FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, JUNE 20, 2023

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

Roll Call: Mayor Jim Kuretski; Vice-Mayor Cheryl Schneider; Councilor Ron Delaney; Councilor Cameron May; Councilor Malise Sundstrom; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Deputy Town Clerk Stephanie Proffer.

PROCLAMATION

1. Celebrating Palm Beach State College 90th Anniversary – Ms. Jyrece McClendon, Dean of Academic Affairs from Palm Beach State College.

Mayor Kuretski presented the proclamation to Ms. Jyrece McClendon, Dean of Academic Affairs.

Ms. McClendon thanked the Town for honoring Palm Beach State College.

2. Parks and Recreation Month – July 2023 – Ms. Kristen George, Director of Parks and Recreation.

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

Ms. George thanked Council for recognizing the Parks and Recreation Department. She also introduced Mr. Micah Bennett, Superintendent of Parks, Mr. Derek Harse and Ms. Ashley Shipman, Recreation Supervisors.

Ms. Chelsea Gass, resident of Circle East, discussed her concerns regarding the Town of Jupiter's local parks.

PRESENTATION

3. New Town Website.

Mr. Shawn Reed, Community Relations Manager and Public Information Officer, presented the Town's new website to Council. He stated the website was scheduled to go live on June 30, 2023 and reviewed the updated features and user-friendly attributes that were added.

Mayor Kuretski stated he looked forward to seeing the new and improved website.

CITIZEN COMMENTS

Ms. Jennifer Burmaster, resident of South Hampton Drive, spoke about her concerns regarding Town Parks. She mentioned the lack of improvements and shaded areas.

Councilor Sundstrom explained the Community Investment Plan (CIP) and that there were plans to update the parks.

Mayor Kuretski stated he wanted to separate Park Staff from the comments. He explained Council was in charge of providing resources to upgrade park amenities.

Mr. Andy Weston, resident of Dolphin Drive, spoke about the drainage and widening of Dolphin Drive.

MINUTES

4. June 6, 2023 Town Council Meeting Minutes.

Councilor Delaney moved to approve June 6, 2023 Town Council Meeting Minutes; seconded by Councilor May; motion passed.

Kuretski	Schneider	Delaney	May	Sundstrom
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.

Councilor Delaney moved to approve the Consent Agenda; seconded by Councilor May; motion passed.

Kuretski	Schneider	Delaney	May	Sundstrom
Yes	Yes	Yes	Yes	Yes

PUBLIC BUSINESS

5. **Resolution 36-23,** Approving Town's 2023-2024 Annual Action Plan for the Community Development Block Grant Program (CDBG).

6. **Resolution 67-23**, Accepting FEMA and State of Florida matching funds and authorizing the Town Manager to accept and execute documents relating to Hurricane Nicole.

7. **Resolution 75-23,** Approving the renewal of contract EPW 2022-27, collector roadway lighting to the Lazarus Group, Inc. in an amount not to exceed $287,315.69.

8. **Resolution 76-23,** Approving award of Youth Summer Day Camp transportation services to Academy Bus Tours, LLC in the amount of $76,329.

REGULAR AGENDA

PUBLIC HEARING

9. **Bear's Club**

A. **Ordinance 2-22, Second Reading, Planned Unit Development (PUD) Amendment - *Quasi-judicial* -** Amendment for the Clubhouse and Cottage Site (Phase 1B) located within a 400.9 ± acre property, south of Frederick Small and west of Palmwood Road, known as the Bear's Club PUD to add a freestanding Fitness Center Building Site and to request waivers to setbacks, lot coverage, wall height, minimum lot area and parking. (Continued from 2/21/23)

B. **Resolution 7-22, Fitness Center - *Quasi-judicial* -** Site plan application to construct a freestanding clubhouse fitness center on a 0.21 ± acre property located south of the Bear's Club Villas Condominium (Cottages). (Continued from 2/21/23)

REGULAR AGENDA

PUBLIC HEARING

9. Bear's Club

C. Resolution 5-22, Duplex Golf Cottages - *Quasi-judicial* - Site plan application to construct three residential duplex buildings with a total of six dwelling units on a 1.06 ± acre property located south of the Bear's Club Villas Condominium (Cottages). (Continued from 2/21/23)

Mr. Bill Capko, Esq. of Lewis, Longman & Walker, P.A., replaced Mr. Baird on the dais due to a claim of conflict on the item.

