

**FINAL AGENDA AND MINUTES  
TOWN OF JUPITER  
TOWN COUNCIL MEETING  
COUNCIL CHAMBERS  
TUESDAY, JANUARY 17, 2017**

Mayor Wodraska called the meeting to order at 7:00 P.M.

Roll Call: Mayor Todd R. Wodraska; Vice-Mayor Ian G. Kaufer; Councilor Ron Delaney; Councilor Jim Kuretski; Councilor Wayne R. Posner; Town Manager Andrew D. Lukasik; Town Attorney Thomas J. Baird and Town Clerk Sally M. Boylan.

**PRESENTATION**

1. King Tide Photo Contest Award Ceremony.

Mr. David Brown, Director of Utilities, and Mayor Wodraska introduced the following winners: Student category winners Aston Hurley and Brielle Pearce and the Adult category winners Adam Byerly and Frank Porrini.

**CITIZEN COMMENTS**

Dr. Stefan Harzen, resident of Stonewood Court, thanked Council for serving the Community and quoted the poem "The Blind Men and the Elephant" by John Godfrey Saxe.

Mr. Andy Weston, resident of Dolphin Court, stated Council should move forward with the Town Manager search process and stated he did not agree with using Chief Kitzerow as Interim Manager.

Mr. Ankur Patel, resident of Lakeshore Drive, mentioned that Jupiter was experiencing a great deal of redevelopment and construction. He stated there should be a better way for private applicants to inform residents and businesses that would be affected during the construction phase of a project. He presented an outdated site plan for a project which had been amended and suggested the most current Building site plans and Engineering permits be made available to the public.

Mayor Wodraska welcomed Boy Scout Troop 774. The Scouts were earning their Citizenship in Community Badge.

**MINUTES**

2. December 14, 2016 Town Council Special Meeting Minutes and December 20, 2016 Town Council Meeting Minutes.

Vice-Mayor Kaufer moved to approve the December 14, 2016 Town Council Special Meeting Minutes and December 20, 2016 Town Council Meeting Minutes; seconded by Councilor Posner; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Delaney  
Yes

Kuretski  
Yes

Posner  
Yes

### **CONSENT AGENDA**

All items listed in this portion of the agenda are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

- Vice-Mayor Kaufer pulled item 4.
- Councilor Kuretski pulled item 6.

Vice-Mayor Kaufer moved to approve the Consent Agenda, as amended; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

### **PUBLIC HEARING**

3. **Ordinance 5-16, Second Reading, Green Building Program** – Zoning Text Amendment to Chapter 27, Article X, Division 40 to readopt Division 40 without the sunset provision in order to continue to allow incentives for development applications seeking green building certification.

Title read by Mr. Baird.

4. **Ordinance 32-16, Second Reading, Directional Sign Regulations** – Town initiated Zoning text amendment to the Town’s sign regulations to allow directional signage for hospitals with emergency rooms. **MOVED TO REGULAR AGENDA**

5. **CONTINUED TO 2/7/17**  
**Ordinance 25-16, Second Reading, Communication Antennas and Towers** – Zoning text amendment to Section 27-1671 modifying the freestanding communication tower and rooftop mounted equipment regulations, and creating new regulations to allow building mounted antennas in certain zoning districts or within Planned Unit Developments (PUD).

- 5.1 **CONTINUED TO 2/21/17**  
**Ordinance 4-17, First Reading, Workforce Housing Regulations** - Zoning text amendment to Chapter 27, Article X, Division 42 entitled “Workforce Housing (WFH) Program” to:

- Allow required workforce housing units to be produced off-site;
- Incentivize the donation of land instead of paying the in lieu fee as an option to producing workforce housing units;
- Clarify density bonus provisions.

(Second Reading - 3/7/17)

**CONSENT AGENDA**

**PUBLIC BUSINESS**

6. **Resolution 1-17**, Authorization to proceed with submitting an application to the Metropolitan Planning Organization for a 2017 Local Initiatives Program Grant for the Indiantown Road Improvement Project from Highway US One to A1A.  
**MOVED TO REGULAR AGENDA**
7. Approving a contract with JC White & Associates for replacement of office furniture and cubicles in the amount of \$187,801.66.
8. **Resolution 85-16**, Approving the contract award recommendation to One Call Property Services, Inc. for rehabilitating and installing ten concrete end walls within the Heights of Jupiter in the amount of \$183,108.85.
9. **Resolution 5-17**, Supporting the appointment of Florida League of Cities, President, Mayor Susan Haynie, Boca Raton for the appointment of Municipal Officials to the 2017-2018 Constitution Revision Commission (CRC).

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA**

4. **Ordinance 32-16, Second Reading, Directional Sign Regulations** – Town initiated Zoning text amendment to the Town’s sign regulations to allow directional signage for hospitals with emergency rooms.

