

**FINAL AGENDA AND MINUTES
TOWN OF JUPITER
TOWN COUNCIL MEETING
COUNCIL CHAMBERS
TUESDAY, AUGUST 16, 2016**

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

Roll Call: Mayor Todd R. Wodraska; 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. Vice-Mayor Ilan G. Kaufer was absent.

CITIZEN COMMENTS

Mr. Ben Klug, resident of Raintree Trail, stated the sidewalk project on Military Trail near Beacon Cove Elementary School was causing issues for auto and foot traffic. He also mentioned a cleanup he had volunteered for at DuBois Park and asked if the Town could contact the County to have the cleanups on a quarterly basis.

MINUTES

1. August 4, 2016 Town Council Meeting Minutes and July 11, 2016 Town Council Strategic Workshop Minutes.

Councilor Posner moved to approve the August 4, 2016 Town Council Meeting Minutes and July 11, 2016 Town Council Strategic Workshop Minutes; seconded by Councilor Delaney; motion passed.

Wodraska
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.

- Councilor Kuretski removed items 7, 8, and 9.
- Mayor Wodraska and Councilor Delaney removed item 9.
- Mr. George Pinkerton asked to remove item 9.
- Mr. Trevor Nynez asked to remove item 11.
- Councilor Posner and Ms. Carol Watson removed item 14.

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

Wodraska
Yes

Delaney
Yes

Kuretski
Yes

Posner
Yes

CONSENT AGENDA

PUBLIC HEARINGS

2. **CONTINUED TO 9/20/16**
Ordinance 10-16, Second Reading Future Land Use Map Amendments - The Town of Jupiter has initiated Future Land Use Map (FLUM) amendments for 8 properties, totaling 49.6+/- acres, to provide consistency with the existing uses of the properties.
3. **CONTINUED TO 9/20/16**
Ordinance 9-16, Second Reading, Zoning Map Amendments - The Town of Jupiter has initiated Zoning Map amendments for 10 properties, totaling 68.4+/- acres, to provide consistency with the existing uses of the properties.
4. **CONTINUED TO 9/20/16**
Ordinance 11-16, Second Reading, EAR-Based Comprehensive Plan Text Amendments – To modify the Future Land Use, Transportation, Housing, Conservation, Coastal Management, Recreation and Open Space, Intergovernmental Coordination and Capital Improvements elements related to incorporating statutorily required changes and additional changes based on input from the public, business community and strategic initiatives contained in the Town's 2016 Plan.
5. **CONTINUED TO 10/06/16**
Circle K Redevelopment
 - A. **Ordinance 14-16, Second Reading** - *Quasi-judicial*- Abandonment of a 25 foot by 300 foot alley located approximately 155 feet south of the Indiantown Road right-of-way line, extending 300 feet east from Orange Avenue.
 - B. **Resolution 35-16** - A special exception and site plan amendment for the expansion and redevelopment of an existing gas station and convenience store onto adjacent properties, totaling 2.0 +/- acres, located at 126 West Indiantown Road.
6. **Washington Street Preserve** –Town-initiated applications for two Town-owned parcels of land totaling 16.6± acres located northeast of Island Way and south of Church Street to include:
 - A. **Ordinance 17-16, First Reading** - Future Land Use Map amendment from General Industrial with the Bioscience Research Protection Overlay to Conservation; and (Second Reading – 10/18/16)

Title read by Mr. Baird.

CONSENT AGENDA

6. Washington Street Preserve

- B. Ordinance 18-16, First Reading** - Zoning Map amendment from Industrial, High Technology and Employment Center (I-4) to Conservation Preservation. (Second Reading – 10/18/16)

Title read by Mr. Baird.

PUBLIC BUSINESS

- 7. Resolution 57-16**, Authorizing an adjustment in water rates in accordance with the U.S. Department of Labor's Water and Sewage Maintenance Index. **MOVED TO REGULAR AGENDA**
- 8. Resolution 58-16**, Authorizing an adjustment in stormwater utility fees in accordance with the U.S. Department of Labor's Consumer Price Index. **MOVED TO REGULAR AGENDA**
- 9. Resolution 64-16**, Accepting Comprehensive Protection of regional water resources and accountability at all levels of government for the timely completion of all projects intended to remediate environmental harm. **MOVED TO REGULAR AGENDA**
- 10. Resolution 65-16**, Approving a recommendation of award to Johnson-Davis, Inc. for unit price contract for stormwater utility infrastructure repairs.
- 11.** Approving Contract Award EPW 2016-12B, Work Order No. 6 with Calvin, Giordano & Associates, Inc. for the Southern Extension of Island Way in an amount not to exceed \$393,556.63. **MOVED TO REGULAR AGENDA**
- 12. Resolution 61-16**, Authorizing and directing the Mayor to renew a Strategic Alliance Memorandum with the U.S. Small Business Administration.
- 13. Resolution 53-16**, Approving a one-year contract award recommendation to Jupiter Medical Center Physicians Group to provide employee health clinic services in the amount of \$150,996.00.
- 14.** Approving Contract Award EPW 2016-15 Cinquez Park Phase I, design build to West Construction, Inc. in an amount not to exceed \$2,465,600. **MOVED TO REGULAR AGENDA**

