

**FINAL AGENDA AND MINUTES  
TOWN OF JUPITER  
TOWN COUNCIL MEETING  
TOWN COUNCIL CHAMBERS  
TUESDAY, MARCH 2, 2021**

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

Roll Call: Mayor Todd R. Wodraska; Vice-Mayor Ilan G. Kaufer; Councilor Jim Kuretski; Councilor Cameron May; Town Manager Matt Benoit; Town Attorney Thomas J. Baird and Town Clerk Laura E. Cahill. Councilor Ron Delaney was absent.

**CITIZEN COMMENTS**

Mr. Larry Anderson, resident of 124 West Riverside Drive, spoke regarding the Riverside Drive sidewalk improvements. He mentioned the petition submitted against the proposed improvements.

Mr. Ray Hays, resident of 127 West Riverside Drive, stated he was opposed to a sidewalk on the north side and suggested traffic controls to slow traffic on Riverside Drive.

Mr. Greg Delvalle, resident of 301 West Riverside Drive, gave his concerns with the proposed sidewalk. He stated the current sidewalk on the south side was beautiful and suggested using the funds to improve the current sidewalk.

Mr. Daryl Brown, resident of 123 West Riverside Drive, also stated he was opposed to the proposed sidewalk and mentioned his concerns with speeding on Riverside Drive.

Mayor Wodraska stated he lived on Riverside Drive and the sidewalk improvements on the north side were not going to happen. He agreed with all comments and had spoken with the Town Manager about coming up with other solutions. He suggested to Council to give direction and work with Staff and said he appreciated everyone who came out.

**MINUTES**

1. February 16, 2021 Town Council Meeting Minutes.

Vice-Mayor Kaufer moved to approve the February 16, 2021 Town Council Meeting Minutes; seconded by Councilor May; motion passed.

Wodraska	Kaufer	Kuretski	May
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 Consent Agenda; seconded Councilor May; motion passed.

Wodraska	Kaufer	Kuretski	May
Yes	Yes	Yes	Yes

## **CONSENT AGENDA**

### **PUBLIC HEARING**

- 2. Ordinance 5-21, Second Reading,** Approving the removal of Section 15-20 "Appointing Authority" from the Town of Jupiter's Code of Ordinances.

Title read by Mr. Baird.

- 3. Ordinance 7-21, First Reading,** Approving an amendment to the Town of Jupiter Police Officer's Retirement Fund to permit member beneficiaries to leave Deferred retirement option plan (DROP) funds in the plan. (Second reading – 3/16/21)

Title read by Mr. Baird.

### **PUBLIC BUSINESS**

4. Approving the Strategic Plan for Fiscal Year 2022.
5. Approving the purchase of ten (10) Police vehicles in the total amount of \$434,178 funded through the Community Investment Program (CIP).

## **REGULAR AGENDA**

### **PUBLIC HEARING**

- 6. Ordinance 1-21, First Reading, Accessory Uses, Buildings and Structures** – Applicant initiated zoning text amendment to Section 27-1910(a) to allow accessory structures in the front yard of residential properties meeting certain area and dimension requirements and Town initiated text amendment to Section 27-1910(a) to incorporate existing policies. (Second Reading - 3/16/21)

Mr. David Milledge, Coteleur and Hearing, spoke on behalf of the applicant, Mr. Paul Thibadeau. Mr. Milledge noted the existing nonconforming detached garage built in 1978 was subject to flooding during high tide events. He said due to the current Town Code the garage could not be rebuilt in the same location. He stated the current proposal would allow the garage to be rebuilt and fortified. He noted current properties that could be effected by the zoning text amendment and mentioned most were unique properties.

Mayor Wodraska noted his residence was marked in red on the slide and asked if there was a conflict. Mr. Baird advised there was no voting conflict.

Mr. Peter Begovich, Town Planner, said Staff recommended approval of the zoning text amendment. He noted there were other properties with nonconforming structures and the amendment could eliminate the nonconformities. Mr. Begovich mentioned the Palm Beach County Unified Land Development Code allowed detached accessory structures in the front yard as long as they were architecturally compatible with the principle structure. He explained the additional Staff initiated text amendments which would clarify criteria for detached structures.