Vice-Mayor Kaufer stated he needed to abstain from the discussion and voting on this item due to serving on Jupiter Medical Center’s Corporate Board.

Councilor Posner moved to approve Ordinance 32-16, Second Reading, Directional Sign Regulations; seconded by Councilor Delaney; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Abstain	Yes	Yes	Yes

6. **Resolution 1-17**, Authorization to proceed with submitting an application to the Metropolitan Planning Organization for a 2017 Local Initiatives Program Grant for the Indiantown Road Improvement Project from Highway US One to A1A.

Councilor Kuretski stated he pulled the item because he did not want to approve the item with a statement from Staff on the cover sheet summary, involving the Indiantown Road right-of-way.

Mr. Lukasik explained the willingness of Palm Beach County to allow the Town to make certain improvements to that specific section of the roadway.

**REGULAR AGENDA**

**ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA**

**6. Resolution 1-17**

Vice-Mayor Kaufer moved to approve Resolution 1-17, Authorization to proceed with submitting an application to the Metropolitan Planning Organization for a 2017 Local Initiatives Program Grant for the Indiantown Road Improvement Project from Highway US One to A1A; seconded by Councilor Posner; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Delaney  
Yes

Kuretski  
No

Posner  
Yes

**PUBLIC HEARINGS**

**10. Ordinance 36-16, First Reading, Approving the award of a franchise EPW 2016-45 Solid Waste, Multi-Material Recycling and Vegetative Waste Collection Services to Waste Management of Florida, Inc. for a five year term; in the amount of \$3,294,600. (Second Reading - 2/7/17)**

Mr. Jeff Sabin, Waste Management Governmental Affairs, stated Waste Management's legal and operations staff had attended to answer any questions. He thanked Council for the opportunity to continue to be the Town's service provider.

Councilor Posner asked why the operations plan had not been included the first time.

Mr. Sabin stated the tab referred to mobilization and startup. He explained he had responded by stating as the current provider they would continue providing the same level of service, equipment and resources to fulfill the contract.

Mr. Thomas Driscoll, Director of Engineering, Parks & Public Works, disagreed with Mr. Sabin and stated all firms were directed to provide the specific equipment and manpower which would be dedicated to the contract.

Vice-Mayor Kaufer asked why the Town had not requested a copy of the operational plan for Waste Management, if it was needed.

Mr. Driscoll stated at the time it was not a material defect because they were the incumbent, but when they raised issues about the other company's equipment it then became a material requirement.

**REGULAR AGENDA**

**PUBLIC HEARINGS**

**10. Ordinance 36-16**

Vice-Mayor Kaufer asked if there would be any route changes or proposed reduction to staff or equipment. He also asked what the status of the pilot program for solar trash compactors on the beach roads was and if they would be included in the contract.

Mr. Sabin said there would be no route changes, proposed reduction to staff or to equipment and in regards to the pilot program more information could be provided.

Vice-Mayor Kaufer asked if a provision could be added to include additional compactors. Mr. Lukasik stated it had not been included in the original contract, but if Council directed Staff to do so, there could be additional negotiations.

Councilor Kuretski said he would like to see Waste Management's operational plan *which would include the number of trucks and personnel dedicated to servicing the Jupiter area on a full time basis* and believed it should be represented within the contract.

2-7-17  
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Ms. Sabin stated Waste Management would be happy to provide it as part of the contract.

Mayor Wodraska felt the overflow of garbage at the parks on Saturdays was a problem and he suggested the Jupiter Tequesta Athletic Association, Town of Jupiter and Waste Management to work together to resolve the issue.

Mr. Driscoll explained it was not Waste Management's responsibility and he would investigate further with the Parks department.

Vice-Mayor Kaufer mentioned the trash compactor may be useful in the parks.

Dr. Thomas Poulson, resident of Marlberry Circle, supported Waste Management as providing a green sustainable existence.

Vice-Mayor Kaufer moved to approve Ordinance 36-16, First Reading; as amended to include solar based trash compactors along the beach corridor and other possible areas, and the operational plan as part of the contract; seconded by Councilor Posner; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

## **REGULAR AGENDA**

### **PUBLIC HEARINGS**

11. **Resolution 7-17, Water Pointe** - *Quasi-judicial* - Site Plan Application for the construction of 35 multi-family residential units on 4.2± acres located at 1222 S. U.S. Highway One, approximately 850 feet north of the intersection of U.S. Highway One and Ocean Way, on the west side of U.S. Highway One.

*No ex-parte communications.*

The Town Clerk swore in four people.

Ms. Emily O'Mahoney, Gentile, Glas, Holloway, O'Mahoney and Associates, Inc., presented Water Pointe, a two-story townhouse development with thirty-five units and amenities along the Riverwalk and South US Highway One. She reviewed the site plan from PowerPoint slides. Ms. O'Mahoney said they accepted the conditions of approval related to the gate, irrigation and balconies.

