

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 5, 2023**

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

Roll Call: Mayor Jim Kuretski; Vice-Mayor Ron Delaney; Councilor Cameron May; Councilor Malise Sundstrom; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Town Clerk Laura Cahill.

PUBLIC HEARINGS

1. **Ordinance 16-23, First Reading,** Approval of 2024 Millage Rate. (Second Reading 9/19/23)

Mr. Scott Reynolds, Director of Finance gave a brief presentation which included budget meeting schedule; objectives and assumptions; property value increases; proposed millage rate of 2.3894; budge overview for fiscal year (FY) 2024; general fund revenues and expenditures; Water and Stormwater fund; Jupiter River Estates Non-Ad Valorem assessment fund; Building fund; health insurance fund; and the Community Investment Program (CIP) funding summary for FY 2024-2028.

Mr. Andy Weston, resident of Dolphin Drive, suggested the Town go back to the previous year millage rate due to the Town having various projects to fund.

Title read by Mr. Baird.

2. Review of the Town of Jupiter's FY 2024 Budget and Pay Plan.
3. **Ordinance 17-23, First Reading,** Approval of Fiscal Year 2024-2028 Community Investment Program. (Second Reading 9/19/23)

Title read by Mr. Baird.

Councilor May moved to approve Ordinance 16-23, First Reading; seconded by Vice-Mayor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

Councilor May moved to approve Ordinance 17-23, First Reading; seconded by Vice-Mayor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

PRESENTATION

4. Florida League of Cities presenting the Florida Municipal Achievement Public Engagement Award to the Town for the Passport to Jupiter. (continued from 8/15/23)

Ms. Eryn Russell, Membership Specialist with the Florida League of Cities, presented the Town with the Florida Municipal Public Engagement Award for the Passport of Jupiter. She recognized the Community Relations staff members: Mr. Shawn Reed, Ms. Sandy McCready, Ms. Kate Pokorny, Mr. Otto Suarez and Ms. Jill Alvarez.

CITIZEN COMMENTS

Mr. Andy Weston, resident of Dolphin Drive, spoke regarding Suni Sands and his support for the Town starting their own fire department.

Ms. Linda McDermott, resident of Chadwick Drive, noted her concerns regarding the Town starting their own fire department. She stated she supported Palm Beach County Fire Rescue (PBCFR) and asked Council to reconsider.

Ms. Chelsea Gass, resident of Circle East, discussed her concerns regarding the Town canceling the contract with PBCFR.

Ms. Lisa Vreeland, resident of Robinson Street, said she was concerned with Council's decision to terminate the services provided to Town by PBCFR.

Ms. Karen Vinson, resident of Sioux Street, spoke regarding the Town green space and noted her concerns for Jupiter Fire Rescue.

Mr. Brian White, resident of Lakeshore Drive, mentioned his prior experience working for a small-Town fire department. He stated his support for PBCFR and for Council to reconsider their decision.

Mr. Anthony Iannitti, resident of Sims Creek Lane, suggested Council asked residents for their input and discussed his concerns regarding Jupiter Fire Rescue.

Ms. Bobbie Rogers, resident of Florida Avenue, spoke regarding construction close to the Old Town Hall, across the street from her home and its disturbance to the community.

Ms. Nadine Burns, resident of Woodlake Drive, stated she did not support changing fire services from PBCFR.

Ms. Susan Brandt, resident of Florida Avenue, spoke about the disturbances and mess that have happened since the start of the construction close to the Old Town Hall.

Mr. Wayne Posner, resident of Carina Drive, thanked Police Officer Luis Cedano who helped him prior to the meeting and asked if the New Town Hall building could be smoke-free. Mr. Posner also stated he believed the developer of Suni Sands should, in perpetuity, take care of the sacred ground and not the tax-payers. He also believed the Public should be more involved when it comes to forming a Jupiter Fire Rescue Department and felt we could form one just as good as the Police department.

CITIZEN COMMENTS

Mr. Michael Culpepper, resident of 129th Terrace North, spoke about the Old Town Hall and his support of its historic designation. He explained the Old Town Hall had become an industrial waste site and had degraded the neighborhood. Mr. Culpepper brought photographs and distributed them to Council.

Mr. Matthew Bailey, resident of Land's End Way, spoke about the construction at School Road and how it was inappropriate to have industrial equipment in a residential area for an extended period of time.

Chief Patrick Kennedy, Palm Beach County Fire Rescue (PBCFR), explained four elements in the cost methodology contract proposal. Mr. Kennedy also discussed the differences in PBCFR's contract and the consultant's report.

Mr. Bernard Vaughan, resident of South US Highway One, spoke about his support to retain PBCFR and his concerns over transparency, accurate figures, and potential staffing issues.

