation under the franchise agreement, where the City agreed to keep it at the \$0.67 rate. They did a rate study in June of 2019 and claimed that their actual rate was \$1.24, and instead of raising our rate, they held it at \$0.67.

The City is currently undertaking a rate study of the **wastewater and potable water** that has not yet been completed. The Town is somewhat hamstrung because even though there was a voluntary mediation under the franchise agreement, Council cannot have a shade meeting because there is no actual litigation. Thus, Mr. Vocelle must either talk to Council individually or in a public forum. After he spoke to each Council member individually, he did some further research and he discussed that with Town Manager Griffin and Town Attorney Clem. He believes there is consensus between Mr. Griffin and Mr. Clem that, as of today, the wastewater portion of the utilities constitutes a small part when it comes to the Town in terms of usage. There does not appear to be an emergency currently.

Mr. Vocelle had conducted additional research that he wanted to review along with the possible outcomes with each Council member individually over the course of the next month, and then come back before Council in August or September with a more definitive recommendation at that time. He believes Mr. Clem is in agreement with that suggestion.

Vice Mayor Auwaerter said that certain communities within the Town could save a substantial amount of money if the City matched the County wastewater rate, which they are obligated to do under the franchise agreement, so he respectfully disagreed with that comment. He also questioned the accuracy of the rate study being provided by their consultant, GAI. Vice Mayor Auwaerter let the audience know he has been the Town's representative on the Vero Beach Utilities Commission for quite some time, currently serving as the Vice-Chairman and was the Chairman before that. As part of the agreement, the City of Vero Beach is required to give the Town a five-year forward Capital Improvement Plan (CIP) on an annual basis. They have failed to do so every single year. Earlier this month at the Vero Beach Utilities Commission budget meeting he asked Rob Bolton, Water Director for the City, about the CIP and received a nonsensical response to the effect that any money the City spends impacts Indian River Shores. Vice Mayor Auwaerter added that Rob Bolton was quoted in the paper as trying to get a grant to pull water out of the canals to create more reuse water, so if they were losing money on reuse water they certainly wouldn't be looking to do that.

Councilman Foley agreed with the Vice Mayor's remarks. He asked if Mr. Vocelle was saying that this is more of a timing issue, and Mr. Vocelle said we are not waiving anything by waiting a month or two. Mr. Vocelle then mentioned the possibility of the Town commissioning a study to determine whether they want to move to the County or continue receiving services from the City. The franchise agreement provides that the Town must give a four-year notice prior to the 15 year expiration date by approximately October 2023.

Mr. Vocelle said that Vice Mayor Auwaerter brought up an interesting point that he will discuss individually with each of the Council members regarding the rate study and if its accuracy can be questioned.

Mayor Slater said he was on Council when the franchise agreement was signed, and the Town *was* going to go with the County until the City of Vero Beach agreed to match the County's rates. The deal involved potable and non-potable water, and he thought they made a good deal. Unfortunately, people don't always act in good faith. He said it took twelve years and \$1.5 million in legal fees to get the electric situation figured out, but the value was about \$2.5 million per year that our constituents saved. In this case the numbers are smaller, but the principal is the same. They are taking money from the water system and putting it into their General Fund. This is another "taxation without representation." He agreed with the point that we are not giving anything up by trying to negotiate further with them.

Mr. Vocelle reminded them of a letter dated March 1st, 2019 from Rob Bolton to Mr. Griffin, which indicated that in the event the Town prevails, the difference between \$0.67 and \$0.21 will be refunded to the Town. However, given recent developments, he does need to talk to each Council member and not discuss litigation strategies in the Sunshine.

