

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, FEBRUARY 20, 2024**

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; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Deputy Town Clerk Stephanie Proffer.

PROCLAMATION

1. 2-1-1 Helpline Awareness Month - Ms. Patrice Schroeder - 2-1-1 Palm Beach/Treasure Coast.

Mayor Kuretski presented the proclamation to Ms. Patricia Schroeder, Community Relations Specialist. Ms. Schroeder provided a highlight of their programs.

PRESENTATION

2. JFRD Implementation Update.

Chief Darrel Donatto, Chief of Jupiter Fire Rescue Department (JFRD), thanked Council for entrusting him as the new Fire Chief and noted how friendly and welcoming the Town of Jupiter Staff and residents were. He gave a brief update concerning the Piatt Place fire station project with WGI and Town Staff which included project goals, timelines, general design and next steps. Chief Donatto said WGI would be drafting an initial building design within the next few weeks.

Chief Donatto stated he was working with the Town's graphic designer, Sandy McCready to finalize graphic design schemes that coincided with the Town's branding and are recognizable to the residents. He also mentioned Human Resources has advertised for two open positions which were the Executive Assistant and the Deputy Fire Chief and said a substantial number of applicants had applied.

Chief Donatto explained he spent time with Palm Beach Gardens Fire Rescue (PBGFR) and toured their training and logistics facilities. He said PBGFR would be an important future partner in areas of mutual aid, service, and training opportunities.

3. 2023 Citizen Survey Results.

Mr. Shawn Reed, Community Relations Manager, provided a brief history of the National Resource Center survey and introduced Mr. Jason Neumeyer, Survey Specialist with Polco and the National Research Center.

Mr. Neumeyer gave a brief presentation which included resident surveys on local governance; facets of community livability; conducting the National Community survey in Jupiter; balance of quality and importance facets; national and peer community benchmark comparisons from 2021 to 2023; national rating decline in local government trust, economic and affordability sentiment between 2013 and 2023; safety; local economy; community design; natural environment; and continued resident engagement.

PRESENTATION

3. 2023 Citizen Survey Results.

Mayor Kuretski asked about the difference between higher and much higher distinction, plus the ranking.

Mr. Neumeyer explained that much higher was 20 points and the ranking was a comparison to all other communities.

Mayor Kuretski said the Town tried to move away from discussing a downtown area, since the Town did not have one and explained the Town used the wording downtown/commercial area instead. He said commercial rated high in several areas and low in the vibrancy of downtown and hypothesized that residents had focused on what they thought was a downtown area despite the fact we had downtown/commercial areas.

Mr. Neumeyer stated the language of the question could be changed if there was a need to know how residents ranked commercial. He noted they did not want to change the meaning too much, as the question was asked of all 600 communities and was used for comparisons.

Mayor Kuretski said workforce housing and affordable housing were weighted differently and supposed it was due to not understanding the difference. He did not understand the 10-point difference and asked if it was seen anywhere else.

Mr. Neumeyer said he had not seen it anywhere else and believed a parenthetical could have helped clarify the two. He noted the Mayor's hypothesis could be correct.

Mayor Kuretski stated the Town was lower than the average national level in cost of living and affordable housing. He thought it was interesting that the Town ranked three out of twenty-five for the best place to retire.

Mr. Neumeyer said the comparisons on the national level allow the communities to see the concerns about affordable housing.

Councilor Fore asked if other communities saw lower participation rates.

Mr. Neumeyer stated that normally the participation rate was approximately 300 plus. He stated the rate was one way to measure, and the other was the margin of error. He said as long as we can get our number, which was 441, it allows for a plus or minus of five percent margin of error. He noted national participation numbers had decreased since the 1970s and a rate of 12 to 25 percent was standard.

Vice-Mayor Delaney said he understood the need for a random sample and asked if there was a point where it could be pushed too hard and skew the results.

Mr. Neumeyer explained that when they are publishing during a random sample, they tell people if you receive something in your mailbox please respond. He noted they do not share the link, but have the ability to make it private with a pin.

Mayor Kuretski asked if there would be a better response rate if the survey was more narrow or targeted and fewer pages.

PRESENTATION

3. 2023 Citizen Survey Results.

Mr. Neumeyer said they normally do not ask for more questions and noted the average time for questions was 15 minutes, which was not too long or too short. He stated to get the answers in a similar order as it was done for the last 14 years to be consistent from survey to survey. He noted another survey could be done with fewer and more targeted questions.

Mayor Kuretski asked if that would yield a higher participant rate.

Mr. Neumeyer stated he did not know if the participation rate would be higher, but due it being open to everyone, there could be a higher response rate.