Ex-Parte Communications:

- Councilor Sundstrom Councilor Sundstrom said she had a phone call with Mr. Bob Wesselman, General Manager of the Bears Club, and spoke with Staff.
- Councilor May stated he had a couple emails with Mr. Bob Wesselman.
- Vice-Mayor Delaney mentioned emails with Mr. Bob Wesselman and other various emails.

Deputy Town Clerk Swore in seven people

Mr. Morris Crady, Senior Partner with Lucido & Associates on behalf of the Applicant, stated the intent of the project was to construct three two-story condominium buildings on the remaining 1.27 acres site and to relocate the fitness center out of the clubhouse. He mentioned the site was originally approved for 14 cottage units and was revised in 2011 to construct two single family lots that were never built. Mr. Crady said the proposed plan was supported by the owners of the existing cottage units, the membership, and the Homeowner's Association (HOA) within the Bears Club. He mentioned they would meet with the Architectural Review Board for approval prior to the final design.

Mr. Crady explained the project has a high taxable value with low impact on public services. He mentioned a public benefit that included installing 42 live oak trees along Frederick Small Road and a $50,000 contribution to the Town towards the development of the Town green. He stated they were trying to bring the property into compliance with the original ordinance prior to the issuance of any development permit.

Mr. Peter Meyer, Senior Planner, reviewed the history of the project and the noncompliance of condition 3D1 of ordinance 12-98 and resolution 16-98. Mr. Meyer explained the applicant submitted a letter agreeing to convey ownership of the Palmwood Preserve to Northern Palm Beach County Improvement District (NPBCID) prior to development if Council approved the project.

Councilor Delaney said he was in favor of the previous application and would like to see the Palmwood Preserve deed to the Town of Jupiter.

REGULAR AGENDA

PUBLIC HEARING

9. Bear's Club

Mr. Capko explained there were no objections to the Town being the recipient of the Palmwood Preserve, it would result in a cleaner transaction with no possibility of the property being conveyed back to the developer.

Mayor Kuretski said he wanted to speak to NPBCID to make sure that was a unique circumstance. He asked the applicant if it was acceptable to ask if the property be deeded to the Town.
Adam Gooten, Attorney assisting the Applicant, explained the transaction was set up to go to the district or to another governmental or quasi-governmental agency. Mr. Gooten explained how the transaction was structured with two conditions, first the approvals would not be issued by the Town until Palmwood Preserve was conveyed to the correct party and second would be how much time the receiving party would need to do their due diligence.

Vice-Mayor Schneider asked why the transaction could not have been completed ahead of time and it was unclear why it was conditional because it was a requirement of the original PUD approval.

Mr. Gooten said there was an agreement in place between the buyer and seller that if the two conditions were satisfied, the land would then be conveyed to the designated party.

Vice-Mayor Schneider asked why the PUD Holder was not a part of the proceeding.

Mr. Capko explained a code enforcement action against them would be taken if the transaction didn't close.

Councilor Sundstrom asked if in lieu of the $50,000 amount for the Town Green, there was a way to solve parking issues on Frederick Small Road.

Councilor May said he had asked if the trees could be planted in a way to prevent cars offloading and also receive the donation of $50,000 for the Town Green.

Mayor Kuretski asked if there was public comment.

Rebecca Zissel, resident of Boca Raton and on behalf of Gary Sellers, spoke about her concern over the mechanics of the transfer of the land.