END OF CONSENT AGENDA

REGULAR AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

7. **Resolution 57-16**, Authorizing an adjustment in water rates in accordance with the U.S. Department of Labor's Water and Sewage Maintenance Index.

Councilor Kuretski said he pulled the item because he opposed the rate hike that was based on indexing.

Councilor Posner asked for a presentation to hear more about the indexing process. Mr. David Brown, Director of Utilities, explained water rates were indexed routinely since 1991, in accordance with a national index known as the Department of Labor's Water and Wastewater Index. He noted it was used to keep rates consistent with growth and operating costs, maintain reliability, sustainability, and renewal and replacement (R&R) of infrastructure. Mr. Brown said another benefit was avoiding a large rate hike for any of the reasons mentioned.

Mr. Brown discussed the history of rate increases and the application of the increase for this year. He noted Jupiter's rates compared very favorably with other municipalities.

Councilor Posner reiterated that even though indexing usually went up every year, Jupiter did not increase rates during the past recession years. He asked if there was a way to monitor circumstances that would create a large water bill. Mr. Brown explained reports were run periodically and meters were read constantly which would head off many large billing issues. He noted when customers were proactive, billing issues would be resolved.

Councilor Posner and Mr. Brown discussed rate structures, reserve funds available to replace assets and continuous Community Investment Program projects.

Councilor Delaney asked about future significant project costs. Mr. Brown explained they would primarily have to do with the reverse osmosis plant, including, odor control equipment, mobile bed absorbers, and well rehabilitation. Councilor Delaney asked what percentage of rate increases went towards R&R. Mr. Brown noted approximately 20% of the annual budget went towards R&R.

Councilor Kuretski mentioned philosophically he would not be supporting the item. He felt the Town was guaranteed growth and did not agree with an automatic increase based on indexing.

Councilor Posner thought the method was acceptable, but could be looked at more carefully in the future.

REGULAR AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

7. Resolution 57-16

Councilor Posner moved to approve Resolution 57-16; seconded by Councilor Delaney; motion passed.

Wodraska	Delaney	Kuretski	Posner
Yes	Yes	No	Yes

8. Resolution 58-16, Authorizing an adjustment in stormwater utility fees in accordance with the U.S. Department of Labor's Consumer Price Index.

Councilor Kuretski said he pulled the item because he opposed the rate hike that was based on indexing.

Mr. David Brown, Director of Utilities, stated the resolution was to get a step ahead on infrastructure, sea levels rising, and climate change.

Councilor Posner moved to approve Resolution 58-16; seconded by Councilor Delaney; motion passed.

Wodraska	Delaney	Kuretski	Posner
Yes	Yes	No	Yes

9. Resolution 64-16, Accepting Comprehensive Protection of regional water resources and accountability at all levels of government for the timely completion of all projects intended to remediate environmental harm.

Mr. David Brown, Director of Utilities gave an overview of the algae bloom, regional issues, the completion of the Herbert Hoover dike and the Everglades restoration. He stated he was asked to draft a resolution to address the issues and reinforce commitment to the overall program.

Councilor Posner asked how involved the South Florida Water Management District (SFWMD) had been and if the Town had been provided with any scientific information.

Mr. Brown believed the SFWMD and the Corps of Engineers were very involved and were knowledgeable regarding the situation.

Mr. George Pinkerton, resident of Heather Street, distributed and reviewed his handout.

Ms. Julie Payne, resident of Jupiter Park Drive and owner of Southern Water Services, stated there were no guarantees the algae would go away if the water flowed south and she had concerns for people living in those areas.

REGULAR AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

9. Resolution 64-16

Mr. Ernie Cox, resident of Santiago Drive, stated he was happy the Town was being more proactive with the water issues. He believed the Town should focus on a solution and how it would affect the Town and the Loxahatchee River. He explained the Florida Earth Foundation would be holding a forum on September 15 and 16 at Florida Atlantic University in Jupiter.

