



INDIALANTIC

RECORD

JUNE, 1998



MESSAGE FROM ACTING MAYOR COCHRAN

The recent resignation of Todd Deratany as Mayor has resulted in a number of changes with regard to how the Town functions and will presumably continue to function until the November election as discussed below.

In the first instance, in accordance with the provisions of the Town Charter, due to Mr. Deratany's sudden departure from the Town Council, I have acted and will continue to act as Mayor until the next election. While this is not a position I sought to hold, I accept this responsibility and will faithfully and honorably discharge the duties I am now required to perform.

As many of you know the results of last November's election brought not only new people to the Council table but also differing philosophies as to how the Town should function. While I do believe that opposing views are healthy and necessary in the decision making process, at some point the legislative body needs to stop arguing and start acting in the best interest of the Town.

The founders of the Town recognized this point when they drafted the Charter. In it they required a five member Council which ensured that issues would not become deadlocked. Unfortunately Mr. Deratany's departure from the Council has left a four member Council which is split on most substantive issues which effect you and your property.

While crisis situations often tend to have people unite for the common good, this situation, in my view, has only served to widen the gap.

It was my hope that Council would have been able to appoint a fifth member quickly and thus get on with the business of the Town. As you will recall, we sent a notice to every homeowner seeking people to volunteer to serve on the Council until November. Eight eligible and qualified members of the community submitted their applications

and offered to serve. However, because the Council couldn't agree as to how to fill the vacancy, the seat remains vacant. It should be noted that over the past 28 years, the Town Council has had 7 people vacate their seats for a variety of reasons. In all cases during that time those seats were filled by appointment of the Council.

While some Councilmembers believe we should hold a special election to fill the seat, I do not because considering the time frame I believe it to be unnecessary, too costly and potentially harmful to the general election.

Specifically, it would have taken three months to hold the election which meant that the soonest an individual could be seated was September. Since the individual would only have served through November it didn't and doesn't make sense to me to spend thousands of dollars for an election only to have a person serve for two meetings; especially since we could have appointed someone and had them serve for six months. In addition, the qualifying period for the general election would have overlapped with the special election and in my view confused many voters as to who was running for which office . . . a totally unnecessary situation.

As most of you are aware, I have served on the Town Council for two terms and have served as Deputy Mayor on two occasions. I have seen quite a bit during my tenure, most good. I would be remiss however, if I did not take this opportunity to candidly tell you that I am concerned about the future of this community. I encourage all of you to find out what's going on in your Town and get involved to ensure it continues to be a viable community with exceptional services, low taxes and growing property values. If you have any questions about the Town please call me at 723-0406 or 722-3830.

TOWN MANAGER'S ANNUAL REPORT

What follows are excerpts from a presentation made by the Town Manager to the Indialantic Homeowners' Association on May 21, 1998.

Based on the results of our most recent audit our fund balance is in excess of \$835,000 up 200% from 3 1/2 years ago. This amount represents slightly less than 50% of the Town's annual operating budget . . a goal we established three years ago.

From 1991 to 1996 property values in the Town plummeted from a high of \$145,706,536 to a low of \$144,006,220. This trend was reversed last year when the taxable value of property in Town rose to \$146,999,260, a significant increase over where it was just 3 years ago.

Our operating budget this year is \$1,896,155 of which over 53% is for public safety services. Property taxes were reduced again for the second time in the past three years and we anticipate no increases will be necessary this coming year.

Our work force remains relatively stable although we had two key Department Heads retire this past year - Carolyn Hazelgrove and John Eddy. Though we miss them and the institutional memory that they possess, they both did an excellent job in grooming their subordinates and thus we were able to elevate Laura Eaton and Ron Cassedy to those key positions and I can tell you they are both performing magnificently.

In the area of public safety the Town is doing exceedingly well. The Police Department handled 3,502 calls for service this past year. Crime statistics remained relatively unchanged. Property crimes, larcenies, vehicle thefts and accidents were all down. Violent crimes and burglaries were up slightly. Specifically we had 2 more violent crimes and 4 more burglaries than the previous year. The most significant increase in crimes was vandalism where we had 47 incidents reported. Traffic tickets were up by 25%, arrests up by 13% of which DUI arrests increased by 31%.

