



OFFICIAL MINUTES

REGULAR TOWN COUNCIL MEETING

TUESDAY, SEPTEMBER 23, 2025 – 3:30 PM

TOWN OF INDIAN RIVER SHORES

6001 HIGHWAY A1A INDIAN RIVER SHORES, FL 32963

The regular monthly meeting of the Town of Indian River Shores Town Council was held on Tuesday, September 23, 2025, at 3:30 p.m. in Council Chambers, 6001 Highway A1A, Indian River Shores, Florida. Councilmembers present were Brian T. 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 and 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

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

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

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

3. **Presentations/Proclamations**

None.

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

None.

5. **Consent Agenda**

- a. Approval of Budget Workshop Meeting Minutes dated July 24, 2025
- b. Approval of Regular Town Council Meeting Minutes dated August 28, 2025
- c. Approval of Website Design and Development Agreement
- d. Approval of Fire Engine Purchase
- e. Approval of General Liability, Property and Worker's Compensation Coverage
- f. Approval of Variance Application for Parking – Chapin Lot
- g. Approval of Variance Application for Parking – Clarkson Lane
- h. Approval of Resolution No. 2025-13 – Administrative Authority for Plats and Replats

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

6. **Mayor's Report**

Mayor Foley reported that the Town had finally entered into a Collective Bargaining Agreement with the Public Safety Officers. He commended staff for being proactive in implementing and adopting mechanisms

to ensure timely enactment of the septic to sewer program. He noted Chief Stone would report on the open carry law later in the meeting.

7. Councilmember Items

a. Reschedule February 26, 2026 Regular Town Council Meeting

A motion was made by Councilmember Carroll, seconded by Councilmember Dane, and unanimously passed to reschedule February 26, 2026, Regular Town Council meeting to February 17, 2026.

Vice Mayor Auwaerter reported that Republic Services continues to try to collect payments from residents (due to their own billing errors), who are not in arrears. A neighbor of the Vice Mayor, who had reached out to Republic was told that the “robo-call” system could not be halted. Vice Mayor Auwaerter had spoken directly with Republic Services about billing errors. Although efforts have been made to correct this, Vice Mayor Auwaerter wants confirmation from Republic that they will not be making reports to the credit bureaus that would affect the FICO scores of the residents. He added doing so would be a major issue of concern for the Town.

Town Manager Harpring reported that staff addressed this with Republic Services and had been assured that there would be no reporting or collection action to be taken. Mayor Foley noted that although he appreciated the efforts of staff, it was not the responsibility of taxpayers to have staff perform work for Republic Services. Mayor Foley suggested that the Town consider charging Republic a back charge assessment for the Town’s time. Staff would get something in writing to Republic Services by the end of the week.

8. Discussion with Possible or Probable Action

a. Approval of Ordinance No. 580 Solid Waste, Recycling and Yard Waste (Second Reading)

The title was ready by Attorney Sweeney. Mayor Foley opened the Public Hearing. Councilmember Altieri noted a typographical error in the body of the Ordinance. Attorney Sweeney considered it a Scriveners error. A motion was made by Councilmember Carroll, seconded by Vice Mayor Auwaerter to approve Ordinance No. 580 on first reading. The Town Clerk called the roll. All members present voted in the affirmative. The motion passed 5-0.

b. Approval of Ordinance No. 581 Non-Ad Valorem Capital Special Assessment (Second Reading)

The title was read by Attorney Sweeney. Mayor Foley opened the Public Hearing. There being no public comment, a motion was made by Councilmember Carroll and seconded by Vice Mayor Auwaerter to approve Ordinance No. 581 on second reading. The Town Clerk called the roll. All members present voted in the affirmative. The motion passed 5-0.

c. Approval of Ordinance No. 584 Amendment to Section 165.16

Town Manager Harpring gave staff’s report. He explained the amendment was a legislative requirement of SB 180. As such, the Town needed to remove any time limit required by Ordinance associated with any substantial improvement.

Councilmember Altieri addressed the Town Council; he explained that this proposed amendment indirectly relates to Ordinance No. 558 which addressed substantial improvements and the mandate with respect to BFE and first floor elevations. Councilmember Altieri advised he looked at the legislative history of SB 180 and found no language that would direct a municipality to extinguish any reference to a one year “look back” for substantial improvement. He expressed concern that if the proposed amendment were adopted, it would adversely affect homeowners, developers, insurance companies. He requested the Town Council

review the step back and take a fresh look at the statute and how it could impact the Town's LDC and development.

A brief discussion followed.

A motion was then made by Councilmember Altieri and seconded by Councilmember Dane to table First Reading of Ordinance No. 584 until October 23, 2025, for Town Council reconsideration, allowing Staff an opportunity to fully study the proposed legislation and/or make a presentation. The Town Clerk called the roll. The motion passed 4 to 1 with Councilmember Carrol voting against the motion.

Councilmember Altieri informed the Town Manager that his reference was to the Florida House of Representatives bill analysis relating to CS 535.

