



**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, NOVEMBER 19, 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; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Town Clerk Laura Cahill.

PRESENTATION

1. Florida Department of Transportation (FDOT) West Indiantown Road Presentation by Thomas Emerson, Project Administrator.

Mayor Kuretski thanked Vice-Mayor Sundstrom for inviting the Florida Department of Transportation (FDOT). He noted the item was not intended to be open for public comment, but residents could comment under citizen comments.

Mr. Thomas Emerson, consultant for FDOT, gave a brief presentation which included the project scope; overview; timeline since signal activation on November 14th; current timeline through next week; final ramp configuration; and proposed project highlights.

Mayor Kuretski clarified that when the lights were activated there were only two northbound turn lanes, but on Sunday there would be three lanes.

Mr. Emerson stated before 6:00 A.M., Monday morning.

Mayor Kuretski noted the third lane and east lane should be done by Friday.

Mr. Emerson agreed and explained they were unable to build the third and fourth lane with traffic on the ramp. He stated the elevation was a foot higher than the existing road.

Mayor Kuretski stated when he was discussing opening up the third lane it would be all the way to Central Boulevard.

Mr. Emerson agreed.

Mayor Kuretski stated from the picture on the presentation that it showed four lanes.

PRESENTATION

1. Florida Department of Transportation (FDOT) West Indiantown Road Presentation by Thomas Emerson, Project Administrator.

Mr. Emerson said the fourth lane would open by January 2025.

Mayor Kuretski asked if FDOT believed the lane might open up earlier.

Mr. Emerson stated not in their current plans, but that did not mean they could not work with the Town to implement something different.

Mayor Kuretski explained the intersections were bottleneck areas. He asked if there could be something done to help this critical location.

Mr. Emerson said prior to the traffic light, the traffic free flowed eastbound and northbound to eastbound off the Interstate 95 (I95) ramp, all the way to Island Way until the traffic started. He stated after the light was implemented, the queuing area between Island Way and the new light was now the area where there was push back and traffic went from three lanes to two.

Mayor Kuretski asked how the *fiber* cable was enabled for the traffic signalization to be remotely adjusted by Palm Beach County Traffic Management Control Center (PBCTMCC). LC 12/3/24

Mr. Emerson stated there was video detection, but noted it was not synced with PBCTMCC at that time.

Mayor Kuretski asked what the schedule was for the implementation.

Mr. Emerson said they were currently working on the conduit however installation of the fiber had not been done yet, and noted the fiber was normally not done until the end of the project. He stated it could be expedited but FDOT had not requested it from the contractor. He explained that they added video detection which should help with the timing of the signal.

Mayor Kuretski stated he would like to see if they could install it, because it would be the best solution for having PBCTMCC adjust the timing of the lights.

Mr. Emerson said they could speak with Palm Beach County (PBC) and the contractor to expediate.

Mayor Kuretski noted he understood the risk but it was the best solution.

Councilor Delaney asked if the Town could work with FDOT to get the project done as quickly as possible.

Mr. Emerson stated they were working as fast as they could. He noted the initial phasing of the project did not show this phase being done till later but because of concerns they are kicking it up sooner.

PRESENTATION

1. Florida Department of Transportation (FDOT) West Indiantown Road Presentation by Thomas Emerson, Project Administrator.

Councilor Delaney asked when the three lanes would be up and running.

Mr. Emerson said it should be up and running by Friday.

Councilor Delaney asked if the fourth lane would be done by late January 2025.

Mr. Emerson clarified he said January 2025.

Councilor Delaney asked how we could speed that up and said there has to be a way.

Mr. Emerson stated he could speak to his supervisor at FDOT and the contractor to see what can be done to speed it up. He explained they had just finished the drainage on the east and westbound sides of the C18 canal. He said they could now begin building up the roadway, installing a driveway and guardrail.

Councilor Fore said he was very skeptical of a traffic light alleviating traffic problems. He asked for clarification on why a light would help.

Mr. Jeff Robbert, design consultant for FDOT, said the main priority of the project was to regulate the off ramp at I95 so as to not have the traffic back up to the main line. He stated they had done an analysis to determine what would prevent it. He noted the que would help to alleviate back up to the main line.

Councilor Fore stated he believed FDOT was trying to fix a problem that really was not there and felt that putting the light there had made the traffic much worse.

Mr. Robbert said they had done a projection study up to 2030 in which there would be a backup.

Councilor Fore said he was very surprised they were seeing that in their traffic projections. He asked for clarification that the traffic light was not added to alleviate the eastbound traffic but instead to alleviate a potential future backup on the interstate.

