

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, APRIL 6, 2021**

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

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

CITIZEN COMMENTS

Mr. Ivan Chosnek, resident of Tim Mara Drive, discussed concerns for safety on A1A for pedestrian walkways and on street parking.

Ms. Melissa Mocogni, resident of Cypress Cove, noted she lived on the canal between Toney Penna and Indian Creek and landscapers had sprayed the vegetation around the water with pesticides, killing the vegetation and causing harm to local wildlife. She asked Council if they could have the water and soil tested.

Councilor Kuretski asked for pictures to be forwarded to the Town Clerk.

MINUTES

1. March 16, 2021 Town Council Meeting Minutes.

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

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

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

PUBLIC BUSINESS

2. Resolution 30-21, Approving EPW 2021-18 contract award recommendation to Fresh Start Maintenance Inc. for Park landscape maintenance in an amount not to exceed \$72,080.

CONSENT AGENDA

PUBLIC BUSINESS

- 3. Resolution 31-21**, Approving EPW 2019-13 contract renewal to K and S Services of South Florida, Inc. for sea grape trimming and exotic removal on State Road A1A in an amount not to exceed \$98,842.19.
4. Approving amendments to the agreement with Jones Foster for Town Attorney services.

REGULAR AGENDA

PUBLIC BUSINESS

- 5. Resolution 43-21**, Approving contract award recommendation to Heavy Civil Inc. for Curb Replacements in the Hamptons of Maplewood (S2122) in the amount of \$258,015.

Mr. David Brown, Director of Utilities, gave a brief history of the Hamptons' 40-year-old oak street tree installations and the current issues with curbs and gutters caused by tree root systems. Mr. Brown reviewed the bid for the curb replacement work and explained funding would be provided by the previously approved Community Investment Program budget and supplemented from the Neighborhood Equity Reserves.

Mayor Wodraska and Councilor Kuretski discussed that the work was necessary for drainage and Mr. Brown mentioned it was also a pedestrian safety issue.

Councilor Kuretski and Mr. Brown also discussed street repaving to be done after the root cutting and curb replacement.

Councilor Delaney asked about the increased linear amount of curbing to be replaced. Mr. Brown stated the original estimate was several years old and conditions had gotten worse

Councilor Delaney moved to approve Resolution 43-21; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

REGULAR AGENDA

PUBLIC BUSINESS

- 6.** Approving appointments to the Town's Boards, Committees and Countywide Organizations.

Ms. Malise Sandstrom, resident of Barcelona Drive, spoke regarding her interest in being appointed to the Planning and Zoning Commission.

Mr. Brett Leone, resident of Barbados Drive and Historic Board Member, stated he would like to be reappointed to the Historic Resources Board to continue to preserve the history of Jupiter.

REGULAR AGENDA

PUBLIC BUSINESS

1. Approving appointments to the Town's Boards, Committees and Countywide Organizations.

Councilor Kuretski moved to approve the following Art Committee's recommendations for appointments and reappointments and for Staff to prepare a recommendation to fill the recent Alternant member vacancy.

Art Committee (3 year term)

Mr. Marc Blatchley
Ms. Robin Nearly Estremena Fitzgerald
Ms. Dorothy Katz
Ms. Elizabeth Dashiell
Ms. Jenna Hoefert
Ms. Barbara Lentz

Seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Councilor Kuretski moved to approve the following reappointments to the Audit Committee:

Audit Committee (1 year term)

Mr. Paul Drahnak
Mr. Joseph Lario
Ms. Susan Present
Mr. Peter Rene
Mr. Robert Reynolds

Seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Council unanimously agreed to approve the following appointment and reappointments to the Beach Committee.

Beach Committee (serves at the pleasure of Council)

Mr. Louis "Coke" Coakley - Appointed by Mayor Wodraska
Ms. Elizabeth Munson – Appointed by Vice-Mayor Kaufer
Ms. Gail Whipple – Appointed by Councilor Delaney
Mr. Mark Zisk – Appointed by Councilor Kuretski
Mr. Chase Malcolm – Appointed by Councilor May

Beach Committee At Large (2 year term)

Mr. Troy Holloway

Beach Committee Alternates (2 year term)

Mr. John Smith
Mr. Rick Opton

REGULAR AGENDA

PUBLIC BUSINESS

6. Approving appointments to the Town's Boards, Committees and Countywide Organizations

Councilor Kuretski moved to approve the following reappointments to the Construction Board of Adjustments and Appeals:

Construction Board of Adjustments and Appeals (3 year term)

Mr. Scott Baruch
Mr. Richard Teel

Seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Vice-Mayor Kaufer moved to approve the following reappointments to the Environmental Task Force:

