

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, NOVEMBER 21, 2023**

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

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

PROCLAMATION

1. CONTINUED TO TBD

Recognizing Jones Foster's 100-year anniversary.

2. Recognizing Jupiter Hammerheads 2023 Florida State League Championship.

The Mayor presented the proclamation to Mr. Mike Bauer the General Manager for Roger Dean Chevrolet Stadium, Mr. Nick Bernabe the General Manager for the Jupiter Hammerheads, Mr. Hector Crespo the Director of Minor League Operations for the Miami Marlins, and Mr. Brian Chattin.

CITIZEN COMMENTS

Mr. Wayne Posner, resident of Carina Drive, thanked Council for their efforts and explained his concerns regarding the paid political advertisement in newspaper.

Ms. Karen Vinson, resident of Sioux Street, discussed the certification received for the petition and felt Council should motion to place the Charter amendment on the March 2024 ballot and submit the wording to the Supervisor of Elections (SOE).

Ms. Kristen Henry, resident of Majorca Way, asked Council to pause the spending and approve the language to be sent to the SOE before December 15th

Ms. Lisa Vreeland, resident of Robinson Street, suggested Council place the Charter amendment on the March 2024 ballot.

Ms. Carol Watson, resident of Chasewood Drive, noted her support for Jupiter Fire Rescue and stated the Veterans Memorial event was wonderful. She expressed her concerns regarding Florida Power Light (FPL) and their response time for restoring power.

Mr. Dylan Nuquist, resident of Via Rosina, said he had questions regarding slides four and five of the technical update report presented on August 15, 2023. He asked about the TBD printed on the slide and asked if that was a typo. Mr. Nuquist asked what taxpayers would be responsible for concerning the TBD on slide four.

Mr. Andy Weston, resident of Dolphin Court, spoke about conflicts of interest. He said he supports the creation of Jupiter Fire Rescue. Mr. Weston stated the millage rate would include the Police department.

MINUTES

3. November 8, 2023 Town Council Special Meeting Minutes.

Councilor Sundstrom moved to approve November 8, 2023 Town Council Special Meeting Minutes, as amended; seconded by Vice-Mayor Delaney; motion passed.

Kuretski	Delaney	Fore	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.

- Ms. Karen Vinson removed item 7.
- Assistant Town Manager Kate Moretto pulled item 8.
- Mayor Kuretski pulled item 8.
- Vice-Mayor Delaney pulled item 6.

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

Kuretski	Delaney	Fore	May	Sundstrom
Yes	Yes	Yes	Yes	Yes

PUBLIC HEARING

4. Ordinance 18-23, First Reading, - Local Building Code Amendment to the Florida Building Code 8th Edition (Second reading 12/19/23).

Title read by Mr. Baird.

5. Town initiated Small Scale Future Land Use Map (FLUM) and Zoning Map Amendments

- A. Ordinance 20-23, First Reading - Quasi-Judicial** – To change the Future Land Use designation on a town-owned property to “Conservation”: • 15.8 +/- acres (Palmwood Preserve) (Second reading 12/19/23).

Title read by Mr. Baird.

- B. Ordinance 21-23, First Reading - Quasi-Judicial** – To change the Zoning designation on a town-owned property to “Conservation Preservation”: • 15.8 +/- acres (Palmwood Preserve) (Second reading 12/19/23).

Title read by Mr. Baird.

6. Resolution 101-23 – Quasi-Judicial - Jupiter Medical Center site plan amendment to request a setback waiver to the parking garage. MOVED TO REGULAR AGENDA

PUBLIC BUSINESS

7. Resolution 108-23, Approving FY23 Year-End Budget Amendments. MOVED TO REGULAR AGENDA

CONSENT AGENDA

PUBLIC BUSINESS

8. **Resolution 109-23**, providing Suntrail Grant support and commit to a maintenance agreement if awarded for a US1 shared use path south of the new bridge to Indiantown Road. **MOVED TO REGULAR AGENDA**
9. Authorizing a purchase order for Work Order No. 35 of contract EPW 2016- 12B with Calvin, Giordano and Associates, Inc. for landscape code compliance services in an amount not to exceed \$74,590.56.
10. Approval of Contract Award to PFM Financial Advisors, LLC. for Financial Advisory Services (FI-20023-001).
11. **Resolution 114-23**, Approval of Contract EPW 2023-15R, Eastview Manor Playground to BDI Marine Contractors, LLC. in an amount not to exceed \$195,146.72.
12. **Resolution 115-23**, Approval of a direct purchase order to Kompan for the playground equipment for EPW 2023-15R, Eastview Manor Playground in an amount not to exceed \$139,588.04.
13. **Resolution 117-23**, Approval authorizing revised language for the extension of the Interlocal Agreement with the Palm Beach Transportation Planning Agency.
14. **CONTINUED TO TBD**
Approval of third amendment to the agreement with Jones Foster, P.A.