Councilmember Peniston asked if the City has responded to us at all, and Mr. Vocelle said they did participate in mediation, which resulted in keeping the same rates pending their rate study findings. Mr. Vocelle said that right now, the two options are filing a lawsuit or continuing the mediation. Councilmember Peniston asked if Mayor Slater was suggesting continuing the negotiations, and he said yes, but sometimes the wheels of justice grind very, very, very slowly and expensively. Because of this, he believes the Town is better off trying to negotiate further with the City, and then the lawsuit becomes a last resort. We filed a lawsuit regarding the electric issue, and it was a long and winding path with twelve years of mediation. Councilmember Peniston agreed with that recommendation.

Mr. Vocelle reiterated that he would like to come back next month after he has talked to each Council member, and at that point Council can make a decision as to how they want to handle it.

Tom Ether, a resident of The Shores, said there is a fundamental misconception that this issue has complete parallels with the electric utility issue, and the reason he says that is he is unsure what the City's cost is for its reclaimed water. He does know that at \$0.21 per 1,000 gallons the County is losing money. He does not recall exactly what the figure is, but he was part of the discussion and presentation when the consultant presented to the County to lower their rates and their explanation to the County was that they shouldn't be treating reclaimed water as something that is a commodity, it should be something that they get rid of, so the concept of pricing it at \$0.21 versus \$0.67 is something they were encouraged to do in order to get rid of the water. The notion that the City might somehow be making money at \$0.21 or even \$0.67 per 1,000 gallons may not in fact be correct.

Another issue, he continued, is that there are communities in our Town who do not have access to the City's reclaimed water, and have to pay the City's very high rate of \$9.75 per 1,000 gallons for irrigation water. There is clearly profit in that.

Vice Mayor Auwaerter said whether the City is making a profit or not is immaterial to the contract. There is a bigger issue in that it states pretty clearly that they are supposed to match the County rate and, like they did for a long time with the electric franchise agreement, they only interpreted it the way that worked for them. For him, it is a principle issue as well. He said that Mr. Ether may be right: cost allocation is an art, not a science, and Vice Mayor Auwaerter has argued with them because they take money out of the Water and Sewer Fund to pay for General Fund administrative charges. The City's raised the rates 71% since they got rid of the electric utility, so they play all sorts of games. Mr. Ether said he doesn't disagree with any of that, he just wanted to be sure that Council understood that, because he thinks there was some skepticism about the amount the City was saying it cost them to produce the reclaimed water. Knowing the County's cost, the City's claim might hold water.

b. Draft Comprehensive Plan Presentation (Rebecca Grohall, MVB Engineering) 10:28 AM

Town Manager Griffin explained that we entered into an agreement with MBV Engineering in June of 2019 to update our Town Comprehensive Plan. Rebecca Grohall of MBV has been working on that and has presented it to the Local Planning Agency (LPA) for review. Our Planning, Zoning & Variance Board (PZVB) sits as the LPA, and two workshop meetings were held regarding this. He thanked the LPA for their review and input, which is now ready to be presented to Council by Ms. Grohall, after which he asked Mr. Clem to go through the approval process to occur.

Rebecca Grohall said the Comprehensive Plan for the Town of Indian River Shores was first written in 1990. It reflected the State's desire to put into place what would become a set of development goals, objectives and policies for municipalities, with the hopes that those would go on and become embedded into the zoning codes as part of their land development regulations. The Comprehensive Plan was drafted to satisfy the State's brand new Growth Management Act mandate. Since that time there have been numerous amendments. The State Statutes have been revised literally hundreds of times, and in 2005 there were sweeping changes that removed a lot of the guidance for Comprehensive Plans from the Florida Administrative Code. The lengthy Data, Analysis & Information section is no longer required. The Town's demographics really haven't changed much, and the Future Land Use Map was also updated from its old version into full color. The Town's population has experienced fairly stable growth, and is starting to top-out as full build-out of the community is reached.

Many of the policies in the Comprehensive Plan were adopted into the Land Development Code, which was the goal of the Comprehensive Plan. Some of the policies have also become obsolete over time. A substantial shift has occurred at the State level regarding which agencies govern different regulatory actions, and in some cases it completely preempts local government regulations. The PZVB reviewed a draft of the document and has forwarded a favorable recommendation. In this case the Town Council reviews, and then schedules a Public Hearing at the August meeting. After that, the Comprehensive Plan will be transmitted to the Department of Economic Opportunity (DEO).

