

**FINAL AGENDA AND MINUTES
TOWN OF JUPITER
TOWN COUNCIL SECOND MEETING
COUNCIL CHAMBERS
TUESDAY, APRIL 5, 2016**

Mayor Wodraska called the meeting to order at 7:05 P.M.

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

CITIZEN COMMENTS

Mr. Robert Coblentz, resident of North Highway A1A, asked the Town to give Suni Sands residents fair market value for their properties.

Ms. MB Hague, resident of Bourne Drive, asked about the Open Space bond fund and how the money was spent.

Ms. Cheryl Schneider, resident of West Mallory Boulevard, suggested again for the Town to terminate the Swap Agreement. She asked how it was practical for Mr. Modica to not include sufficient parking in his project but allow off-site parking over a quarter of a mile away.

Ms. Teri Grooms, resident of North Perry Avenue, asked for the Town to look outside the box for ideas on Love Street and new developments.

Mr. George Gentile, Chairman of the Jupiter Inlet District, stated they were working on the All Aboard Florida Issue and would be contacting Council to review requests from the Jupiter Inlet District regarding the TIGER grant. He was looking forward to working with Council on projects that were beneficial to Jupiter.

Mr. George Pinkerton, resident of Heather Street, read a post that stated the Inlet Village needed to remain uniquely Jupiter.

Ms. Ronna Helm, resident of North Highway A1A, asked to restore Love street and Suni Sands to its natural state with beaches and mangroves that would attract tourists and preserve the environment.

Mr. Ben Klug, resident of Raintree Trail and former Council Member, thanked the Town of Jupiter Recreation department for the fabulous Easter egg hunt. He congratulated the Police department for their new recognition of the International Gold Standard Accreditation with Excellence Award. He also felt the Planning and Zoning Commission needed new members and a new perspective.

Ms. Carol Watson, resident of Sea Breeze Circle, mentioned some recent problems she had with Business Tax Registration.

CITIZEN COMMENTS

Mr. Tom Ryan, resident of North Highway A1A, stated the Town needed to investigate the road system and traffic at the Jupiter Inlet Village.

PROCLAMATION

4. Mayor’s Day of Recognition for National Service – April 5, 2016,

Mayor Wodraska recognized the following AmeriCorps VISTA members: Ms. Rachel Ramirez, Family Program Developer; Ms. Hannah Olsen and Ms. Vanessa Ibarra, Bilingual Outreach Coordinators; Ms. Johanna Peluso, Community Impact Evaluator; Mr. Byron Brower, Vocational Training Coordinator; Mr. Steven Ospina and Ms. Alexa Turner, Community Resource Developers; Ms. Diana Garzon, Community Resource Developer at Ed Runner Tutorial Center; Mr. Daniel Hamilton, Outreach Coordinator at Healthier Jupiter and MyClinic

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.

Councilor Kaufer moved to approve the following Consent Agenda; seconded by Councilor Posner; motion passed.

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|----------|----------|---------|--------|--------|
| Wodraska | Kuretski | Delaney | Kaufer | Posner |
| Yes | Yes | Yes | Yes | Yes |

PUBLIC BUSINESS

5. Approving the Strategic Planning Budget Workshop, Monday, April 11, 2016 at 6:30PM in the Jupiter Community Center – Town of Jupiter, 200 Military Trail.
6. Approving contract EPW 2016-12-D for General Continuing Engineering Services with Wantman Group, Inc. (continued from 3/22/16)
7. **Resolution 38-16**, Amendment to the Art Committee Resolution No. 21-10 to include placement of artwork in the cases at Harbourside Place.
8. Approving the extension of contract EPW 2015-07-A-B with Down to Earth Lawn Care II, Inc. for landscaping and irrigation maintenance in the amount of \$148,673.33.
9. Approving the purchase of two (2) Recreation Department replacement vehicles for a total amount of \$ 41,753.00 from Don Reid Ford per Florida State Contract #15-23-0904.