END OF CONSENT AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

6. **Resolution 101-23** – Quasi-Judicial - Jupiter Medical Center site plan amendment to request a setback waiver to the parking garage.

Vice-Mayor Delaney abstained from voting.

Councilor Fore moved to approve Resolution 101-23; seconded by Councilor Sundstrom; motion passed.

Kuretski	Delaney	Fore	May	Sundstrom
Yes	Abstained	Yes	Yes	Yes

7. **Resolution 108-23**, Approving FY23 Year-End Budget Amendments.

Ms. Karen Vinson, resident of Sioux Street stated the Jupiter Fire Rescue Fund was on the budget amendment and commented there were no bids for the hiring of a consulting firm. She had concerns with the funding and believe the contract with consultant should be further vetted. She felt the Town was not being fiscally responsible and discussed the Palm Beach Gardens Fire Department.

Mayor Kuretski noted there was a date correction on the dais for the Resolution.

Vice-Mayor Delaney moved to approve Resolution 108-23, as amended to include correction of date to September 30, 2023 in Section 2; seconded by Councilor Sundstrom; motion passed.

Kuretski	Delaney	Fore	May	Sundstrom
Yes	Yes	Yes	No	Yes

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

8. Resolution 109-23, providing Suntrail Grant support and commit to a maintenance agreement if awarded for a US1 shared use path south of the new bridge to Indiantown Road.

Mr. John Sickler, Director of Planning and Zoning, provided an update to revise and extend the limits of the grant from the southside of US 1 One bridge down to just north of Indiantown Road. Staff was requesting to extend the limits to the north side of the US 1 One Bridge to the North Town limits. The north section would be incorporated into the study as a second phase, still maintaining the Town's priority for the southern section.

Mayor Kuretski asked if the grant needed to be revised to include the second phase or can Council amend the first phase. Staff responded and advise that it is possible to amend the first phase, but Staff felt there should be a priority between the two phases, both would be studied all together as far as the feasibility, this does not affect the resolution.

Mayor Kuretski stated that there did not need to be further discussion on the amendment and confirmed it was logical, but thought it could be covered in one project and did not want the Town to be forcing two phases.

Mr. Sickler confirmed they received confirmation from the TPA that there was no problem making this change and Staff is still waiting for confirmation from the Florida Department of Transportation, however, this would not affect the grant request.

Councilor Sundstrom moved to approve Resolution 109-23; seconded by Vice Mayor Delaney; motion passed

Kuretski
Yes

Delaney
Yes

Fore
Yes

May
Yes

Sundstrom
Yes

REPORTS

TOWN ATTORNEY

- Charter Amendment Petitions - Mr. Baird stated the Supervisor of Elections (SOE) did certify there were enough signatures to place a legal referendum question on the ballot. He said they had evaluated the question after the petition boxes were returned. He explained the Town was required to provide the SOE with a question that is legal and they concluded the proposed referendum question is misleading, and that the amendment to the Charter being proposed would conflict with existing provisions of the Town's Charter and Florida Statutes, so it would not be his recommendation to place that particular referendum question and that particular amendment to the Charter on either a March 2024 or March 2025 ballot.
- Legal Case – Mr. Baird said the Voyage Recovery Center case was filed in federal court was seeking to expand its counseling center, was dismissed by the federal court.

TOWN MANAGER

- Snow Place Like Jupiter/Tree Lighting – Assistant Town Manager Kate Moretto said the annual celebration will be on December 1st, 2023 starting at 5:30 pm and hoped to see everyone there.

REPORTS

TOWN MANAGER

- New Town Hall – Assistant Town Manager Moretto stated the stocking permit was approved and vendors would be able to start installing furniture and fixtures, keeping the Town on track for a mid-December move in date.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR MAY

- Councilor May requested that the Council provide direction or by form or a motion to place the charter amendment on the ballot and provide language to the Supervisor of Elections before December 15th at the request of the residents. Councilor May stated that he read the language and thought it was legally sufficient from what was requested. Councilor May stated based on the emails received and the residents that are in the audience, he was advocating for them to have that placed on the ballot in March if possible.

Vice-Mayor Delaney asked if it were open for discussion and the Mayor Kuretski confirmed that there were reports and continued to state that the Council received a report from the Town Attorney that was pretty clear and asked the other members of the Council if there were any agreement with Councilor May and would open for comments.

Mayor Kuretski stated that he agreed with the Town Attorney's opinion about the referendum. He continued to say that the we've been divided somewhat on the Council from day one, where some were willing to double the tax rate, he never was. The Mayor said as an Elected Official he would not pause at the risk of doubling tax rate on our citizens and businesses and was not in favor of proceeding with the item. He did not want it on the next Agenda and it was rejected.

Councilor Fore added that in the past he heard that it was pretty eminent about opposing what occurred before about putting an item on the Agenda to be voted on without sufficient public notice and has a problem with putting this on tonight. He feels that there should be at least two weeks' notice for an Agenda item so that public who had an interest in the item could be here. Councilor Fore stated that was his major opposition and respected the wishes for that.