Mr. Rick Roth, resident of Wellington, stated he was running for State Representative. He cautioned Council on protocol and felt a resolution should be passed to address the concerns for tourism and the environment.

Councilor Kuretski stated he would have liked to see some additions to the resolution. Based on recent information received, he felt it should include urging of expedited planning by the Army Corps of Engineers and mention of water storage in the Okeechobee watershed. Councilor Kuretski also felt the "Whereas" clause, which discussed the alteration of South Florida's natural system, should include "to revise the historical adverse impacts and to minimize further impacts".

Mayor Wodraska suggested the Town take Councilor Kuretski's recommendations and bring the item back. He believed the Town should invite the SFWMD to do a brief presentation and answer questions.

Council unanimously agreed to continue the item to September 8, 2016.

- 11.** Approving Contract Award EPW 2016-12B, Work Order No. 6 with Calvin, Giordano & Associates, Inc. for the Southern Extension of Island Way in an amount not to exceed \$393,556.63.

Mr. Trevor Nynez, resident of 173rd Place North, stated he had not received information from the County saying the item was approved and asked how the item was moving forward in Jupiter.

Mr. Lukasik stated the project was to help alleviate some of the congestion on Indiantown Road. He mentioned the County was not moving forward with the project but the Town made it a high priority.

Councilor Kuretski reiterated the Town had reached out to residents and would continue to do so to include their input.

REGULAR AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

11. Approving Contract Award EPW 2016-12B, Work Order No. 6 with Calvin, Giordano & Associates, Inc. for the Southern Extension of Island Way in an amount not to exceed \$393,556.63.

Councilor Kuretski moved to approve Contract Award EPW 2016-12B; seconded by Councilor Delaney; motion passed.

Wodraska	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes

14. Approving Contract Award EPW 2016-15 Cinquez Park Phase I, design build to West Construction, Inc. in an amount not to exceed \$2,465,600.

Councilor Posner said Staff did a great job on the project however, the project was very expensive. He felt there were other projects that needed completing and it was not the right timing. He mentioned he preferred the project be postponed, to investigate Workforce Housing Funds and needed infrastructure.

Councilor Posner asked Mr. Baird if the Town looked into AIA type contracts as the project's contract appeared to be missing context from the standard design build contracts.

Mr. Baird said it was a standard contract that the Town had used for years for construction projects and some provisions were taken from an AIA contract.

Mr. Thomas Driscoll, Engineering and Public Works Director said the agenda information was an extracted contract form and the entire contract which consisted of hundreds of pages could be provided to Council, if needed.

Councilor Kuretski asked Mr. Driscoll to confirm that Indiantown Road and Central Boulevard, where there were no real traffic mitigation solutions, could connect with another project for a possible outlet. Mr. Driscoll said there were a number of concepts; however they were only building an access between the two streets.

Ms. Carol Watson resident of Seabreeze Circle said she was happy that West Construction received the contract. She suggested an outdoor gym in the location and said a fundraiser could help fund the stations.

Mayor Wodraska said the park area was purchased with Open Space funds and probably would not gain support for Workforce Housing due to some of the funding restrictions.

REGULAR AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

14. Approving Contract Award EPW 2016-15 Cinquez Park Phase I, design build to West Construction, Inc. in an amount not to exceed \$2,465,600.

Mayor Wodraska said he was looking forward to the park and suggested the outdoor gym could be listed as an option for the Phase II Design.

Councilor Kuretski moved to approve Contract Award EPW 2016-15 Cinquez Park Phase I; seconded by Councilor Delaney; motion passed.

Wodraska
Yes

Delaney
Yes

Kuretski
Yes

Posner
Yes

REPORTS

TOWN ATTORNEY

- Harbourside - Mr. Baird indicated the hearing for the temporary injunction was scheduled for September 14-15, 2016 not the trial, as listed in the Palm Beach Post. If there is a trial, it would not be scheduled until 2017.

TOWN MANAGER- NONE

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR WODRASKA

- Florida League of Cities – Mayor Wodraska announced he would be attending the annual conference this week in Hollywood, Florida.
- Police Patrol on the Beach - Mayor Wodraska reiterated the need for a concerted effort on the beach for both public relations and patrol regarding dogs on the beach complaints. Majority of Council agreed. (TW,WP,JK)

ADJOURNMENT – 8:27 P.M.