Mayor Kuretski said he was grateful that the applicant worked to resolve the previous issues and was willing to proceed with the requested changes.

Councilor May thanked the applicant and was happy the land would be deeded to the Town for preservation. Councilor Sundstrom and Delaney agreed and were appreciative of the hard work.

REGULAR AGENDA

PUBLIC HEARING

9. Bear's Club

Vice-Mayor Schneider stated she did not support the item. She noted several issues which included the requirement of turning over the preserved lands dated 25 years ago that was never completed, the size of the cottages was too great, and the HOA had not turned over properly. She did note she was glad that the land was going to the Town.

Mayor Kuretski made suggestions to amend the language to reflect that the Town would be deeded the land within 60 days of the Ordinance being issued.

Councilor Delaney moved to approve Ordinance 2-22, as amended; seconded by Councilor May; motion passed.

Title read by Mr. Capko.

Kuretski	Schneider	Delaney	May	Sundstrom
Yes	No	Yes	Yes	Yes

Councilor Delaney moved to approve Resolution 7-22, as amended; seconded by Councilor May; motion passed.

Kuretski	Schneider	Delaney	May	Sundstrom
Yes	No	Yes	Yes	Yes

Councilor Delaney moved to approve Resolution 5-22, as amended; seconded by Councilor May; motion passed.

Kuretski	Schneider	Delaney	May	Sundstrom
Yes	No	Yes	Yes	Yes

Mr. Baird returned to the dais.

10. Resolution 43-23, Cornerstone Site Plan amendment to revise conditions of approval related to the marina in Resolution #27-17.

Ex-Parte Communications:

- Vice-Mayor Schneider met with the Applicant regarding proposed changes.
- Councilor Delaney had a phone conversation with the Applicant on May 17, 2023 plus various emails.
- Councilor Sundstrom met with the Applicant and Staff.

REGULAR AGENDA

PUBLIC HEARING

10. Resolution 43-23, Cornerstone

Ex-Parte Communications:

- Councilor May met with the Applicant and received various emails.
- Mayor Kuretski had some initial conversations about scheduling a meeting with the Applicant but was never finalized. He also had conversations with Staff on the day of the meeting regarding cost estimates.

Deputy Town Clerk swore in seven people.
Ms. Emily O'Mahoney with 2GHO and on behalf of the Applicant, gave a brief presentation which included a request for the site amendment on timing and construction materials for public docks; project history; property location; dock configuration; permit drawings; proposed options; justifications; public benefit; permitting; public/private partnership (PPP); pros and cons; and conditions of approval.

Mr. Garret Watson, Principal Planner, discussed the request for modification to a 14-slip public marina on Town owned riparian lands and a request to modify concrete materials to a concrete option. He noted the Planning and Zoning Commission had voted against a time extension and materials to be approved by Staff plus requested additional marina enhancements. He stated Staff had reviewed the request but recommended the previously approved concrete option. He said if Council wanted to provide the Applicant with an extension, Staff had provided some options to review including (1) permit a time extension as requested; (2) create a public private partnership which could occur after the construction of the marina docks; or, (3) pay a fee in lieu.

Mayor Kuretski stated he had not approved the item initially but wanted to ask questions to find a pathway forward. He asked Staff if they continued to have the same original concerns from 2017 regarding liability management maintenance, safety and security with the proposed marina.

Mr. Watson stated yes.

Mayor Kuretski asked if Staff had previously recommended lesser bonus points earned for the dock which had been awarded.

Mr. Watson said yes.
Mayor Kuretski noted he had requested a new cost estimate for the dock from Staff prior to the meeting. He asked Staff if they believed a concrete dock was more susceptible to damage and could cause damage during a storm event.

Mr. Thomas Hernandez, Director of Engineering and Public Works, noted the previous statement made was that there would be damage if the concrete dock broke free and was pushed into another structure or location. He believed it would be less likely for the dock to be damaged.

