



AGENDA
REGULAR TOWN COUNCIL MEETING
MONDAY, JUNE 26, 2023, 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 Monday, June 26, 2023, in Council Chambers, 6001 Highway A1A, Indian River Shores. The Councilmembers present were Brian Foley, Mayor; Sam Carroll, Vice Mayor; Bob Auwaerter, Councilmember; and James Altieri, Councilmember. Also present were James Harpring, Town Manager; Deputy Town Manager/Town Treasurer, Heather Christmas, 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. Vice Mayor Carroll offered the invocation. Mayor Foley led the Pledge of Allegiance. The Town Clerk called the roll. All Councilmembers were present except Councilmember Smith.

2. Agenda Reordering, Deletions, or Emergency Additions

There being no additions, deletions or corrections, a motion was made by Vice Mayor Carroll, seconded by Councilmember Altieri, and unanimously passed (4-0) to approve the agenda as presented.

3. Presentations/Proclamations

None.

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

None.

5. Consent Agenda

- a. Approval of Regular Town Council Meeting Minutes dated May 25, 2023
- b. PZ&V Recommended Approval of Setback Variance – 173 Silver Moss Drive
- c. PZ&V Recommended Approval of Removal of Tree of Special Concern – 280 Sea Oak Drive
- d. Approval of Contractor for Public Safety Department Boat Lift
- e. Approval of Public Safety Department Boat Motor Purchase
- f. Approval of 23-24 Employee Health, Dental & Life Insurance
- g. Approval of Contractor Selection for Coastal and Marine Engineering Services RFQ 23-03
- h. Approval of Contractor Selection for Engineering Services RFQ 23-04
- i. Approval of Cemetery Paving Project
- j. Approval of Consulting Services Agreement for Policy Review
- k. Resolution No 23-05 Travel Policy
- l. Resolution No 23-06 Credit Card Policy
- m. Resolution No 23-07 Leave Policy
- n. Resolution No 23-08 Budget Amendment

Vice Mayor Carroll made a motion to approve the Consent Agenda as presented. The motion was seconded by Councilmember Auwaerter. The Town Clerk called the roll. The motion passed unanimously with all those present voting in the affirmative.

6. Mayor's Report

Mayor Foley reported that although things have slowed for the season, Council and Staff continue to be busy working behind the scenes. He announced the permanent appointment of Tad Stone as Director of the Public Safety Department. Mr. Stone has met all the criteria required for the permanent appointment. It was decided that a search would be duplicative, especially when the Town had an excellent candidate already serving in the interim position. Mayor Foley welcomed Chief Stone.

7. Councilmember Items

Councilmember Auwaerter reported he and his wife had visited the west coast of Florida and he had driven through Sanibel Island and Fort Meyers Beach. He was not expecting to see the extent of the remaining destruction and devastation of the area being so evident nine months after Hurricane Ian had hit both communities head on. Councilmember Auwaerter noted that many of those affected had still not received insurance settlements. With that being said, Councilmember Auwaerter asked that the replacement costs for Town facilities be provided to him so the Town can be prepared.

Councilmember Auwaerter next reported on the needed A1A crosswalk at the 7-11 location that had been turned down by the outgoing Secretary of the FDOT. He was hoping that Deputy Chief Shaw could follow up with the new Secretary of the FDOT District 4, once appointed and settled. It was hoped a pedestrian crosswalk on demand, not a traffic light, could be approved and installed. Discussion followed.

8. Discussion with Possible or Probable Action

a. Ordinance No. 561 Amendment to Police-Firefighters Defined Benefit Plan (Second Reading)

Town Manager Harpring offered Staff's report. Town Manager Harpring read the title. It was clarified that the Ordinance was being adopted to comply with State Law. A motion was made by Vice Mayor Carroll and seconded by Councilmember Auwaerter to approve Ordinance No. 561 on second reading. The Town Clerk called the roll and all those in attendance voted in the affirmative. The motion passed unanimously.

b. Ordinance No. 562 Amendment to Comprehensive Plan – Chapter 4 Water Supply Facility Work Plan

Town Manager Harpring offered Staff's report. He noted this matter had come before the Planning, Zoning and Variance Board, sitting as the Local Planning Agency (LPA), and the LPA recommended transmittal of Ordinance No. 561 to the Department of Economic Opportunity with suggested edits. Noting that the edits suggested by the LPA were non-substantive to the intent of the Ordinance, Council agreed to move forward with the Ordinance as presented by Staff. Council expressed their appreciation to the PZ&V/LPA Committee for their thorough review of the proposed amendment to the Town's Comprehensive Plan. Town Manager Harpring read the title. A motion was made by Councilmember Auwaerter and seconded by Vice Mayor Carroll to approve Ordinance No. 562 on first reading and transmit same to the Department of Economic Opportunity. The Town Clerk called the roll and all in attendance voted in the affirmative. The motion passed unanimously.