Over the past year your Fire Department has been equally busy; responding to over 424 total calls for service. Of that number 26 were for fires and 326 were medical or rescue calls. A "Gee Whiz" fact you should all take pride in is that the average response time of both our Police and Fire Departments is two minutes.

Over the past year or so we have diligently worked at increasing our level of service without significantly increasing costs and I believe we have been very successful in so doing. In that regard we recently entered into an automatic aid agreement for fire protection with the town of Melbourne Beach sufficient that when an alarm goes off in either town, the other department will automatically respond. This has proven to be a major enhancement which essentially has doubled our coverage at all fires with no increase in cost. We are now working with the County fire department to develop a similar arrangement with them.

As many of you know, last year we obtained a defibrillator through a grant. Over the past twelve months our fire/rescue personnel have received training on that apparatus as well as the endotracheal intubation procedure. Since that time A.E.D. has been used eleven times on cardiac patients. The first time it was used it brought a man back from flat line thereby saving his life.

In the next year or so we will need to replace one of our fire engines due to its age and ever increasing cost to maintain. It is quickly approaching the point of being beyond

economical repair. Anticipating such an event we began three years ago putting money into a capital improvement fund which by October 1 should have \$80,000 accrued. That plus a trade-in on the old pumper leaves a shortfall of roughly \$125,000 . . . a lot of money to take out of our fund balance at one time and far more than our annual general fund budget can absorb. While lease purchase would be my preferred method to obtaining the new pumper our Charter precludes borrowing funds and thus the dilemma. While we search for creative ways to solve it, I plan to see if the Council is receptive to putting the issue on the ballot to allow lease purchase for a portion of the cost in this instance.

Over the past year we have received two other public safety grants for cameras in police vehicles. These improvements have proven to be invaluable to not only the police but to the public as well.

Another enhancement you will soon see is the weather station equipment now maintained in the Fire Department which was donated to the Town in memory of Helen Geiger. This equipment will be very helpful to us during hazardous weather conditions.

Thanks to Ron Campbell, Bill Frazier and Troy Morris, the Town now has its own home page on the Internet. Residents can review agendas, minutes, codes and the like from their home computers. If you haven't checked it out, please do so. It's excellent (www.indialantic.com).

In the months ahead we will install a new right-turn lane at Riverside and Fifth Avenue for traffic heading east on Fifth turning south on Riverside. In addition we will extend the left turn lane at Fifth and A-1-A by 150 feet. A JPA with FDOT is being finalized by their General Council now . . . work should be able to proceed in the next few months. We have received our formal notice to proceed from FDOT regarding planting and irrigating the median. Because of the modification of the median necessitated by extending the left turn lane at A-1-A we have not yet begun but expect to proceed with that project soon.

In sum it has been a productive year for the Town and many good things were accomplished because we truly have outstanding people working in all of our departments.

COUNCIL COMMENTS

FROM COUNCILWOMAN FRAZIER

- Following the same procedure as previous Councils in the past 24 years, resumes were requested to fill the vacant seat created by the resignation of Todd Deratany. Resumes were submitted by seven qualified individuals including four past Councilmembers, a past judge, a lawyer, and successful business owners. Using this proven method, the vacant seat would have been filled for a six month period. However, the two new Councilmembers voted for a special election that would have cost taxpayer money and fill the seat for a period of only three months. Therefore, the Council will remain at four members instead of a full Council until November. Please read a very well thought out interpretation of the Charter on the Web page under my heading provided by Mr. Ron Campbell, a community volunteer.
- A native plant listing will be provided both on the Web page and at Town Hall in the near future for assistance to homeowners who would like to know more about what to plant in their yards to attract birds and other wildlife. Perhaps in the future we can feature native yards on the Web page and provide workshops with native plant organizations or wholesalers.
- Last spring the Parks/Recreation/Beautification Committee held a series of workshops designed to determine what the community would like in their parks. Though the turnout was disappointing, the Committee came up with improvements that were budgeted by the former Council. Unfortunately, without discussion, the new Council has decided that funding will not be provided for improvements to the parks.
- Documents show that from 1991 to 1996, property values were down approximately \$700,000. Starting in 1996, when the Town made a commitment to economic revitalization and beautification of our business district, property values rose by \$2 million. In 1997, property values rose by roughly an additional \$7 million. We still have vacant businesses on Fifth Avenue and only through Master Planning can we preserve the character of our Town. However, the new Councilmembers have determined that this is not necessary and have disbanded the citizen committee organized to move this plan forward. They have also voted to return a \$10,000 grant to the State that was earmarked for promotion and marketing for the downtown businesses.
- A master plan has been commissioned by Belomo Herbert and Associates, Inc. for the causeway and riverside parks improvements. We will hold a workshop (to be announced) when the plans are presented to the Town. I encourage everyone who uses the causeway and riverside parks to attend this workshop in order to provide valuable insight into the recommended improvements.
- Finally, I would like to thank all those individuals who have phoned or e-mailed