Mayor Foley thanked Councilmember Altieri for his comments.

d. Approval of Interlocal Cooperation and Coordination Agreement – City of Vero Beach
Road Paving and Sewer Improvement Project

Town Manager Harpring presented Staff's report. He explained that in 2023, legislation was passed mandating septic to sewer conversions. The Town began discussions with the City of Vero Beach to coordinate efforts to meet the requirements of the legislation. The Town scheduled two of its roads for repaving and stormwater improvements, and those roads, presently on septic, would be the first to undergo the conversion. The Town Manager worked with the City of Vero Beach to allow for the residents either pay for the improvements in a lump sum, or using a non-ad valorem capital assessment program (initiated by the Town) allowing the cost to be amortized on their taxes or a 10 year period.

The City of Vero Beach approved the Interlocal Agreement at their meeting held earlier in the day.

Mayor Foley expressed his appreciation to the Town Manager for his work towards the implementation of the program.

A motion was then made by Vice Mayor Auwaerter and seconded by Councilmember Dane to approve the Interlocal Cooperation and Coordination Agreement with the City of Vero Beach. The Town Clerk called the roll with all members present voting in the affirmative. The motion passed unanimously 5-0.

e. Approval of the Collective Bargaining Agreement 2025-2028

Mayor Foley announced there had been meetings held between the parties to reach this Agreement. There being no public comment, a motion was made by Councilmember Carroll, seconded by Vice Mayor Auwaerter and unanimously passed (5-0) to approve the Collective Bargaining Agreement.

9. Staff Updates

a. Building Official Report & Statistics

Jake Maikranz was available to answer questions.

b. Code Enforcement Report

Jake Maikranz was available to offer Staff's report and answer questions. Vice Mayor Auwaerter approved the reformatting of the monthly report adding that graphs and statistics would be helpful as well.

c. Public Works Department Report

Town Manager Harpring noted that the Town had met with FP&L and their subcontractors. Presently FP&L will begin work on the wall of the substation property and have staged the area off Fred Tuerk

d. **Town Treasurer Report**

Heather Christmas, Town Treasurer reported that the Auditors were on site to prepare for the 2024-2025 fiscal year. They will be back in December to complete the audit.

e. **Public Safety Department Report & Statistics**

Assistant Chief, Ed Ryer, addressed the Town Council. He explained that on September 10, 2025, the 1st District Court banned the prohibition of open carry of firearms. Officers have been to all businesses in Town notifying them of this item. In response to Vice Mayor Auwaerter, Assistant Chief confirmed that the businesses can ban firearms from their private property.

Firearms are not permitted in Council Chambers, however, there was a loophole in the law that when it addressed government places, they included handguns and not rifles.

Town Attorney Sweeney confirmed that the Counties, municipalities, etc. have zero ability to regulate the State's ruling.

Assistant Chief Ryer reported the department was performing drone patrols overnight in unguarded neighborhoods to deter crime.

Vice Mayor Auwaerter confirmed that most travelers are used to the reduced speed of 35 mph along A1A. Assistant Chief Ryer noted stops result in approximately 70% warnings. Mayor Foley reported that it appears as though GPS has updated the speed limit to correctly reflect thirty-five mph.

10. **Town Attorney Report**

None.

11. **Town Manager Report**

Town Manager Harpring had nothing further to report on. He did comment that he noticed car carriers were visible on Fred Tuerk Drive signaling the return of residents for the season.

12. **Council/Committee Reports or Non-Action Items**

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

Councilmember Altieri reported the City of Vero Beach Utilities Commission had been canceled with the next meeting scheduled for October. Vice Mayor Auwaerter inquired where the City was getting the funding for the construction of the reclamation plant.

Mayor Foley attended the meeting of the Treasure Coast Council of Local Governments. There was an interesting presentation from the South Florida Water Management District highlighting their responsibilities for supply, monitoring and eco system jurisdictions. He added that to lure snakes out of the Everglades, robot rabbits were being used.

Vice Mayor Auwaerter announced that the Sector 5 beach replenishing would start after Turtle Nesting season. He added that this has been a record year for Turtle Nesting season.

13. **Call to Audience**

Geald Weick, Bermuda Bay: Mr. Weick complained that it was difficult for him to exit his neighborhood of Bermuda Bay due to the stopped traffic in the center land caused by vehicles trying to enter John's Island

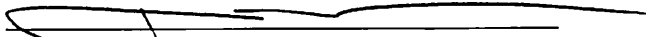
between the hours of 7:00 – 8:00 a.m. Assistant Chief Ryer will investigate the situation.

Mr. Weick then inquired about the maintenance building being constructed on John's Island as well as the communication tower that is much higher than the old tower. He added there are construction trailers at the construction site. Town Manager Harpring reported that Staff would investigate the matter.

14. Adjournment 4:26 pm

With no further business to come before the Town Council, the meeting adjourned at 4:26 p.m.

Approved: October 23, 2025



Janice C. Rutan, Town Clerk