Mr. Steve French, resident of Lands' End Way, spoke about his concerns over the industrial construction site at Old Town Hall. He requested copies of the RFP and contract pertaining to the project.

Mr. Ron Lulek, resident of Old Dixie Highway, also stated of his concerns regarding the construction and the septic smell coming from a hole that was left open. He mentioned the operating hours range from five a.m. to six p.m. which was causing issues for the residents in the area.

Mr. Kent Bachman, resident of Land's End Way, discussed his safety concerns over the year-long construction project and the heavy machinery so close to a park where children play.

Mr. Dana Anderson, resident of Florida Avenue, spoke about the unprofessional nature of the construction crew.

Mr. Brett Leone, resident of Barbados Drive, stated he was going to apply for the open Council seat and went over his background concerning Jupiter.

Mr. Craig Mowrey, resident of Blanca Isles Lane, discussed previous Town Council meetings that involved the Interlocal Agreement, and stated his support for the Town having its own fire department.

MINUTES

5. August 10, 2023 Town Council Budget Workshop Minutes and August 15, 2023 Town Council Meeting Minutes.

Councilor Sundstrom moved to approve August 10, 2023 Town Council Budget Workshop Minutes and August 15, 2023 Town Council Meeting Minutes, as amended; seconded by Vice-Mayor Delaney; motion passed.

Kuretski
Yes

Delaney
Yes

May
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.

- Mr. Wayne Posner removed items 7 and 8.
- Ms. Linda McDermott removed item 12.
- Councilor May pulled item 12.

Vice-Mayor Delaney moved to approve the Consent Agenda, as amended; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

PUBLIC BUSINESS

6. **Resolution 78-23**, Approving the contract award with Risk Management and Associates – Brown and Brown Public Sector for Property and Casualty Insurance for the Town with an estimated annual cost of \$2,171,402. (continued from 8/15/23)
7. **Resolution 81-23**, Authorizing a 7% increase in Water Rates. **MOVED TO REGULAR AGENDA**
8. **Resolution 82-23**, Authorizing a 7% increase in Stormwater Utility Fees. **MOVED TO REGULAR AGENDA**
9. **Resolution 88-23**, Approving Sanitary Sewer Easement for Loxahatchee River Environmental Control District (LRECD) for Loxahatchee River Subaqueous Crossing.
10. **Resolution 89-23**, Approving 322 Center Street Development Easements and Maintenance Agreement.
11. **Resolution 95-23**, Authorizing the Finance Director and the Assistant Finance Director to annually execute the Certificate to Non-Ad Valorem Assessment Roll forms and any other required forms to the Florida Department of Revenue, the Palm Beach County Tax Collector and the Palm Beach County Property Appraiser.
12. **Resolution 97-23**, Approving the contract award for contractual consulting services from the Center for Public Safety Management LLC (CPSM) to provide technical assistance to the Town in developing and implementing the Town of Jupiter Fire and Rescue Services Department. **MOVED TO REGULAR AGENDA**

END OF CONSENT AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

7. Resolution 81-23, Authorizing a 7% increase in Water Rates.

Vice-Mayor Delaney moved to approve Resolution 81-23; seconded by Councilor May; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

8. Resolution 82-23, Authorizing a 7% increase in Stormwater Utility Fees.

Vice-Mayor Delaney moved to approve Resolution 82-23; seconded by Councilor May; motion passed.

Kuretski
Yes

Delaney
Yes

May
Yes

Sundstrom
Yes

12. Resolution 97-23, Approving the contract award for contractual consulting services from the Center for Public Safety Management LLC (CPSM) to provide technical assistance to the Town in developing and implementing the Town of Jupiter Fire and Rescue Services Department.

Mr. Scott Reynolds, Director of Finance requested approval of contract with Center for Public Safety Management, LLC (CPSM) for the consulting of the implementation process for the Town of Jupiter Fire and Rescue Services. He noted there would be cost savings due to CPSM previously providing consulting services when the Town had evaluated options.

Councilor May asked if the fees for apparatus on page 9 were included in the base contract.

Mr. Reynolds said yes and noted that a key element of the contract which was if the Town didn't use certain components of the contract they would not be charged.

Councilor May asked if the contract was totally new. He stated that he felt the Town should do a request for proposal (RFP), due to the amount of the contract.

Mr. Reynolds stated it was completely new. He said the Town had previously paid consultants to gather the large amounts of data to guide the Town and if another consultant came in it would be costlier and less expeditious.

Councilor May reiterated his desire for the contract to go out for RFP.

Ms. Linda McDermott, resident of Chadwick Drive, stated she had nothing against the company but there were things in the 2023 analysis which were not included for 2024. She felt regardless of what the Town decided there should be a citizen committee to provide input.

