

**FINAL AGENDA AND MINUTES
TOWN OF JUPITER
TOWN COUNCIL MEETING
COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 20, 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.

PUBLIC HEARINGS

1. **Ordinance 19-16, Second Reading, Approval of 2017 Millage rate.**
2. **Resolution 59-16,** Approving the Fiscal Year 2016/2017 Operating Budget.
3. **Ordinance 20-16, Second Reading, Approval of 2016-2017 Community Investment Program.**

Mr. Lukasik highlighted the presentation for the 2017 Budget.

He said there was a \$2.9 million dollar increase over the fiscal year 2016 original budget and a \$2.1 million dollar increase over the fiscal year 2016 revised budget. He said the increased spending would fund investments in personnel and infrastructure that would support community growth.

Mr. Lukasik said there were fourteen new positions including: two in the Police Department, two in Public Works, three in the Water Utility and one each in Code Compliance, Building, Community Relations and Recreation; and three part-time Camp Counselors.

Mr. Lukasik discussed the millage rate impact as proposed and mentioned the Homesteaded property owners would see a reduction in their tax bill.

He said there was a three percent increase relative to the current fiscal year in the General Fund. Mr. Lukasik said the biggest change was the increase in ad valorem, which was almost eight percent and an increase in state shared revenue and sales tax.

Mr. Lukasik said there was a \$1.4 million dollar increase relative to the revised 2016 General Fund Expenditure budget. He said the biggest investment was in personnel and maintenance of infrastructure.

He highlighted the Stormwater, Water Utility, and Building Funds and touched on the Town's historical budget trends.

PUBLIC HEARINGS

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3. **Ordinance 20-16, Second Reading, Approval of 2016-2017 Community Investment Program.**

Mr. Lukasik made clarifications relating to questions Councilor Posner asked. He also confirmed to Councilor Kuretski that the notes he provided relating to the August 11, 2016 Budget Workshop would be added to the final version of the budget.

Councilor Kuretski said he would not support the budget; he was concerned with 2017 being the fifth consecutive year of increases, he also mentioned issues with taxes and financial impacts. He said the fund balance was healthy which meant the Town could ease up a bit on the annual increases. Councilor Kuretski said he hoped Council would take that into consideration when making budget decisions.

Vice-Mayor Kaufer felt Council was doing a good job balancing the millage rate with property tax increases. He mentioned in this budget there were significant and important investments in the police department, and upcoming property acquisitions needed to be planned. He discussed potential sales tax implications and the need for surplus emergency funds.

Councilor Posner felt there was a fine balance between growth, level of service, infrastructure and taxes. Councilor Posner mentioned his idea as a model to keep taxes the same for a 350k homesteaded resident. He discussed effects on businesses.

Mayor Wodraska explained the budget was a product of months of planning and felt it was fair and sufficient for necessary projects. He suggested moving ahead with the budget.

Councilor Delaney noted he was always in favor of lowering taxes but was also afraid of deficit spending. Considering the number of upcoming projects, he felt comfortable moving ahead with the budget.

Vice-Mayor Kaufer moved to approve the Second Reading of Ordinance 19-16; seconded by Councilor Delaney; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	No	Yes

PUBLIC HEARINGS

1. **Ordinance 19-16, Second Reading, Approval of 2017 Millage rate.**
2. **Resolution 59-16,** Approving the Fiscal Year 2016/2017 Operating Budget.
3. **Ordinance 20-16, Second Reading, Approval of 2016-2017 Community Investment Program.**

Vice-Mayor Kaufer moved to approve Resolution 59-16; seconded by Councilor Posner; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	No	Yes

Vice-Mayor Kaufer moved to approve the Second Reading of Ordinance 20-16; seconded by Councilor Delaney; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	No	Yes

CITIZEN COMMENTS

Ms. MB Hague, resident of Bourne Drive, spoke about the Riverwalk Plan including waterfront open space and off-site parking. She mentioned due to all the development Jupiter would become a tourist destination.

Mr. Andy Weston, resident of Dolphin Court, stated residents should be allowed to have as many boats as space allows on their docks. He also mentioned residents should be able to have more than one boat lift.

Mr. Ankur Patel, resident of Lakeshore Drive, commended the Jupiter Police Department's efforts towards the annual soccer tournament with El Sol scheduled for March 18, 2017.

Mr. Ben Klug, resident of Raintree Trail, President of the Neat Team discussed the successful past International Coastal Cleanup at DuBois Park. He also stated they had reached out to the County to adopt the park.

MINUTES

4. September 8, 2016 Town Council Special Meeting Minutes and August 11, 2016 Budget Workshop Meeting Minutes.

Councilor Kuretski asked for a revision to the August 11, 2016 Budget Workshop Minutes on page two, last paragraph.