Mr. Martin Schneider, Planning and Zoning said Staff recommended approval of the various development credits for the project. He also stated the condition relating to the applicant paying in lieu of Workforce Housing and stated with the potential amendment to the Workforce Housing Program, the applicant would be able to take advantage of the changes.

Councilor Posner asked if there was an incentive for developing within the Community Redevelopment Agency boundaries. Mr. Lukasik and Mr. Baird said there were no requirements.

Vice-Mayor Kaufer asked about cross access to the Cabo Flats property being delayed. Mr. Schneider explained it was on the plans for the future if the property were to be redeveloped. Vice-Mayor Kaufer also asked about an offsite Riverwalk amenity being mentioned. Ms. O'Mahoney noted it would be the South entrance point to the Riverwalk but had not yet been developed.

Councilor Delaney questioned fewer daily trips and how that was calculated. Ms. O'Mahoney explained, previously more commercial use was planned. He asked about the easement between Water Pointe and the Cabo Flats property for possible future use and what the thought process was for that determination. Ms. Thoburn stated it was the Town's practice to plan ahead for cross access whenever possible.

Councilor Posner asked Ms. O'Mahoney to confirm that residential areas produced less traffic than commercial areas. She confirmed that to be true. Councilor Posner asked Staff how many more residential parcels were available in the Town. Ms. Thoburn noted there were approximately 20 parcels available.

## **REGULAR AGENDA**

### **PUBLIC HEARINGS**

#### **11. Resolution 7-17**

Councilor Kuretski said he was not opposed to the original gate idea but understood why it was taken out. He felt there may be issues in the future with visitor parking overflow. Councilor Kuretski questioned conditions 13b and 13c which could force the Town to take on a burden of undergrounding utilities in the future. Ms. Thoburn explained Town Engineers recommended the conditions based on the history of the area and ongoing future plans.

Mayor Wodraska asked about previous site plans and how tall were the buildings. Ms. O'Mahoney stated previous plans called for 3 story structures.

Councilor Delaney asked why the gates were removed from the plan. Ms. O'Mahoney explained the automatic gates were removed to gain better access to the North and the consensus was to build columns for a sense of entry.

Vice-Mayor Kaufer moved to approve Resolution 7-17, Water Pointe; seconded by Councilor Posner; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Delaney  
Yes

Kuretski  
Yes

Posner  
Yes

### **REPORTS**

#### **TOWN ATTORNEY**

- Sober Homes/Group Homes – Mr. Baird stated he would forward a memo regarding the Department of Justice and Housing and Urban Development Joint Statement on Regulations of Sober Homes.

#### **TOWN MANAGER**

- Daniels Way Traffic Management – Mr. Lukasik reported two police officers had been posted on Indiantown Road to help traffic congestion for students leaving the high school. He indicated other possible remedies were under consideration.
- Search Firms Listing – Mr. Lukasik distributed a listing of search firm information. Mayor Wodraska recommended Council solicit request for proposals (RFP) for the possible Town Manager search.

Councilor Posner felt the qualifications for the permanent Town Manager position were more important than the local considerations.

### TOWN MANAGER

Council unanimously agreed to direct Staff to prepare an RFP for firms who specialize in hiring Town Managers so if needed, Council would be ready.

Councilor Kuretski asked that Council be sent the RFP before it was released. Mayor Wodraska asked Staff to schedule an agenda item for Council approval prior to release of the RFP.

### TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

#### COUNCILOR KURETSKI

- Cell Phone Reception – Councilor Kuretski stressed the need to improve cell phone reception in some areas of the Town.
- Car Break-in – Councilor Kuretski mentioned his wife *noticed a suspicious person on a bike and contacted the Jupiter Police*. He complimented the Police Department on their quick response and the arresting of the suspect. He also expressed concerns with the suspect's long list of previous crimes. 2.7.17  
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#### VICE-MAYOR KAUFER

- Planning and Zoning Commission – Vice-Mayor Kaufer suggested the Planning and Zoning meetings to be broadcasted and all the Commissioners be given Town of Jupiter email accounts in efforts to expand transparency.

#### COUNCILOR DELANEY

- Possible Town Manager Search – Councilor Delaney explained at the last meeting he did not intend to imply the Candidate must be local, he clarified that a local qualified Candidate would make a faster transition.

#### COUNCILOR POSNER

- Interim Town Manager Position – Councilor Posner suggested Council discuss the Interim Town Manager position. He felt the natural progression may be to look at the current Assistant Town Manager. Mayor Wodraska felt the discussion could take place during the 30 day notice requirement in the Town Manager's contract. Council unanimously agreed.

ADJOURNMENT – 8:46 P.M.