

**FINAL AGENDA AND MINUTES
TOWN OF JUPITER
TOWN COUNCIL SPECIAL MEETING
COUNCIL CHAMBERS
THURSDAY, AUGUST 4, 2016**

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

Roll Call: Mayor Todd R. Wodraska; Vice-Mayor Ilan 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. Andrew "Red" Harris Foundation Presentation.

Mr. Scott Harris, father of Andrew "Red" Harris, provided a power point presentation explaining the Andrew "Red" Harris Foundation's projects and its partnership with the Town. He asked Council to consider increasing the Town's contribution to 20 percent of the 2017 project cost.

Mayor Wodraska asked if the County had provided any contribution. Mr. Harris stated the County had provided funds to the Foundation.

Vice-Mayor Kaufer asked Staff to present a formal proposal for the amount and backup information on the budget to the Council.

CITIZEN COMMENTS

Mr. Dominic Addario, resident of North Highway A1A, stated the tax base would be affected by decisions made tonight and the actions of Council was supposed to protect the public's interest.

Ms. Janeen Mason, Curator at Lighthouse Art Center in Tequesta, distributed an update about the Lighthouse Art Center and the new exhibits.

Ms. MB Hague, resident of Bourne Drive, informed Council about the recent Planning and Zoning Workshop she had attended.

Ms. Anna Current, resident of North A1A, stated she and other property owners within the Jupiter Inlet Village had met with some of the Council and would like to meet with the rest of Council.

Mr. Ben Klug, resident of Raintree Trail, thanked the Town, the Police Department, and the Council for coming out to support the National Night Out Event.

Ms. Amy Lane, resident of Ridge Road, brought the Now or Neverglades declaration with over 21,000 signatures and asked Council to sign.

CITIZEN COMMENTS

Mr. Larry Roberts, resident of U.S. Highway One, thanked Council for their support and said he was enjoying his appointment to the Planning and Zoning Commission. He also mentioned he participated in the Share the Ride Program with Jupiter Police and encouraged all citizens to learn more about the Jupiter Police Department.

MINUTES

2. July 19, 2016 Town Council Meeting Minutes and June 16, 2016 Town Council Budget Workshop Minutes.

Councilor Posner asked for revisions to the July 19, 2016 minutes which included changing the word “of” to “to” in Mr. Dominic Addario’s comments and he wanted to include a question proposed to Councilor Kuretski on item 13.

Vice-Mayor Kaufer moved to approve the July 19, 2016, Town Council Meeting Minutes, as amended and to approve the June 16, 2016 Town Council Meeting Minutes; seconded by Councilor Posner; motion passed.

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

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

PUBLIC BUSINESS

3. Approving cancellation of the Town Council Meeting September 6, 2016 and scheduling a Special Town Council Meeting Thursday, September 8, 2016 at 7PM in the Council Chambers to allow for Public Hearings on the Fiscal Year 2016-2017 Budget.

PUBLIC BUSINESS

4. **Resolution 62-16**, Approving a Replat titled “Loxahatchee Club at Maplewood Plat No. 22 of Phase II.”

END OF CONSENT AGENDA

REGULAR AGENDA

PUBLIC HEARINGS

5. **Resolution 56-16, Jones Creek Preserve - Quasi-judicial** - Special exception and site plan for a passive park including a kayak launch on a 1.4± acre property, located on the south side of Indiantown Road and approximately 370 feet west of Pennock Lane.

Ex- parte Communications:

- Mayor Wodraska said he received e-mails pertaining to issues.
- Councilor Posner said he visited the site.
- Councilor Delaney said he also received e-mails.

Town Clerk swore in 5 people.

Mr. George Gentile requested a special exception site plan approval. He said the property was vacant and they were proposing a passive park and environmental enhancement use. Mr. Gentile stated there would be one space for bus parking, six regular parking spaces and one handicapped space totaling seven spaces. He highlighted the project's community benefits; the special exception requirements being met and a kayak launch.