Mayor Kuretski asked what were his recommendations as the Town Engineer regarding materials.

REGULAR AGENDA

PUBLIC HEARING

10. Resolution 43-23, Cornerstone

Mr. Hernandez stated concrete would be the preferred material and said the composite material was very warm compared to other materials. He noted he was not in favor of the concrete planks used at Harbourside due to continuous breakage.

Mayor Kuretski asked Mr. Hernandez if he had seen the Applicants estimate.

Mr. Hernandez stated he had seen the Applicants original estimate but not the recent one.

Mayor Kuretski asked if the Staff estimate was inclusive of everything which needed to be done and not just the dock.

Mr. Hernandez stated that was correct. Staff had looked at the project in its entirety.

Mayor Kuretski asked what was the total estimate from Staff.

Mr. Hernandez said the total cost came to roughly $1.6 million which included fees and connections to the Riverwalk.

Mayor Kuretski stated he was in favor of Option three but was trying to get to a fair value estimate.

Vice-Mayor Schneider asked Staff to explain how Option three, fee in lieu of building dock, would incorporate a marine stewardship plan which could include improving the mangroves or shelves for the oysters.

Mr. Watson explained the option could include a combination of both and be incorporated into the Resolution.

Councilor Delaney stated he supported the item in 2017 and was in favor of Option three to have no docks in the area.

Councilor Sundstrom said she agreed with Option three and felt there was no visibility due to the mangroves. She was open to hear from those who boat and could add to conversation. She believed it would solve a lot of the problems and supported it. She stated she was appreciative for Option three's suggestion with the concerns in the area since 2017.

Vice-Mayor Schneider stated she had been on the Planning and Zoning Commission in 2017 and never supported the docks. She said they should have received bonus points for the green roof which was more significant to the public benefit then the docks. She said her concern would be that the fee in lieu of docks would be in line with the original estimate done by the Community Redevelopment Agency (CRA). She noted due to the CRA plan being reviewed there was no rush to put docks at the location.

Councilor Delaney said the best partnership involved private owner docks used for public access.

REGULAR AGENDA

PUBLIC HEARING

10. Resolution 43-23, Cornerstone

Mr. Craig Mowrey, resident of Blanca Isles Lane, stated there had been times when dock spaces were not available and hoped for more public docks. He noted the area was very hard to access and believed Option three was the best. He said the funds received could be used for other projects and supported a cash bond instead of surety.

Mr. Dick Witham, Owner of Cornerstone, explained the history and his involvement regarding the marina docks. He discussed the green roof and a potential green building. Councilor May stated he supported option three and believed it would assist with ridding of boats that were just sitting and rotting away.

Mayor Kuretski suggested Staff and the Applicant come to an agreement regarding option three, pay a fee in lieu.

Councilor Sundstrom agreed with looking into the marine management plan.

Vice- Mayor Schneider noted the Applicant's efforts with the process.

Mr. Baird, Town Attorney, suggested a motion using the wording: within 60 days of the effective date of the resolution the owner shall pay a fee as determined by the Town Engineer which should be used as determined by the Council.

Mr. Watson proposed a strikethrough condition four which removed the obligations for the docks. He suggested replacing it with the Town Attorney's recommendation. Mr. Watson also noted if the marine stewardship wasn't going to be included, then items 5A and 5B would need to be stricken.

Councilor Delaney moved to approve Resolution 43-23, as amended; seconded by Councilor May; motion passed.

Kuretski	Schneider	Delaney	May	Sundstrom
Yes	Yes	Yes	Yes	Yes

ROUNDTABLE

11. CONTINUED TO TBA - Abacoa Town Center Zoning Text Amendment.

REPORTS

TOWN ATTORNEY - NONE

TOWN MANAGER

- Acknowledged the Parks and Recreation department – Mr. Kitzerow acknowledged the department for all their work. He mentioned he had heard what was being discussed about the parks and playgrounds and Community Relations was working to receive input from the public.

