

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, JUNE 1, 2021**

Mayor Wodraska called the meeting to order at 7:01 P.M.

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

CITIZEN COMMENTS

Ms. Beth Dellinger, resident of West Beverly Road, read the letter she had given to Council regarding the Limited Income Senior Citizen Exemption.

Mr. George Gentile, resident of Commerce Lane and Chair of the Jupiter Inlet District, thanked the Town regarding the recent acquisition of the Taylor property and stated the Jupiter Inlet District was excited to participate in preserving the property.

MINUTES

1. May 18, 2021 Town Council Special Meeting Minutes.

Councilor Kaufer moved to approve the May 18, 2021 Town Council Special Meeting Minutes; seconded by Councilor Delaney; motion passed.

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|----------|-----|---------|--------|----------|
| Wodraska | May | Delaney | Kaufer | Kuretski |
| 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.

- Staff pulled Item 5.

Councilor Delaney moved to approve the Consent Agenda, as amended; seconded Councilor Kaufer; motion passed.

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|----------|-----|---------|--------|----------|
| Wodraska | May | Delaney | Kaufer | Kuretski |
| Yes | Yes | Yes | Yes | Yes |

PUBLIC BUSINESS

2. **Resolution 14-21**, Approving the Replat titled Loxahatchee Club at Maplewood Plat No. 1D of Phase II- Replat.
3. **Resolution 45-21**, Approving and executing a Bill of Sale from Home Depot U.S.A. for the dedication to the Town of the installed decorative street lighting system along Home Depot's frontage on Indiantown Road.

CONSENT AGENDA

PUBLIC BUSINESS

- 4. **Resolution 68-21**, Approving a Subordination Agreement with the Florida Department of Transportation for 1500 West Indiantown Road.
- 5. **Resolution 74-21, Florida Department of Transportation Surplus Land** – Authorizing the Town Manager to request the dedication of Florida Department of Transportation surplus lands south of Indiantown Road and the Turnpike intersection. **MOVED TO REGULAR AGENDA**

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

- 5. **Resolution 74-21, Florida Department of Transportation Surplus Land** – Authorizing the Town Manager to request the dedication of Florida Department of Transportation (FDOT) surplus lands south of Indiantown Road and the Turnpike intersection.

Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning, stated the minor changes to the resolution the FDOT requested after it was distributed to Council.

Councilor Delaney moved to approve Resolution 74-21; seconded Councilor Kaufer; motion passed.

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|----------|-----|---------|--------|----------|
| Wodraska | May | Delaney | Kaufer | Kuretski |
| Yes | Yes | Yes | Yes | Yes |

REGULAR AGENDA

PUBLIC BUSINESS

- 6. Approving appointments to the Town’s Art Committee.

Councilor Kuretski moved to approve the following appointments to the Art Committee:

Art Committee

Ms. Penny Payne

Art Committee Alternates

Ms. Ramiro Fernandez

Ms. Geraldine Visconti

Seconded by Councilor Delaney; motion passed.

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|----------|-----|---------|--------|----------|
| Wodraska | May | Delaney | Kaufer | Kuretski |
| Yes | Yes | Yes | Yes | Yes |

PRESENTATION

- 7. American Rescue Plan Act.

Ms. Scott Reynolds, Budget Manager, reviewed a presentation explaining the American Rescue Plan Act (ARPA), the 7.5 million dollars total the Town would receive through the funding, the deadline, suggestions, and restrictions for spending the funds. The Town received the first disbursement of \$3.7 million on May 18, 2021 and would receive the remaining funds in a year.

PRESENTATION

7. American Rescue Plan Act.

Councilor Kuretski stated he would like the opportunity to discuss the ARPA at the CIP workshop and asked if certain projects would qualify for the funding.

Councilor Kaufer asked if there was an opportunity to use the funds to help local businesses or public health/wellness expenditures. He did not fully support using the funds for the new Town Hall.

Vice-Mayor May suggested adding more electric vehicle charging stations within the Town.

ROUNDTABLE

8. Building Height Standards - Discussion regarding Building Height standards within the Town.

Mr. John Sickler, Director of Planning and Zoning, stated he and Mr. Garret Watson, Senior Planner, would be reviewing building heights for one of Council's Strategic Initiatives and the requested roundtable.

Mr. Watson, Planning and Zoning, gave a brief presentation reviewing maximum building heights based on zoning districts, planned unit development (PUD) waivers and variances. He gave some considerations for Council.

