FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, MARCH 21, 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 Cheryl Schneider; Councilor Malise Sundstrom; Town Manager Frank Kitzerow Town Attorney Thomas J. Baird and Town Clerk Laura Cahill.

CITIZEN COMMENTS

Mr. Michael Viner, resident of North Jeaga Drive, discussed his concerns regarding a recent Mallory Creek Homeowners Association (HOA) meeting.

Mr. Glen DeCicco, resident of Duncombe Drive, spoke regarding Resolution 8-23 and issues with the recent Mallory Creek HOA meeting.

MINUTES

1. March 9, 2023 Town Council Special Meeting Minutes.

Vice-Mayor Delaney moved to approve March 9, 2023 Town Council Special Meeting Minutes, as amended; seconded by Councilor May; motion passed

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

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

PUBLIC BUSINESS

2. **Resolution 4-23,** Approving a Street Sweeping Services Contract (S2328) to International Sweeping, Inc. dba Facilities Pro-Sweep, with an estimated budget of $99,991.90 annually.

3. Approving purchase order to Kelly Tractor Company for a Caterpillar 908M Compact Articulating Wheel Loader in the amount of $134,810.

4. Approving a budget authorization, in an amount of $259,838, to complete a Town-Wide Vulnerability Assessment and Resilient Florida Planning Grant Application.

CONSENT AGENDA

PUBLIC BUSINESS

5. Approving the Police vehicle replacement of 15 police patrol Ford Explorers in the amount of amount of $897,585.

6. Approving the state forfeiture funds in the amount of $9,868 for expenditures to hold the Annual Jupiter Police Soccer Tournament.

7. Resolution 12-23, declaring a non-ad valorem assessment to recover the cost of biennial canal vegetative trimming maintenance from the residents of Jupiter River Estates.

REGULAR AGENDA

PUBLIC BUSINESS

8. Discussion of an Interlocal agreement for fire protection and emergency medical services between the Town of Jupiter and Palm Beach County.

Mr. Scott Reynolds, Finance Director, gave a presentation which included the agreement timeline; negotiation objectives; policy decision points; options and next steps. He reviewed four options and next steps which involved accepting Palm Beach County's (PBC) proposed agreement; providing Staff with direction on how to proceed with each policy decision point for further negotiation; directing Staff to bring forward an agreement with a specific deadline, regardless of the status of negotiations; and providing direction to Staff to pursue other options.

Mr. Jeffrey Newsome, President of Professional Fire Fighters and Paramedics of Palm Beach County, spoke regarding serving the Town, recruitment, retention, contract negotiations, and building a new Fire department.

Chief Patrick Kennedy, Palm Beach County Fire Rescue (PBCFR), gave a presentation which included timeline; terms of interlocal agreement; total program costs; cost methodology; staffing and equipment levels of service.

Chief Reginald Duren, PBCFR, spoke regarding staffing, hiring, resource levels and financial accountability.

Chief Kennedy went on to discuss project costs; impact fees; financial reporting; termination of contract; and amendment process.

Mayor Kuretski noted there had never been any question regarding the quality of service provided to the Town by PBCFR. He stated he was surprised by the significant changes which had been proposed.

Councilor Sundstrom asked Chief Kennedy if the proposed PBC agreement was the best and final proposal.

Chief Kennedy stated he believed they were near the end of the negotiations but wanted to continue having discussions with Council regarding costs.

REGULAR AGENDA

PUBLIC BUSINESS

8. Discussion of an Interlocal agreement for fire protection and emergency medical services between the Town of Jupiter and Palm Beach County.

Councilor May asked if there was a state requirement to renew the Municipal Service Taxing Unit (MSTU) every five years.

Mr. Reynolds said was not and the Town could change it from five to ten by amending the Ordinance.

Councilor Schneider believed it was better administratively to have a ten-year contract and felt a five-year contract was too short.

Mayor Kuretski said when the project started there were expectations for collaborative conversations; mutual understandings on valid costs; and minor changes to the agreement to reflect areas mutual parties believed needed to be addressed. He noted he had previously suggested a ten-year contract but with the proposed agreement being radically different, he preferred a five-year contract.

Vice-Mayor Delaney asked Staff for the escalation costs for years one through five.

Mr. Reynolds stated based on the current proposal, the cost would go from $25.8 million to approximately $44 million and noted in five years it would be between $30 and $32 million. He said it could increase based on the budgetary needs of PBC.