Mr. Clem said at the August meeting we will have the First Public Hearing, notice of which must be published in the newspaper at least 7 days prior to the meeting. If adopted at the August meeting, the Comprehensive Plan will be transmitted to the DEO for their input, and they will have 30 days to review. Once it is returned in September or October, we can have the Second Public Hearing and Second Reading of the Ordinance for final approval.

Councilman Foley said he read through several iterations of the Comprehensive Plan and wanted to thank the PZVB for their hard work. Vice Mayor Auwaerter agreed with Councilman Foley and said that he sat through one of the LPA workshop meetings, and that it is indeed hard work. Mayor Slater said this was a tremendous amount of work for everybody involved and extended congratulations for getting it done.

PZVB Chairwoman Patty Gundy mentioned that she is concerned regarding the dates that some of the maps were produced, adding they may want to try to revise them when the Town Council feels it is

appropriate. Mrs. Gundy mentioned that Ms. Grohall is still working on several outstanding issues from the PZVB perspective, which she imagines will be corrected by next month. Vice Mayor Auwaerter asked if there were any dealbreakers from her perspective that Council should know about, and Mrs. Gundy said no.

Town Manager Griffin said that Mrs. Gundy's comments have a direct relationship with something that is going to be talked about later with the Second Reading of the Floodplain Ordinance. The new floodplain maps are due to be released early next year; however, there has been an almost 10-year lag since the last floodplain maps were released in 2012. Ms. Grohall said there is also a 2017 version that has not been adopted. Prior to that there was a 1997 version and before that was the 1988 map, so there is a bit of a gap between each version. Mr. Griffin said the plan is to update the Comprehensive Plan again once those floodplain maps are released.

Vice Mayor Auwaerter noted the proposed 2017 maps have not yet been approved, and Ms. Grohall said that is due to numerous errors that were identified by different municipalities. The County also has lodged a very substantial objection to the 2017 maps with FEMA. At this point, it is back in FEMA's ball court. When they did these maps, they deviated from the methodology of other years and it caused a ripple effect for coastal communities. Brevard and St. Lucie counties also have not adopted the 2017 maps. There are some significant underlying issues in those maps and as such, the County is trying to negotiate with FEMA, who will most likely end up redrawing those maps. She believes we are probably about two years out from seeing maps promulgated and adopted by the communities. The Comprehensive Plan uses the maps for illustration, but the backbone of the policies remains the same, which is to limit development in the flood-prone areas.

4. **Consent Agenda** *10:41 AM*

- a. Acceptance of Finance Committee Meeting Minutes dated November 7, 2019
- b. Acceptance of Planning, Zoning & Variance Board Meeting Minutes dated June 9, 2020
- c. Approval of Regular Town Council Meeting Minutes dated June 25, 2020
- d. Approval of Using MACE Forfeiture Funds for Gym Equipment Purchase for the Public Safety Department
- e. PZV-Approved Variance of Garage Size at 926 Beachcomber Lane

Councilman Foley made **a motion to approve the Consent Agenda**, which was seconded by Councilman Carroll and **passed unanimously**.

5. **Town Attorney**

- a. Ordinance 548, Flood Plain Management, Final Reading *10:42 AM*

Mr. Clem read the ordinance by title, which is as follows:

AN ORDINANCE BY THE TOWN OF INDIAN RIVER SHORES, FLORIDA REPEALING AND REPLACING THE LAND DEVELOPMENT CODE TITLE XVI, CHAPTER 165 FLOODPLAIN MANAGEMENT AND DAMAGE PREVENTION; TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE AS NEW SECTION 150.011; TO REPEAL TITLE XV, CHAPTER 150, ARTICLE VIII FLOOD HAZARDS; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Foley made **a motion to pass Ordinance 548, Flood Plain Management, on second reading**, which was seconded by Councilman Carroll and **passed 5-0** following a roll call vote.

