



## OFFICIAL MINUTES

REGULAR TOWN COUNCIL MEETING

THURSDAY, NOVEMBER 14, 2024 – 9:00 AM

TOWN OF INDIAN RIVER SHORES

6001 HIGHWAY A1A INDIAN RIVER SHORES, FL 32963

The regular meeting of the Indian River Shores Town Council was held on Thursday, November 14, 2024, in Council Chambers, 6001 Highway A1A, Indian River Shores. Those present were Brian Foley, Mayor; Sam Carroll, Vice Mayor; Bob Auwaerter, 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

Mayor Foley called the meeting to order at 9:00 a.m.

#### a. Invocation

Vice Mayor Carroll offered the Invocation.

#### b. Pledge of Allegiance

Mayor Foley led the Pledge of Allegiance.

#### c. Oath of Office

Town Clerk Rutan administered the Oath of Office to elected Councilmembers James Altieri, Bob Auwaerter and William Dane

#### d. Roll Call

Town Clerk Rutan called the roll. All members were present.

### 2. Organizational Items

#### a. Election of Mayor

Mayor Foley opened the floor for nominations. Vice Mayor Carroll nominated Brian Foley to serve as Mayor for the ensuing two-year term. Councilmember Auwaerter seconded the nomination. No other nominations were offered. The vote was called and passed unanimously (5-0).

#### b. Election of Vice Mayor

Mayor Foley opened the floor for nominations for Vice Mayor. Councilmember Altieri nominated Sam Carroll to serve as Mayor. Sam Carroll nominated Bob Auwaerter to serve as Vice Mayor. Vice Mayor Carroll expressed his appreciation to Councilmember Altieri for the nomination. Vice Mayor Carroll commended Councilmember Auwaerter for his contributions to the Town and commented he would be happy to step aside and pass the gavel to Councilmember Auwaerter. Councilmember Altieri withdrew his nomination of Sam Carroll. Mayor Foley closed the floor to nominations. The nomination of Councilmember Bob Auwaerter to serve as Vice Mayor for the ensuing two-year term was seconded and passed unanimously (5-0).

### 3. Agenda Reordering, Deletions, or Emergency Additions

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

**4. Presentations/Proclamations**

Mayor Foley expressed his appreciation to all the Board and Committee members that have served the Town well, adding that their service to the Town makes the job of Councilmembers much easier. He thanked all for their continuing and past service.

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

None.

**5. Consent Agenda**

- a. Approval of Regular Town Council Meeting Minutes dated October 24, 2024
- b. Approval of Town Vehicle Purchases
- c. Approval of Public Safety Department Ambulance Billing Provider
- d. FY 2024 Ambulance Revenue Adjustment
- e. Resolution 24-18 FY 2023-2024 Budget Amendment
- f. Resolution 24-19 FY 2024-2025 Budget Amendment
- g. Update to Signature Cards

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

**6. Mayor's Report**

Mayor Foley expressed his appreciation to the Town Manager for his leadership. He added that the citizens are treated as customers of the Town. He acknowledged the Manager's continued efforts with beach renourishment projects and the Manager's vigilance in hurricane preparedness. He commented that this past storm supported the need for intergovernmental relationships; noting that this time the Town was on the giving side. He expressed his support for the increased reserves allowing the Town to deliver quality products to the citizens of the Town. He commended Manager Harpring for having the right people in the right place, running departments without having to bring more staff in house. He credited the Manager for keeping the Town moving forward.

Mayor Foley noted that although the Constitutional Amendment allowing recreational marijuana did not pass during this most recent election, he is sure it will be on a future ballot. With that in mind, he asked for consensus from the Council to request the Town Attorney to investigate a prohibition on smoking in public. Vice Mayor Auwaerter supported the Mayor's concerns adding that the sooner the better to protect the Town against this potential nuisance. There were no objections and Council consensus asked the Town Attorney to provide something at next month's meeting.

**7. Councilmember Items**

None.