Councilor Sundstrom stated she would be fine with a ten-year term.

Councilor May agreed with a ten-year term and a five-year renewal. He suggested a change in the ordinance for the MSTU to match the time-frame of the agreement to remain consistent. Mr. Reynolds stated when the agreement is presented to Council for approval Staff would change the MSTU to mimic the timeframe.

Vice-Mayor Delaney agreed with a ten-year term.

Mr. Reynolds reviewed the move-up cost, new station construction, and unforeseen expenses.

Vice- Mayor Delaney asked Staff if move-up cost balanced out. Mr. Reynolds believed based on cost of personnel and equipment the move-up cost could vary.

Mayor Kuretski stated his concern for a new station construction due to the Town being at buildout. He said there was a departure from a collaborative approach and all items were at PBCFR's sole discretion and the language comes across as handing the County a blank check. He noted his issue with the terms and called for further discussions. LC 4/4/23

Councilor Sundstrom mentioned funding for nonbudgeted situations that wouldn't be reimbursed. She believed the terms of the agreement were open-ended. She stated she was supportive of public safety however it was important to manage the budget.

REGULAR AGENDA

PUBLIC BUSINESS

8. Discussion of an Interlocal agreement for fire protection and emergency medical services between the Town of Jupiter and Palm Beach County.

Councilor May explained that move-up cost changes daily. He believed if the new station was going to be servicing the residents that the Town should pay a portion of the cost. He mentioned he would be open to seeing what the County could put in the agreement regarding guardrails for nonbudgeted cost.

Councilor Schneider noted she was fine with it and open to amending to make others feel comfortable.

Mr. Reynolds gave an overview of staffing levels.

Mayor Kuretski asked when the last time staffing levels were changed in the comprehensive plan. Chief Kennedy said it was last updated in 2019.

Mayor Kuretski said he would like better wording in the agreement regarding the amount of staffing personnel.

Councilor Schneider said she believed the agreement wording allowed for flexibility to add more personnel, as needed.

Councilor Sundstrom disagreed with the unlimited language as well. She believed the previous agreement from 2013 allowed more input.

Vice-Mayor Delaney said the wording was open-ended.

Councilor May felt it was cleaner language in the contract and it allowed the County to adjust personnel as needed.

Councilor Schneider stated the contract needed to allow for the same level of service standards that are across the County. She explained putting a cap at 20 employees would not allow the flexibility to keep the level consistent. She said PBCFR could communicate staffing changes beforehand and that would provide collaboration.

Councilor Sundstrom agreed the level of service needed to be consistent. She stated concern for the budget impact in the areas of staffing levels, buildings, and equipment. She was comfortable with that policy item because the language stated “staffing to be consistent with staffing levels across the Palm Beach County area.” Mr. Reynolds stated there was a consensus on that issue.

Mr. Reynolds presented the next policy item Additional Equipment and explained the PBCFR was asking that any increases be at their sole discretion.

Councilor May agreed with the way PBCFR had it written the policy item.

Councilor Sundstrom stated the policy item Equipment did not use the same language as the Staffing item and asked to add the same language to add a guardrail.

REGULAR AGENDA

PUBLIC BUSINESS

8. Discussion of an Interlocal agreement for fire protection and emergency medical services between the Town of Jupiter and Palm Beach County.

Councilor Sundstrom stated the policy item Equipment did not use the same language as the Staffing item and asked to add the same language to add a guardrail.

Councilor Schneider stated she didn't have a problem with the policy and that Equipment and Staffing go hand in hand with level of service standards across the County.

Mayor Kuretski noted for many years the Town collaborated with PBCFR. He said as an elected official representing the residents and business of the Town there needed to be a mechanism or guardrail in place to allow them to see what drove a significant budget increase. He said he was uncomfortable with the wording "sole discretion of PBC."

Vice-Mayor Delaney agreed and noted the collaborative relationship with our Police Department and would like the same relationship with PBCFR. He said he was not looking for total control over the items, but would like the opportunity to have input and come up with reasonable budgetary numbers. Mr. Reynolds confirmed there was a consensus.

Mr. Reynolds stated the next policy item Cost Projections.

Councilor Sundstrom stated PBCFR wanted more flexibility which equals more uncertainty for the Town. She asked if PBCFR could explain what went into the final number of $44 million.