Mr. Greg Waterman resident of Choctaw Street stated the passages were too narrow, there was no police access to the canal and limited visibility on sharp turns. He said adding boats and kayaks created a huge navigational hazard. Mr. Waterman did not support the plan.

Mr. Andrew Green resident of Maple Isle said he enjoyed the canal and also picked up trash and suggested better maintenance of the canal. He said the Town should lead the maintenance activity of the canal, review the narrow areas and do tree trimming to reduce hazards.

Mr. Eric Ellison resident of Colony Way West said he picked up trash on the canal and mentioned his concern was the congestion of Jones Creek. He suggested the Town widen some of the areas.

Ms. Boylan mentioned there were five "do not wish to speak" comment cards received, that would be made a part of the record and forwarded to Council.

REGULAR AGENDA

PUBLIC HEARINGS

5. Resolution 56-16, Jones Creek Preserve

Mayor Wodraska asked if there were potential solutions to the narrow turns in the area. Mr. Gentile stated it had been done in other areas. Mayor Wodraska also questioned funding from the Loxahatchee River Preservation Initiative and mentioned the recent veto of funding.

Councilor Posner suggested addressing the maintenance of the area during the budget discussions. He said trimming the mangroves and receiving assistance from Loxahatchee River Preservation Initiative would help. Councilor Posner asked the bus size limit.

Ms. Stephanie Thoburn, Assistant Planning and Zoning Director said the bus was for student use and was not intended for commercial use. She also mentioned adding signage indicating private canals.

Councilor Kuretski suggested adding conditions to prohibit commercial drop off and address ongoing maintenance.

Councilor Posner suggested trash pickup on Monday mornings.

Councilor Delaney suggested mangrove trimming and regular maintenance.

Councilor Posner mentioned trimming of the mangroves was included and he suggested a maintenance program be put in place. Council unanimously agreed to follow up on the Monday morning pickup suggestion.

Vice Mayor Kaufer suggested due to the Loxahatchee River Preservation Initiative funding veto; investing budget dollars into advocacy efforts such as lobbyists could help.

Councilor Kuretski stated the proposed conditions as follows: prohibiting the use of commercial drop off business, proper signage, Monday trash pickup, relocation of pavilion and trimming boundaries and maintenance decided by Staff.

Councilor Posner moved to approve Resolution 56-16, Jones Creek Preserve as amended to include the conditions outlined by Councilor Kuretski; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska
Yes

Kaufer
Yes

Delaney
Yes

Kuretski
Yes

Posner
Yes

REGULAR AGENDA

PUBLIC BUSINESS

6. Consideration of the Town of Jupiter Relocation Assistance Program for the Residents of the Suni Sands Mobile Home Park. (Continued from 7/19/16)

Mr. Lukasik stated some of the residents of Suni Sands who were in need of assistance had entered an agreement with the owner of the property. He mentioned the parameters were no longer relevant and no one would qualify for the proposed program.

Councilor Kuretski felt there should have been a program to offer some reasonable compensation.

Councilor Posner agreed, but did not want to empower developers to think the Town's taxpayers would move mobile homes and suggested the developer assist mobile home owners to relocate.

Councilor Delaney stated he had met with Mr. Steve Burns and Mr. Tom Ryan. He mentioned there were about ten residents still in the park and the developer had funds available. He did not see the Town's need to provide funds.

Vice-Mayor Kaufer agreed with Councilor Delaney.

Mr. George Pinkerton, resident of Heather Street, mentioned the tax break given to Harbourside and the money the Town spent on the Swap agreement instead of the residents of Suni Sands.

Mr. Joe Charles, resident of North Highway A1A, asked the financial amount Mr. Modica told the Town Manager he had provided to the residents. He mentioned a program where developers provided funds in an affordable housing program or would build affordable houses for the residents.

Ms. Tina Farior, resident of North Highway A1A, stated that the Florida Statute states that Suni Sands residents should be paid a fair and reasonable amount, if the property was submitted for redevelopment or change of use. She also stated Mr. Modica should provide assistance.

