

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, JUNE 21, 2022**

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

Roll Call: Mayor Jim Kuretski; Councilor Cameron May; Councilor Cheryl Schneider; Councilor Malise Sundstrom; Town Manager Frank Kitzerow; Acting Town Attorney Jamie Gavigan and Town Clerk Laura Cahill. Vice-Mayor Ron Delaney arrived at 7:04 P.M.

PROCLAMATION

1. Park and Recreation Month – July 2022.

Mayor Kuretski presented the proclamation to Ms. Kristin George, Director of Recreation.

Ms. George introduced Mr. Derek Harse, Recreation Supervisor; Ms. Julie Wark-Wolnewitz, Recreation Supervisor; and Mr. Pete Doherty, Recreation Coordinator.

Mayor Kuretski stated he was grateful for everything Parks and Recreation had done for the community.

CITIZEN COMMENTS

Ms. Beth Dellinger, resident of West Beverly Road, stated her concerns with smoking on the beach.

Mr. Bernie Vaughn, resident of South US Highway One, spoke regarding the overflow of trash around the Juno Pier and the increasing rodent population. He stated an incident where the police were called and he wanted to make the Council aware.

Mayor Kuretski asked who picked up the trash for crossovers.

Mr. Thomas Hernandez, Director of Engineering, Parks and Public Works, noted Waste Management picked up the trash on the top side of the crossovers three times a week and Palm Beach County took care of their own cans located on the beach.

Mayor Kuretski asked if the Town could add an additional can. Mr. Hernandez stated yes.

Mr. Brett Carpenter, resident of Foster Street, explained he ran a non-profit organization called C.H.A.M.P. and thanked the Town for their donation. He stated he would like the Town to become an autism-friendly Town and requested a meeting to discuss it further. He said he had emailed the Council a presentation.

MINUTES

2. June 7, 2022 Town Council Meeting Minutes.

Vice-Mayor Delaney moved to approve the June 7, 2022 Town Council Meeting Minutes, as amended; seconded by Councilor May; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Schneider
Yes

Sundstrom
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 May moved to approve the Consent Agenda; seconded by Vice-Mayor Delaney; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

PUBLIC HEARING

- 3. Ordinance 6-22, Second Reading,** Amending Chapter 9, Section 9-10 pertaining to the appointment of inspectors and a clerk of election and creating Section 9-16 requiring electronic filing of Candidate Campaign Finance Reports.

Title read by Mr. Gavigan.

- 4. Resolution 56-22,** Approving the contract award of EPW 2022-27, Collector Roadway Lighting to Lazarus Group, Inc in an amount not to exceed \$275,230.

PUBLIC BUSINESS

- 5. Resolution 61-22,** Approving contract EPW 2022-32 with CrowderGulf Joint Venture, Inc., for disaster debris removal, reduction, and disposal services, by piggybacking on the Solid Waste Authority's agreement No. 22-201B.

REGULAR AGENDA

PUBLIC HEARING

- 6. Ordinance 7-22, First Reading,** Approving an exclusive eight plus (8+) year Exclusive Franchise Agreement with Waste Management Inc. of Florida (Waste Management) pertaining to request for proposals (RFP), EPW 2022-25, Collection of Solid Waste and Recyclable Materials. (Second Reading 7/19/22)

Mr. Thomas Hernandez, director of Engineering, Parks and Public Works, gave a brief presentation outlining current services, the Request for Proposal (RFP) and selection committee process, rankings, and collection method options.

Mr. Hernandez explained, under the proposed contract, the level of service would remain relatively the same but vegetative waste would be limited to eight cubic yards. Mayor Kuretski noted some yard waste could be left for the next pickup day if the pile was too large and under the current contract it would be the next day. Mr. Hernandez said he would address the proposed contract details later in the presentation.

Mr. Hernandez said the price proposals included the choice of semi-automated and automated cart services or the continuation of garbage can pickups. He mentioned garbage carts were the trend in the garbage industry in Florida and would require an education process for residents and can pickups provided workforce challenges and could cause future problems.