6. **Mayor or Council Items**

7. **Discussion with Possible or Probable Action**

- a. Set Maximum Millage Rate (Town Manager/Town Treasurer) *10:43 AM*

Vice Mayor Auwaerter said this item is a follow-up to the Budget Workshop Meeting and is to set the FY 20-21 proposed budget as well as the maximum millage rate, which can only be reduced and cannot increase. This requires two separate votes. Vice Mayor Auwaerter asked for a motion regarding the maximum millage rate based on their discussion at the Budget Workshop.

Mayor Slater made **a motion that the maximum millage rate be set at 1.4146**, which is in line with the recommendation of management, with the full knowledge that it can be reduced as we go forward. Vice

Mayor Auwaerter seconded that motion. Councilman Foley said he is in agreement, with the understanding that we could move it back. A roll call vote was taken and the motion **passed unanimously**.

b. Approval of Tentative Budget (Town Manager) *10:45 AM*

Councilman Foley made **a motion to approve the FY 20-21 tentative budget**, which was seconded by Mayor Slater and **passed** by roll-call vote **5-0**.

c. Set 1st Budget Public Hearing Date (Town Clerk) *10:46 AM*

Town Clerk Aldrich stated that according to TRIM regulations, we have a certain timeline in which to hold the First Budget Public Hearing, and this date will be printed on the TRIM statements that are mailed to each home. The Town Manager has recommended September 10th. These meetings are required to be held at 5:00 PM or later and are traditionally set at 5:01 PM. The dates during which this meeting could be held are September 3rd through 19th. The County has already chosen the 9th, so we cannot use that date. Councilman Foley made **a motion to set the date for the First Budget Public Hearing for September 10th at 5:01 PM**, which was seconded by Councilman Carroll and **passed unanimously**.

d. Retiree Life Insurance (Town Manager/Town Treasurer) *10:48 AM*

Town Manager Griffin stated they are requesting clarification from Council on this, and asked Town Treasurer Christmas to explain. She said that at the last meeting, Council approved an increase in life insurance for active employees to \$100,000. Upon retirement, the Town has previously offered employees the option to purchase the group term life insurance at \$15,000-\$50,000, depending on their status – Department Heads got \$20,000, the Town Manager \$50,000, and all other employees \$15,000.

The Town's insurance company is willing to offer \$100,000 to retired employees, but at a separate and un-banded rate. We are running into an issue with those employees who have subsidies. The Town cannot offer a subsidy to these employees under this plan because it is not being billed to the Town, but separately through the third party. Mrs. Christmas asked how Town Council wishes to go forward with this, as there are a number of employees who are currently eligible for retirement or are within one year of retirement. She has had many discussions regarding adjusting pensions while persons are already eligible for retirement, and is worried about potential litigation issues when changing promised benefits. Vice Mayor Auwaerter said this is not a pension. Mrs. Christmas agreed it is not, but it is still a benefit relating to retirement. Employees were promised certain amounts as subsidies, and those subsidies will be taken away. This only affects employees hired prior to February 20, 2014.

One option suggested by the Town's insurance agency is to allow those employees to continue with the \$15,000-\$50,000, which is what they have currently. This could be done for just those currently eligible to retire, just those employees with subsidies, all current employees, or all future employees.

Vice Mayor Auwaerter said the idea behind raising the life insurance for active employees was that they are younger and need more insurance due to children, spouses, etc. He clarified that Mrs. Christmas is saying they were inadvertently taking away the ability to purchase group insurance for the retired employees, and Mrs. Christmas said yes. Councilman Foley asked if the insurance was at a lower rate historically, which Mrs. Christmas confirmed. He stated that when they had the discussion regarding raising the life insurance, his intent was always that this was during the term of employment, and it was, as Vice Mayor Auwaerter said, to give a decent life insurance benefit to those who are traditionally younger. He is troubled with the Town now having to spend funds to fulfill what to him was an unanticipated cost and benefit when he thought they were trying to do something nice for the near-term.

