

OFFICIAL MINUTES
REGULAR TOWN COUNCIL MEETING
THURSDAY, FEBRUARY 22, 2024 – 9:00 AM
TOWN OF INDIAN RIVER SHORES
6001 HIGHWAY A1A INDIAN RIVER SHORES, FL 32963

The regular monthly meeting of the Indian River Shores Town Council was held on Thursday, February 22, 2024, in Council Chambers, 6001 Highway A1A, Indian River Shores. Councilmembers present were Brian Foley, Mayor; Sam Carroll, Vice Mayor; Bob Auwaerter, Councilmember; Mary Alice Smith, Councilmember and James Altieri, 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 immediately following the close of the General Employee Defined Benefit Pension Board meeting at 9:01 a.m. The invocation and pledge had occurred at the earlier meeting. The Town Clerk called the roll. All Councilmembers were present.

2. **Agenda Reordering, Deletions, or Emergency Additions**

There being no reordering, deletions or emergency additions, a motion was made by Vice Mayor Carroll, seconded by Robert Auwaerter, and unanimously passed (5-0) to approve the agenda as presented.

3. **Presentations/Proclamations**

- a. Older Americans Nutrition Program Proclamation

Mayor Foley gave a brief background on the Meals on Wheels program and the excellent work of the Senior Resource Association. He read the Proclamation into the record. Vice Mayor Carroll praised the Association and referred to testimony of his close friends who volunteer for the Association.

Emily Snow, representing Senior Resources, addressed the Town Council and introduced her colleagues Damaris Dugo and Liz Bruner. The Association's Meal on Wheels program serves as a lifeline to area seniors delivering over 106,000 meals to seniors in Indian River County. She noted there were many seniors still on the waiting list. Ms. Snow then extended an invitation to the Town Council to join them on either the 5th, 6th or 7th of March while they deliver meals to the seniors.

- b. Sector.4 Update – Town Manager Harpring

Town Manager Harpring presented an update on the Town's beaches located in Sector 4 through a comprehensive power point presentation. The council expressed their appreciation to the Town Manager for the detailed presentation. Councilmember Smith reminded all that despite the expectation of sand renourishment, a one- or two-day wind event could result in severe erosion. Mayor Foley thanked Mr. Harpring and noted the Town's residents should be thankful for the diligent pursuit to obtain a critically eroded beach designation for Sector 4. Mayor Foley next explained that the Town cannot just "dump" sand, as it must be approved sand. Dredging was not an option.

Councilmember Auwaerter commented that both he and Councilmember Smith being from the northeast, were used to beach renourishment through dredging, however, because of the environmentally sensitive area, it cannot be done. Vice Mayor Carroll had also reiterated that dredging was not permitted because of the offshore reefs.

Mayor Foley commented that the Town would continue monitoring and documenting.

Comments From the Public Regarding Agenda Items(s)

None.

4. Consent Agenda

- a. Approval of Regular Town Council Meeting Minutes dated January 25, 2024
- b. Approval 690 Ocean Road Construction
- c. Authorization to Dispose of Asset – MSA Firefighting Air Packs
- d. Authorization to Dispose of Asset – 2020 Polaris
- e. Approval of Purchase of eDRAULIC Extraction Equipment
- f. Approval of Boat Motor Change Order
- g. Approval of Resolution No. 24-04 FY 2023-2024 1st Budget Amendment

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

5. Mayor's Report

Mayor Foley reported on his meeting with the Director of the Children's Services Advisory Committee. He added that although the Town represents approximately 3% of the county population, it generates approximately 18% of the County's ad valorem taxes. He noted the historic systematic flaws in the system, specifically the lack of accountability of the recipients of the funds. The selection criteria included the needs assessment of the applicants, however, if there is no follow up, then there is no trail of how the money is being spent. Mayor Foley stressed the need for more accountability to be sure that the people in need are being helped. Discussion followed. Councilmember Auwaerter suggested the Children's Services Advisory Committee follow other organizations and schedule unannounced visits to the recipients committee meetings. Councilmember Auwaerter reminded all that because the Town of Indian River Shores, and the Town of Orchid did not support the special taxing district for the Children's Services Advisory Committee, the County did increase their funding. It was hoped that by making the County Commissioners more responsible for funding, it would result in greater oversight of the Committee, such as an annual audit.