Mayor Wodraska mentioned there was a citizen concern about parking, relating to the structures. Mr. Begovich clarified parking was not addressed in the amendment.

## **REGULAR AGENDA**

### **PUBLIC HEARING**

#### **6. Ordinance 1-21**

Councilor Kuretski asked if parking of recreational vehicles should be addressed in the amendment. Mr. Begovich said residential parking was cited in a separate section of the code. Councilor Kuretski felt those regulations should be reviewed in the near future.

Mayor Wodraska asked what the applicant hoped to accomplish. Mr. Milledge said he wanted to raise and rebuild a structure in the same space and the amendment would bring it into conformity.

Mayor Wodraska asked Staff if similar detached structure issues had come up before. Mr. Begovich said an applicant had applied for a similar variance in 2014 and it was denied. Mayor Wodraska asked about other use structures such as Granny Flats. Mr. Begovich said the amendment would allow them in front yards if they were already permitted for that district.

Ms. Beth Dellinger, resident of West Beverly Road, asked Council to review parking regulations in residential neighborhoods. She was concerned with permanently parked recreational vehicles.

Vice-Mayor Kaufer moved to approve Ordinance 1-21, First Reading; seconded by Councilor May; motion passed.

Title read by Mr. Baird.

Wodraska  
Yes

Kaufer  
Yes

Kuretski  
Yes

May  
Yes

#### **7. Ordinance 6-21, First Reading, Rooftop Mechanical Equipment Room Standards**

– Town initiated zoning text amendment to Section 27-2305 and Section 27-1 to provide development standards for enclosed rooftop mechanical equipment rooms. (Second Reading - 3/16/21)

Mr. Dave Kemp, Planning and Zoning, stated Staff recommended approval of the zoning text amendments (ZTA). He mentioned a recent request from an applicant, Beacon Pharmaceutical, who wanted to enclose mechanical equipment to provide weather protection and increase the life span of the equipment. He noted a height restriction in that zone for bio science facilities, which would be exceeded with the enclosure. He said the ZTA would allow the applicant to apply for an administrative site plan amendment. Mr. Kemp also reviewed other text amendments which would clarify regulations and definitions.

Councilor Kuretski stated he had no issues with enclosing mechanical equipment but wanted clarification on whether it counted as square footage of the building and how 20 percent of a roof could be considered for mechanical equipment.

**REGULAR AGENDA**

**PUBLIC HEARING**

**7. Ordinance 6-21**

Mr. John Sickler, Director of Planning and Zoning, said square footage was not considered, but if the structure exceeded 20 percent of the floor area of the roof it would be counted as a story and would be subject to story limitations.

Councilor Kuretski asked what the square footage was in this case. Mr. Sickler did not have the exact number but thought it was around 11,000 square feet. Councilor Kuretski felt a structure could affect the architectural appearance of the building. Mr. Sickler provided a visual example of the building appearance with the structure.

Councilor Kuretski felt the issue should have been dealt with in a site plan approval. Mr. Sickler explained, originally the site plan had no rooftop mechanical equipment but the architect had been focused on hospitality architecture versus biotech architecture.

Vice-Mayor Kaufer moved to approve Ordinance 6-21, First Reading; seconded by Councilor May; motion passed.

Title read by Mr. Baird.

Wodraska  
Yes

Kaufer  
Yes

Kuretski  
Yes

May  
Yes

**PRESENTATION**

**8. Indiantown Road from US Highway 1 to A1A – 90% Plan Update.**

Mr. Tom Driscoll, Director of Engineering, Parks and Public Works, introduced Mr. David Stambaugh, project principal with Calvin Giordano and Associates. He gave a brief presentation which included updates of the project; scope of work; cost estimates; federal grant funding and funding schedule; and the project schedule.

Councilor Kuretski stated he never realized the days specified for work were Monday through Friday. He asked if it would be cost effective and potentially help avoid conflicts to do the work more than five days a week. Mr. Driscoll explained the work could be converted to a seven-day schedule.