Vice Mayor Auwaerter said he was a little confused about an employee purchasing more life insurance than the \$15,000 amount. Mrs. Christmas said they can purchase more, but at the un-banded rate, on their own plan. He asked what they are entitled to, and Mrs. Christmas answered the \$15,000-\$50,000, depending on position. Vice Mayor Auwaerter said his suggestion would be to keep it that way, and Councilman Foley agreed. Mrs. Christmas asked if they wanted to change it for future employees. Councilman Foley said he does not recall ever having portability of life insurance when his employment ended. Vice Mayor Auwaerter said he had portability, but not at the group rate.

Councilman Foley said he is happy to keep the increased life insurance benefit of \$100,000 during employment but to keep it the way it is after retirement. He asked if we have any contractual obligations regarding the life insurance. Mrs. Christmas stated she is concerned about the employees who are currently in the DROP program, as they are technically retired, or those who are within one year of retirement. Councilman Foley clarified that, had the life insurance for current employees not recently increased, those employees would have been eligible for the \$15,000-\$50,000, and Mrs. Christmas confirmed.

Councilmember Peniston agreed with leaving it the way it was for retired employees, as did Mayor Slater. Councilman Foley made **a motion to maintain the \$100,000 life insurance amount during the period of employment, but that upon retirement it be kept at the historical level of \$15,000-\$50,000 at the group rate**, which was seconded by Mayor Slater and **passed 5-0**.

e. Holiday & Council Meeting Schedule for 2021 (Town Clerk) *10:56 AM*

With no discussion, Councilman Foley made **a motion to approve the proposed Holiday & Council Meeting Schedule for 2021**, which was seconded by Councilman Carroll and **passed unanimously**.

f. CARES Act Funding (Town Manager) *10:57 AM*

Mr. Griffin stated this has to do with the Coronavirus aid relief. This is funded by a Federal act, with the money trickling down to the states and then to the counties. Here in Indian River County, the County Commission has, to their credit, decided to distribute money directly to the municipalities. In some of the larger counties that is not the case. County Attorney Dylan Reingold and County Administrator Jason Brown have done a really good job of making sure the municipalities get some of that money.

The money that is to be distributed to the municipalities must be for qualified expenses related to the Coronavirus. The Town's allocation is around \$157,000. Mr. Griffin does not believe that we will meet that threshold. If we have quantifiable and qualified expenses, we can apply for the funds and get reimbursed from the County. We are going through that process with the Public Safety Department, and we will need to submit that claim. There is an agreement that will have to be adhered to, and prior to today's meeting he had asked the County Attorney for a Word document so we can fill out that agreement, assuming that Council gives the Town Manager the authority to enter into that agreement. In effect, he is asking for **pre-authorization from the Council to enter into an agreement with the County regarding CARES Act reimbursement**. Councilman Carroll made **a motion to give the Town Manager such responsibility**, which was seconded by Councilman Foley and **passed 5-0**.

8. **Staff Updates:**

a. Building Department Report *11:00 AM*

Mr. Martinez said there was one noteworthy item on the graph chart that showed a new single-family dwelling permit, which may have been due to a software error in identifying the permit type. Mr. Griffin stated that the Building Department is investigating having the same software as the County, with Mr. Martinez going through that analysis right now. Hopefully the new software will prevent any such reporting errors in the future.