Councilor Schneider stated there were two components, direct cost which was based on actuals and two years behind. She said the second component was the regular budget item overhead and equipment which were easier to project.

Mr. Reynolds asked if Council wanted to add a provision to the contract to have the Fire Chief come to the Town's Budget Workshop to give an updated budgetary projection.

Mayor Kuretski asked how many times he had questioned the annual fire adjustment for Fire Rescue. Mr. Reynolds stated zero.

Mayor Kuretski explained in the past he had confidence in the process and it worked year to year. He said the cost projection for 2024 was a 25 percent cost increase from 2022, however the current language in the contract agreement would allow the County to add and change items using their current methodology.

Councilor May stated PBCFR provided a projection based on a full cost methodology which created a $17.88 per year increase based on $600,000. He noted the cost was following the historic trendline and did not see an issue.

Mayor Kuretski disagreed and explained PBCFR used to follow the historical and linear trend, now they were following the historical plus projected trends.

Councilor Schneider said most of the direct costs were billed from the calls run by the Stations.

REGULAR AGENDA

PUBLIC BUSINESS

8. Discussion of an Interlocal agreement for fire protection and emergency medical services between the Town of Jupiter and Palm Beach County.

Councilor Sundstrom stated her concern for the historical and projected trends provided by the County only. She said having a better understanding on the County's business model would help to understand the projected amount.

Jill Gregory, Executive Assistant to the Fire Chief, explained the 2024 budget predictions were based on a cost methodology increase and historical trends which averaged 5.2 percent.

Mayor Kuretski stated PBCFR wanted to add items and not have any guardrails or caps. He asked why human resources cost increased 40 percent, considering the number of employees who serviced the Town. He said he was disappointed there was no further conversation and wanted to understand the overhead cost.

Mr. Reynolds confirmed there was a consensus that the contract document needed to include a projection.

Mr. Reynolds presented the next policy item, Impact Fees.

All Councilmembers discussed the policy item and agreed that impact fees could be used at the County discretion.

Mr. Reynolds presented the next policy item Financial reporting and noted the letter on the dais. The County provided the information necessary for Staff to be able to calculate, however Staff wanted very specific documents for the Jupiter MSTU Fund which included year end budget to actual data and the balance sheet. He stated a provision to audit was removed and would like to exercise that option.

Councilor Sundstrom asked PBCFR if there may be a translation issue.

Mr. Mike Martz, PBCFR Finance Director, stated he would provide any reports the Town would need.

Chief Kennedy, PBCFR explained the County balances by battalion not by station and that's where it could get confusing.

Mr. Reynolds stated the Jupiter MSTU Fund or Fund 1301 was very specific to the Town of Jupiter tax payers. He said the Town requested; the year-end budgetary documents or the budget to actual amount; the year-end balance sheet that would tell the reserves that would be available; and the audit provision.

Mayor Kuretski said he wanted Staff to work out the language with the County.

Mr. Reynolds explained having an audit provision in the contract was good practice. He stated most contracts with the Town had stipulations to examine records and would like to have this in the contract.

REGULAR AGENDA

PUBLIC BUSINESS

9. Discussion of an Interlocal agreement for fire protection and emergency medical services between the Town of Jupiter and Palm Beach County.

Councilor Sundstrom asked if the Audit provision was in the previous agreement and the reasoning the County did not want to include it.

Mr. Reynolds stated the provision was not in the previous agreement. He reiterated the Town wanted the rights to examine records.

Mayor Kuretski stated it would allow the Town to check and do an audit periodically.

Chief Kennedy commented the County only had an issue with the two-week response time.

Mr. Reynolds discussed the 36 months written notification for termination and stated the Town had no issues with that timeframe. Council unanimously agreed with 36 months.

Mr. Reynolds presented the amendment process and adding certain guardrails.

Council discussed when the item should come back for approval and suggested around 30 days if it was ready.

Mr. Reynolds stated Staff would make Council aware if they could not meet that deadline.

Chief Kennedy mentioned the County wanted to get the agreement done as soon as possible.

Mr. Reynolds reviewed Council's consensus for each policy decision.

Councilor May reminded Staff about the MSTU term and amending the ordinance for it to be the same as the agreement.

Mr. Reynolds confirmed Staff would bring the MSTU ordinance for Council's approval to amend the term at the same time as the agreement approval.