me with their concerns and valuable recommendations.

FROM COUNCILMAN BOB HARTMAN

As you know, since Mayor Deratany's resignation April 17 our town has been operating with a four-person council including an acting mayor. It is only logical that any decision about filling the vacancy should not be made by just three individuals. Instead, the decision should rightly be up to you, the voters of the Town. If the Council had acted together immediately to call a special election, we could have had an elected Mayor by July and once again be operating at full strength. The cost of such an election would be much less than what last year's council agreed to spend, for instance, on an out-of-county planner to look into causeway landscape changes. Instead, two members of the Council stated they wished to appoint and would not consider any other possibility. A four-person council is not unheard of in Florida municipalities. Until the next election, in our town such a council can at least do no harm; such harm as allowing high rises or other major changes desired only by a vocal minority and special interests. Moreover, as we have seen in the Council votes during the numerous meetings we have had since April 17, on the issues that keep the town running the Council votes together enough to keep things on track. Potholes get filled, services get provided, and the townspeople are served. As so many of you told me when I walked and talked with you last fall during the election, you believe our citizens should be able to expect the Council to protect them from interests that might wish to negatively change our town, not itself be an agent of such change. I continue to promise you that I will work for you. You can contact me at 953-3974.

FROM COUNCILMAN RONDINONE

Dear Indialantic Residents:

The following information was distributed to the Town Council at the special meeting of May 18, 1998. Since this information has been taken directly out of our Town Charter, I wish to make this available for all residents to read, so they may form their own opinion.

The Mayor seat is the seat that was vacated on April 18th, and it is the only seat that we have the obligation to fill at his time.

If the Council had started the special election process at the April meeting, as we should have done, and are mandated to do by the Charter, the citizens of Indialantic could have utilized their American Constitutional right to vote, and could have had an elected Mayor seated in June.

To: Town Council

From: Hon. Bob Rondinone, Councilman

Only voters can **elect** a Council Member. In case of a vacancy, there is a mandate for Council to "fill" a vacancy. This mandate means Council may schedule a special election so the voters may elect a new Council Member. Otherwise, Council has no authority to elect a Council person to "fill" a vacancy. Council may "fill" the vacancy through a special election.

- Charter Sec. 2.01 expressly vests all power of the Town in the **elected** Council, except as otherwise provided. Excluded from the express powers of Sec. 2.01 is the right to elect, select, appoint, or choose, a Council Member.
- Charter Sec. 2.02(1) expressly requires Council Members be **elected by the voters**.
- Charter Sec. 2.06 and parallel Code Sec. 2-109, with Charter Sec. 2.02(5) order Council "fill" a vacancy, where the unexpired term is 90 days or more.
- The power to elect, or otherwise choose or appoint a Council Member, is not available to the **elected** Council to "fill" the vacancy, as it is an express power reserved to the voters.
- This order to "fill" the vacancy must be completed using all powers of the Town vested in the **elected** Council. (See Charter 2.01). These powers include, among others, the power to hold a special election.

ORDINANCE UPDATE

Ord. 98-5 - establishing a Sunset Review Committee for the repeal or amendment of outdated ordinances. Members are still needed to form this committee.

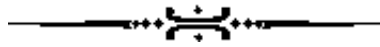
Ord. 98-6 - adopting the Standard Building Code, 1997 edition.

POLICE BEAT

As of this writing, a construction project is underway at the Police Department which,

when completed, will prove to be of a tremendous benefit to the department and more importantly to the public. The project involves the relocation of the communications center from its current position on the northwest corner of the building to the main hallway connecting Town Hall with the Police Department. This will give 24 hour access to the Police Department via the main hallway and will eliminate the need to walk around the east side of the building.