Mr. Robbert agreed.

Councilor Fore reiterated his concerns with the traffic light.

Mr. Robbert stated the study identified the impact and that was why they added the lanes in the eastbound direction.

Councilor Fore believed there was a small percentage of people who exit the ramp and cross over to turn onto Island Way. He asked if he believed they would get back to normal fairly quickly with the additional lanes.

PRESENTATION

1. Florida Department of Transportation (FDOT) West Indiantown Road Presentation by Thomas Emerson, Project Administrator.

Councilor Delaney asked what time was the traffic study done.

Mr. Robbert stated February.

Vice-Mayor Sundstrom thanked FDOT for coming out and supported expediting the project.

Councilor May asked if the exit would have two open lanes.

Mr. Emerson stated by Monday morning it should have two lanes.

Councilor May noted he had seen more accidents on his last two shifts because of the one lane.

Mr. Emerson stated one lane has been like that since February.

Councilor May noted that once the light was activated it backed up traffic to I95. He said he had worked two accidents in the same location within three hours of each other. He stated he still had concerns for eastbound traffic and asked if an additional buffer zone could be added for emergency vehicles. Councilor May explained he was traveling from Jupiter Farms trying to get a patient to the hospital and traffic was backed up so bad they ended up delivering a baby in the back of a truck.

Mr. Emerson stated there was nothing in the current project that would include additional lanes. He was only authorized to build what he presented to Council.

Councilor May said he would ask if they could look into adding a buffer zone.

Mayor Kuretski thanked FDOT for coming and looked forward to the opening of the third and fourth lane, plus the fiber cable being installed. He asked if they could stay to allow residents to communicate with them directly.

CITIZEN COMMENTS

Ms. Joan Dalie, resident of Carina Drive, discussed her concern regarding the new traffic signal on Indiantown Road.

Ms. Suzanne Thomas, resident of Bay Street, provided a handout to Council and suggested the Town add a rainbow bridge memorial at Cinquez Park.

Mr. Wayne Posner, resident of Carina Drive, thanked Council for their efforts and mentioned the new traffic signal on Indiantown Road. He also noted his support for the Jupiter Fire Rescue Department.

Ms. Lori Bailey, resident of Loxahatchee Drive, asked Council to relocate the utility payment drop box and improve the public transportation bench by Wendy's.

CITIZEN COMMENTS

Ms. Jennifer Reelitz, resident of Sandy Run, mentioned the traffic flow issues with the new traffic signal at I95 and offered her assistance regarding landscaping throughout the Town.

Ms. Linda McDermott, resident of Chadwick Drive, discussed the recently passed homestead exemption law and asked Council to clarify its impact on residents.

MINUTES

2. October 15, 2024 Town Council Meeting Minutes.

Vice-Mayor Sundstrom moved to approve October 15, 2024 Town Council Meeting Minutes; 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.

Mayor Kuretski and Councilor May pulled item 12.

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

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

PUBLIC HEARING

3. Ordinance 23-24, Second Reading, Approving the extension for employees of Jupiter Fire Rescue Department (JFRD) into the Florida Retirement System.

Title read by Mr. Baird.

4. Ordinance 27-24, First Reading, Amending the Town of Jupiter Code of Ordinances to update the basis for establishing flood hazard areas based upon the updated Flood Insurance Rate Maps and Flood Insurance Study. (Second Reading 12/3/2024)

Title read by Mr. Baird.

5. Ordinance 13-24, First Reading, 1352 S US 1 Rezoning - *Quasi- Judicial* - Zoning map amendment from Commercial, Office (C-3) to U.S. Highway One/Intracoastal Waterway Corridor District – Mixed Use Residential Subdistrict (US1/ICW-MXR) for 1.34+/- acres of property located at 1352 S US-1. (Second Reading 12/17/24)

Title read by Mr. Baird.

CONSENT AGENDA

PUBLIC BUSINESS

6. **Resolution 109-24**, Approving a Private Stormwater Improvement Grant Agreement with Sonoma Isles HOA for \$200,000.
7. **Resolution 136-24**, Approving FY2024 Year-End Budget Amendments.
8. **Resolution 140-24**, Authorizing a Completion Agreement for contract EPW 202316 Jupiter Community Park Improvements.
9. Approving a purchase order to Wesco Turf, Inc. for fiscal year 2025 Parks Maintenance Toro Reel-master 5510-D, in the amount of \$84,181.50.
10. Approving the use of State Forfeiture Funds for “Shop with a Cop” holiday event in the amount of \$3,000.
11. Approving a purchase order for crosswalk materials to Traffic and Parking Control Co., Inc in an amount not to exceed \$75,472.77.
12. Approving a donation from the Jupiter Police Foundation for the purchase of a Tactical Rescue Vehicle in an amount not to exceed \$600,000. **MOVED TO REGULAR AGENDA**

END OF CONSENT AGENDA

ITEM REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

12. Approving a donation from the Jupiter Police Foundation for the purchase of a Tactical Rescue Vehicle in an amount not to exceed \$600,000.

