



**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, JUNE 18, 2024**

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

Roll Call: Mayor Jim Kuretski; Vice-Mayor Malise Sundstrom; Councilor Ron Delaney; Councilor Andy Fore; Councilor Cameron May; Acting Town Manager Kate Moretto; Town Attorney Thomas J. Baird and Town Clerk Laura Cahill.

PRESENTATION

1. Jupiter Fire Rescue department (JFRD) update - Introduction of Deputy Chief Stephen Shaw.

Fire Chief Darrel Donatto introduced Jupiter Fire Rescue Department's (JFRD) Deputy Fire Chief Stephen Shaw and highlighted his positions throughout his career which included a firefighter paramedic; driver engineer; Lieutenant; Training Captain; Battalion Chief of Training; and to Assistant Chief of Support Service in Fort Lauderdale. Fire Chief Donatto added Deputy Fire Chief Shaw was also a registered nurse; hazmat technician; fire instructor; and a board -certified community paramedic who also had his MBA.

Deputy Fire Chief Stephen Shaw thanked Fire Chief Donatto for his introduction and thanked Council and residents for the opportunity to build a world class Fire department.

CITIZEN COMMENTS

Mr. Eric Weitze, resident of Ocean Grande Boulevard, spoke regarding the proximity of two fire stations across from each other and mentioned he had written to Palm Beach County Commissioner Maria Marino on the topic.

Ms. Lisa Vreeland, resident of Robinson Street, spoke regarding her concerns with a fire station at Cinquez Park.

Ms. Cindy Loth, resident of 154th Road North, discussed the use of dashcams and explained her experience with the Jupiter Police.

Ms. Kristen Henry, resident of Majorca Way, spoke about the potential impact of noise from the fire station on nearby residents.

MINUTES

2. June 4, 2024 Town Council Meeting Minutes.

Vice-Mayor Sundstrom moved to approve June 4, 2024 Town Council Meeting Minutes, as amended; seconded by Councilor May; motion passed.

Kuretski	Sundstrom	Delaney	Fore	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 Sundstrom moved to approve the Consent Agenda; seconded by Councilor Fore; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

CONSENT AGENDA

PUBLIC HEARING

- 1. Ordinance 2-24, Second Reading, KB Carlin Rezoning - Quasi-Judicial** - Zoning Map amendment.

Title read by Mr. Baird.

PUBLIC BUSINESS

- 2. Resolution 63-24,** Approving the Plat titled Water Pointe.
- 3. Resolution 64-24,** Approving the Replat titled Sipowski.
- 4. Resolution 65-24,** Approving the Replat titled Bear's Club Cottage Tract P2 – Replat No. 2, A P.U.D.
- 5. Resolution 67-24,** Approving the Replat titled Body Court of Yacht Club Estates.
- 6. Resolution 76-24,** Approving the Town of Jupiter 2024-2025 Community Development Block Grant (CDBG) Action Plan in the amount of \$273,367.
- Approving consideration to ratify the two (2) year reappointment of Mr. Nikitas Scopelitis as the fifth member of the Police Pension Board.

REGULAR AGENDA

PUBLIC HEARING

10. Ordinance 17-24, First Reading, Cinquez Park – Comprehensive Plan Future Land Use Map Amendment. (Second reading 7/16/24)

Mr. Martin Schneider, Senior Planner, gave a presentation regarding the Cinquez Park Future Land Use Map Amendment (FLUM) which included the property's background; existing and proposed future land use maps; future land use element policy; key findings; and next steps.

Craig Mowry, resident of 230 Block Isles Lane, went over the background of the Palm Beach County Fire Rescue contract and the actions that led the Town to start a fire rescue department. He expressed his support to Council for continuing to fulfill their obligation to residents.

Kyle Knottnerus, resident of Carver Avenue, asked Council to reconsider using a different location. He mentioned a previous survey where residents decided against a playground and was happy with the way the park was now.

Jack LaBeck, resident of Carver Avenue, explained his concerns with loud noises and about a fire station being built at Cinquez Park.

Kahlah Labeck, resident of Carver Avenue, stated several reasons she was against having a fire station built at Cinquez Park.