- Park renovations – Mr. Kitzerow mentioned the renovations at Jupiter Community Park and Indian Creek Park included lights, sidewalks, water stations, playground upgrades, restrooms and pickleball courts.

REPORTS
TOWN MANAGER

Mayor Kuretski mentioned it was up to Council to provide the funds for Staff to implement upgrades and that the Town was trying to catch up on renovations for the Parks.

- New Town website – Mr. Kitzerow gave kudos to the Communications Staff for their work on the new website.
- Dolphin Drive – Mr. Kitzerow stated the cost associated with the project came from the Engineers and the Architects not the Town Manager's office.

- Budget workshop and Town Council Special meeting regarding the Sperry Property – Mr. Kitzerow reminded Council there was a Budget workshop scheduled for next Thursday, July 22, 2023 at 6PM and the Sperry Appeal was scheduled for next Tuesday, July 27, 2023.

- Ribbon Cutting – Mr. Kitzerow mentioned there was a ribbon cutting for the satellite offices for Senator Harrell and Representative Snyder on Thursday, June 29, 2023 at 5PM.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
COUNCILOR SUNDSTROM

- Parks and Recreation – Councilor Sundstrom stated Jupiter had the most popular camps in the County and wanted to make sure the Parks and Recreation department was celebrated. She mentioned the CIP again and that there were plans to update the parks. She stated the need to share the Town's plan and to receive input from the residents.

- Cell Towers – Councilor Sundstrom mentioned the cell towers in Mallory Creek and that she went to the Abacoa POA meeting and would be going to the President's Council on Thursday. She mentioned making sure there was a process in place for future towers.

COUNCILOR MAY

- Parks and Recreation – Councilor May stated he appreciated the Parks and Recreation department and the summer camp program.

MAYOR KURETSKI

- Parks – Mayor Kuretski reiterated it was Councils responsibility to allocate funds for Parks and recreations.

- Battery powered motorbikes – Mayor Kuretski asked the Police Department to advise on the State laws regarding motorbikes.

  Councilor Schneider stated her concerns regarding restricting people with disabilities who use E-Bikes to force them on the road and not allow them in the bike lane.

  Mayor Kuretski clarified he was referring to the motorbikes that were much faster than an E-Bike.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
MAYOR KURETSKI

- Bear's Club outcome – Mayor Kuretski thanked Council, the Town Manager and Staff for achieving the significant outcome regarding the Bear's Club.

- Town Manager's annual evaluation – Mayor Kuretski mentioned the need to complete a Town Manager's annual evaluation.

- Pedestrian crosswalks devices – Mayor Kuretski mentioned the May 19, 2023 weekly report where the Engineering Staff ranked 11 potential pedestrian crossing locations for the implementation of two to three pedestrian crossings as a part of the 2023 Strategic Plan. He asked for a ranking from the Police department and mentioned the crosswalk in front of his neighborhood was the only one that was an intersection. He stated he was going to push for that one but would like all 11 completed. He stated several crosswalk locations currently with devices.

  Councilor Sundstrom commented on the importance for all of Council to complete the Town Manager's evaluation and recommended making sure it created a public record.

  Councilor Sundstrom mentioned a lot of transportation items had come up in comments and there was a lot to learn for those who were not on the Transportation Planning Agency (TPA).

  Councilor Schneider stated there was not a standard evaluation agreed upon by Council and without that there would be five different evaluations.

  Mayor Kuretski stated he completed his based on what was attached in the Town Manager's contract and didn't think they had to all use the same form. Councilor Sundstrom agreed.

ADJOURNMENT- 9:40 P.M.

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Laura Cahill, Town Clerk

FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL WORKSHOP
COUNCIL CHAMBERS
THURSDAY, JUNE 22, 2023

Mayor Kuretski called the meeting to order at 6:00 P.M.