Residents will be invited to tour the changes when completed. As a reminder the Police Department invites residents to come to the Police Department for tours of the facilities, a chance to meet the members of your Police Department and to learn about the services the department offers such as Neighborhood Crime Watch programs, Project Identification, seminars on making your home safer, gun safety, etc. Please feel free to call my Administrative Assistant, Jan Acker, at 723-7788 if you have any questions on these services.



LIFEGUARDS BACK ON DUTY

Brevard County will again provide lifeguard service for our beaches between Nance Park and Eighth Ave. Summer coverage begins June 15 and continues through August 7 with guards on duty from 10:00 am to 5:00 pm each day. Week-end coverage will continue through September 7. There will be two staffed towers and two roving patrols.

County supervisors caution swimmers to be wary of ocean tides. Dangerous undertows can occur in our area where there are drastic drop-offs 10 - 20 feet off shore. Please remember to:

- Swim near a lifeguard
- Don't swim alone
- Don't drink and swim
- Ask your lifeguard about current conditions

Kathy's Korner

In order to better accommodate their customers, Harris Sanitation has provided the following service standards for the removal of yard trash. Please remember:

- Yard trash consists of living debris only - grass, trees, shrubs, not wood, dirt, rocks or other garbage
 - Yard trash must be cut less than four feet and weigh less than 50 pounds
 - It should be stacked with all pieces facing the same direction
 - It must be placed at your curb - not on vacant lots or city right-of-ways. Your residential billing covers pickup only from the lot on which your house is built
 - Loose yard trash (leaves, grass, pine needles, etc.) must be in a reusable container - not plastic bags
 - Do not place yard trash under low branches or wires, near meters, sprinklers, telephone poles, mailboxes, etc.
 - If a contractor cuts down your trees without removing them, an additional fee will be charged
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REMINDER

from **Ron Cassedy, Director of Public Works**

I have received numerous complaints from our residents about animals defecating along the beach at Wavecrest Avenue. This activity is a violation of our Town Code which prohibits any animal from defecating or urinating upon the sidewalk or any public or private property except the property or premises of the owner of such animal.

The violation carries a \$5.00 fine and citations will be issued to the animal owners.



Thank you for your cooperation in controlling your pets.

FIRE FACTS - from Chief Tom Barker



A **HEALTH ALERT for HEAT** has been issued by the Florida Department of Health. This is to advise Florida residents and visitors about possible health problems due to extreme heat and humid conditions currently covering most of the state and expected to recur throughout the summer months. The elderly, young children and those with existing health problems are most prone to the damaging effects of oppressive heat. When the weather is hot and humid, it becomes difficult for the body to release heat that builds up, resulting in rising body temperature, which can cause heat cramps, exhaustion and even heat stroke. State health officials recommend the following precautions:

- Minimize exposure to heat especially during the sun's peak hours (10 am - 4 pm)
- Drink plenty of water or fruit juice. Avoid alcohol & caffeine.
- Stay in well ventilated areas - preferably air-conditioning.
- Wear lightweight & loose fitting clothing and use sunscreen.
- Never leave a child or pet unattended in a car.

ELECTION '98

Indian River will have three openings on the Town Council in November - Mayor and two Councilmembers. The two year terms for Council Seat 2, currently held by Robert Cochran, Jr., and for Council Seat 4, currently held by Lisa Frazier, will expire.

Council members must have resided within the Town for one year and be a qualified elector. Candidates may qualify by presenting a petition signed by 10 Town electors to the Town Clerk and by paying the qualifying fee of \$28.00.

Qualifying dates are August 20, 1998 through September 3, 1998. Election packets will be available at Town Hall.

Election day is Tuesday, November 3, 1998.

Please vote !

JOHNNY MANGROVE SEED PEPPER BUSTER PROGRAM

Since 1992, The Marine Resources Council of East Florida (MRC) has worked with volunteers, schools and organizations to remove Brazilian pepper trees from nearly six miles of shoreline along the Indian River Lagoon. This award winning program improves the wildlife and scenic values of the shoreline and native vegetation is restored naturally or planted by volunteers. The new natural habitat means more fish, birds and beautiful parks and open spaces.