LeAnne LaBeck, resident of Carver Avenue, spoke about the prior purchase of Cinquez Park. She expressed support for the current fire rescue services with the County and mentioned several concerns with a fire station being built at the park.

Councilor May stated he did not support the Item and was concerned for the residents and the traffic in that area.

Councilor Delaney stated he had similar concerns however the Town was going to preempt the lights, while currently PBCFR does not. He explained the Town was backed into a corner by the County and was reacting in concern for public safety.

Councilor Fore stated the noise could be an issue but was committed to minimize or eliminate the need to use a siren prior to the intersection.

Vice-Mayor Sundstrom wanted to focus on the Land Use Map Amendment and believed the zoning was always Public Institutional and it made sense to keep the future land use consistent with that zoning. She explained that much of the discussion concerned the site plan which will come at another meeting, and said for the purpose of the future land use met the four criteria outlined. Vice-Mayor explained she lived close to Palm Beach County Fire Rescue station 16 which *shared a fence with and was immediately adjacent to a residence and residential area. She mentioned Palm Beach County Fire Rescue station 18 was currently in a park and she had not heard of any negative impacts. She thanked several residents for coming to the meeting and looked forward to discussing ways to make that an asset for the community.* LC 7/16/24

REGULAR AGENDA

PUBLIC HEARING

10. Ordinance 17-24, First Reading Mayor Kuretski said he supported the item and agreed with Vice-Mayor Sundstrom that issues would be addressed in the site plan. He noted Jupiter Fire Rescue would be an extremely good neighbor with administrative controls in place to achieve that.

Title read by Mr. Baird.

Vice-Mayor Sundstrom moved to approve Ordinance 17-24, First Reading; seconded by Councilor Delaney; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	No

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway - Quasi-judicial - Site Plan Amendment to delete a condition of approval associated with offsite parking.

Ex Parte Communications:

- Councilor Fore stated he spoke with Mr. Daniel Reedy.
- Vice- Mayor Sundstrom met with Mr. Daniel Reedy and Staff at Town Hall.

The Town Clerk swore in four people.

Mr. Brian Chegus, with iPlan and Design and representing the Applicant, gave a brief overview of the location and the approved on-street parking plan through Resolution 67-21. He also discussed the amendment request, Town Staff and Planning and Zoning Commission (PZC) recommendations, and the Applicant's modified condition of approval.

Mr. Peter Meyer, Senior Planner, explained the site plan amendment to delete condition 5 of Resolution 20-21 and the history regarding the property. He also reviewed PZC recommendations and ongoing parking issues at the property.

Councilor Delaney asked what the status was of the application.

Mr. Meyer stated an application was not submitted. He mentioned there were minor delays due to Brightline and Florida East Coast Railway (FEC) change of ownership.

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway

Councilor Fore asked Staff if the owner of 105 Central Street was negotiating a deal on their own and still seeking 22 parking spaces. He also asked if there were any neighbor complaints regarding parking.

Mr. Meyer confirmed and stated he had not heard any recent complaints.

Councilor Delaney asked if the agreement that 105 Central Street had with FEC were for all parking spaces.

Mr. Meyer advised that 105 Central Street and the FEC did not have an agreement yet but were working towards one.

Councilor Delaney asked where would the applicant go if they needed more parking spaces.

Mr. Meyer explained that 105 Central Street would be in control and manage sharing the parking spots with the other owners.

Mr. John Sickler, Planning and Zoning Director, advised that the Planning and Zoning Commission noticed a public hearing and did not have any public comments at the meeting.

Mayor Kuretski stated based off last month's Staff report, Staff checked and there was parking in the FEC right of away.

Mr. Sickler stated that it appeared to be associated with the 105 Central Street business to the south end and then near Seminole it was more associated with Mr. Thomas Melhoren and the business that's parking and storing trailers in their parking lot. However, he noted it was being handled separately through the Code Compliance department.

Mayor Kuretski noted in the original approval he dissented his vote in the past and that had nothing to do with the parking, it was an agreement with bringing parking issues to a resolution.

Mayor Kuretski and Mr. Sickler discussed the ongoing parking concerns and impractical conditions.