Environmental Task Force (serves at the pleasure of Council)

Ms. Christa Cherry – Appointed by Mayor Wodraska
Ms. Remy Torsiello – Appointed by Vice-Mayor Kaufer
Mr. Evan Nader – Appointed by Councilor Delaney
Ms. Christina Akly – Appointed by Councilor Kuretski
Mr. Stephen Poskitt – Appointed by Councilor May

Environmental Task Force At Large (2 year term)

Ms. Emily O'Mahoney
Mr. Willie Puz

Environmental Task Force Alternates (2 year term)

Ms. Melinda Parrott
Ms. Meghan Henehan

Seconded by Councilor Delaney; motion passed.

Vice-Mayor Kaufer asked if the appointments should be postponed until Staff's recommendation to bring forth an ordinance to reduce the membership size is approved by Council. Council unanimously agreed to postpone appointments.

Councilor Kuretski made a motion for Staff to prepare an ordinance to reduce the size of the Historic Resources Board to seven (7) members.

Seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

REGULAR AGENDA

PUBLIC BUSINESS

6. Approving appointments to the Town's Boards, Committees and Countywide Organizations

Councilor May moved to approve the following appointment and reappointments to the Planning and Zoning Commission.

Planning and Zoning Commission (serves at the pleasure of Council)

- Mr. Ankur Patel – Appointed by Mayor Wodraska
- Mr. Daniel Zuniga – Appointed by Vice-Mayor Kaufer
- Ms. Cheryl Schneider – Appointed by Councilor Delaney
- Ms. MB Hague – Appointed by Councilor Kuretski
- Mr. Marc Pintel – Appointed by Councilor May

Planning and Zoning Commission At Large (1 year term)

- Mr. Frank Fore
- Ms. Teri Grooms

Planning and Zoning Commission Alternates (1 year term)

- Mr. John Weisman (First Alternate)
- Mr. Malise Sundstrom (Second Alternate)

Seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Councilor May moved to approve the following appointment and reappointment to the Police Pension Board.

Police Pension Board (2 year term)

- Mr. Marc Dobin
- Mr. Frank LaPlaca

Seconded by Councilor Kuretski; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Countywide Organizations

Loxahatchee River Coordinating Council

- Councilor May
- Councilor Delaney (Alternate)

Palm Beach Transportation Planning Agency

- Councilor Kuretski
- Councilor May (Alternate)

Palm Beach County League of Cities

- Vice-Mayor Kaufer
- Mayor Wodraska (Alternate)

REGULAR AGENDA

PUBLIC BUSINESS

6. Approving appointments to the Town's Boards, Committees and Countywide Organizations

Countywide Organizations

School Board District Liaison

Mayor Wodraska

Vice-Mayor Kaufer(Alternate)

Bioscience Land Protection Advisory Board

Mayor Wodraska

Vice-Mayor Kaufer (Alternate)

7. Selection of Town of Jupiter Vice-Mayor 2021-2022.

Vice-Mayor Kaufer moved to approve Councilor May as Vice-Mayor for 2021-2022; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Mayor Wodraska passed the gavel to Vice-Mayor May and left the meeting at 7:42pm.

PRESENTATION

8. Update of the Strategic Results Initiative Action Plan related to fencing and landscape buffers in the Florida East Coast Railway corridor.

Mr. Tom Driscoll, Director of Engineering, Parks and Public Works, gave a brief presentation regarding the fencing options along the railway corridor as part of the Council's Strategic Results Initiative aimed at preparing for high speed rail through the Town and advocating for appropriate safety measures.

Mr. Driscoll reviewed pedestrian rail incidents from 2004 to 2013. He stated there had been no incidents since 2013 but mentioned with the expected high speed trains coupled with quiet zones, dangers would be increased away from defined roadway crossings.

Mr. Driscoll stated Brightline had indicated they would not be installing fencing as part of the current construction and would be conducting a comprehensive safety analysis before the installation of any fencing along the corridor.

Mr. Driscoll did not anticipate any grant money being available for the fencing project if the Town did not want to wait for Brightline's safety analysis.

Mr. Driscoll reviewed fence limits considered by Brightline near the Kurtz Industrial Park and fence limits reviewed by the Town near Pine Gardens North and Pine Gardens South. He went over fence and landscape buffer concepts and estimates.

PRESENTATION

8. Update of the Strategic Results Initiative Action Plan related to fencing and landscape buffers in the Florida East Coast Railway corridor.

Mr. Driscoll stated the Town could fund the work ahead of construction completion or wait for the hazard analysis and determine if additional funding would be needed for fencing. He noted fencing could be constructed quickly.