REGULAR AGENDA

PUBLIC HEARING

6. Ordinance 7-22

Mr. Hernandez said all residents would receive a 64-gallon cart. He stated Waste Management Inc. (WM) currently provided services at 10 Town designated events. He also noted under the proposed contract there would be an integrated system with the ability for customers to note any missed collections and the Town to view it in real time.

Mr. Hernandez said Staff recommended entering an agreement with WM based on the lowest adjusted cost and using the automated and semi-automated carts method, based on efficiencies and cost advantages.

Mr. David Dee, outside environmental attorney, described his background working with municipalities. He felt the procurement process had been a huge success and thanked Staff for their support. He noted his support for WM and using the cart method. Mr. Dee went over some of the details of the contract and asked Council to approve it as written.

Mayor Kuretski discussed vegetative waste and the unique situation in his neighborhood of multiple families making one pile and he asked for the contract address that. He said he was thrilled with the cart method but wanted to know if 32-gallon cans were available to some residents.

Mr. Jeff Sabin, Government Affairs Director WM, said the vegetative waste projections were very specific to the RFP and trying to keep costs down. He noted specifics could be negotiated before the second reading. Mr. Sabin mentioned the 32-gallon carts were not compatible with the automated process but could be accommodated in neighborhoods with the semi automation method. He mentioned the 64-gallon carts were universal and had been very successful.

Mayor Kuretski said he was happy with the customer feedback system and noted he would like the customer pickup location for additional carts be better defined.

Councilor May asked if the renewal rate for an additional five-year term would stay the same. Mr. Hernandez said each year rates could be slightly adjusted according to the Consumer Price Indexing (CPI) rate.

Mr. Dee added that at the end of the eight-year term, WM would have to give notice, 18 months in advance, if they did not wish to renew under the same rates and conditions.

Councilor May asked again about residents who did not wish to use carts at all and only had one small bag of trash. Mr. Dee said carts were the only option.

Councilor Sundstrom asked about the transition plan and if information should be given to residents before the second reading. Mr. Hernandez said if carts were chosen, residents would get promotional material and direction and Town Staff would assure out-facing digital information to the public. He was not sure if that could be done beforehand.

REGULAR AGENDA

PUBLIC HEARING

6. Ordinance 7-22

Councilor Sundstrom asked if recycling and vegetation pickup would remain a manual process. Mr. Hernandez said yes. Mr. Sabin added that any bulk items would still be picked up by a clamshell truck. He noted there would be a change in recycle trucks allowing for larger cardboard recyclables.

Councilor Sundstrom asked about the size of cardboard, as the contract was size specific. Mr. Sabin said cardboard had been a challenge so the provision in the contract was 3x3 size but workers would normally pick up bigger sizes. He also spoke about the Solid Waste Authority's convenient household drop off location for electronics and other hazardous materials. It was also clarified there was no limit to the number of extra cans a resident could use.

Vice-Mayor Delaney asked if there was a maximum price increase based on the CPI. Mr. Hernandez advised the maximum was seven percent.

Vice-Mayor Delaney asked if the automated trucks were the same size as the trucks currently used. Mr. Sabin said they were. Vice-Mayor Delaney asked if eight cubic yards of yard waste included bags, cans and piles. Mr. Sabin said yes, a combination of the three would be considered in the total.

Vice-Mayor Delaney and Mr. Hernandez discussed HOA challenges based on carts being required to be kept in garages.

Councilor Schneider complemented all involved with the details of the contract. She stated she would like to start with 64-gallon carts and let residents decide if they needed a bigger cart. She felt 32-gallon carts were not practical because all refuse had to be placed in the cart. She thought there was a good balance between service and cost.

Mayor Kuretski asked about the use of the clam shell trucks for yard waste. Mr. Sabin said it was preferred in terms of efficiency and safety.

Mayor Kuretski asked about the ten designated Town events and beach clean ups. He felt the contract could be more specific. Mr. Sabin said currently they had worked with Friends of Jupiter Beach on a monthly basis and would continue to do so.

Vice-Mayor Delaney said most complaints were that beach trash cans were overflowing. Mr. Sabin confirmed beach pickups were Mondays, Wednesdays and Saturdays and said he would work with Staff to focus on problem areas.