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

12. Resolution 97-23

Ms. Karen Vinson, resident of Sioux Street, said she felt a vote had been made prior to the August 15th meeting by Council. She stated there had only been one company, who did research and gave a lowball price. She felt the contract should go out to bid and believed Council was not being transparent. She thought Council was doing away with greenspace and was not including the residents in the decision. She asked for a charter review committee to be installed, so that residents can participate in the decision.

Vice-Mayor Delaney moved to approve Resolution 97-23; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

May
No

Sundstrom
Yes

REPORTS

TOWN ATTORNEY

- Suni Sands – Mr. Baird stated he distributed a memo to Council regarding request for relief from property rights that was submitted with respects to the Suni Sands property. He mentioned the memo outlined the process the Town would go through and it would be similar to the process the Town went through with the DDR property, now known as the Crossroads, LLC property. He stated it was a process to meet mediation and would hopefully come to a resolution regarding the property, whether it's the Town purchasing the property or preserving more or less of the property. If the Town was able to reach an agreement during the public process, it would avoid possible protracted and costly litigations. The process allowed for a complete exploration and evaluation of the site and how best to preserve the resources along with preserving some property rights. He stated if Council had any questions to give him a call. He mentioned he wanted Council and the public to know that the mediator/magistrate that was selected was a former President of the Florida Municipal Attorney's Association, a City Attorney in Broward County for multiple cities, and a land-use/ imminent domain attorney during his 45-year career. He felt fortunate that the Town was able to reach an agreement with the Developer's attorney in selecting Mr. Sam Goren to be the mediator and magistrate for this particular dispute.

TOWN MANAGER

- Florida Municipal Achievement Public Engagement Award – Mr. Kitzerow thanked the Community Relations team for their efforts and congratulated them on receiving the award.
- Old Town Hall – Mr. Kitzerow stated he and Staff would visit old Town Hall tomorrow.

Mayor Kuretski asked for a report and the contract rights the Town had to ask for the removal of construction storage.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

VICE-MAYOR DELANEY

- Fire Contract – Vice-Mayor Delaney stated in regards to transparency, the Town Council has had nine public meetings that included the contract and the 3 months escape clause.

Councilor May mentioned that the Council voted to cancel the contract and start the Jupiter Fire Rescue when it should have been an agenda item. He stated there was no indication in the nine meetings that the Council was going to move away from Palm Beach County and start its own fire department. He noted if Council and residents wanted to move away from the County it should be an item on the agenda and he would be happy to support that. He stated he also supported potentially forming a Charter Review Committee and putting in for a vote on a ballot. He mentioned the petition with 2,000 signatures and the multiple people who spoke at the meeting asking the Council not to move forward.

Vice-Mayor Delaney stated that some people already thought Jupiter has their own fire department and that people were outraged by the increase in rates.

Councilor May stated he spoke with plenty of residents that said they would rather pay an increase in cost to return to Palm Beach County Fire Rescue than to start a Town fire department because they know the level of service that they received was top rated. He also discussed the cost of starting a fire department.

Councilor Sundstrom mentioned the best way to understand the perspective on Council was to attend or watch Council meetings. She said that nine public meetings had been held with public comment, and a 140-page report had been provided by CPSM. She also discussed the unanimous support for a similar contract with CPSM in June 2022. She stated the timeline was dictating the decision, and the decision was not a surprise to her because of the multiple public meetings where a majority expressed concerns. Councilor Sundstrom mentioned the audit that was released to Council after the April vote that was concerning for her. She said that nearly 80 percent of coastal Towns in Palm Beach County had their own fire departments. LC 09/19/23

Vice-Mayor stated that he was comfortable with this decision due to having a very capable, competent staff who have created a great Police department. He mentioned it was with a heavy heart to stop working with PBCFR but it was time for the Town residents to be in charge of their fire department and their finances. Councilor Sundstrom agreed and stated she had not received a lot of emails regarding this even with all the publicity.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

Mayor Kuretski stated there was never an issue with PBCFR services and the Town was grateful for their service. He mentioned the Council had been transparent and had a number of meetings about the topic. He stated his decision was due to the strategic plan for PBCFR from 2022 where the revenue increase stunned him. He also stated they County wanted the Town to double the millage rates to help finance the cost of serving the unincorporated areas which was costlier and was not fair to the Jupiter residents.

Mayor Kuretski also mentioned he asked a number of questions regarding prior funding and reserves and did not receive any answers. He stated he thought Council made a good decision on behalf of the Town's residents and businesses to start its own fire department.

Councilor May stated residents did not feel that way and he had received a lot of feedback that it was a bad decision. He also stated the Town was cancelling a contract that had not started yet and did not understand how that was possible. He reiterated his concerns regarding the CPSM report.

ADJOURNMENT - 8:56 P.M.

Laura Cahill, Town Clerk