Vice-Mayor Kaufer moved to approve the September 8, 2016 Town Council Special Meeting Minutes and August 11, 2016 Budget Workshop Meeting Minutes, as amended; 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.

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

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

PUBLIC HEARINGS

5. **CONTINUED TO 10/06/16**
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.
6. **CONTINUED TO 10/06/16**
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.
7. **CONTINUED TO 10/06/16**
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.

CONSENT AGENDA

PUBLIC BUSINESS

8. Approving a Jurisdictional Transfer of Palm Beach County Right-of-Way for the Future Southern Extension of Island Way.
9. **Resolution 67-16**, Approving the replat titled “Sonoma Isles Plat 3”
10. Approving cancellation of the Town Council Meeting Tuesday, October 18, 2016 in observance of “Sukkot” and scheduling a Town Council Special Meeting Thursday, October 20, 2016 at 7PM in the Town of Jupiter Council Chambers.

END OF CONSENT

REGULAR AGENDA

PUBLIC HEARINGS

11. **Ordinance 21-16, First Reading, Marine Facilities** – Zoning text amendment to Section 27-1399, entitled “Private Dock Regulations” to reduce setbacks and allow larger marginal docks in canals. (Second Reading – 10/20/16)

Mr. Garret Watson, Town Planner, explained the proposed Ordinance would provide flexibility to the homeowners of waterfront properties and reduce further impacts on natural resources. He stated the three changes included the removal of the 200 square feet maximum for marginal docks, allowing boats to moor to the property line and the clarification that marginal docks could have no side setbacks if shared with a neighbor.

Mr. Watson explained several scenarios for 5 and 8 foot options with pros, cons and potential issues with corner lots.

Mayor Wodraska asked for clarification on the five foot or eight foot width dock option. Mr. Watson explained any dock could go five feet or ten percent of the canal width, but there was still a maximum of 200 square feet allowed.

Councilor Posner asked about Mr. Eric Sudan's email request to change language to “five feet wide or ten percent of the canal width” instead of a “five foot wide maximum for docks of 200 square feet”. Mr. Watson stated that was the alternative option proposed. Councilor Posner stated he supported the alternative option.

Mayor Wodraska also agreed with the alternative option and asked Council if they were in agreement. Council unanimously agreed to the alternative option.

REGULAR AGENDA

PUBLIC HEARINGS

11. Ordinance 21-16, First Reading, Marine Facilities

Vice-Mayor Kaufer asked if the amendment would cause issues in the future.

Mr. John Sickler, Director of Planning and Zoning, stated it could exasperate some of the issues in corner lots with neighbors.

Councilor Delaney asked if there could be a setback for corner lots. Mr. Sickler stated Staff could investigate the option.

Mr. Kris Heiser, resident of Elsa Road, thanked Staff for the amendment and agreed with the changes.

Mr. Andy Weston, resident of Dolphin Court, discussed mooring poles and docks and was in support of the alternative option.

Vice-Mayor Kaufer moved to approve Ordinance 21-16, First Reading, Marine Facilities, with the alternative option; seconded by Councilor Delaney; motion passed.

Councilor Kuretski asked Staff to investigate corner lot situations further.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

12. Resolution 51-16, Lighthouse Cove Mini Golf – Quasi-judicial - Site plan amendment to remove a 0.2± acre preserve area and pay a fee in lieu of on-site preservation to construct a playground and multi-purpose pavilion, located on 2.3± acres at 617 North A1A.

Ex- parte Communications:

- Mayor Wodraska stated he met onsite with the property owners about a month ago to tour the preserve in question and went over their proposed improvements. He had several discussions with staff about the fees dealing with onsite preservation
- Councilor Posner had several discussions with the owner, some of staff and their land planner. He visited the site several times.

REGULAR AGENDA

PUBLIC HEARINGS

12. Resolution 51-16, Lighthouse Cove Mini Golf

Ex- parte Communications:

- Councilor Delaney met on site with Patti Bartoli on May 13, 2016 and with Patti and Greg Bartoli on August 17, 2016 to look over the preserve area and exchanged emails. He also visited the area.
- Vice-Mayor Kaufer visited the site on September 2, 2016 to evaluate the area in question and discuss the parameters of the application and concerns. He also received emails from the public.

Town Clerk swore in seven people.

Mr. George Gentile representing J E M Partners, LLC, stated the Lighthouse Cove Mini Golf was a family business. He reviewed the highlights of the presentation, including history of the Bartoli's, the site plan, and the expansion. He asked Council to allow a 1:1 ratio compensation to lower the cost of the facility.

Mr. Greg Bartoli, owner of Lighthouse Cove Mini Golf, thanked Council and stated many residents had changed their opinion towards the Lighthouse Cove Mini Golf in a positive way and had enjoyed the facilities.

Mr. Martin Schneider, Town Planner, made some clarifications regarding the preserve area and the easement on the property. He noted Staff recommended approval of the project with conditions and with a fee in lieu of on-site preservation payment at a 2:1 ratio.

