



OFFICIAL MINUTES

REGULAR TOWN COUNCIL MEETING

THURSDAY, APRIL 25, 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, April 25, 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

Vice Mayor Carroll offered the Invocation. Mayor Foley led the Pledge of Allegiance. The Town Clerk called the roll. All Councilmembers were present.

2. Agenda Reordering, Deletions, or Emergency Additions

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

3. Presentations/Proclamations

- a. Proclamation for National Safe Boating Week

Mayor Foley welcomed the Coast Guard Auxiliary members who were in attendance. Mark Cannon introduced Tommy Augustsson, Mike Dipple, Monique Dipple, Kiko Picornell and Don Osiniak to the Town Council. Mr. Cannon then gave a brief overview of the duties and responsibilities of the Coast Guard Auxiliary. Explaining that they mostly assist the Coast Guard and Fish and Wildlife in the environment, aid to navigation, search, and recreation. They also provide free vessel inspections and encourage all boaters to wear life jackets, register their vessels and have registered radios with distress alerts so that all boaters can be made aware of any distress calls. Cell phones were not enough. Their first boating safety classes will begin May 18, 2024. Mayor Foley read the Proclamation into the record and presented those present with a copy of the Proclamation.

- b. Proclamation for Florida Association of City Clerks' Month

Mayor Foley read the Proclamation into the record. He expressed his support and appreciation for the profession of Municipal Clerk. He highlighted the importance of the role as well as some of the responsibilities and achievements of the Clerk and thanked Town Clerk Rutan for her dedication and commitment to the position.

- c. Proclamation Designating Indian River Shores a Moonshot Community

Barbara Hammond, CEO; Marie O'Brien, Burton Tremaine and Deborah Peniston were present representing the Learning Alliance. They explained the importance of their mission. It was stressed that parents were a child's first teacher. Through the Learning Alliance program, they moved from

31st place to fifth place in rankings for third grade students reading at grade level. Mayor Foley, a strong supporter of the Learning Alliance was very honored to learn how the process works. Mayor Foley then highlighted specific areas of the Proclamation noting the importance of early education and literacy. He then presented the Proclamation to those present.

d. Auditor Presentation of the September 30, 2023, Financial Statements

Christine E. Noll-Rhan from Carr, Riggs and Ingram, the Town's auditing firm, presented the audited financial statements for the year ending September 30, 2023. She reported that there were no findings. Ms. Noll-Rhan explained there were new GASB standards introduced during the year which required all technology-based agreements to be treated like leases. Because of this, a prior year adjustment needed to be made. Revenues increased by \$80,000 due to increased property values and interest income. Ms. Noll-Rhan noted Police and Fire had a small liability, but again she emphasized there were no findings and complimented Deputy Town Manager/Town Treasurer Christmas on her financial abilities.

Councilmember Auwaerter commented on the GASB standard.

Mayor Foley was joined by the Council in expressing their appreciation to Ms. Christmas and the auditors for their due diligence.

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

None.

5. Consent Agenda

- a. Approval of Regular Town Council Meeting Minutes dated March 28, 2024
- b. Approval of September 30, 2023, Audited Financial Statements
- c. Approval of RFP 23-05 Public Safety Building Upgrades Contractor Selection
- d. Approval of ITB 24-02 Public Bathroom Emergency Repair Contractor Selection
- e. Approval of ITB 24-03 Pebble Bay Outfall Remediation Contractor Selection
- f. Approval of Resolution 24-06 Budget Amendment
- g. Approval of Resolution 24-07 Capitalization Threshold
- h. Approval of Asset Transfer
- i. Approval of PSD Bunker Gear Purchase

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

6. Mayor's Report

Mayor Foley announced that he had received many compliments from residents for the exceptional customer service they receive from the Police/Fire Department, Building Department, and the Administration offices. He expressed his appreciation to the staff.

Mayor Foley reminded all that they would need to reapply for an absentee ballot for the upcoming primary and general elections.

He would defer to the Town Manager on other items for consideration.

Summer dress code would begin in May.

7. Councilmember Items

None.