Vice-Mayor Delaney asked about construction debris. Mr. Sabin confirmed everything must go in the carts with a two cubic feet limit or could be picked up as bulk with the clamshell truck.

Mayor Kuretski said that the automated cart method could handle a much heavier load and would allow customers to include heavier items.

REGULAR AGENDA

PUBLIC HEARING

6. Ordinance 7-22

Mr. Craig Mowrey, resident of Blanca Isles Lane, said he had minor concerns about the contract: two sections not addressing rubbish; clarification about recycle pick up landing on a holiday; and he felt change in pickup days should be noticed on the Town of Jupiter web page.

Mr. Wayne Posner, resident of Carina Drive, complemented Staff and Council for putting the RFP and contract together quickly. He noted he preferred the 96-gallon cart as the standard and he felt a one-year negotiation period before the end of five years was sufficient.

Ms. Beth Dellinger, resident of W Beverly Road, asked for special exceptions to allow manual pickups in certain neighborhoods.

Mr. Mike Raymond, resident of Crimson Isles Drive, did not wish to speak but asked that WM run background checks on contracted employees.

Councilor Sundstrom asked what the deadline was for ordering carts for the new contract. Mr. Dee confirmed it would be 120 days before the March 1, 2023 commencement date.

Councilor Sundstrom asked how different sized cans for certain communities could be accommodated. Mr. Hernandez said he would work with WM and neighborhoods for accommodations.

Vice-Mayor Delaney asked where the carts were manufactured. Mr. Sabin said WM was partnered with a number of firms and he wasn't sure which would be utilized. He added the carts were made partly with recycled material and the companies were domestic. Mr. Sabin confirmed the automated trucks would be ready for the March 1, 2023 commencement.

Councilor May, Councilor Schneider and Mr. Sabin discussed special exceptions and Mr. Sabin said he would work with Staff for accommodations.

Vice-Mayor Delaney moved to approve Ordinance 7-22, First Reading; seconded by Councilor Sundstrom; motion passed.

Title read by Mr. Gavigan.

Kuretski
Yes

Delaney
Yes

May
Yes

Schneider
Yes

Sundstrom
Yes

REGULAR AGENDA

PUBLIC HEARING

7. Alice Kitching Benton House – Located at 408 Center Street on a 0.2± acre property.

A. Resolution 20-22, Local Historic Designation application - *Quasi-judicial* - For a circa 1931 single-family home and accessory storage building.

B. Resolution 49-22, Site plan and special exception applications - *Quasi-judicial* - For an adaptive reuse of a locally designated historic structure (circa 1931) for a beauty salon.

Ex-Parte Communications:

- Councilor Sundstrom spoke with Ms. Terri Grooms regarding parking.

Ms. Melissa Kostelia with Cotleur and Hearing and representing the Owner and Applicant, stated she would be giving a combined presentation which had been approved by both the Historic Resource Board and Planning and Zoning commission. She introduced Ms. Telenzak the Property Owner and Ms. Kristin Kuenzie the Owner Operator of the facility.

Ms. Kostelia gave a brief presentation which included the local historic designation; site plan approval; special exception adaptive reuse for a beauty salon; site location; improvement to the alley way with Tru-Grid; restoration to the front porch; and ADA compliance.

Mr. Peter Begovich, Senior Planner, stated Staff recommended approval and noted four of the nine historic designation criteria had been met. Staff concurred with the Applicant that the Kitching and Benton families were prominent in the 1930's in the Town and the house and storage building had characteristics of architectural style and construction from the time period.

Mr. Begovich said Staff recommended the conditions of approval for adaptive reuse to ensure the proposed beauty salon would maintain a residential scale and aesthetic in order to blend into the residential area.

Vice-Mayor Delaney asked if there were any concerns from the neighbors.

Mr. Begovich noted there had been some comments at the Planning and Zoning Commission meeting but those comments had not been major concerns. He recalled a comment regarding licensing requirement due to another beauty salon being on the same street.

Vice-Mayor Delaney asked if there had been any concerns regarding noise. Mr. Begovich stated no.