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

1. Discussion of Proposed Operating Budget for Fiscal Year 2024.

   Mr. Frank Kitzerow, Town Manager, reviewed three overall themes of the proposed budget which were public safety, investing in our employees, and positioning the organization for future challenges.

   Mr. Scott Reynolds, Director of Finance, gave an overview of the budget revenue assumptions which included a proposed flat millage rate of 2.4633; town-wide valuation increase; net increase and distribution of Ad Valorem taxes; water and stormwater fund; increase in permit revenue. He noted an overall increase of $7.2 million across all funds.

   Mr. Reynolds reviewed the Ad Valorem revenue assumptions; historical valuations; Jupiter millage rate and comparisons; and tax dollars paid to the Town of Jupiter.

   Mr. Reynolds explained the general fund forecast and health insurance assumptions which included a proposal of a 90/10 premium split between the Town and employees.

   Mr. Reynolds discussed the health insurance fund; fiscal year (FY) 2024 salary increases and Florida Retirement System (FRS) cost; new positions requested; FY 2024 budget overview; General fund revenues; General fund proposed expenses; water revenue assumptions; water rate comparison and fund; Stormwater revenue projections; Stormwater fee comparison; Stormwater fund; Jupiter River Estates non-ad valorem assessment fund; Building fund; upcoming important dates; policy guidance and items to consider.

   Councilor Delaney asked if the $10 million benchmark on health insurance was for lowering rates.

   Mr. Reynolds stated it was not and was more of a buffer or internal goal which Staff had set to minimize the stop loss cost and reduce catastrophic costs to the Town.

   Councilor Delaney asked if having a larger stop loss fund would reduce costs.

1. Discussion of Proposed Operating Budget for Fiscal Year 2024.

   Mr. Reynolds stated it would absorb more of the costs associated with a catastrophic health event and help reduce rate increases.

   Mayor Kuretski clarified that the Town chose to self-insure to manage the risk on large claims.

   Mr. Reynolds agreed and said all recommendations made to Council had been reviewed by the Actuary.

   Councilor Sundstrom asked about the requested new officer positions and what they would be doing.

   Town Manager Frank Kitzerow, went over all the requested positions and the need for the Town.

   Councilor May said he appreciated all the hard work from Staff and was supportive of the positions being requested.

   Vice-Mayor Schneider stated her approval of having additional police officers for marine patrols.

   Councilor Delaney asked if chemical expenses and prices had reduced.

   Amanda Barnes, Interim Director of Utilities, said the reduction was a result of Staff refining some improvements to the post-treatment system and also switching from gas to liquid chlorine.

   Councilor Sundstrom stated the budget process was smoother this year not only because it was her second time but because it was so well done and thanked Mr. Reynolds.

   Councilor May stated he appreciated the hard work that went into this year's budget. He appreciated the 90/10 Health insurance split and five percent raise for employees.

   Mr. Reynolds mentioned the 90/10 Health insurance split could save employees up to $3,000 if they are on the family plan.

   Mayor Kuretski said it was an excellent presentation. He stated his concerns with the Ad Valorem tax base increase and that his goal was for a reduction. He also mentioned he wasn't quite supportive of the 90/10 Health insurance split and suggested doing an adjustment based on salary. He also mentioned his support of the five percent increase as a starting point but advocated for more than five percent.

1. Discussion of Proposed Operating Budget for Fiscal Year 2024.

   Mayor Kuretski stated at this time he supported the Senior Payroll position and the additional three officers. He also mentioned concerns regarding some department budget increases and professional services.

   Mr. Reynolds mentioned the cost for the creation of a hybrid workforce, virtual lobby, and the seagrass buoys.

   Mr. Kitzerow stated the Florida League of Cities awarded the Communications department with the Municipal Achievement award for the category of Public Engagement for the Jupiter Passport program.

ADJOURNMENT- 7:11 P.M.

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Laura Cahill, Town Clerk