Ms. Terri Grooms, resident of North Perry Avenue, asked how the Town decided who was qualified for the loan program and stated the financial expense the move had on the Suni Sands residents.

Mr. William Desapio, resident of Highway A1A, stated he had asked the Town, before his parents resided in Suni Sands, what would happen to the park if it was sold. He was told there were restrictions and there would have to be a relocation plan. He was not able to relocate his trailer and he felt \$1,000.00 dollars for the trailer wasn't enough.

REGULAR AGENDA

PUBLIC BUSINESS

6. Consideration of the Town of Jupiter Relocation Assistance Program for the Residents of the Suni Sands Mobile Home Park. (Continued from 7/19/16)

Mayor Wodraska stated the Town was available to help with resources not to spend funds to help relocate. Majority of Council agreed not to proceed with the proposed program. (RD,TW,IK)

7. Discussion of an Ordinance to establish a Moratorium in the Inlet Village District.

Mr. Baird stated the moratorium ordinance required direction from Council and he needed more information. He briefly reviewed five previous moratorium ordinances enacted in Jupiter since 1985. Ordinance 14-85 was enacted for six months to allow Staff sufficient time to study and decide what types of zoning uses to recommend, due to the zoning that did not match land use in the Town. Ordinance 42-99 was enacted for six months to inventory vacant land to determine if it was environmentally sensitive.

He stated Ordinance 22-96 was enacted for nine months regarding US Highway One/Intercostal waterway to establish Riverwalk and assign regulations. Ordinance 35-02 was enacted for six months to study primarily impacts affected by Parcel 19 DRI. Ordinance 14-10 was enacted in coordination with Palm Beach County and other municipalities to prevent pain management clinics from opening within the Town, for as long as necessary.

Mr. Lukasik said there were four main items to discuss to create a moratorium: what did the Town want to study; the length of time needed; geographic area affected; and what applications if accepted or denied would be processed during the course of the moratorium.

Councilor Kuretski said Mr. Lukasik's July 24; Weekly Update indicated with the completion of the Love Street project the average daily traffic on A1A would reach a level of service "D". Mr. Lukasik replied, yes that was correct.

Councilor Kuretski asked Mr. Baird if a development project came before Council, could they approved the project without adequate road capacity. He felt if the Council continued to approve projects the Town Code and Comp Plan would need to be amended.

Councilor Posner felt a rush to go to a moratorium was not needed because of the Town's lengthy and stringent developmental approval process. He noted a moratorium would reflect negatively on the Town, the taxpayers, jobs, and businesses. Councilor Posner mentioned he had different traffic numbers than Councilor Kuretski was using.

REGULAR AGENDA

PUBLIC BUSINESS

7. Discussion of an Ordinance to establish a Moratorium in the Inlet Village District.

Mr. Baird addressed Councilor Kuretski's question about Council's ability to approve a project without adequate road capacity. Mr. Baird answered that if Council found traffic generated by the project would exceed the level of service, they would typically not approve the project that was not consistent with the comprehensive plan. Mr. Baird noted realistically traffic engineers would be involved and there would be a quasi-judicial hearing and decision based on figures.

Vice-Mayor Kaufer asked what applications were in process for the area. Mr. Lukasik said the Mini Golf expansion. Mr. Sickler said he was not aware of any others but would not have knowledge of all building permit applications.

Vice-Mayor Kaufer asked what the time frame was for evaluating long term outlooks on density levels or land use regulations outlined in the strategic plan. Mr. Lukasik said it had been identified as a strategic priority even without a moratorium.

Mayor Wodraska asked the Town Attorney if there were alternatives to a moratorium that would address the types of issues discussed. Mr. Baird said Zoning in Progress could be another tool used. He said the difference between the two was, with a moratorium the application process would stop. With a Zoning in Progress situation applications could still be accepted but the property owner would need to know Staff was studying land regulations and new regulations could be enacted.