Mayor Kuretski stated he wanted time to review the agreement after it was finalized by the County and the Town.

Chief Durham emphasized how much the County would like to get the agreement done as soon as possible.

REPORTS

TOWN ATTORNEY

- JTAA Mediation – Mr. Baird stated the Judge ordered to complete mediation in the Jupiter soccer case before the end of April. He stated he was selecting a date that would work with the Council for JTAA and Town Council. He mentioned in the meantime they would be moving forward with the motion from the summer judgement and expect to file before mediation.

REPORTS
TOWN MANAGER

- Palm Beach County Fire Rescue (PBCFR) – Mr. Kitzerow stated Staff will continue to meet with PBCFR and will close the item.

- Emergency services- Mr. Kitzerow mentioned the recent fatal accidents and stated he met with Chief and Deputy Chief of Police, Assistant Town Manager, and the Director of Engineering and Public Works regarding enforcing traffic and working on strategies. The strategies included public safety announcements on speeding, aggressive, and distracted driving. He stated the Engineering department made site visits to look at road safety, signage, road design and speed.

- Police pole - Mr. Kitzerow announced that the new Police pole was going to have power hooked up tomorrow which would increase the level of safety.

- State Elected Official offices - Mr. Kitzerow stated Representative Snyder and Senator Harrell offices at Town Hall were complete and would be moving in soon. He thanked Mr. Thomas Hernandez, Director of Engineering and Public Works, and his team for their efforts in getting the offices ready.

- JTAA Parade - Mr. Kitzerow mentioned the JTAA had worked with the Police department on a new route so the parade could continue during the US One Bridge construction.

  Mayor Kuretski stated it was great to hear about the JTAA parade. He also spoke regarding changing driving behaviors and that he had experienced the Police department patrolling during rush hour.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
COUNCILOR MAY

- Aggressive driving – Councilor May commented on aggressive driving and appreciated having the Police department spreading the message about not tolerating that type of driving.

COUNCILOR SUNDSTROM

- Increased traffic – Councilor Sundstrom stated she was grateful for the Police department and what they were doing. She also mentioned the increased traffic in March.

- JTAA parade – Councilor Sundstrom mentioned she was glad the parade would continue.

- Palm Beach County North Chamber of Commerce (PBCNCC) – Councilor Sundstrom stated she had a meeting with PBCNCC regarding participating on their strategic planning Task Force. She stated the goal was to have two items to coordinate on from the strategic plan list and mentioned transportation was a big part of the discussion.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
VICE-MAYOR DELANEY

- US One Bridge closure traffic – Vice-Mayor Delaney mentioned the traffic from the bridge closure had not been bad.

  Mr. Kitzerow stated there was a good volume of cars but everything was flowing without any major issues.

  Vice-Mayor Delaney thanked Staff and Florida Department of Transportation for getting the word out.

  Mayor Kuretski also gave credit to the County's Signalization department who managed the signals in real time.

MAYOR KURETSKI

- Weekly Reports – Mayor Kuretski commented on the March 10th weekly report, stating it was one of the best ones produced. He stated it was very informative and comprehensive regarding the monthly report dashboard indicators from the Building department, Information Systems, Community Relations and JupConnect. He also mentioned the high Staff engagement included and the excellent governmental services to residents and businesses.

  Mr. Kitzerow stated the metrics were develop by the Directors and Staff. He thanked all Staff involved for their efforts.

REPORTS
TOWN MANAGER

- Mr. David Brown, Director of Utilities, retirement – Mr. Kitzerow mentioned Mr. Brown was retiring March 31, 2023 and congratulated him on all the work he had done for the Town.

  Councilor Sundstrom stated Mr. Brown was always responsive and provided a lot of value to the Town. He also stated the Town had one of the best water systems in the southeast United States.

  Councilor Schneider mentioned Mr. Brown was a great help to the Jupiter Inlet Foundation and to the Town.

  Vice-Mayor Delaney spoke about his tour of the Water Plant and thanked Mr. Brown for his service. He stated he thought the Town had the best water in Florida.

  Mayor Kuretski mentioned the time Mr. Brown coordinated Legislative grants the Town received.

  Councilor May thanked Mr. Brown for everything and his help with Pine Gardens North. He stated he did great work for the Town and Congratulated him.

ADJOURNMENT- 9:49 P.M.

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Laura Cahill, Town Clerk