Mayor Kuretski stated there was a shortage and no practical solution.

Mr. Sickler gave a brief overview of how complicated the situation was and provided potential solution.

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway

Vice-Mayor Sundstrom asked for clarification regarding the 105 Center Street property and if there was any obligation or condition of approval to obligate them to build those spaces.

Mr. Sickler stated no.

Vice-Mayor Sundstrom asked what obligations exist in the terms of the 22 spaces, if any other property had the obligation and if the property has ever been built on. Mr. Sickler said no.

Mr. Sickler noted he would be paraphrasing, but explained that if all or nearly all the spaces were being used to full capacity and there were parking on other properties or rights-of-way, that would be considered inadequate parking. He said the Planning Director could request a parking evaluation study and recommendations from the Property Owner if it were observed on two separate occasions. He stated once it was completed then it would go in front of the Council to decide on.

Vice-Mayor Sundstrom asked if the Property Owner agreed and accepted the 22 spaces back in 2021, and if there had been any objection or discussions regarding the condition being placed on that approval.

Mr. Sickler stated no objection was placed at that time.

Vice-Mayor Sundstrom asked if the Property Owner raised any issues.

Mr. Sickler stated he had not.

Councilor May noted there was supposed to be an executed lease agreement between FEC and 105 Center Street for the 22 spaces. He stated 105 Center Street was going to lease the spaces to the Applicant.

Mr. Sickler said he did not know the details or side agreements.

Councilor May noted that in the minutes from when Resolution 67-21 was approved, it stated the 22 spaces that were approved were to be leased to Onshore Construction.

Mr. Sickler stated he did not recall specifically.

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway

Councilor May asked if the Application was previously approved because of the lease agreement for the 22 parallel parking spaces.

Mr. Sickler said the approval of the 22 spaces was concurrent with the application to do the on-street parking spaces with the Owner of 105 Center Street. He noted there were various issues with the parking along the FEC. He felt that everyone knew there was a problem and they were working together to get it resolved.

Councilor Fore noted that he had previously spoken about the Planning Director's recommendation for an efficient parking clause on an existing structure and asked if there had ever been one on a proposed structure.

Mr. Sickler said there were applications that had indications of concerns based on the proposed uses and adequate parking. He noted in those cases, Applicants had secured offsite parking easements from adjacent neighboring properties. He stated there was a time when the Council felt parking would be problematic and requested a solution.

Councilor Fore said that was a unique situation due to there being no neighboring parking available.

Mr. Sickler stated even if various properties shared with each other it would relieve some of the strain due to the possibility of businesses peaking at different times.

Councilor Fore asked if the proposed structure would be compliant with parking and if the concern was with how it was portioned. He asked how many additional parking spaces were needed.

Mr. Sickler stated three spaces.

Mayor Kuretski said that the Council needed to be mindful that what was before them was regarding 954 Old Dixie Highway only. He asked Mr. Sickler to confirm, for the record, the information on the Application for the approval of Resolution 67-21 from the Staff Report.

Mr. Sickler noted that both companies had executed leases with FEC to allow parking on the east side of North Old Dixie without site plan approval by the Town. Onshore Construction executed a lease in 2007 and Christian Thomas executed a lease in 2013 which was still active for the areas north of Seminole Avenue.

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway

Mayor Kuretski noted what happened at the time was that joint applications had come in. He then asked Mr. Sickler to state the background information regarding the approval of Resolution 20-21 for Onshore Construction.

Mr. Sickler noted a concurrent site plan application has been submitted by the property owner of 105 Center Street to construct 22 on-street parking spaces on FEC property located on the east side of Old Dixie between Center Street and Florida Avenue. The statement of use indicates that a portion of the on-street parking would be sub-leased to Onshore Construction.

Mayor Kuretski asked Mr. Sickler to read page C of Resolution 20-21 section 4.

Mr. Sickler stated the conditions of approval herein shall apply to the Owner, Applicant, and their successors and assigns.

Mayor Kuretski said, although it was a mess, Council did what the Resolution stated. He noted the commitments there were made by various parties and the acceptance of the conditions of approval. He felt it was not a practical solution to look the other way.