6. Councilmember Items

- a. Request to Reschedule May Town Council Meeting

After a brief discussion, it was agreed to request the Town Clerk coordinate a date certain for the May meeting.

7. Discussion with Possible or Probable Action

None.

8. Staff Updates

- a. Building Official Report & Statistics

Town Manager Harpring reported that the Building Official and Staff were attending a joint training session with Indian River County. Discussion followed about the current year's increase in revenue over expenditures. Deputy Town Manager/Town Treasurer Heather Christmas explained the formula to the Town Council and noted that she was not recommending amendments to the fee schedule at this time.

b. Town Treasurer Report

Deputy Town Manager/Town Treasurer Christmas noted she would be presenting financial statements at the next meeting. Discussion followed and she would be watching the results of the legislative session for possible unfunded mandates.

c. Public Safety Department Report & Statistics

Town Manager Harpring reported that Chief Stone and Staff were in St. Augustine attending an accreditation ceremony to acknowledge their recent achievement of Excelsior status for Florida Law Enforcement Accreditation. In response to the comment about the increase in traffic along A1A, Councilmember Smith requested the traffic light at the Beach Market be monitored for timing.

d. Public Works Department Report

Town Manager Harpring offered the report. He complimented the work being done by the Public Works.

e. Code Enforcement Report

Sergeant Jacob Maikranz addressed the Town Council. He gave an update on the pending dune crossovers, reporting that all but one of the five unsafe crossovers have come into compliance.

9. Town Attorney Report

Attorney Sweeney reported on the final days of the legislative session. He explained that any bill requiring a committee meeting would need to be finalized by the 5th of March. The proposed bill increasing the limits on sovereign immunity still has to go before two committees. The "Brackett" bill, re: water utilities was on hold, adding that the companion bill could still get traction. The Town had worked extremely hard to persuade members of the legislature to approve the passage of HB777.

10. Town Manager Report

Town Manager Harpring reported on proposed amendments to the Land Development Code – Phase 2. The open house was planned for March 12, 2024. He was planning on first reading to be scheduled for April with the final hearing scheduled for May.

He next reported on the status of the Solid Waste and Recycling RFP noting that bids were received and opened. Five entities provided a response, Republic, FCC Environmental Services, Waste Management, Waste Pro and Coastal Waste. The Deputy Town Manager, Heather Christmas, will serve on the review committee and the Town Manager will have a role in negotiating the contract.

Mayor Foley expressed his appreciation to the Town Manager for the changes being proposed to the Land Development Code. He noted the changes match the character and aesthetics of the Town.

12. Council/Committee Reports or Non-Action Items

a. Call for Committee Reports, Informational Updates or Comments

Councilmember Smith reported on the Beach and Shore Committee that would be meeting the following week. They were still waiting for the determination from the Army Corp as to what type of archeological study would need to be completed.

Mayor Foley deferred to his earlier report.

Vice Mayor Carrol reported on his attendance at the Economic Council meeting. A recently formed company in Sebastian has begun to manufacture modular units for affordable multi-family housing. It was

an excellent presentation describing the planning principles for city buildings. The company has invested four million dollars and will hire over 5,500 employees. Vice Mayor Carroll was quite impressed by the economic impact analysis done by the Indian River County Chamber of Commerce.

He had been invited by Tom Lenihan of the Treasure Coast Regional Planning Council to a one-on-one meeting so he could be brought up to speed on matters coming before the Council.

Councilmember Auwaerter reported on the Metropolitan Planning Organization meeting in which all projects for the upcoming year were reviewed in detail. He explained the first phase of the proposed project on Route 510 along A1A, east of the 7-11 and east of the Florida East Coast Railway tracks, originally called for an overpass. That plan was scrapped as it was cost prohibitive. It is now designed to be two lanes in each direction with a seven-foot buffered bike lane with a shared use path. At 66th Avenue, west of Wabasso, a roundabout is planned. It was estimated the project will take 5-6 years for completion.


11. Call to Audience:

None.

12. Adjournment

With no further business to come before the Town Council, the meeting adjourned at 10:18 a.m. Mayor Foley announced the Town Council would reconvene at 10:28 a.m. to open the Special Call meeting re: Cybersecurity.

Approved: March 28, 2023



Janice C. Rutan, Town Clerk