Mr. Tim Law, resident of Pinegrove Avenue, stated the adaptive reuse was flawed and there was no follow-up to ensure the property owner was doing what was required. He said there was a rodent problem and social ills living next to the Sims House. He urged other residents to learn from his experience.

REGULAR AGENDA

PUBLIC HEARING

7. Alice Kitching Benton House

Ms. Lauren Flaherty, resident of Pinegrove Avenue, stated her concerns about the quality of life in her own home due to adaptive reuse. She said her quiet and peaceful property had now been flooded with noise and smells from the restaurant. She noted they had tried to work with the property owner but had only received hostility. She mentioned an email she sent to Council regarding her concerns.

Councilor Schneider asked the hours of the salon. Ms. Kostelia stated the intended hours were 9:00 am to 8:00 P.M.

Councilor Schneider thanked the owner for efforts to preserve the home's history. She felt the project was well done and she supported it.

Vice-Mayor Delaney felt the project had been more streamlined than some others.

Councilor Sundstrom noted the Planning and Zoning had done such a thorough job with the conditions that there were no questions left to ask.

Councilor May reiterated Staff had spoken with the neighbors and there had been no concerns and thanked Staff for streamlining the process. In response to those who had spoken, he stated he did not want them to take a lack of response as Council not hearing them.

Mayor Kuretski said it was important to have the public come out and speak. He noted different uses had different circumstances. He said residents were being heard, and Council was looking into the situation.

Mr. Begovich stated Council may want to change the condition of hours of operation from 6:00 A.M to 10:00 A.M. which was consistent with the Town's Code for adaptive use to 9:00 am to 8:00 P.M. as stated by the Applicant.

Councilor Schneider moved to approve Resolution 20-22; seconded by Councilor May; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

Councilor Schneider moved to approve Resolution 49-22 with hours of operation to end at 8:00 P.M.; seconded by Councilor Sundstrom; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

REPORTS

TOWN ATTORNEY - NONE

TOWN MANAGER

- Budget Workshop – Mr. Kitzerow stated there would be a Budget workshop on June 23, 2022 at 6:00pm in the Council Chambers.
- Baseball – Mr. Kitzerow mentioned Staff was continuing to work on the baseball issue and would have information for Council in the near future.
- Jupiter Police Department Excelsior award – Mr. Kitzerow acknowledged the Police department on their re-accreditation of the Excelsior from the Commission for Florida Law Enforcement Accreditation (CFA). He stated it was the highest award giving by the CFA. He also mentioned they had the international Gold Standard with Excellence Award which was the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA) highest recognition.
- Jupiter Passport App – Mr. Kitzerow stated the app had received over 500 downloads since June 1, 2022.

Mr. Dee asked for clarification regarding item 7, ordinance 7-22 regarding Councils direction on carts or cans.

Mayor Kuretski stated he believed the Council decided to go with carts but wanted information on the size of carts that could be used.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR SCHNEIDER

- Election Law and Town Code – Councilor Schneider mentioned she had concerns regarding Election Law and the Town Code regarding elections and would like to meet with the Town Manager and Town Attorney to improve the election process to bring for Council's approval.

Mayor Kuretski stated he was comfortable with Councilor Schneider moving forward.

- Jupiter Library - Councilor Schneider stated the Jupiter Library had a number of services they could provide to the residents and they wanted to work more closely with the Town. She mentioned they would like to give a presentation to Council.
- Water Bond - Councilor Schneider mentioned the Board of County Commissioners voted not to move forward with the Water Bond and she was disappointed they did not let the voters decide. The bond would have provided money for several projects in North County that would have impacted the Loxahatchee river.

COUNCILOR SUNDSTROM

- Alice Kitching Benton House – Councilor Sundstrom stated she was pleased to see the Alice Kitching Benton House project move forward and would like to see it mentioned on the Town's social media.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR KURETSKI

- Passport to Jupiter App – Mayor Kuretski stated he and his wife thought the app was delightful. He mentioned he had visited places around Town he had not been to before and encouraged everyone to try it.
- Water Bond – Mayor Kuretski stated he felt that due to the uncertainties the bond was voted not to move forward but the Town could advocate for projects and funding sources.

ADJOURNMENT – 9:53 P.M.

Laura Cahill, Town Clerk