Councilor Fore felt the Town was telling the Owner they could not build on the property. He said it seemed to be unique and made it unfair to the practical application. He believed it would be fair to allow the construction but make it very clear that if a problem developed then they would need to secure the additional three spaces. He noted the Town could not prohibit parking on the FEC property as they are not the owners.

Mayor Kuretski asked if the Applicant wanted to provide a rebuttal to the Council prior to voting.

Mr. Cheguis stated the Applicant knew what they had agreed to in 2021, and they came together with the other applicants to resolve the problem. He said it was now in the hands of 105 Center Street to build the parking spaces. He noted there was not a parking problem today and there would not be one in the future once the parking was constructed. Mr. Cheguis said if there needed to be a condition, then it needed to sunset once the parking was completed. He asked for the Council to strike or modify the condition.

Vice-Mayor Sundstrom stated she was on the Planning and Zoning Commission when this was approved. She noted she would not have approved had the parking not been built. She said although nothing had occurred at the property regarding adequate parking, there was a history of the Owner not having adequate parking at another property just south of that one. She believed it was a problem for public safety and for the environment.

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway

Vice-Mayor Sundstrom felt it was unfair to tie hands to 105 Center Street as there was no obligation for them to do anything. She thought she might want a modified condition for the three spaces but she was open and did not want to let it go. She felt if there was inadequate parking then there needed to be a resolution for the area and believed the condition should not be removed.

Mayor Kuretski felt the Applicant had made an obligation and there was a parking issue. He noted when you had individual lots then you did not have shared parking. He asked the Mr. Baird for guidance.

Mr. Baird believed that the condition had been modified to apply, as the Applicant can choose to modify the site plan and come up with a solution. He noted they had not built anything yet and cannot build anything until they address this condition. He said one way to eliminate the condition would be to build less than full square footage of the property, to create additional parking on the site.

Vice-Mayor Sundstrom had concerns with the Applicant meeting the Code requirements for parking and struggled with it being hypothetical. LC 7/16/24

Mayor Kuretski noted the Applicant was asking Council to change a condition where an obligation was made which influenced people to support the project.

Mr. Baird said a denial only goes to modify the condition, and they can choose to address it how they feel was appropriate.

Councilor Fore believed it would benefit the property if they could secure three spaces across the street.

Councilor Delaney said they approved a two-story office building with additional spaces. He stated removing them would diminish the input of the neighbors in the area. He was not willing to make this a reactive Code Enforcement situation. He noted he was not willing to remove the extra spaces as there was a potential for there to be a problem down the road.

Mayor Kuretski said he supported denying, it would send a message to the Owner. He noted the Owner owns three properties and had agreed to the conditions. He felt the Owner should go back with the Owner of 105 Center Street and reconstruct the agreements that they previously had and come back. He said if they came back with the spaces, he would take it into consideration.

Councilor May said the original Staff Report stated if the concurrent application to construct the off-site parking lot by the owner of 105 Center Street did not get approved and constructed, the property owner, Onshore Construction, could submit a site plan application to construct a smaller parking lot on the portion of land east of their properties, since they already have a lease from FEC.

REGULAR AGENDA

PUBLIC HEARING

11. 954 Old Dixie Highway

Councilor May stated another permanent option under their control would be to construct a parking lot instead of an office building on the subject property at 954 North Old Dixie. Councilor May found it interesting that nothing was built yet and they could modify it to meet the Code. He noted he could not support modifying the condition.

Councilor Delaney believed the Applicant was asking for a lot when they had more options.

Councilor Delaney moved to not deny 954 Old Dixie Highway, Site Plan Amendment to delete a condition of approval associated with offsite parking; seconded by Councilor May; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

Fore
No

May
Yes

REPORTS

TOWN ATTORNEY

- Lawsuit with the Political Committee (PC) – Mr. Baird stated an order was entered in favor of the Town for the Political Committee to produce a 64-page document that they were withholding. He stated another hearing was in favor of the Town regarding a request to produce documents from the County Fire Union. A third order was due to produce documents previously requested that were being withheld and the Town asked to enlarge the time to extend discovery in order to obtain the documents and review them to determine whether they were relevant for the motion for summary judgement.