Councilor Kuretski noted the public tended to get frustrated when lanes were shut down while no one was working. Mr. Driscoll said Sunday work would only be permitted by special approval.

Councilor May asked if the Town addressed the concern for a left turn into the plaza or into Ocean Park Condominium. Mr. Stambaugh stated U-turn capabilities were provided a little further east. He felt all concerns had been addressed.

Vice-Mayor Kaufer appreciated the change to the bike lanes.

**PRESENTATION**

**9. Jupiter Park Drive Improvements – 90% Plan Update.**

Mr. Driscoll and Mr. Stambaugh reviewed the presentation which included a full set of ninety percent plans; scope of work; project cost estimates; requirement for a joint participation agreement and easements with Loxahatchee River Environmental Control District (LRECD); and project schedule.

Councilor Kuretski stated he would like the intersection to mimic County intersections for better safety for children. Mr. Driscoll said the Town could request tactile yellow fitting surface to be installed.

Councilor Kuretski noted the area had significant traffic in the morning and felt the construction contracts should address efforts to minimize the effects to Commerce Park. He said he would not want to close any more lanes than necessary. Mr. Driscoll said Staff would look into it.

Mayor Wodraska asked if the schedule would be effected if the Town did not get cooperation from LRECD. Mr. Driscoll noted it LRECD cooperation would be necessary to complete the project.

Vice-Mayor Kaufer said it was a very important project and appreciated Staff for looking into all the options.

**REPORTS**

**TOWN MANAGER - None**

**TOWN ATTORNEY**

- Attorney-Client Session - Mr. Baird requested Council authorize the Town Manager and Town Clerk to notice an Attorney-Client Session to discuss the pending litigation for Harbourside vs the Town of Jupiter and the Jupiter Community Redevelopment Agency for the March 16, 2021 Town Council meeting with a possible earlier start time.

Councilor Kuretski moved to authorize the Town Manager and Town Clerk to notice an Attorney-Client session for the March 16, 2021 Town Council meeting; seconded by Councilor May; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Kuretski  
Yes

May  
Yes

**TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**

**COUNCILOR MAY**

- Police Antenna – Councilor May asked to revisit installing a Police antenna at the beach to improve radio signal. He stated it would help with the safety of residents and Police Officers. Councilor May also stated he would like to address any concerns the residents would have.

Councilor Kuretski stated he supported the safety item and would like a refresher regarding the topic.

**TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**  
**COUNCILOR KURETSKI**

- Resolution 26-21 – Councilor Kuretski clarified that at the last meeting he made the motion to approve resolution 62-21 to make the Transportation Planning Agency (TPA) timeframe to apply for the grant to fund the Riverside Drive improvements. He also mentioned the future level of service for Riverside Drive and knew something needed to be done but did not want to apply for the grant if the funds were not going to be used. Councilor Kuretski asked what action would be needed regarding the resolution.

Mr. Baird stated Council would need to motion to reconsider the approval of the resolution.

Councilor Kuretski moved to reconsider the approval of resolution 26-21. seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Kuretski	May
Yes	Yes	Yes	Yes

Vice-Mayor Kaufer stated the approval of the resolution was to apply for the grant but there was no point in applying if it was not going to be used.

- Island Way South – Councilor Kuretski spoke regarding Island Way South’s design inactivity due to the Town not having right of way. He mentioned the Town’s option to pursue eminent domain if they could not make a friendly agreement to acquire the property based on the appraised value. Councilor Kuretski stated the rights of way would exclude the Hawkeye property and the full build out of the intersection at Indiantown Road.

Mayor Wodraska stated he would not mind discussion of the topic but wanted to know the financial commitment and process before initiating.

Vice-Mayor Kaufer agreed with receiving more information regarding the cost and the process.

Councilor Kuretski recognized Chief David England for attending the Council meetings since his start as Police Chief.

**ADJOURNMENT** – 8:25 P.M.

---

Laura E. Cahill, Town Clerk

---

Todd R. Wodraska, Mayor