Mayor Kuretski thanked the Jupiter Police Foundation (JPF) for their unwavering support to the Jupiter Police Department and the Town.

Councilor May thanked JPF for their support and continued relationship with the Town.

Mr. Kitzerow thanked JPF and the Community for their continued support.

Mayor Kuretski asked the foundation members to stand and be recognized.

Councilor May moved to approve a donation from the Jupiter Police Foundation for the purchase of a Tactical Rescue Vehicle in an amount not to exceed \$600,000; seconded by Councilor Delaney; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

Fore
Yes

May
Yes

REGULAR AGENDA

PUBLIC HEARING

13. Resolution 13-24, Flagler Wharf – *Quasi-Judicial* - Special Exception and site plan application for a 12-slip private marina, and a site plan application for a restaurant with an accessory outdoor seating area, and professional office, on 2.95 ± acre property, located at the northeast corner of the intersection of North Alternate A1A and Old Jupiter Beach Road, approximately 1,300 feet north of Indiantown Road. (Continued from 10/1/24)

Ex-Parte Communications:

- Councilor Delaney stated he met with the applicant and the agent on October 24, 2024 in Coutleur Hearings Office. He noted he walked the site, had phone calls with Mr. Kris Heiser and Mr. Matt Sipowski. He also mentioned he received emails.
- Mayor Kuretski mentioned mid-September before the last hearing he walked the entire site to understand the surrounding properties. On September 18, 2024 he spoke with Mr. George Gentile after a Chamber Breakfast event and suggested he remove the item from that night's agenda until the code compliance issues could be resolved. He also noted receiving various emails from the public, the intervener, and the applicant.
- Vice-Mayor Sundstrom said she walked the around the perimeter of the site and look at the water area, met with the applicant in September, received emails from residents both for and against, and had several conversations with the intervener.
- Councilor May said he received emails from residents for and against the project, met with the applicant and Mr. George Gentile in his office on November 13, 2024.

Town Clerk swore in 15 people.

Mr. Troy Holloway with Gentile Holloway O'Mahoney & Associates, Inc (2GHO), representing the Applicant, gave an overview of the site plan application to redevelop the pre-existing mobile home park. He reviewed the history of the property; the site plan and data; architectural elevations and renderings; marine environmental enhancements; and the overall project benefits.

Mr. Martin Schneider, Principal Planner, explained the history of the application including the code compliance violation that resulted in the item being postponed. He noted that on October 24, 2024 the code compliance violation was resolved. He continued his presentation highlighting the Planning and Zoning Commission recommendations for approval of the application including the conditions.

REGULAR AGENDA

PUBLIC HEARING

13. Resolution 13-24, Flagler Wharf

Mr. Matt Sipowski, Intervener, stated he lived 100 feet from the proposed site. He suggested the focus be on the rules of the special exception. He expressed it would be detrimental to the surrounding property owners because of the increased use of the canal, noise and nuisances, decreased property values, the effect on water quality, and increase in debris.

Councilor Fore asked if there were any permits for the existing pilings and docks.

Mr. Schneider said Staff did not find any records.

Councilor Fore clarified there was not a marina there and asked if it was typical to have fuel dropping at commercial spots.

Mr. Schneider said the Town did not have any regulation.

Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning, said fueling was done at other marinas in Jupiter and said if Council wanted to look at that as a limitation it could be added as a condition of approval.

Councilor Fore asked about parking requirements

Mr. Schneider said per Code it would be one parking spot per slip.

Councilor May asked what the reasoning was to increase length of boats from 35 to 40 feet and if the slips now were able to handle a beam of a 40-foot boat.

Ms. Thoburn said she couldn't recall exactly but remembered the applicant made a compelling argument and the current slips could hold a 40-foot boat or larger.

Councilor Delaney asked the applicant about the Planning and Zoning Commission's six recommendations and if they asked about fueling.

Mr. Holloway said they were fine with them and said the boats wouldn't be fueled any differently.

