

Regular Town Council Meeting
Thursday, January 22, 2026 – 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, February 27, 2026, in Council Chambers, 6001 Highway A1A, Indian River Shores. Those present were Brian Foley, Mayor; Bob Auwaerter, Vice Mayor; Sam Carroll, Councilmember and Peter Tedesco, 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. Mayor Foley called the meeting to order at 9:00 a.m. The Invocation and Pledge of Allegiance took place at the meeting immediately preceding the Regular Town Council meeting.
 - b. Roll Call
The Town Clerk called the roll. All Town Council members were present except Councilmember Altieri.

2. Agenda Reordering, Deletions, or Emergency Additions

It was requested that the agenda be amended to consider changing the date of the scheduled June 25, 2026, Regular Town Council meeting. A motion was made by Vice Mayor Auwaerter, seconded by Councilmember Carroll and unanimously passed (4-0) to approve the agenda as amended by adding the request under Councilmember Items.

3. Presentations/Proclamations

- a. Sector 4 and Sector 5 Update – Quintin Bergman, Coastal Resource Manager, Indian River County
Quintin Bergman narrated a power point presentation giving an update on the Sectors 4 and 5 beach renourishment programs. It was explained that the program, which began in 1988, was implemented due to the importance of Florida beaches for recreation, economy, and environmental impact.

Mr. Bergman further described the methods of monitoring beach erosion, both on land, above and below the berm, and underwater. Mr. Bergman added that beach renourishment was not a solution for erosion but is used as management tool.

Discussion followed specific to erosion caused by storms other than hurricanes which can cause as much erosion as hurricanes. The cycles of erosion as well as the seasonal shifting of sand were explained in detail. The Town Council expressed their appreciation to Mr. Bergman for his thorough report.

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

None

5. Consent Agenda

- a. Approval of Minutes of Town Council Meeting dated November 20, 2025
- b. Approval of Minutes of Town Council Meeting dated December 12, 2025
- c. Approval of MissionSquare Plan Amendment

- d. Approval of October 1, 2025 OPEB Report
- e. Review of Construction East of CCCL – Sunrise Terrace
- f. Review of Construction East of CCCL – Ocean Road
- g. Approval of Retiree Payment

A motion was made by Councilmember Carroll, seconded by Councilmember Tedesco and unanimously passed (4-0) to approve the Consent Agenda as presented.

6. Mayor's Report

Mayor Foley reported on a recent article that appeared in "The Capitalist" on proposed tax reform, and equitable tax reform. Although three additional bills have been introduced, there does seem to be a scale back.

Mayor Foley announced that on Christmas Eve, he had the pleasure of swearing in Ed Forst, the President's appointment as Administrator of the General Services Administration.

Both Mayor Foley and Vice Mayor Auwaerter noted it most likely pending legislation for tax reform would be addressed in a special legislative session.

7. Councilmember Items

Vice Mayor Auwaerter requested Council consideration of rescheduling the June 25, 2026 regular Town Council meeting. A motion was made by Vice Mayor Auwaerter, seconded by Councilmember Carroll, and unanimously approved to set June 22, 2025 as the date for the June 2026 Regular Town Council meeting.

Vice Mayor Auwaerter expressed his pride in the Town's funding of the pension funds and the OPEB, which are all more than 100% funded.

Vice Mayor Auwaerter announced that the Florida League of Cities were supporting two bills that had a direct influence on the Town. The first being the transfer of enterprise funds into the general fund, and the second being the right to charge customers a higher rate for services if the property is located outside the municipal boundaries of a municipal utility.

It was agreed the Town would express its opposition to the proposed legislation.

8. Discussion with Possible or Probable Action

- a. Review of Variance Request - John's Island Parking Garage Building Height Quasi-Judicial Hearing
- b. Review of Variance – John's Island Parking Garage Setback Quasi-Judicial Hearing

Attorney Sweeney explained that the matter before Council would be conducted as a quasi-judicial hearing and combining the hearings was permissible. All individuals wishing to speak were required to be sworn in, and all Councilmembers were required to disclose ex parte communications.

A motion was then made by Councilmember Carroll, seconded by Vice Mayor Auwaerter to combine the

two variance requests for presentation purposes.

The Town Clerk issued the Oath to all those wishing to testify.