8. Discussion with Possible or Probable Action

a. Ordinance No. 571 - Land Development Code Amendments Phase Two (First Reading)
Attorney Sweeney read the title. A motion was made by Councilmember Auwaerter and seconded by Vice Mayor Carroll to approve Ordinance No. 571 on first reading. The Town Clerk called the roll. All members voted in the affirmative with the motion passing unanimously (5-0).

b. Ordinance No. 569 - Purchasing Policy Amendment (First Reading)
Attorney Sweeney read the title. A motion was made by Councilmember Auwaerter and seconded by Councilmember Smith to approve Ordinance No. 571 on first reading. The Town Clerk called the roll. All members voted in the affirmative with the motion passing unanimously (5-0).

c. Remaining 2024 Town Council Meeting Dates and Scheduling of TRIM Hearing Dates
After a brief discussion and confirmation of Councilmember availability, a motion was made by Vice Mayor Carroll and seconded by Councilmember Auwaerter and unanimously passed (5-0) to schedule the September meetings as follows:

- The First Budget Hearing was scheduled for September 10, 2024, at 5:01 p.m.
- The Regular Town Council meeting for September was scheduled for September 24, 2024, at 3:30 p.m.
- The Final Budget Hearing was scheduled for September 24, 2024, at 5:01 p.m.

9. Staff Updates

a. Building Official Report & Statistics
Building Official Fred Held noted information in his report and there were no questions.

b. Town Treasurer Report
Deputy Town Manager/Town Treasurer Christmas explained the proposed improvements to the breakroom. She reported she would be making an initial budget presentation to the Finance Committee on May 21, 2024. She next reported that at the April 23, 2024, meeting of the Police Fire Pension Board, Board member Jerry Solin had resigned effective immediately. It was explained that the Board was made up of five members, two members appointed by Council, one member representing the Police Department and one member representing the Fire department. Mr. Solin served as the fifth member of the Board and his replacement would require an approval vote from the remaining members. The Pension Board will meet again in July. Discussion followed and the Council expressed the importance of this appointment, explaining that this Board was responsible for investing the assets of a government entity (pension funds). The appointee must understand the investment market. Town Attorney Sweeney opined that there would be no conflict if any member of the Town Council solicited applications or solicited the sitting members of the Board. The Town Clerk would advertise the position and would accept the applications.

c. Public Safety Department Report & Statistics
Public Safety Director Tad Stone reported the department is close to being fully staffed after hiring several high-quality employees. He reported sick leave for the department was also down. Staff was undergoing shooting range qualifications. The Department had been involved with the Special Olympics Torch Run. Rescue training at the County's burn building had been completed. Chief Stone next reported on the recent designation of a Community Liaison Officer within the Department. The Officer would be making a presence in the community reaching out to HOAs, identifying those in need and working closely with the Alzheimer's Parkinson's association. The council was glad to see the program taking flight and would look forward to hearing more about the progress within the community.

The Department had received a grant for Narcan allowing every officer to carry Narcan. There had been two issues of Narcan deployment in the last month.

The Department had attended the Board of County Commissioner's meeting the prior week to recognize lifeguards who assisted with saving a patient at Tracking Station Beach. The Town rescue had arrived, placed the patient on life support and successfully delivered the patient to the hospital. In response to Councilmember Auwaerter, Deputy Chief Mark Shaw reported he was still working with the FDOT Chief Engineer to secure a pedestrian crosswalk near the 7-11 on A1A.

d. **Public Works Department Report**

Public Works Director Larry Bryant reported completion of the sidewalk survey, marking the hazard areas, along A1A. He was working directly with FDOT to coordinate the repairs. Punchline items at the Pebble Bay Drainage Project have been completed. Director Bryant reported he was working on a debris management plan for the upcoming hurricane season.

e. **Code Enforcement Report**

Sgt. Maikranz noted information in his report and there were no questions.

f. **Town Clerk Report**

Town Clerk Rutan announced the qualifying period for those persons wishing to run for Town Council would open at noon on April 26, 2024, and would run through noon on July 26, 2024.

She repeated the earlier announcement made by the Mayor regarding absentee ballots adding that the ballots for the August primary would be mailed after July 11, 2024, and ballots for the November general election would be mailed after September 26, 2024.

Town Clerk Rutan then announced she would be hosting the Indian River County Clerks and Supervisor of Elections on May 7, 2024, at the Community Center.