Councilor Delaney said he thought fueling and maintenance could be an issue and clarified the docks would be slips not lifts.

Mr. Holloway noted the applicant would propose lifts down the road.

Councilor Delaney asked about boat partnerships.

Mr. Schneider said commercial vessels were not allowed.

Councilor Sundstrom mentioned she had heard about the clean marina action plan and asked for Staff to explain the component.

REGULAR AGENDA

PUBLIC HEARING

13. Resolution 13-24, Flagler Wharf

Ms. Thoburn explained the clean marina action plan was based on DEP's regulations and it addressed how to clean up spills and properly put away spent lines. She noted if there were additional items related to the environment they could add them as conditions.

Mayor Kuretski clarified how the boats were being measured.

Mr. John Sickler, Director of Planning and Zoning, explained it was the overall length.

Mayor Kuretski asked if Staff had determined if special exception criteria for marina use was met using Code section 27-177, criteria for special exception item b.

Mr. Sickler agreed and said there were additional conditions to mitigate the concern from the public hearing at the Planning and Zoning Commission (PZC).

Mayor Kuretski noted a condition within the Resolution that stated any request to increase the slips would be subject to review of PZC and Town Council and asked the applicant to update the wording to include any changes to the marina.

Mr. Holloway agreed any change would come back to Council.

Councilor Fore clarified dive boats and charters would be prohibited.

Mr. Schneider said yes.

Mr. Holloway stated it would be built into the lease.

Councilor Fore asked if they were willing to agree to no fueling.

Mr. Bjarne Borg, owner and applicant, said if it were a condition of approval then no fueling would be added.

Mr. Mark Rodberg, resident of Oak Terrace, commended Planning and Zoning Staff for their thoroughness concerning the item. He spoke about his support of the project.

Mr. Ray Richards, resident of Old Jupiter Beach Road, spoke about his support and asked Council to approve.

Ms. Lois Gackenhimer Richards, resident of Old Jupiter Beach Road, thanked Council and expressed her support for the project.

Mr. Wayne Posner, resident of Carina Drive, spoke in support of the item and said it fit architecturally with Jupiter.

Mr. Kent Eismann, resident of Old Jupiter Beach Road, said this was a beautiful project but was concerned about having more boats on the canal and the potential of ruining the peacefulness.

REGULAR AGENDA

PUBLIC HEARING

13. Resolution 13-24, Flagler Wharf

Ms. Lauren Hollander, resident of Palm Beach Gardens, spoke in support of the project and felt it would enhance property value.

Mr. Kevin Smith, resident of Old Jupiter Beach Road, explained how narrow the canal was and expressed his concern with the potential vandalisms his property.

Mr. Joacim Borg, resident of Eganfuskee Street, spoke in his support of the project.

Mr. Roderick Nassif, resident of Eganfuskee Street, stated the canal was small and enjoyed their residential areas without any commercial use. He mentioned two boats on the canal in the dark was dangerous and raised concerns over maintenance and drainage.

Mr. Ramsay Bulkeley, resident of Palm Beach Gardens, spoke in support of the project.

Mr. Donaldson Hearing, Resident of Elsa Road, stated he was a professional planner and spoke in support of the project.

Mr. William Quinn, resident of U.S. Highway One, spoke in support of the project.

Mr. Holloway stated the canal was a 60-foot commercial canal that had a 60-foot public access easement with a right-of-way. He specified that there would be no seating outdoors after 9pm, no eating outside after 10pm, and no outdoor live music. He spoke about boat traffic and added there was no way someone could access the restaurant from the canal due to security fencing.

Councilor May pointed out the canal was dug out for commercial use by Henry Flagler and the property was in a commercial corridor. He mentioned his concerns regarding the oil in the canal and asked Staff to make sure the stormwater filters were working correctly. He stated he wanted to add a condition of no fueling or maintenance/service of motors would take place on site. He added he was interested to see how the applicant would add lifts to the marina.

Vice-Mayor Sundstrom stated she appreciated the Planning and Zoning Commission, and liked the security fencing to manage boat traffic and drop offs. She also appreciated increasing the flushing capacity and the environmental benefits. She said she felt comfortable with the project.

Mayor Kuretski said the project had been through rigorous reviews and critiques by Planning and Zoning Staff, Commission, and the public. He reiterated that in the Resolution under item 7d to update the condition to state any request to the marina would have to come back to Council. He also spoke about the environmental and historical benefits, parking requirements, and stormwater drainage concerns.