REGULAR AGENDA

PUBLIC HEARING

10. **Ordinance 12-16, Jupiter Yacht Club (Mariner Building) - Quasi-judicial-** A Planned Unit Development (PUD) amendment to eliminate Condition #8.B. of Ordinance #36-10, to remove the use restrictions to allow all uses permitted within the zoning district, including ground floor office, at the Mariner Building, at 400 South US Highway 1, located in the 40± acre Jupiter Yacht Club PUD. (Second Reading – 4/19/16)

Ex Parte Communication –

- Vice-Mayor Kuretski visited the site earlier in the day.

The Town Clerk swore in 6 people.

Ms. Emily O' Mahoney with Gentile, Glas, Holloway, O'Mahoney and Associates, representing the applicant requested the removal of conditions which prohibited the use of "office" in the commercial space in the Mariner Building. The removal would allow utilizing the underling zoning permits. She explained there was 2000 square feet of vacant retail which had the best visibility and had been vacant for over a year due to lack of foot traffic and nearby parking.

Mr. Martin Schneider, Town Senior Planner, stated the application was to remove restrictions that would have been allowed on the underling zoning district which would make it possible for office use. He explained Staff supported the amendment.

Vice-Mayor Kuretski stated he had observed the site and felt it was an unwelcoming environment within the Town. He explained parking and public benefits for restrooms were issues which needed to be resolved. Mr. Lukasik said he would have Staff investigate.

Councilor Posner moved to approve the First Reading of Ordinance 12-16 with direction to Staff to address conditions of the development order regarding public benefits, specifically restrooms and signage; seconded by Councilor Kaufer.

Title read by Mr. Baird.

Motion passed.

Wodraska
Yes

Kuretski
No

Delaney
Yes

Kaufer
Yes

Posner
Yes

PUBLIC BUSINESS

- 10.1** Authorizing the Town Manager to proceed with the completion of an Interlocal Agreement between Palm Beach County, the Palm Beach County School Board and the Town pertaining to the proposed One-Cent Local Government Infrastructure surtax.

Mayor Wodraska welcomed Ms. Rena Blades from the Cultural Council, Mr. Andrew Kato from the Maltz Theater and Mr. Rick Asnani from Community and Education Partnership.

Mr. Lukasik stated there was a proposal to place a one cent sales tax on a November 2016 County referendum. He said the purpose of the sales tax was to improve infrastructure, address cultural activities and economic development needs. Mr. Lukasik said the proposal allowed a redistribution of funds that were not in compliance with State Statutes, therefore an Interlocal Agreement was required amongst the parties who would receive funds from the sales tax revenue.

Mr. Lukasik said the requirement to move forward with the referendum was to have 51 percent of the municipalities' population represented. He said the County was looking for larger communities such as Jupiter to assist with moving forward with the referendum.

Mr. Lukasik suggested if the Town moved forward with encouraging the referendum, the Town would need to view how the proceeds would be utilized in the future. He said based on projections, the Town could receive an estimated 3.1 million dollars annually.

Mr. Kato said the success of the theater was amazing; the theater had received seven (7) Carbonell Awards. He said there were many benefits towards infrastructure with the referendum. Mr. Kato mentioned culture was huge in Jupiter and recommended standing behind the initiative.

Ms. Blades said she was present as a resource to answer any questions or address any issues. She was proud of the organizations in Jupiter.

Mr. Asnani said they were a countywide organization that was collaborating with the County, School District and various municipalities as well as the Cultural Council to promote and advocate for a combined effort of a one county, one plan, and one penny sales tax initiative.

PUBLIC BUSINESS

10.1 Authorizing the Town Manager to proceed with the completion of an Interlocal Agreement between Palm Beach County, the Palm Beach County School Board and the Town pertaining to the proposed One-Cent Local Government Infrastructure surtax.

Mr. Asnani said the most important aspect was approving the Interlocal agreement to allow the voters to decide, this was a procedural vote not a policy decision.

Mayor Wodraska asked, if 51 percent of the municipalities were not on board, if the referendum would move forward without benefits to municipalities. Mr. Asnani replied no; in order for the partnership to work it must be passed by an Interlocal Agreement, and had to be passed by the School District and passed by at least 51 percent of municipalities.

Mr. Ankur Patel resident Lake Shore Drive said he agreed and supported the Interlocal Agreement and suggested receiving more clarity on the agreement.

Ms. Blades said the funding was strict and could only be used on capital projects.