Ms. MB Hague, resident of Bourne Drive, felt the Town dismissed the Traffic Engineer's findings and was not planning responsibly.

Mr. George Pinkerton, resident of Heather Street, was in favor of the moratorium to give the Town more time to reevaluate parking and traffic and redefine stronger zoning codes.

Ms. Anna Current, resident of N. Highway A1A, said levels of service were not mandated by the State which gave municipalities the power to decide. She noted the Town's Comprehensive plan was just reviewed in May and was approved. Ms. Current was opposed to the moratorium and instead encouraged citizens and elected officials to work together to seek viability and economic growth.

REGULAR AGENDA

PUBLIC BUSINESS

7. Discussion of an Ordinance to establish a Moratorium in the Inlet Village District.

Ms. Yvonne Addario, resident of N. Highway A1A, was opposed to a moratorium because it would discourage land sales. She felt the only traffic issues were from Guanabanas not having on-site parking. She said a single level parking deck on each end of the Inlet Village would solve many issues.

Mr. Chris Nielsen, resident of E. Community Drive, was opposed to a moratorium and felt families needed more access to water areas. He also wanted to move his business to the Inlet Village and encouraged dialogue to promote smart building for the area.

Ms. Tina Fariior, resident of N. Highway A1A, was in favor of a moratorium to take more time to consider possibilities, reassess the Town Code and evaluate environmental concerns.

Mr. Stefan Harzen, resident of Stonewood Court, thought the moratorium idea was a result of the approval of the Love Street Project. He also felt many traffic numbers being talked about were incorrect. Mr. Harzen did not feel a moratorium was appropriate and suggested dialogue between citizens and Council with opposing opinions could facilitate compromise.

Ms. Dorothy Espinola, resident of N. Highway A1A, was opposed to a moratorium and felt many of the residents in her development were also opposed. She thought a moratorium was unfair to the Love Street project developer and she wanted the Suni Sands area cleaned up.

Mr. George Gentile, resident Commerce Lane, was involved in the Mini Golf project and mentioned the developer was working on expansion. He felt a moratorium would hurt current businesses and would reflect negatively on the Town.

Mr. Joe Charles, resident of N. Highway A1A, addressed several comments by other citizens and felt land was priced too high in the Inlet district to entice many businesses. He quoted some median home prices from the Palm Beach post and felt service workers would not be able to afford homes in Jupiter.

Mr. Rick Clegg, of Jupiter Outdoor Center, was opposed to the moratorium and felt there were sufficient processes in place to assure responsible building. He said a moratorium would be irresponsible and further inhibit access to the waterfront.

REGULAR AGENDA

PUBLIC BUSINESS

7. Discussion of an Ordinance to establish a Moratorium in the Inlet Village District.

In response to Councilor Posner's statement, Councilor Kuretski stated he got his traffic numbers from the Town Manager. He discussed level of service and impacts and felt the Comprehensive Plan needed reevaluation and an Attorney opinion. Councilor Kuretski reiterated the point that whether it was called a moratorium or not, no further large projects should be allowed until traffic and parking policies were addressed.

Councilor Posner said he met with many homeowners in the Inlet Village area and felt meeting with all sides was important. He discussed the parking code and what he felt was best for the homeowners and businesses in the area. He strongly opposed a moratorium and was in favor of working positively together.

Vice-Mayor Kaufer did not feel a moratorium was necessary based on the number of applications, the damage it could cause to businesses and the fact that traffic was already being studied and addressed. He also noted he strongly supported the necessary infrastructure improvements being done to the roadway.

Councilor Delaney said the moratorium was not intended to hurt businesses or development but to address important issues. He noted small business already there should not be affected and it should only concern major projects.

Mayor Wodraska said he agreed the Comprehensive plan concerning level of service, needed work. He felt a moratorium was not necessary based on the Town's stringent approval process. Majority of Council agreed not to proceed with a moratorium ordinance. (WP, IK, TW) Mayor Wodraska said it had been a healthy discussion and no further action would be taken at this time.