Councilor Posner asked how much was spent to date on the project. Mr. Gentile said about \$3 million dollars and noted \$500,000 of that was spent on a drainage surcharge, road construction, traffic impact fees and the right-of-way acquisition.

Vice-Mayor Kaufer asked Staff about the history of the mitigation strategy. Mr. Schneider explained the 2:1 policy applied because of the rare scrub habitat. Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning, gave examples of previous mitigation precedents.

Vice-Mayor Kaufer asked if funds for mitigation could be used to purchase developed areas and restore them to a natural habitat. Ms. Thoburn said the Town Code was specific regarding the funds and she read the section of the Code.

REGULAR AGENDA

PUBLIC HEARINGS

12. Resolution 51-16, Lighthouse Cove Mini Golf

Ms. Joanne Pisani, resident of Ocean Trail Way, said she originally opposed the Mini Golf project but now felt they were a good neighbor and fit for the community. She also mentioned the mitigation ratio should be scaled back to lower their costs as a sustainable small business in Jupiter.

Mayor Wodraska commended Staff for their efforts but felt a 1:1 preserve mitigation ratio was more appropriate for a local business.

Councilor Posner commended the owners for the business they had built and felt they were pioneers for the Inlet Village area. He agreed with a 1:1 ratio.

Councilor Delaney was impressed with the investments made by the owners and agreed with a 1:1 ratio.

Councilor Kuretski said he voted against the original project based on the perception of late night activity but was thrilled that it had become a family oriented business. Councilor Kuretski said in general he was not in favor of taking money for the preserve and wanted to know what value was created in trade. He would not support the Resolution without the information.

Vice-Mayor Kaufer understood mitigation policies but noted in this situation, given the open space in the area and the impact on a small business he would support a 1:1 ratio.

Majority of Council agreed with the 1.1 ratio. (TW, RD, WP, IK)

Vice-Mayor Kaufer moved to approve Resolution 51-16 as amended with the payment fee at a 1:1 ratio or \$150,000; seconded by Councilor Posner, as amended; motion passed.

Wodraska
Yes

Kaufer
Yes

Delaney
Yes

Kuretski
No

Posner
Yes

REPORTS

TOWN ATTORNEY

- Harbourside – Mr. Baird reported the closing arguments were scheduled for September 22, 2016 and provided a brief status update.

TOWN MANAGER

- Improper Irrigation Connections – Mr. Lukasik informed Council there may be an issue with a contractor having illegally installed a separate potable water irrigation system in the yards of Windsor Park homes. He indicated he would provide additional information.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR KURETSKI

- Lighthouse Cove Mini Golf – Councilor Kuretski mentioned he hoped the Council's actions related to mitigation ratios would not set a precedent. He added he did not support the trend.
- Metropolitan Planning Organization Meeting – He informed Council the Palm Beach County proposed penny sales tax projects included intersections. He asked Mr. Lukasik to investigate what was on the list in the Town of Jupiter. He also, discussed was the Five year Plan. He explained he was looking for solutions to accelerate completion of the projects. He asked Mr. Lukasik to look at the Indiantown Road intersections.

COUNCILOR DELANEY

- Mitigation Ratios – Councilor Delaney responded he did not look at the 1:1 ratio as a precedent. He explained there were special circumstances for the small business and felt a 3:1 or 2:1 ratio would have been excessive.

VICE-MAYOR KAUFER

- Golf Club of Jupiter – Vice-Mayor Kaufer asked Mr. Lukasik to provide a status update regarding the possible sale of the club and a potential acquisition for the Town.
- Drone Technology – He asked Mr. Lukasik to investigate the use of forfeiture funds to purchase the technology for the next budget cycle. He also included body armor.
- Parental Leave – Vice-Mayor Kaufer reported the Village of Wellington recently approved six weeks for women and men. He added Deloitte had extended their policy to 16 weeks for women and 6 weeks for men. He indicated the trend was increasing and hoped Council would revisit the policy.

COUNCILOR POSNER

- Lighthouse Mini Golf – Councilor Posner asked Councilor Kuretski for clarification regarding his opposing vote. Councilor Kuretski indicated he was not in favor for losing habitat or payment in lieu.
- Communication Tower – He asked Mr. Lukasik to provide an update regarding the proposed tower for the Bluff's area, as soon as possible.

MAYOR WODRASKA

- Proposed U.S. One Bridge Project – Mayor Wodraska mentioned the earlier public meeting and suggested Council review the impacts on the Inlet Village. Councilor Posner mentioned the need for additional public notice. Mr. Lukasik agreed to provide additional information on the Town's website.

ADJOURNMENT - 9:23 P.M.

Sally M. Boylan, Town Clerk

Todd R. Wodraska, Mayor