**8. Discussion with Possible or Probable Action**

- a. Councilmember Appointments:

Mayor Foley explained to those present that one especially important part of being a member of Council was serving on the various County and Regional Boards and Committees. Council had expressed their preferred committee appointments to the Town Manager and after a brief review and discussion, a motion was made by Councilmember Carroll, seconded by Vice Mayor Auwaerter,

and unanimously passed (5-0) to approve the Councilmember appointments to the Regional and County Committees as follows:

<b>Name</b>	<b>Primary Member</b>	<b>Alternate Member</b>
Affordable Housing Advisory Committee (AHAC)	Sam Carroll	William Dane
Beach and Shore Preservation Advisory Committee (BSPAC)	Bob Auwaerter	James Altieri
City of Vero Beach Utilities Commission	James Altieri	William Dane
Economic Development Council (EDC)	Sam Carroll	James Altieri
Elected Officials Oversight Committee (EOOC)	Sam Carroll	William Dane
Florida League of Cities – Intergovernmental Relations	Sam Carroll	Brian Foley
Metropolitan Planning Organization (MPO)	Bob Auwaerter	Brian Foley
Treasure Coast Council of Local Government (TCCLG)	Brian Foley	Sam Carroll
Treasure Coast Regional League of Cities (TCRLC)	William Dane	Bob Auwaerter
**** Treasure Coast Regional Planning Council (TCRPC) 2025 Indian River Shores will be in year 3 –the Town’s year to be off cycle. In 2026 the Town will return as an alternate member	Sam Carroll (thru 2024)	Brian Foley (thru 2024)

**b. Planning, Zoning & Variance Board Appointments:**

Five members make up the Planning, Zoning and Variance Board. There was one vacancy on the Planning, Zoning and Variance Board. Two applications were received. A motion was made by Councilmember Carroll, seconded by Vice Mayor Auwaerter, and unanimously passed to reappoint existing members Jim Corbin, Dave Crawford, Matt Hutmaker and to appoint Terri Bowman to serve on the Planning, Zoning and Variance Board for a four-year term expiring November 2028. Existing member, Susan Anderson’s term expires November 2026.

**c. Finance Committee Appointments:**

Mayor Foley thanked Finance Committee Members Mike Ochsner and Peter Tedesko for their continued service to the Town. There was one vacancy on the Finance Committee. One application was received. A motion was made by Vice Mayor Auwaerter, seconded by Councilmember Carroll, and unanimously passed (5-0) to reappoint Mike Ochsner, Peter Tedesko, Robert Moore, John Menke and to appoint James Robert Anderson to the Finance Committee for a two-year term expiring November 2026.

d. **Public Safety Pension Fund Board Appointments**

The Town Council has two appointments on the Public Safety Pension Fund Board. Exiting members Fred Gaertner and Thomas Vandeventer expressed their desire for reappointment. A motion was then made by Councilmember Carroll, seconded by Vice Mayor Auwaerter, and unanimously passed to reappoint Fred Gaertner and Thomas Vandeventer to serve on the Public Safety Pension Fund Board for a two-year term expiring November 2026.

9. **Staff Updates**

a. **Building Official Report & Statistics**

Building Official Fred Held was present. He reported that there had been no adverse impact on his department because of the tornadoes and Hurricane Milton.

b. **Code Enforcement Report**

Code Enforcement Officer Jake Maikranz was present to answer any questions. A brief discussion about signage followed.

c. **Public Works Department Report**

Public Works Director Larry Bryant discussed the work conditions at Fred Tuerk and A1A and his communication with the project manager. As this is a City of Vero Beach project, the Council asked the Town Manager to reach out to City Manager Monte Falls for assistance in appropriate maintenance of the job site. He will report back to the Council at the December meeting. Manager Harpring expressed his appreciation to Staff for continued oversight in this area.

d. **Treasurer's Report**

Deputy Town Manager/Town Treasurer Heather Christmas addressed the Town Council. She will have a report for the Council in December as she is in the middle of closing the year end and preparing for the annual audit. Regarding the ambulance billing, she reported that Change Healthcare has gone back to bill past accounts. Treasurer Christmas also introduced Mike Lutinsky, newly hired IT Director.

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

Public Safety Director Tad Stone reported that the construction on the Public Safety facility is going well. The contractor has been very responsive. The ladder truck is back after undergoing repairs. Speed trailers have been purchased. People are aware of the speed limit changes along A1A. However, the Department is still issuing warnings. The traffic issues at the south John's Island entrance concerning contractors have been resolved. Vice Mayor Auwaerter noted that the google maps still shows the speed limit along A1A at 45 mph. Mayor Foley commented that his vehicle manufacturers had updated the speed limit to thirty-five mph.