Councilor Kuretski and Mr. Sickler discussed the grade of a property and road elevation determined the buildable heights.

Mr. Sickler reviewed the Bonus Program on US Highway One and the Inlet Village. He gave several examples and said heights were based on averages. He discussed in the Inlet Village, bonuses were based on public benefits provided, such as rights of way, water access, and docks. Mr. Sickler noted several items for Council to consider.

Vice-Mayor May said he requested the roundtable to discuss keeping a small town feel and low building heights in Jupiter. He said he was frustrated with the way the bonus program was laid out because in some instances the public benefit had been removed while the developer got approval for what was wanted at the time. Vice-Mayor May felt any new owner of a property should be responsible to keep the public benefit intact.

ROUNDTABLE

8. Building Height Standards - Discussion regarding Building Height standards within the Town.

Councilor Kuretski said in the past, docks, parking and restrooms had been a public benefit priority *for prior Town Councils* but he felt they *had* no longer been a priority *based on recent actions within the Inlet Village area*. He agreed some more recent public benefits had been lost.

Councilor Delaney noted public benefit bonuses may have run their course and the Town Code should be tightened up.

Mayor Wodraska asked Staff if there were other solutions.

Mr. Sickler said the Bonus Program was the best alternative. He noted other municipalities used PUD waivers or variances. He noted the bonus program set better expectations related to amenities.

Councilor Kuretski said *public parking and restroom benefits were secured for the Riverwalk sections along US Highway One. He mentioned the bonus program was no longer beneficial for the Riverwalk areas.*

Mayor Wodraska and Vice-Mayor May discussed the Jupiter Yacht club dock as a public benefit. Mayor Wodraska mentioned some retail was lost in that bonus scenario.

Mayor Wodraska felt eliminating the bonus program may be overreaching and may deter redevelopment.

Vice-Mayor May clarified he did not wish to eliminate the bonus program but wanted to ensure public benefits were not dissolved with new property owners.

Councilor Kaufer asked about the Cornerstone project. Mr. Watson said the bonuses were an art feature, five additional parking spaces and public docks.

Councilor Kaufer said each Council member had different ideas about public benefits and suggested they would need to be better defined in order to eliminate confusion. He noted permanent arrangements would be difficult and flexibility would be necessary for future considerations.

Mayor Wodraska said Utiki docks went from public to private and proved the need for flexibility. He cautioned about being less flexible because circumstances often changed. He stated the Bonus Program had served the Town very well especially with water based amenities.

ROUNDTABLE

8. Building Height Standards - Discussion regarding Building Height standards within the Town.

Mayor Wodraska asked Staff if they had ideas for any changes to the Code. Mr. Sickler said the bonus programs could be reviewed to possibly remove things that could be subject to not being permanent. He noted docks had seemed to bring up recent challenges and the Inlet Village North area did not have a bonus system set up and would be handled through the PUD process with limitless opportunities for requests.

Councilor Kuretski felt the bonus program *had served its purpose in securing the Riverwalk along the US Highway One corridor but didn't know of other amenities that would be worth granting future building height increases.*

Vice-Mayor May reiterated his concern was to not have to grapple with height concessions in the future.

Ms. Emily O'Mahoney, resident of Sweet Gum Court, Environmental Task Force member, and Landscape Architect with 2GHO, noted the Town Code was working well for building height and suggested more effort should be given to steering the development code towards mitigating climate change, armoring against sea level rise, and allowing for sea grass growth.

Councilor Kuretski mentioned the bonus program on US Highway One and noted variances only went through Zoning Board of Adjustments approval with no limits to height requests. He felt height variances should get Council approval.

Mr. Baird stated instead of a height variance, a waiver process would be used. He said there would be no hardship applicable to grant a height variance and that part of the Code may be obsolete.

Councilor Delaney asked what examples of hardships would be for variances and Mr. Baird explained the seven criteria.

Councilor Kaufer recommended reducing or eliminating the bonus programs in certain corridors and to use financial public benefits towards certain interests.

Councilor Delaney suggested reviewing the bonus program section by section and eliminating any outdated criteria.

Vice-Mayor May agreed with repealing height variances in the Code to ensure those items would come before Council.

ROUNDTABLE

8. Building Height Standards - Discussion regarding Building Height standards within the Town.

Councilor Kuretski stated public docks created many concerns and he *was not inclined* to support them. He discussed PUD's and relaxed parking requirements and would prefer *well* defined criteria so applicants *don't waste time asking for Code waivers and building height bonuses that might not be supported by Council*.