Vice Mayor Auwaerter asked if the County produced reports like ours and Mr. Martinez said he is sure they do, although he has not seen them. Vice Mayor Auwaerter said he has not seen the reports either, but he does get a lot of complaints regarding the County Building Department while on the campaign trail. Mr. Griffin stated they do have a more advanced system for permit applications and things like that, and that is what Mr. Martinez is looking into.

b. Town Treasurer Report *11:02 AM* (No comments)

c. Public Safety Department Report *11:02 AM*

Mr. Griffin noted that the Public Safety absenteeism rate is down considerably compared to recently.

d. Town Clerk Reports *11:02 AM*

Vice Mayor Auwaerter asked what has been put into the MuniCode system as opposed to the internal system. Town Clerk Aldrich stated that once all our ordinances are passed, they are organized into a searchable software platform, which everyone can access online and search by topic. A new feature is that people can look at ordinances that were passed but have not yet been codified.

e. Town Manager Report 11:04 AM

Mr. Griffin had discussed the capital improvement project at the cemetery at the last meeting, which was supposed to have started on June 1st. Our vendor paused all capital improvement projects for a time due to the virus. The cemetery survey was completed in the meantime, and now the capital improvement project should begin today or tomorrow with turf removal followed by sod and irrigation replacement, and then new turf. Time for completion is estimated to be at least one month.

One outstanding grant with DEP for the OWBR Improvement Project is being closed out by Rebecca Grohall of MBV Engineering and Mrs. Christmas, and should be done within the next couple of weeks.

Mr. Griffin had a meeting with the FDoT Project Manager and Citizen Outreach representative regarding the A1A Project. He asked the Council members to pass any complaints or concerns about this project they receive from residents along to him, as he has a liaison relationship with the Project Manager and Outreach representative, and they have requested to hear of the complaints/concerns from a single source.

The Public Safety Hardening Project grant application was submitted, and he is expecting something on that around late September.

Mayor Slater said they all received a note from resident Joanne Sardella regarding fireworks on the 4th of July being fired from an Airbnb rental near her home. He said she called the non-emergency line, and Mayor Slater asked Chief Rosell how that works. Chief stated that the call goes into County dispatch, who then informs the IRSPSD, who then follows up on the calls. As far as being told that there was nothing that could be done about the fireworks before 10 PM, that information did not come from IRSPSD, because they would have gone out on the call regardless of the time.

Councilman Foley asked Chief Rosell what the framework is; his understanding is that State statute says there are three days per year when fireworks are legal. Chief Rosell said fireworks laws are ambiguous and hard to enforce/successfully prosecute. Town Manager Griffin said there is one authorized location in Town for fireworks, and Councilman Foley is correct in that there is a new State Statute allowing for fireworks on 4th of July, New Year's Eve and New Year's Day. At John's Island Club, they conduct an authorized fireworks display on July 4th only, for which they obtain a permit and have a fire inspector prior to setting off the display. The Chief is correct about the law being murky, aside from the specific days. Mrs. Sardella originally contacted Mr. Griffin and he asked her to contact Council with her concerns. If Council wishes to take action against fireworks in Town, we can take it further.

Vice Mayor Auwaerter asked Chief Rosell if Mrs. Sardella should have called 911 instead of the non-emergency line, and he said absolutely not, although he does not know why the dispatcher who answered the non-emergency line told her that nothing could be done. Councilman Foley said he would venture a guess that it was probably due to the fact that there were about 100 people shooting off fireworks in the area that night. Vice Mayor Auwaerter said no one wants to be the "party pooper" but there are many documented incidences where larger fireworks such as M-80s get on a roof and burn a house down; that is the part that he concerns him. Councilman Foley said he is also concerned about the litter. Chief agreed, adding that it's very annoying that the individuals responsible didn't even pick up the trash afterwards.

9. **Council/Committee Reports or Non-Action Items**

(MPO, EDC, TCCLG, TCRPC, IRC PSC Citizen's Oversight Committee, CoVB Utilities Commission)

a. Committee & Informational Updates or Comments 11:13 AM

Beach & Shores Preservation Committee. Councilman Carroll stated he had signed up to attend the meeting via Zoom, but had an unexpected grandparent responsibility come up.