Councilor Kuretski felt it would be premature for the Town to fund the project and felt what the Town was asking for from Brightline was reasonable. He noted he would not expect them to put in landscaping. Councilor Kuretski mentioned as the Town's representative for the Transportation Planning Agency (TPA) he would continue to advocate for the fencing.

Councilor Kuretski asked Mr. Driscoll to research what signage should be posted at crossings. He felt current signs did not reflect the true possible speed for some trains. He also asked when quiet zones would start. Mr. Driscoll said there was a process of implementation after construction was complete and he would keep Council informed on the process.

Councilor Delaney asked if the Florida East Coast Railway (FEC) had given any indication of expecting increased freight traffic. Mr. Driscoll said they had not given any indication.

Vice-Mayor May asked when Brightline's hazard analysis would be completed. Mr. Driscoll said he would check on the timeline. Councilor May said if it wasn't going to be until after trains were running, there would need to be a huge Community safety outreach campaign.

ROUNDTABLE

9. Discussion of the Public Safety Radio Replacement Project.

Chief David England gave a brief presentation regarding the public safety radio replacement project which included; the project's history, partnering agencies, and mentioned the area around Marcinski Road with inconsistent radio coverage. Staff recommended to move forward with a location off Marcinski Road which would blend in with the Florida Power and Light (FPL) poles. He noted the system had been previously purchased in 2015 and the pole would be located on Town property.

Mr. John Sickler, Director of Planning and Zoning stated his department had been working with the Police Department on alternative sites. He noted Staff had looked to change the South Pod area from residential to public institutional to reflect the actual use of the property. Previously, the surrounding residential areas had concerns with the change in use and Council at that time decided not to move forward.

Councilor Kaufer asked if the public institutional use could be limited if the Town moved forward with the project.

ROUNDTABLE

8. Discussion of the Public Safety Radio Replacement Project.

Mr. Sickler stated there was a process but a site plan for limited public use could assist to reduce residents' concerns.

Councilor Kuretski stated he supported the location but asked what kind of setback would put it more of out of the line of sight.

Councilor Kaufer noted the immediate surrounding areas would benefit the most from the pole being placed at this location.

Councilor Kaufer supported the location and eliminating possible public uses which might concern residents.

Councilor Delaney moved to initiate the necessary applications and communications to the adjacent neighborhoods; seconded by Councilor Kaufer; motion passed.

May
Yes

Delaney
Yes

Kaufer
Yes

Kuretski
Yes

REPORTS

TOWN ATTORNEY

- AGCS Marine Insurance Co. and Jupiter Yacht Club Marina Condominium Association v. Town of Jupiter and Town of Jupiter v. Jupiter Yacht Club Master Property Owners Association, Inc. and Jupiter Yacht Club Marina. – Mr. Baird stated the lawsuit with AGCS Marine Insurance Co. for the Jupiter Yacht Club Marina Condominium Association was wrapping up and they would be paying a \$35,000 fine as part of the Code Enforcement proceedings and would allow the Town to settle the case with the Master Association and Jupiter Yacht Club Marina. That would allow the marina to be in private hands but the slips will still be available to the public. The Town would no longer have responsibility for insurance with respect to the marina slips.

TOWN MANAGER - NONE

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR KURETSKI

- Pesticides – Councilor Kuretski mentioned the canal was maintained by the North Palm Beach Heights Water Control District and they were only supposed to do the maintenance for the west side of the canal.

Councilor Delaney stated that he had contacted them and when they came out they destroyed some of the landscape while they were trimming the overgrowth.

Councilor Kuretski asked if Staff could follow up on the resident's comment.

REPORTS

COUNCILOR KAUFER

- Medical Marijuana – Councilor Kaufer thanked Staff for the update on the medical Marijuana zoning issue and asked to schedule a discussion on it for an upcoming agenda.

Councilor Kuretski stated he would like to know where those businesses would be allowed within the Town and that the zoning code might have to be changed.

Vice-Mayor May stated they should only be located in commercial zoning areas.

Councilor Delaney mentioned they could be anywhere a pharmacy was allowed.

Councilor Kuretski stated if the zoning code wasn't changed to scale back where those businesses were allowed then he was not supportive.

Councilor Kaufer mentioned there could be negative affects if the zoning code was changed to reduce the zoning for pharmacies in general and that a large number of Florida voters wanted to allow those types of businesses. He also stated that there were no safety issues in allowing them within the Town.

ADJOURNMENT - 8:42 P.M.

Laura E. Cahill, Town Clerk

Todd R. Wodraska, Mayor