REGULAR AGENDA

PUBLIC HEARING

13. Resolution 13-24, Flagler Wharf

Councilor Delaney spoke about the restaurant, parking, shoreline and environmental enhancements.

Councilor Delaney and Councilor May discussed no fueling, maintenance, service, or dumping of the black water tanks at the docks.

Councilor Delaney said he would be voting in favor of the project.

Councilor Fore stated the building was a good fit for the property. He discussed the marina having too many slips and that he was opposed to fueling and servicing at the docks.

Councilor May moved to approve based on the recommendation from the Planning and Zoning Commission on August 13, 2024 along with any changes to the marina conditions must come back to Council, no dumping of black water tanks, no charter, dive boats or commercial use of the boats, no fueling of boats in the marina, no boat maintenance or service at the docks, and no fuel trucks delivering fuel to the boats in the marina; second by Councilor Delaney; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

Fore
Yes

May
Yes

PUBLIC BUSINESS

14. Authorizing a waiver of conflict for Jones Foster Law Firm.

Mr. Thomas Baird, Town Attorney, explained the purpose of the letter was requesting that the Town Council vote to waive the firm's conflict with respect to the Property and the real estate transaction; to permit himself and Mr. Scott McMullen to represent the Town as the seller, and Messrs. Mr. Larry Alexander and Mr. Alan Ciklin to represent Mr. Jacob Wohlstadter as the buyer of the Property.

Mayor Kuretski said he met with the developer Mr. Wohlstadter and believed his interest in developing in Jupiter fit into the long-term strategy of the Town. He said he was supportive of the request.

Councilor May moved to approve a waiver of conflict for Jones Foster Law Firm; seconded by Councilor Fore; motion passed.

Kuretski
Yes

Sundstrom
Yes

Delaney
Yes

Fore
Yes

May
Yes

REPORTS

TOWN ATTORNEY - NONE

TOWN MANAGER

- Items to Follow Up – Mr. Kitzerow stated Staff would keep in contact with FDOT and to make sure information continued to get out to the residents. He added there would be Police presences at Jupiter Country Club to monitor traffic. He mentioned Staff would also follow up on the rainbow bridge, the bus stop bench next to Wendy's, the Utility payment drop box, the presentation regarding plants in the median, and the drainage from the industrial park.
- Amendment Five - Mr. Kitzerow stated Finance looked at how the amendment would affect the Town's revenue and based upon the current values, amendment five would have about a \$30,000 affect annual in revenue.
- Riverwalk Shoreline Project - Mr. Kitzerow stated the project began yesterday and included the installation of riprap and would take approximately six weeks. He added information would be available on the Town's social media.
- Town Hall - Mr. Kitzerow mentioned a plaque had been added inside of the front door on the northside of the main lobby that recognized the former Council members who had a hand in the construction of the new Town Hall including, Councilor Wayne Posner, Councilor Ilan Kaufer, Councilor Cheryl Schneider, and former Mayor Todd Wodraska. He added that the photos from the old Council Chambers had been reframed and created a historic display including the old Town Seal behind the building counter in the customer lobby.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR MAY

- Veteran's Day Ceremony – Councilor May thanked Staff for putting together the amazing Veteran's Day ceremony.

VICE-MAYOR SUNDSTROM

- FDOT Presentation – Vice-Mayor Sundstrom thanked Staff for putting together the presentation with FDOT and for answering questions.

COUNCILOR DELANEY

- Veteran's Day Ceremony – Councilor Delaney thanked Staff and said it was a great tradition in Jupiter.
- FDOT Presentation – Councilor Delaney stated he was proud of Staff for handling getting FDOT to present.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR FORE

- Veteran's Day Ceremony – Councilor Fore thanked Staff for Veteran's Day ceremony.
- FDOT Interstate 95 (I95) Off-ramp Traffic Signalization – Councilor Fore spoke about his concerns of the new traffic light coming off of I95.

MAYOR KURETSKI

- Veteran's Day Ceremony – Mayor Kuretski stated Staff did a great job for the Veteran's Day ceremony.
- Ex Parte Communications – Mayor Kuretski stated Council needed to make sure they say who, when, and the context of the discussion for ex. parte communications and asked to make sure the context of the ex. parte communications were reflected in the minutes.
- FDOT Interstate 95 (I95) Off-ramp Traffic Signalization – Mayor Kuretski mentioned he was appreciative of the professional working relationships Staff had with other entities. He also noted that a third northbound off lane would be added by Monday.

ADJOURNMENT- 10:13 P.M.

Laura Cahill, Town Clerk