9. Staff Updates

a. Building Official Report & Statistics

Due to a previous appointment, Building Official Held was not present. Town Manager Harpring reported that the Department was working with the County for GIS software implementation.

b. Town Treasurer Report

Heather Christmas, Deputy Town Manager/Town Treasurer, delivered Staff's report. Councilmember Auwaerter expressed appreciation to Ms. Christmas for her effective investment policies. Town Treasurer Christmas reported that the proposed budget had been sent to the Finance Committee for their review and comments. She had addressed their comments and would be providing the Town Council with a draft budget by the end of the week.

c. Public Safety Department Report & Statistics

Chief Tad Stone reported that there was a downturn in runs due to it being off-season. He was updating the Department's present policies, plans and procedures. He also reported on sick leave and absenteeism, noting that the average had been at 3.5%, but has since climbed to 5.1 % in April due to COVID and a workman's comp claim. The Chief reported that sick leave averages were between 5-8%. Town Manager Harpring reiterated the Mayor's announcement made earlier in the meeting and welcomed Chief Stone as the Public Safety Director for the Town of Indian River Shores.

d. **Public Works Department Report**

Director of Public Works, Larry Bryant noted the trees on Town campus had been trimmed in preparation for hurricane season, the Pebble Bay drainage and resurfacing project was moving along, and the benches were being constructed at the Beachcomber access.

e. **Code Enforcement Report**

Town Manager Harpring presented the Code Enforcement report on behalf of Code Officer Maikranz who was unable to attend as he was performing fire inspections. Town Manager Harpring reported that there was a Special Magistrate Hearing scheduled for mid-July. He updated Council on the abandoned property located across the street. There was concern over safety issues affecting the structural integrity. The council expressed their appreciation for the proactive approach being taken by Officer Maikranz.

In response to Councilmember Auwaerter, Town Manager Harpring responded that there had been no complaints from party houses within the Town.

Town Attorney Report

Not present.

10. Town Manager Report

a. **Solid Waste Update**

Town Manager Harpring reported on the "Survey Monkey" being completed by his office regarding Solid Waste and Recycling. So far, over 50% of the responses received by the Town preferred one day per week service. Odors, bugs, and rodents were the reasons given by those people preferring twice weekly services. Yard waste was not a requirement for most respondents. Town Manager Harpring reported that he had met with four of the five County Commissioners as well as the County Administrator who were all open to including the Town of Indian River Shores as part of their procurement for Solid Waste and Recycling Services; providing the Town met their same terms of service to be included in the RFQ. He added that he was aware that universal billing through property taxes would be part of the terms included in the RFQ.

In response to Councilmember Altieri, Town Manager Harpring responded that given this current market, it could be difficult to find a vendor to meet the terms of a twice weekly pick up. Council expressed their support to the Town Manager to move forward in negotiating with the County under their terms, including one day per week of service.

Regarding the vendor exclusivity for commercial accounts and dumpsters to be included in the franchise, Town Manager Harpring explained that it would depend on the County's terms.

Town Manager Harpring also reported that the Town had provided Florida City Gas with all documentation necessary for Franchise Agreement purposes.

Additionally, the Town Manager reported that he and the Building Official were meeting and reviewing the Town's Land Development Code.

12. Council/Committee Reports or Non-Action Items

a. **Call for Committee Reports, Informational Updates or Comments**

Mayor Foley reported on the bi-monthly meeting of the Treasure Coast League of Cities and reminded all to review the summary publications offered by the Florida League of Cities. He reported on the virtual League of Mayor's meeting.

Councilmember Auwaerter expressed his disappointment in the most recent meeting of the Vero Beach Utilities Commission during which the City of Vero Beach's Attorney, Staff and City Manager were not present at the meeting despite being on the agenda for presentations. It was his belief that the focus of the committee has become stormwater utilities.

He next reported on the meeting of the Treasure Coast Regional Planning Council and the State's continued chipping away at local municipalities Home Rule Power, specifically highlighting the recent legislation requiring municipalities to conduct fiscal impact statements with no guidance as to guidelines. He hoped the Florida League of Cities would address these requirements and produce a template the municipalities could use.

Councilmember Auwaerter next reported on his attendance at the Beach and Shore Committee. County Commission Chair Earman supported having funds that had been set aside for Sector 7 to be allocated to Sector 4. Councilmember Auwaerter

and Town Manager Harpring attended the Board of County Commission meeting during which the recommendation of the Beaches and Shores Committee was addressed.

13. **Call to Audience**

None.

14. **Adjournment**

With no further business to come before the Town Council, the meeting adjourned at 9:47 a.m.

Approved: July 27, 2023