Vice-Mayor Delaney added that in the past we went through an open space referendum that was very technical that had to be correct so it was legal. If the Town Attorney is stating that it was not legal and it wouldn't be the proper language on a ballot anyways so that one is out. Vice-Mayor also stated he agreed with Councilor Fore about having proper notice to put on a ballot and with the Mayor Kuretski that he cannot promote that sometime down the road somebody's Palm Beach County Fire tax rate would be higher than all of their Jupiter Town taxes, including the Police Department. We have always loved PBCFR's great relationship and appreciate all they had done, but could not agree with that or put his name on it. Vice-Mayor continued to say that he would never make that decision if he did not have such faith in our staff that we could put together a fantastic department in the time that we have allotted to get it done.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR MAY

Councilor Sundstrom added that she agrees and trusts *the Town's* Florida Barred Attorney and his firm. She *stated* that she was not an attorney, but *spoke with Staff* and questioned them. Councilor Sundstrom stated that the Town had a number of residents speak to the process and stated that we had to clarify the process. She continued to state that the Political Action Committee's attorney probably needed to clarify the process for those people who are working with it. Councilor Sundstrom stated that *the Town* had the certification *letter from the Supervisor of Elections and it read that she* certifying only the signatures and they match the signatures on file. The Supervisor of Elections is not certifying the validity or legal sufficiency of the petitions". Councilor Sundstrom reiterated that when it was said earlier that the petition was certified, that is *this* was not accurate. SP 12/5/23

COUNCILOR SUNDSTROM

- Councilor Sundstrom stated that she was going to be sad to leave the Town Hall and stated how great it has been.
- Councilor Sundstrom stated at the last meeting she would try to answer questions that were posed during public comments and she was going to do the best of her ability. Responding to the comments spoken about the Supervisor of Election certifying signatures and not the petition language is one that she wanted to make sure was pointed out.

Councilor Sundstrom added that the contract was discussed over nine public meetings and discussed the options for fire rescue with them being the County or *starting* our own. We have limited options. The Town Council always talked about the limited options and so every meeting was always about the choice of do we stay with the County or start our own, looking at all the costs. Councilor Sundstrom wanted to thank the consultant for all the work he had done and *stated* that all five Council members voted to *hire him* in 2022 and added that the reason *Council* approved his contract the second time was due to all the work that he had done before and not wanting to lose time in *forming the* fire department in three years with the deadline of October 1, 2026. SP 12/5/23

Councilor Sundstrom discussed the importance of the petition language. She brought up again the petition she received in her home and that she read. She also discussed her personal experience outside of the library one weekend and what she was told. She stated that she was told that all the stations in Jupiter would be closed if she did not sign the petition. Many people signed the petition without reading it and she wanted to reiterate that this was her personal experience. Councilor Sundstrom also stated that the Council had received a number of complaints and that an email was posted on our website that was complaint driven. She highly recommended a public records request looking at some of the complaints that we did receive from our residents.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR SUNDSTROM

Councilor Sundstrom brought up the comment related to “TBDs” on both sides and confirmed that cost is a factor and local control is a factor. She discussed that we had one County Commissioner of seven that answered to us and on this Council we all answer to you. She stated that when we are dealing with PBCFR, there was one Commissioner and all of the others did vote on a number of issues and try to listen to the residents, but we are all accountable to you and we all must be transparent and stated that she personally loved the conversation between the two and four door ambulance discussion and that she loved the transparency and access to information that was provided to the residents.

Councilor Sundstrom discussed conflict of interest and that some municipalities have their own honor codes and their own codes of ethics. She confirmed that she did speak about how the Palm Beach County Commission on Ethics does not address perceptions of bias and impartiality. She stated that there were a number of questions presented with that it was troubling and concerning to her.

VICE-MAYOR DELANEY

- Vice-Mayor thanked Staff and everyone involved in putting together a great Veteran’s Day Memorial which had a great turnout and was fantastic. He talked about the Veteran in attendance that was 92 or 95 and stated how great it was speaking with him.
- Wished everyone a great Thanksgiving.

COUNCILOR FORE

- Councilor Fore agreed with the Vice-Mayor and stated how great the Veterans Day event was as well.
- Councilor Fore also mentioned he attended celebration of life of Ms. Mary Hinton and was impressed and talked about the details that were included to show all that she did for the Town. He also discussed her involvement with the Renewal Coalition and how she helped hundreds of veteran families and discussed what the organization was about.

MAYOR KURETSKI

- Mayor Kuretski concluded the discussion stating a smaller event, the Kuretski family house lighting would be Friday, November 24, and said science says those that put up holiday decorations earlier are generally happier.

ADJOURNMENT- 7:52 P.M.

Stephanie Proffer, Deputy Town Clerk for
Laura Cahill, Town Clerk