Ms. Carol Watson, resident of Seabreeze Circle said she was against the sales tax and did not want the added expense.

Mr. Tom Ryan, resident of Suni Sands, said the taxes were uncertain and he felt the Town should not approve the initiative.

Mr. Donaldson Hearing, Coulter and Hearing said his organization supported the initiative and it was very well vetted.

Councilor Kaufer supported the agreement and thought it was great to allow voters to decide.

Councilor Delaney said he did not want to see taxes raised and would not support the agreement.

Mayor Wodraska said with so much at stake it would be horrible not to allow the voters to decide.

PUBLIC BUSINESS

- 10.1** Authorizing the Town Manager to proceed with the completion of an Interlocal Agreement between Palm Beach County, the Palm Beach County School Board and the Town pertaining to the proposed One-Cent Local Government Infrastructure surtax.

Councilor Kaufer moved to approve authorizing the Town Manager to proceed with the completion of an Interlocal Agreement between Palm Beach County, the Palm Beach County School Board and the Town pertaining to the proposed One-Cent Local Government Infrastructure surtax.; seconded by Councilor Posner; motion passed.

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| Wodraska | Kuretski | Delaney | Kaufer | Posner |
| Yes | Yes | No | Yes | Yes |

- 11.** Election of Vice-Mayor.

Mayor Wodraska moved to elect Councilor Ilan Kaufer as Vice-Mayor; seconded by Councilor Kuretski.

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|----------|--------|---------|----------|--------|
| Wodraska | Kaufer | Delaney | Kuretski | Posner |
| Yes | Yes | Yes | Yes | Yes |

ROUNDTABLE

- 12.** Discussion of Cinquez Park Open Space – Update on current project status and recommended changes to the site layout due to wetlands on the property.

Mr. Thomas Driscoll, Director of Engineering, Parks and Public Works, explained the two phases of the project. Phase one included, restrooms, lighting, landscaping and a dog park, and phase two included a treehouse and playground. Mr. Thomas Hernandez, Project Engineer, gave updates on wetland determination, site plan alternatives and contractor Return for Proposal (RFP) proposed dates.

Mr. Driscoll went over the project time frame, clarified site plan cost shortfalls available funding and restricted funds guidelines.

Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning, discussed selecting a tree house contractor and an arborist. She said drawings would be available for a September roundtable followed by neighborhood input.

Councilor Kuretski thanked Staff for their work on offering alternatives but stated he was not in favor of the alternate site plan. He preferred the original plan which kept a buffer, a lake, kept the Dog Park further back on the property and offered a better appearance.

ROUNDTABLE

12. Discussion of Cinquez Park Open Space – Update on current project status and recommended changes to the site layout due to wetlands on the property.

Mayor Wodraska agreed with Councilor Kuretski and noted with the importance of the open space program in Jupiter this was a chance to make the spot very special.

Vice-Mayor Kaufer also agreed and especially did not want some of the trees removed.

Councilor Delaney liked the original plan and did not agree with cutting corners at this point.

Councilor Posner had some reservations with the plan in general. Although he agreed the space should remain natural he did not agree with having a dog park along Indiantown Road for liability reasons, having to increase the budget for the project or moving the wetlands.

Mayor Wodraska noted a majority of Council seemed to want to proceed with the original plan and grant the \$389,000 budget overrun (JK, TW, RD). He asked Mr. Driscoll what the process was for the budget. Mr. Driscoll replied he would work with Finance to do a budget amendment and when updating the Capital Improvement Projects (CIP) he would restructure the sheet to adjust the funds and reallocate restricted funds.

Mayor Wodraska reiterated his reasons for liking the size and placement of the original plan. He felt the dog park was a great opportunity for residents and the park also provided road connectivity.

Vice-Mayor Kaufer commented that even though the dog park was the most discussed part of the project, the park also offered many other opportunities including a playground which residents had requested.

Councilor Posner felt strongly that other locations should be investigated for a dog park.

Vice-Mayor Kaufer moved to continue with the original plan; seconded by Councilor Kuretski; motion passed.

Wodraska
Yes

Kaufer
Yes

Delaney
Yes

Kuretski
Yes

Posner
No

REPORTS

TOWN ATTORNEY

- Attorney Client Session for Harbourside - Mr. Baird mentioned an Attorney Client Session was scheduled for April 13, 2016 during the CRA meeting. He added a second session may be necessary.