Mr. Benoit said he would meet with Staff and try to move forward with some of the suggestions.

9. Strategic Initiative – Discussion regarding the Island Way South Western Corridor Extension.

Councilor Kuretski gave the history of the Island Way South project and explained why the project had not been completed in over a decade. He also stated the traffic concerns at the Central Boulevard and Indiantown Road intersection.

Councilor Kuretski mentioned the Staff report gave a visual of the properties the Town needed to acquire to complete the project. He also stated he had contacted Island Way

Land Holdings who owned 51 percent of the properties the Town needed and they *agreed that* the Town *could* submit an offer to purchase the property *and they would consider it*, to avoid the Town having to go through the eminent domain process.

Councilor Kuretski mentioned *that the right of way from* the Hawkeye property would also need to be acquired to complete the project.

Mr. Tom Driscoll, Director of Engineering, Parks, and Public Works, stated the roundtable was for Council to discuss the acquisition of right of way by project resolution and eminent domain or as a part of the development of vacant parcels per the Town Code. He mentioned eminent domain was a legal process for the Town to obtain right of way but most of the land was vacant commercial property and would not displace any residents or businesses. Mr. Driscoll also highlighted a presentation of the Island Way South Project, including the current 60 percent plans; tentative right of way plans; roundabout at Jupiter Park Drive; T intersection from 30 percent plans; Jupiter Park Drive intersection; and drainage design plan.

Councilor Kuretski stated he would like to move forward with the project design and negotiate an acquisition for the properties.

ROUNDTABLE

9. Strategic Initiative – Discussion regarding the Island Way South Western Corridor Extension.

Councilor Kaufer stated he remembered the project was previously negotiated but never came before Council. He mentioned in the past the County rejected the project due to concerns expressed by one of the impacted neighborhoods. He also asked to receive more information regarding the cost and impacts to the neighborhoods and roadways associated with the processes before making a decision to move forward.

Councilor Kuretski suggested doing an appraisal on the Island Way Land Holdings property and submit an offer to purchase.

Mr. Driscoll stated providing the road and intersection at Island Way was becoming more important to the Town in terms of the traffic benefit.

Councilor Kaufer asked about the decrease in benefit from going from three turn lanes to two.

Mr. Driscoll stated there was a decrease but in the analyses that included a third lane there was a large amount of side street delay which would cause an offset of timing that would impact the traffic on Indiantown Road.

Councilor Kaufer hoped the project would move forward when the Town found the right process and did not want to have two major construction projects in two phases at the

intersection.

Mr. Driscoll mentioned they had met with the impacted neighborhood a number of times during the design plans to make sure they would be comfortable with the proposed plans and wanted to make sure the Town addressed their concerns.

Councilor May stated he was supportive of restarting the project and moving forward to 90 percent design plans with the roundabout and improvements included.

ROUNDTABLE

9. Strategic Initiative – Discussion regarding the Island Way South Western Corridor Extension.

Mr. Driscoll suggested they would need to appraise the properties owned by Island Way Land Holding and have them agree to sell the parcels that the Town needed for the design. He stated then the Town could move forward with the other parcels required.

REPORTS

TOWN ATTORNEY

- Attorney-Client Session – Ms. Baird stated a mediation with Harbourside was scheduled for Friday, June 4, 2021 with he and the Town Manager. He asked for Council’s approval to move forward with an Attorney-Client session before the next Town Council meeting for either Harbourside vs Town of Jupiter and/or Town of Jupiter vs Jupiter Yacht Club cases.

Councilor Delaney motioned to authorize the Town Clerk to advertise for an Attorney-Client either for Harbourside vs Town of Jupiter and/or Town of Jupiter vs Jupiter Yacht Club; seconded by Vice-Mayor May; motion passed.

Wodraska
Yes

May
Yes

Delaney
Yes

Kaufer
Yes

Kuretski
Yes

TOWN MANAGER

- Police Radio Antenna project - Mr. Benoit stated Chief England would give an update on the Police Radio antenna.

Chief England stated they had reached out to seven neighborhoods surrounding the proposed antenna installation site to meet and inform them regarding the project. He mentioned some had agreed with the project and they were waiting to hear from a few, he would give another update once they had heard back.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR KAUFER

- Gold Star Memorial – Councilor Kaufer asked about having a dedication service for

the Gold Star Memorial.

Mr. Benoit stated he would have Staff work on it.

ADJOURNMENT – 9:10 P.M.

Laura E. Cahill, Town Clerk

Todd R. Wodraska, Mayor