10. **Town Attorney Report**

During the report Vice Mayor Auwaerter inquired as to the upcoming legislative session. Attorney Sweeney responded that the session would run March through May 1<sup>st</sup>. Attorney Sweeney would continue to keep the Town Council informed about legislative items.

11. **Town Manager Report**

Town Manager Harpring reported that the public beach access at Beachcomber Lane will not be closed until work is close to the area concerning the dune renourishment project.

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

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

Mayor Foley reported on the meeting of the Treasure Coast Council of Local Government. There was not a quorum present, however, discussion focused on the recent tornadoes. Commissioner Moss did report there would be no changes to the Urban Services Boundary due to public concern of over development.

Vice Mayor Auwaerter reported on the City of Vero Beach Utilities Commission meeting held on November 5, 2024. Vice Mayor Auwaerter was unable to attend as he was out of Town, but he did watch the meeting on video. An update had been given on the John's Island pipeline in which the Utilities Director Rob Bolton estimated the completion date for March or April 2025. The project would be providing reclamation water directly to John's Island, separate from the Town system.

Utilities Director Bolton reported that the City's water plant has a capacity for up to five million gallons per day. On a normal day, the plant processes 3.5 million gallons. During the recent hurricane, they processed nine million gallons in 4 hours.

The construction drawings for the new water & sewer plant are 100 percent completed, subject to revision. The sub bids are out on the street with plans for the bid packages for Contractors to go out around Christmas. The cost of the new plant should be submitted to the Vero Beach City Council in March or April of 2025.

The City of Vero Beach, or more correctly, ratepayers, must pay for the plant entirely through bond financing. The City over the last two decades has drawn cash out of the utility fund to supplement its general government fund to keep taxes low. They are putting no money down for the project. There was an October 4, 2024, meeting of the City of Vero Beach Investment Services Committee. It was an open meeting; however, the agenda was not found on the City's agenda center. The three members of that committee reviewed bids for the bond underwriter. The Committee examined three factors in its evaluation of which underwriter to select. They were their ability to distribute the bonds to final investors, how they would structure the deal, and the underwriting commission they would charge (which ratepayers would pay). Only 5% weight was given to the commission being charged. Although the process was flawed, the Committee made their recommendation and chose the best of the firms, Raymond James. Raymond James has a strong municipal bond selling presence in the State of Florida and should be able to keep interest rates on the bonds lower by selling them to less sophisticated "mom and pop" investors.

This selection discussion should have gone before the Utilities Commission because as part of its responsibilities under the City of Vero Beach ordinance that created it, is to examine items that impact customer water and sewer rates such as bond financing for the new plant. The Indian River Shores Town Clerk had to initiate a public record request to get the documents to determine what was going on. A letter sent by the Town of Indian River Shores to the City of Vero Beach complaining about the lack of transparency due to a lack of a quorum in earlier scheduled meetings this year did prompt the Chair of the Utilities Commission to work with the Vero Beach City Council to try to appoint members who will attend the meetings.

There was a brief Vero Beach Finance Commission meeting where the choice of Raymond James as underwriter was discussed. Steven Dionne, the Finance Director for the City of Vero Beach, spoke and stated they were anticipating \$160 million in bond financing. The project began at a proposed cost in the \$50 million range, which then jumped to \$82million then to \$132 million. It has once again increased by another \$30 million. It was unclear as to whether the \$160 million includes removal and remediation of the old plant, although the Finance Commission members were assured that there was no remediation needed at the Three Corners site. (Mayor Foley added that he remembers the cost of the plant to be approximately forty million).

Mr. Auwaerter had a tour of the City of Fort Pierce's new water and sewer plant which is under construction. The Fort Pierce Water and Sewer Utilities Director conducted the tour. Mr. Auwaerter was given information on construction costs and the ability to hire skilled labor.

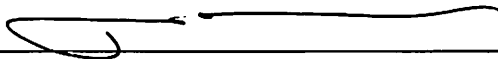
**14. Call to Audience**

None.

**15. Adjournment**

With no further business to come before the Town Council, the meeting was adjourned at 10:04 a.m.

Approved: December 12, 2024



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Janice C. Rutan, Town Clerk