10. Town Attorney Report

Town Attorney Sweeney discussed the recent Florida Legislative Session. Discussion ensued concerning the over three hundred bills that had been approved by both houses. Only one-third have been submitted to the Governor for signature. Once submitted, the Governor has 15 days to sign, withhold or veto. Mayor Foley clarified that any bill not submitted to the Governor for signature sits in limbo.

11. Town Manager Report

Town Manager Harpring reported on the anchorage limitation areas and the costs to the municipalities for the installation of the infrastructure. The Interlocal Agreement between the parties was being reviewed. He announced the Town was moving forward with the domain name change from .com to .gov. The Amendment to the Comprehensive Plan, in accordance with HB 1379 would be on the May 13, 2024, agenda for first reading. He noted it must be adopted by July 1, 2024.

Town Manager Harpring explained that although the Town had an onsite meeting scheduled for CRS, it was cancelled because the FEMA vendor contract had expired. At this point, the Town was waiting to hear back from FEMA.

He next reported on the Special Call meeting held for the upcoming Solid Waste and Recycling contract. There were four options including carted or non-carted, universal or subscription. Currently 70% are subscription in the County. There will be a follow up meeting. He complimented the County Staff for their work on this project. Councilmember Smith reminded all that they would be going from twice a week pick up to once a week pick up, adding that getting only half the service they are currently receiving should cost less. Councilmember Auwaerter commented on the changes in the industry standards. Town Manager Harpring reminded all that their property tax bill already included recycling costs as a landfill fee. The Mayor noted that universal billing would be the preference by consensus of the Council.

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. They had received the final permits for beach restorations. She reported on the Sebastian Inlet Management District. Councilmember Smith

emphasized how the tourism taxes help fund beach renourishment projects. She presented each Councilmember with an informational pamphlet on coastal erosion. There was mention of a recent article in the Press Journal on reef balls.

Mayor Foley reported on his attendance at the Treasure Coast Council/Local Governments. Emergency Management from Martin County was the speaker announcing a very active hurricane season. An interesting presentation was made on storm surge. Given the Town being a barrier island, he noted the importance of the Town to communicate to run from the sea surge.

Vice Mayor Carroll reported on the April 19, 2024, meeting of the Treasure Coast Regional Planning Council that included a very thorough review of comprehensive plan strategy. There will be an upcoming Affordable Housing Symposium, noting affordable housing was on the top of the list for many of the advisory committees.

Vice Mayor Carroll next reported on his attendance at the Indian River County Economic Development Committee. It had a very good discussion about the Urban Service Area. Chris Balter offered an interesting presentation on affordable housing as well as density and inclusionary zoning. He noted that the primary deterrent was the cost of the land as well as construction workers. Higher priced projects and higher profit margins overwhelmed the system. In response to Councilmember Auwaerter, Vice Mayor Carroll did confirm that height restrictions were being lifted to allow for greater density for affordable housing.

Councilmember Auwaerter reported on his attendance at the Utility Commission meeting. He had placed an item on the agenda regarding Cybersecurity and brought in pamphlets and publications for review. He was asking the committee to recommend the City Council have a cybersecurity meeting, especially since the City Utilities had been victim of Iranian hackers. Although the City Attorney tried to block the motion, it prevailed. Councilmember Auwaerter expressed his concern over the lackadaisical attitude of the City about cybersecurity. It was suggested that the Town negotiate with the City as the Franchise Agreement between the Town and the City requires a functioning Utilities Committee.

12. Call to Audience

Deborah Schoenberger introduced herself to the Town Council as a candidate for the Hospital District. She gave her background as an RN for over 23 years as well as explaining the role of the Hospital District.

Terry Bowman of Pebble Bay addressed the Town Council. She commended the Public Works Department for their work on the outfall project and the Public Safety Department for their enforcement of unleashed dogs. She expressed her appreciation to the Town Council for their efforts in trying to secure a pedestrian walkway across A1A, expressing her concern over the dangers in trying to cross A1A due to the recent developments and traffic. She is also very thankful for the anchorage limitation areas and hopes that the signage will not obstruct her views.

The council expressed their appreciation to Ms. Bowman for her comments.

13. Adjournment

With no further business to come before the Town Council, the meeting adjourned at 10:41 a.m.

Approved: June 27, 2024


Janice C. Rutan, Town Clerk



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