EDC. Councilman Carroll did attend the Economic Development Council meeting via Zoom, which primarily had to do with *community assistance as it relates to the CARES Act*. The Board of County Commissioners approved almost \$2 million in applications on July 14th as previously mentioned, with the stipulation that the funds must be expended by December 31st, 2020. The EDC approved allocations to the Small Business Development Center for \$250,000, the Career Source Research for \$150,000, the United Way of Indian River County for \$975,000, the Treasurer Coast Food Bank for \$400,000 and to the Senior Research Association in the amount of \$125,000. The second part of the meeting had to do with the annual *Economic Report Card*

for Indian River County. Some of the highlights included: in **2019**, the average *labor force* in Indian River County was 67,000 people, which is *up* from 62,000 in 2016. The average *unemployment rate* in the County in 2019 was 3.8%, which is *down* from 6.1% in 2016. The *average wage* in Indian River County is \$44,000. The *top 5 employers* in terms of volume in Indian River County are the *School District* with 2,121, *Cleveland Clinic* with 2,027, *Indian River County* with 1,521, *Publix* with 1,380 and *Piper Aircraft* with 1,102.

TCCLG. Councilman Foley said the Treasure Coast Council of Local Governments did not meet.

TCRPC. The Treasurer Coast Regional Planning Council did meet, and Councilman Foley reported that one item that stood out was the *impact of social distancing* necessary due to COVID-19 on *shelter capacity during hurricane season*. Those seeking shelter at the last minute might find the capacity to be very limited. He recommended that if one is inclined to leave when we have a hurricane warning, sooner rather than later would be best this season.

Vero Beach Utilities Commission Meeting was already discussed by Vice Mayor Auwaerter, and he added one more concern about that meeting. When they went over the budget, of the seven people on the Commission, he was the only one who had any questions regarding the budget.

Affordable Housing. Mayor Slater expressed appreciation that the John's Island Community Service League has been very involved with helping the Affordable Housing Advisory Committee in providing a grant for attorneys to help avoid evictions and homelessness during the COVID crisis.

10. **Call to Audience** *11:19 AM*

Resident **Jerry Weick** said that he was on Town Council when the whole process with the water franchise agreement was started. GAI signed on to be utility consultants for the Town, and then Mr. Weick read in the paper a month later that GAI was going to work for the City, so they were working both sides. GAI came up with the rate of \$1.95 per 1,000 gallons and were promptly released from Town service. This started the conversation of leaving the City for water services and going to the County. The City then reduced the rate to \$0.95 per 1,000 gallons, and would still have been making money, but the Town decided to go with the County. Jim O'Connor then came back with the rate of \$0.67 per 1,000 gallons and the agreement to match the County's rates. At that time, there was no discussion about pressurized or non-pressurized, it was just \$0.67 for reuse water – period. He noticed that the new survey GAI came up with discusses pressurized rates, non-pressurized rates, etc. You cannot listen to what a consultant says because they change their tune whenever they have to. Vice Mayor Auwaerter said he has also pulled the minutes from the meeting that Mr. Weick is referring to and Jim O'Connor never mentioned pressurized or non-pressurized rates.

Michael Marsh was present representing *Team Success IRC*, a local nonprofit group that works with at-risk youth. He attended this meeting so that he could publicly thank **Chief Rosell**. Team Success started a mentorship program with the Boys & Girls Club of Indian River County to bridge the gap between teens in the Community and Law Enforcement Officers. The members of the program had monthly visits to the PSD Complex, and **Vice Mayor Auwaerter** spoke with them before COVID-19 put an end to those visits. Now going through the Department of Justice, they are doing the same mentorship program but on a more individualized basis. The exposure is very positive for the teens and they look forward to seeing the officers and firefighters.

11. **Adjournment** *11:26 AM*

Respectfully submitted,

/s/

Laura Aldrich, MMC
Town Clerk

*Approved by the Town Council at the August 27, 2020
Regular Town Council Meeting.*