

OFFICIAL MINUTES
REGULAR TOWN COUNCIL MEETING
THURSDAY, MAY 22, 2025 – 9:00 AM
TOWN OF INDIAN RIVER SHORES
6001 HIGHWAY A1A INDIAN RIVER SHORES, FL 32963

The regular meeting of the Indian River Town Council was held on Thursday, May 22, 2025, in Council Chambers, 6001 Highway A1A, Indian River Shores. Those present were Brian Foley, Mayor; Bob Auwaerter, Vice Mayor; Sam Carroll, Councilmember; James Altieri, Councilmember and William Dane, Councilmember. Also present were James Harpring, Town Manager; Heather Christmas, Deputy Town Manager/Town Treasurer; Peter Sweeney, Town Attorney and Janice C. Rutan, Town Clerk.

1. Call to Order

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

Mayor Foley called the meeting to order at 9:00 a.m. Councilmember Carroll offered the Invocation. Mayor Foley led the Pledge of Allegiance. The Town Clerk called the roll. All Town Council members were present.

2. Agenda Reordering, Deletions, or Emergency Additions

There being no additions, deletions or substitutions, a motion was made by Councilmember Carroll, seconded by Councilmember Altieri, and unanimously passed (5-0) to approve the agenda as presented.

3. Presentations/Proclamations

- a. Municipal Clerk's Week

Mayor Foley announced the consideration of a Proclamation to recognize the role of the Town Clerk in Municipal Government. He expressed his appreciation for the profession, likening the role of non-coms to the Army to the role of Town Clerks to a Town. Vice Mayor Auwaerter agreed. Individually, each Councilmember expressed their appreciation to Town Clerk Rutan for her service and professionalism as Town Clerk for the Town of Indian River Shores.

4. Comments From the Public Regarding Agenda Items(s)

None.

5. Consent Agenda

- a. Approval of Regular Town Council Meeting Minutes dated April 24, 2025
- b. Approval of FDOT Lighting Maintenance Agreement
- c. Resolution 25-06 Public Safety Fees
- d. Resolution 25-07 Budget Amendment
- e. Approval of Medical Director Agreement

A motion to approve the Consent Agenda as presented was made by Councilmember Carroll. Vice Mayor Auwaerter seconded the motion. The Town Clerk called the roll. All members present voted in the affirmative. The motion passed unanimously (5-0).

6. Mayor's Report

Mayor Foley wanted to assure the public that the recent "32963" article regarding the results of the Town's "Vulnerability Study" was misleading and offered only the worst-case scenarios in the event a Class 3 Hurricane hit the barrier island. He reminded all that the Town of Indian River Shores was located on a barrier island and during a storm event, there would be flooding and storm surges, however, the Town of Indian River Shores was not, and would not be sinking into the ocean as portrayed by the article.

He reminded all that although the slow season has begun, and there was less traffic on the roads, residents needed to remain aware and careful while driving.

Mayor Foley extended his praise and appreciation to Chief Stone and the Public Safety Department for keeping the citizenry of Indian River Shores safe through their assistance with the recent fatal accident, as well as the department's help in solving the recent murder for hire.

In closing, Mayor Foley commented that road patrols were working well in maintaining speed limits along A1A.

7. Councilmember Items

Vice Mayor Bob Auwaerter updated the Town Council on the recent appointment of Martha Morales, FDOT Pedestrian and Bicycle coordinator for District 4. He would be reaching out to her to follow up on his efforts to install a crosswalk on A1A in front of the CVS. He and former Deputy Chief Mark Shaw had begun this effort, which had stalled. He had met with Brian Freeman who will assist in the analysis to support the crosswalk.

Vice Mayor Auwaerter provided the Town Council with an article detailing a cybersecurity attack in a Michigan Township with the cyber bandits stealing thirty million dollars in municipal bonds. Vice Mayor Auwaerter brought this up to the City of Vero Beach considering their bonding plans for the water reclamation facility.

Vice Mayor Auwaerter next referred to the City of Vero Beach's May 27, 2025, agenda item that would address the Water Reclamation Facility's Guarantee Maximum Price Award. He would be presenting a memo to Rob Bolton, Director of Utilities, with several questions hoping they could be addressed at the meeting. He commented that the project originally had an estimated cost of \$52,000,000 and had swelled to \$177,000,000 and now has been reduced due to grant funding to \$126,000,000. Vice Mayor Auwaerter wants to be sure that the included contingency of \$11,400,000 cannot continue to increase.

Discussion followed.

Councilmember Altieri confirmed that the Utilities Commission would not be meeting prior to the City Commission addressing this issue. In addition to the contingency, Councilmember Altieri also expressed his concern about the 5.5% escalator had been reduced to zero.