Mr. Baird also stated the PC filed a motion to dispense with mediation and the Court denied the motion and ordered the parties to mediate by June 28th. He mentioned the Political Committee was pushing for a quick hearing to be able to get a ballot question quickly.

Councilor Fore asked when the motion for summary judgment had to be filed.

Mr. Baird stated July 2nd and the PC had already filed their motion for summary judgement and the Town was not required to respond until 40 days after the motion was filed. He added that the Political Committee's Lawyer argued that the documents from the Union and the PC were protected by Attorney-Client privileges saying that the Union was an agent of the PC, linking the two entities together through an agency relationship.

REPORTS

TOWN MANAGER

- Fiscal Year 2024-2025 State Budget – Ms. Moretto mentioned the Town’s lobbying firm Greenberg Traurig, stated the State budget for fiscal year 2024-2025 included \$2.4 million for the Town’s Western Indiantown Road project, included in the Town’s Community Investment Program (CIP). Staff would work with FDOT to prepare the necessary documents and agreements, anticipating the work would start around August.
- Eastview Manor Playground - Ms. Moretto mentioned the project was nearing completion and expected an opening date in July.
- Jupiter Police department (JPD) Call of the Year, Palm Beach North Chamber of Commerce Award - Ms. Moretto recognized Officer Kevin Sales-Lopez and Officer Christian Wyatt who were honored with the “Call of the Year” award by the Palm Beach North Chamber of Commerce. The two Officers conducted a quick assessment of a call that resulted in prevention of two potential school shootings.
- Town Manager’s Merit Award - Ms. Moretto recognized Jack Huynh, Network Specialist, and King Wekenmann, Administrative Specialist III, who’s efforts identified and eliminated unused phone lines within the Town’s operations, achieving cost savings of over \$158,000 annually. Kirsten Ofiara, Accounts Payable and Payroll Coordinator, was honored for her efforts to diligently budget and manage the purchasing operations for Town Hall construction project.
- Juneteenth - Ms. Moretto stated the Town Hall would be closed tomorrow for the recognition of Juneteenth.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR FORE

- Monetary Gifts – Councilor Fore suggested giving monetary gifts to incentivized employees to look for cost savings.

MAYOR KURETSKI

- Quasi-Judicial Proceedings – Mayor Kuretski asked if the Town Attorney could resend a memo regarding the order or quasi-judicial proceedings.
- Citizen Comment Time Limit – Mayor Kuretski stated he tended to be lenient on residents going over time but thought that it was being abused and asked for the Town Clerk to assist with monitoring the speaking time. He also mentioned making sure residents are speaking under the correct agenda item.
- \$2.4 million Western Indiantown Road project – Mayor Kuretski mentioned doing an analysis on how the project stayed within the State budget so the same thing can be done for next year. He also asked for the scope of the project to be added to the weekly report. He explained he wanted to understand what was approved specifically in the budget.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR KURETSKI

- Fire Stations – Mayor Kuretski mentioned Palm Beach County Fire Rescue stated they would keep the county fire station opening to assist with 10 percent of the calls. He mentioned the Town had hoped the County would work something out in order to not have two stations across the street from each other.

VICE-MAYOR SUNDSTROM

- \$2.4 million Western Indiantown Road project – Vice-Mayor Sundstrom stated she appreciated the representatives who assisted. She suggested them present in from of Council if they wanted to come.
- Town Manager Evaluation - Vice-Mayor Sundstrom addressed the Town Manager's annual performance evaluation, as the evaluation period concluded on June 1st.

Mayor Kuretski thanked Vice-Mayor Sundstrom for the reminder and stated Council was obligated to meet with the Town Manager individually to give him feedback.

Vice-Mayor Sundstrom stated the contract gave parameters or suggestions on topics that should be measured.

COUNCILOR MAY

- Palm Beach County Commissioner Maria Marino – Councilor May congratulated Commissioner Marino who was re-elected unopposed.
- Hurricane Season – Councilor May reminded everyone that as of June 1st it was hurricane season and to make sure your hurricane supplies were up to date.

ADJOURNMENT - 9:25 P.M.

Laura Cahill, Town Clerk