Councilor Kuretski moved to proceed with the April 13, 2016 Attorney Client Session previously authorized and provided for a follow up Attorney Client Session, if necessary; seconded by Vice-Mayor Kaufer; motion passed.

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|----------|--------|---------|----------|--------|
| Wodraska | Kaufer | Delaney | Kuretski | Posner |
| Yes | Yes | Yes | Yes | Yes |

- Byrd Mangrove Case - Mr. Baird reported after waiting years, the Town had recently received the payment of approximately \$47,000.

TOWN MANAGER

- Love Street Application - Mr. Lukasik indicated the Love Street agenda item would not be ready for the April 19, 2016 Town Council meeting. He suggested the Option Agreement be scheduled at the same time as the site plan application, possibly in May 2016.
- Jupiter Medical Center - Mr. Lukasik summarized the proposed concept to better identify the location of the Jupiter Medical Center Campus. The proposal included distinctive signage not currently allowed by Code. The majority of Council agreed to ask Staff to pursue the proposal (TW, JK, IK)

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

VICE-MAYOR KAUFER

- Timeline for Agendas – Vice-Mayor Kaufer asked Mr. Lukasik for an update. Mr. Lukasik indicated he was implementing standards to have the agenda items posted one week in advance of the meetings.
- Minutes – Vice-Mayor Kaufer suggested, to improve efficiency, Council submit any revisions to the minutes directly to the Town Clerk.

Mayor Wodraska recommended this be discussed during the Strategic Planning Workshop.

- Business Tax Receipts - Vice-Mayor Kaufer asked to receive an update from Mr. Lukasik regarding the current timelines and problem issues.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR POSNER

- Business Tax Receipts – Councilor Posner stated he agreed with Vice-Mayor Kaufer and stressed the need to streamline the process. He mentioned he planned to discuss the issue at the Strategic Planning Workshop.

COUNCILOR KURETSKI

- Suni Sands Eviction Process Consequences – Councilor Kuretski said he had been working with Mr. Lukasik to try to find some solutions. He appealed to the Council regarding the life changing occurrences for the residents of Suni Sands and felt some residents were not treated fairly. He suggested the Town and the Council assist with mitigating the impacts.

Mayor Wodraska recommended if someone had a financial hardship or special circumstances they should contact the Town Manager's Office or the Neighborhood Services Department.

- Love Street/Parkway Street SWAP Agreement – Councilor Kuretski asked for the two new Council members to receive a copy of the Agreement, specifically sections 7.1, 7.2, and 7.3.

Mayor Wodraska and Vice-Mayor Kaufer felt further discussion should take place at the CRA meeting.

Mr. Lukasik agreed to schedule this item for the April 13, 2016 CRA meeting.

- Open Space Fund Balance/Developers Diversified Realty (DDR) Acquisition - Councilor Kuretski mentioned the comments from Ms. MB Hague and suggested this issue be scheduled for the April 19, 2016 Town Council Meeting. He felt strongly the Town should replenish the \$4,338,576.00 for the DDR Acquisition.

Mayor Wodraska recommended the new Council members get with Mr. Lukasik to get up to speed on these issues and to understand the consequences.

MAYOR WODRASKA

- Council Comments - Mayor Wodraska indicated this section of the agenda was for Council members to bring up something they had seen or to ask for an item to be placed on a future agenda. He stated he did not want this section to become lengthy with Council members pushing their individual agendas.
- Boards and Committee Appointments – Mayor Wodraska mentioned this was scheduled for the April 19, 2016 agenda and suggested Council review the information thoroughly. He stressed the value of having fresh ideas and new blood on the Committees.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR WODRASKA

- Palm Beach County League of Cities - Mayor Wodraska congratulated Vice-Mayor Kaufer on his recent appointment to the League of Cities.

TOWN MANAGER

- Open Space/DDR site – For clarification, Mr. Lukasik asked when this item should be scheduled for a Council meeting agenda. Mayor Wodraska felt this item did not need to be rescheduled; however he suggested Council members get up to speed on this item and inform the Town Manager.

ADJOURNMENT – 9:43 P.M.