ROUNDTABLE

8. Discussion relating to the Town's Parking Code (suggested by Councilor Kuretski). (Continued from 7/19/2016)

Councilor Kuretski summarized his memo which included unallocated parking spaces in the Riverwalk/Inlet Village and Abacoa Town Center areas. He suggested there be policy discussions regarding restaurant parking requirements and parking for restaurants with outdoor seating. He believed the Town Code rate was too low at 11.76 and should be increased to 15.14 per 1,000 square feet of restaurant indoor. Councilor Kuretski also felt a restriction should be placed on the Town Code for excessive parking spaces.

ROUNDTABLE

8. Discussion relating to the Town's Parking Code (suggested by Councilor Kuretski). (Continued from 7/19/2016)

Councilor Posner asked where in Palm Beach County (PBC) there was a 15.14 ratio. He believed the Town should be in compliance with the rest of PBC.

Mayor Wodraska asked if 11.76 was the standard ratio.

Mr. CJ Lan, Town Traffic Engineer, stated PBC's standard was one parking space per three seats.

Vice-Mayor Kaufer thought Staff should investigate if the current parking ratio per square foot was what the Town wanted verses what PBC was using. He stated he would like to see some comparable numbers on parking spaces per square foot or parking spaces per seat.

Mr. Lan stated in the two comparable scenarios he had done, the margins had been 13.2 and 14.9 which were both above the Town's 11.76 ratio. He explained he had used both national and local data to determine the margins.

Mayor Wodraska asked why the Town had not required parking for outdoor seating.

Councilor Kuretski stated restaurants were permitted to have 25 percent of outdoor seating without additional parking and above 25 percent there would be an additional parking requirement.

Vice-Mayor Kaufer asked Mr. Lukasik if there had been any discussions with PBC on parking in the Inlet area, Burt Reynolds Park and Lighthouse Park.

Mr. Lukasik stated current conversations with PBC had been regarding Burt Reynolds Park, how the parking could be utilized and exploring the incorporation of Piatt to free up some more parking.

Mayor Wodraska requested more information regarding outdoor seating parking.

Councilor Kuretski briefly reviewed suggestions for offsite parking applications, walking distances, shared use parking calculations and parking space allocations.

Mayor Wodraska stated there was a consensus of Council to receive more information regarding outdoor seating parking, shared parking and an inventory of potential parking spaces.

ROUNDTABLE

8. Discussion relating to the Town's Parking Code (suggested by Councilor Kuretski). (Continued from 7/19/2016)

Ms. MB Hague presented concerns with changes in the parking code which could cause inadequacies. She mentioned specific problems in the Inlet Village which needed to be changed. Also, she was disappointed that the Town had proposed using the 72 percent criteria for parking design rather than the recommended 85 percent.

REPORTS

TOWN ATTORNEY

- CHS Pharma, Inc. – Mr. Baird updated Council on the settlement negotiations related to the default of the economic development loan. Mr. Baird requested an Attorney Client session, if necessary. He mentioned it could be scheduled for a half hour prior to a Council meeting.

TOWN MANAGER- None

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR KURETSKI

- Accident on Railroad Track – Councilor Kuretski referenced the recent death of a pedestrian in Southern Palm Beach County. He said the accident was what the Town of Jupiter has been concerned about, since the current trains were not going as fast as the 110 mph trains projected to come through the Town.
- Kudos to the Police Department – Councilor Kuretski complimented the canine units and the Police Department for their recent actions in apprehending a car burglar in the Shores.

REPORTS

MAYOR WODRASKA

- A1A Signage – Mayor Wodraska agreed with the criticism of too many signs along A1A, specifically the speed hump signs. Mr. Lukasik reported that Staff was currently looking at the issue and planned changes once the project was completed.
- Council discussions – Mayor Wodraska challenged the Council to be more concise with their comments, so the meetings could end sooner.

ADJOURNMENT – 11:02 P.M.