In the major freeze events of the 1980's, mangrove forests bordering the Indian River Lagoon were destroyed. These trees, associated with ecosystems vital for wildlife and fisheries habitat and which serve as nesting areas for migratory birds, were stressed and killed by the low temperatures.

Natural regrowth of the mangroves has been retarded by the invasion of the Brazilian pepper, particularly on the shorelines. The pepper trees outcompete and replace mangroves and crowd out other native vegetation.

The MRC has worked with volunteers, schools and organizations. Site captains are trained to identify and properly remove Brazilian pepper trees. Schools are also in charge of collecting mangrove seeds and planting mangrove saplings in cleared areas.

For more information, contact the Marine Resources Council at 504-4500.



Acting Mayor Cochran talks with the Indialantic Elementary School 4th grade class of Ms. Libby Helseth which marched to Sunset Park and planted two red mangrove trees in celebration of Earth Day, April 22

Indialantic at Your Fingertips

The Town of Indialantic Internet Website (www.indialantic.com) offers the public a wealth of information. It now has more than 1200 pages posted and includes the upcoming agendas and all past minutes of each Town Council, Board and Committee meeting. Also included is the complete Code of Ordinances, with the ability to download a copy to any Personal Computer. All recently approved Ordinances and Resolutions are also posted.

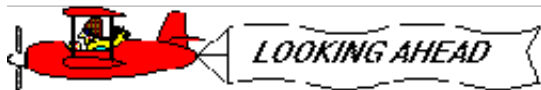


General information is provided in the Town History and Town Services pages. The Local Information page includes telephone numbers for Town Hall, its departments, area support services and public utilities as well as our State and Federal representatives. The Police page provides a full list of services, hurricane/emergency information, links to other police agencies and a National Missing Children's Bulletin.

Members of the Town Council each have a web page to report to their constituents (Town Council Forum) as does the Town Manager (Town Manager's Report). There is an email link to each member of the Town Council as well as the Town Hall and the Town Police. Links are also provided to Brevard County agencies, other cities, the airport, State and Federal representatives and agencies, and to many other areas.

A new "Search" feature has been added to allow an individual to search the entire website for a "keyword or phrase" and find all document references to that subject. A "Search Help" page is included to facilitate comprehensive searches. To add to the search capability of the Indialantic Website, there is a "Search" link to the Florida Statutes.

The website is designed as a quickly available and current reference source for town documents and information. New documents are usually posted within 24 hours of being published. Look for changes and new information regularly.



Town Hall will be closed Friday, July 3, in observance of **Independence Day**.

Indialantic will host a **Craft Festival** July 18-19 in Nance Park. For more information please contact American Craft Endeavors at 813-962-0388.

The new Brevard County Evacuation/Shelter Map, **Hurricane Preparedness Guide**, Hazardous Materials Incident and Launch Accident Preparedness Information are now at your fingertips in the new 1998-99 BellSouth Telephone Book.

This information can be found on Customer Guide pages 25, 26 and 27. It provides a "Ready Guide" of vital information needed to make informed, timely and proper decisions to protect lives and minimize property damage should the County be threatened by hurricanes, tropical storms or other natural or man-made disasters.

Have something valuable to contribute to your Town? Think Town Hall could you use your input? The following **Boards & Committees** have upcoming **openings**:

June - Budget & Finance
Code Enforcement

July - Board of Adjustment
Code Enforcement

Applications are available at Town Hall.

UPCOMING MEETINGS

JUNE

23 5:30 PM Zoning and Planning

JULY

14 10:00 AM Parks/Recreation Workshop

21 7:00 PM Town Council

28 5:30 PM Zoning and Planning

AUGUST

18 7:00 PM Town Council

24 5:30 PM Zoning and Planning

The Volunteer Fire Department meets every Tuesday at 7:00 PM at the Fire Department, 216 Fourth Ave.

Each summer, Florida beaches host the largest gathering of nesting sea turtles in the United States. Emerging hatchlings leave their sand nests and scramble to the ocean - a journey too often disrupted by their attraction to artificial lighting.

To protect the hatchlings, please remember that the Town Code states that no artificial lighting illuminate any area of the beaches after 11:00 PM from May 1 through October 31. It is also unlawful to remove or harass sea turtles or their eggs or to disturb turtle nests.

For additional information regarding sea turtles or sea turtle walks, please contact the Sea Turtle Preservation Society at 676-1701.