Ex parte communications were announced:

Mayor Foley: Visited the site with the Town Manager. He spoke with the employee on site regarding visual impacts and requested drawings showing height impact.

Councilmember Tedesco: None.

Vice Mayor Auwaerter: Visited the site and met with Rex Wilson from John's Island to review visual impacts.

Councilmember Carroll: Councilmember Carroll had a brief conversation with Mr. Colclough of John's Island.

Mayor Foley opened the Public Hearing.

Blane Burgstrasser with KMA Engineering, representing the applicant, presented renderings and site plans showing elevations, visual measurements from A1A and placement of the proposed building. The applicant clarified they were requesting a 1.5 foot height variance and zero-foot front and rear setbacks. No objections had been received.

Mayor Foley confirmed the requested height variance allowing the building to reach 31.5 feet.

Mayor Foley noted that although the Planning, Zoning and Variance Board (PZ&V Board) had voted 2 to 1 against the request, the Town Council received additional information not available to the Board. He expressed support for granting the variance.

Councilmember Carroll noted he has been a member of John's Island Golf Club for 30 years and appreciates the need for the parking garage. He would vote in favor of both variance requests.

Vice Mayor Auwaerter noted he would also vote in favor of both variances.

Councilmember Tedesco was concerned that if the variances were granted, they may be setting a precedent, however, he was advised that each request for a variance is reviewed on a case-by-case basis.

Mayor Foley opened the floor for Public Comment.

Joanne Sardella, Pebble Bay: Expressed concern the project was too big.

With no further Public Comment, Mayor Foley closed the hearing.

Councilmember Carroll then made a motion to grant a 1.5-foot variance to allow for 31.5 floor building height and three stories to construct a parking garage. The motion was seconded by Vice Mayor

Auwaerter. The Town Clerk called the roll. All in attendance voted in the affirmative. With the motion passing 4-0.

Councilmember Carroll then made a motion to grant the variance to allow for a zero-foot front and rear setback to construct a parking garage. 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 4-0,

Mayor Foley recognized Planning. Zoning and Variance Board member Terri Bowman in the audience and expressed appreciation to her for her service on the Board.

9. Staff Updates

a. Building Official Report & Statistics

Building Official Fred Held discussed an inquiry of Vice Mayor Auwaerter's concerning the other permits category of the Building Department Report by explaining that other permits included all non-alteration permits such as generators, stucco repairs.

b. Code Enforcement Report

Officer Maikrantz was present to answer questions on the Code Enforcement Report. Councilmember Carroll expressed his appreciation to Officer Maikrantz for his timely and detailed response regarding the clearing of a lot on Beachcomber Lane.

c. Public Works Department Report

Town Manager Harpring provided an update. Max Witzius was present to answer questions.

d. Town Treasurer Report

Heather Christmas, Deputy Town Manager/Town Treasurer, noted she would present the audited Financial Statements at the March meeting.

e. Public Safety Department Report & Statistics

Assistant Chief Ryer addressed the Town Council noting full traffic enforcement efforts during the busy season. Councilmember Carroll expressed his appreciation for the increased enforcement at the south gate to John's Island.

10. Town Attorney

No report.

11. Town Manager Report

No report.

12. Council/Committee Reports or Non-Action Items

a. Call for Committee Reports, Informational Updates or Comments

Mayor Foley expressed his appreciation to Vice Mayor Auwaerter for attending the Treasure Coast Council of Local Government's meeting on his behalf.

He asked when appointments would be made to fill the unexpired terms of Council Member Dane's regional committee assignments.

Vice Mayor Auwaerter reported on the Treasure Coast League of Cities meeting, noting there was full discussion of a data center in Port St. Lucie.

Councilmember Carrol reported on the Economic Development Council meeting he attended, noting that the consultant's group presentation would be beneficial to the County.

13. Call to Audience

Julie Garnett, U. S. Small Business Administration representative presented information regarding available relief for the storm incident on October 26, 2025. The deadline for applications is March 6, 2026. Ms. Garnett provided fact sheets and information flyers for homeowners with property damage.

14. Adjournment

With no further business to come before the Town Council, the meeting adjourned at 10:23 a.m.

Approved: February 17, 2026


Janice C. Rutan, Town Clerk