8. Discussion with Possible or Probable Action

- a. Ordinance No. 579 Mandatory Structural Inspections for Condominium and Cooperative Buildings (First Reading)

Attorney Sweeney read the title. It was explained that Ordinance 579 was coming before Town Council for first reading although not yet signed into law by the Governor. Should the Governor sign the law, it will become effective July 1, 2025. The second reading is scheduled for June 26, 2025. If the Governor does not sign the legislation, the Town Council will forego second reading. If adopted on second reading,

the Council can appeal the Ordinance through Resolution.

Mayor Foley commented that the requirements of the proposed legislation resulted in an unfunded mandate for the Town and other municipalities.

Building Official Fred Held confirmed that this legislation will affect only two of the forty-six condominiums within the Town due to the age of the buildings.

Councilmember Carroll then made a motion to approve Ordinance No. 579 on first reading. The motion was seconded by Vice Mayor Auwaerter. The Town Clerk called the roll. All members present voted in the affirmative with the motion passing unanimously (5-0).

9. Staff Updates

a. Building Official Report & Statistics

Other than what was included in his report, the Town Council had no additional questions for Building Official Held.

b. Code Enforcement Report

Code Enforcement Officer Maikranz reported on the Turtle Nesting Lighting Survey. Four properties were found to be in violation, two of which were repeat offenders.

c. Public Works Department Report

Town Manager Harpring reported that the Department had been busy finalizing Hurricane Preparedness activities. In answer to a question raised, Vice Mayor Auwaerter reported that the work on A1A was being completed by a contractor working for FDOT. The contractor was to have placed rumble strips along the shoulder. Unfortunately, the strips had encroached into the bicycle lane causing a hazard. The Contractor was back to correct the issue.

d. Town Treasurer Report

Heather Christmas, Deputy Town Manager/Town Treasurer addressed the Town Council. She reported that they have gone live with the new ambulance billing system. She was finalizing the FY 2025/2026 budget which she would present to the Finance Committee at their meeting scheduled for June 5, 2025, at 9:00 a.m.

e. Public Safety Department Report & Statistics

Chief Stone reported the department was in the process of an ISO evaluation that is completed every 10 years and is required to establish insurance rates for the Town. The department also recently completed a citation audit with no discrepancies found. Chief Stone also reported on the new ambulance billing. He updated the Town Council on the ongoing construction of the Public Safety Building and the Public Works facilities.

Vice Mayor Auwaerter thanked all for the individual department reports and commented that the Town of Indian River Shores was so far ahead of the curve regarding D.O.G.E reporting requirements. He offered kudos to management.

10. Town Attorney Report

Attorney Sweeney narrated a power point presentation on the recent legislative session. Mayor Foley confirmed that the legislation concerning Sovereign Immunity had failed but cautioned Council to keep an eye out for it to resurface during next year's legislative session.

11. Town Manager Report

Manager Harpring expressed his appreciation to the Town Clerk in recognition of the Municipal Clerk's week.

11. Council/Committee Reports or Non-Action Items

a. Call for Committee Reports, Informational Updates or Comments

Councilmember Dane reported on the Treasure Coast League of Cities he and the Town Clerk had attended the previous Day. The guest speaker addressed the issues facing Lake Okeechobee. The next meeting would be a joint meeting of the League of Cities and the Council of Local Government and would be sponsored by the City of Okeechobee, also known as the annual bar b q on July 16, 2025.

Councilmember Altieri reported that the City of Vero Beach Utilities Committee did not meet in May.

Mayor Foley next reported on the Treasure Coast Council of Local Governments meeting he attended on May 7, 2025. He announced that May was Mental Health Awareness Month. Mayor Foley expressed his concern over the proposed "Live Local" legislation that would preempt local governments from enacting their own planning and zoning laws as well as suspend "zoning in progress."

Mayor Foley announced the passing of Gordie Peer, also known as the Okeechobee Cowboy at the age of ninety-four.

The Farm Bureau made a presentation about a 200-billion-dollar industry in Florida. He also noted that the State of Florida is one of the top five cattle producing states.

Mayor Foley next reported on pending legislation that would limit tourism in Florida and suggested reaching out to Commissioner Moss to determine what the County will do to stop tourism from being driven away.

Vice Mayor Auwaerter reported that although the Beaches and Shores committee had projected the sand renourishment program for Sector 4 would cost 6.6 million dollars, it came in costing one million less than the projected cost of 6.6 million.

Councilmember Carroll reported on the Economic Development Council meeting he had attended. They reported on various businesses planning to relocate to Indian River County however, the name and type of business had not been divulged. There had been a round table discussion on ways to improve the meeting format, and all members present were happy with the status quo.

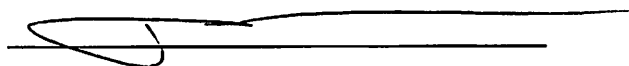
12. Call to Audience

None.

13. Adjournment

With no further business to come before the Town Council, the meeting adjourned at 9:58 a.m.

Approved: June 26, 2025



Janice C. Rutan, Town Clerk