CITIZEN COMMENTS

Ms. Cindy Loth, resident of 154th Road North, spoke about an encounter she had with a Jupiter police officer and suggested the Jupiter Police Department purchase dashcams.

Ms. Karen Vinson, resident of Sioux Street, expressed her concern regarding the Jupiter Fire Department response times in relation to providing service to residents without using the Town's local parks or green space.

Ms. Kristen Henry, resident of Majorca Way, asked what benchmarks were used when comparing the level of service regarding the Jupiter Fire Rescue Department. She also congratulated Chief Donatto on his new role and discussed her concern regarding recruiting personnel.

MINUTES

4. February 6, 2024 Town Council Meeting Minutes.

Councilor May moved to approve February 6, 2024 Town Council Meeting Minutes; seconded by Councilor Sundstrom; 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 5.
- Councilor Sundstrom pulled item 7.

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

Kuretski	Delaney	Fore	May	Sundstrom
Yes	Yes	Yes	Yes	Yes

CONSENT AGENDA

PUBLIC HEARING

5. **Ordinance 9-24, First Reading**, Approval of Amendment of Town Code Section 2-109 Pertaining to the Town's Purchasing Procedures. **MOVED TO REGULAR AGENDA**

PUBLIC BUSINESS

6. **Resolution 29-24**, Approval of a Landscape Maintenance Memorandum Agreement.
7. **Resolution 30-24**, Authorization of Work Order No. 48 of Contract EPW2016-12D with Wantman Group, Inc. **MOVED TO REGULAR AGENDA**
8. **Resolution 31-24**, Authorization of Work Order No. 6 of contract EPW 2016-12 C with Stanley Consultants, Inc.

END OF CONSENT AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

5. **Ordinance 9-24, First Reading**, Approval of Amendment of Town Code Section 2-109 Pertaining to the Town's Purchasing Procedures.

Ms. Karen Vinson, resident of Sioux Street, asked why the Town didn't follow the same process with larger purchases such as Fire trucks and contracts for vendors. She also noted her concern regarding the lack of transparency.

Mayor Kuretski asked Staff to explain how the Town was bound by State requirements on how to acquire professional services and how the Town can leverage effectively competitive pricing from other contracts.

Mr. Scott Reynolds, Director of Finance, gave a brief overview of the Professional Service Provision of the Consultants' Competitive Negotiation Act (CCNA) State statute and the benefit it provided to the Town's departments. He also explained the Piggyback Provision and how it allowed municipalities to piggyback on other contracts throughout the State.

Councilor Fore asked how contracts regarding the Jupiter Fire Rescue Department were allowed without bidding.

Mr. Reynolds stated the provisions were requested to be waived by Council to save time and money. He also noted that it was only related to professional services.

Title read by Mr. Baird.

Councilor Fore moved to approve Ordinance 9-24, First Reading; seconded by Councilor Sundstrom; motion passed.

Kuretski
Yes

Delaney
Yes

Fore
Yes

May
Yes

Sundstrom
Yes

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

7. Resolution 30-24, Authorization of Work Order No. 48 of Contract EPW2016-12D with Wantman Group, Inc.

Councilor Sundstrom stated the scope of the workorder was for playgrounds at Jupiter Community Park and FIND park which included the design and demolition of the old structures. She said the Town has a contract in place with Miller Legg to create a Parks masterplan for recreation. Councilor Sundstrom asked how they would ensure public input and could this item be tied in with the Miller Legg consultant.

Mr. Thomas Hernandez, Director of Engineering and Public Works, said they were still in the early stages of the project and still had time for input. He did say the project could be set up to work concurrently with the Parks Masterplan.

Ms. Kristen George, Director of Parks and Recreation, said Miller Legg was aware of the playground CIP and any other CIPS related to Parks and Recreation. She said CRA stakeholder meetings were scheduled for March 12-14 and then a Public meeting to follow to allow for the Public to have input.

Councilor Sundstrom asked if there would be an online option or survey for the Public not available to attend the meeting.

Ms. George said they were working with Community Relations and potentially creating a survey with POLCO.

Councilor Fore asked how they would be advertising to the residents.

Ms. George said they were working with community relations to schedule a media blitz to inform residents of the Parks Masterplan, using social media, and posting at our current parks.

Councilor Sundstrom moved to approve Resolution 30-24; seconded by Councilor Fore; motion passed.

Kuretski
Yes

Delaney
Yes

Fore
Yes

May
Yes

Sundstrom
Yes

REGULAR AGENDA

PUBLIC HEARING

9. Ordinance 4-24, First Reading, Town-Initiated Zoning Text Amendment to Section 27-264 for Application for Rehearing.

Mr. Thatcher Hart, Planner, gave a brief summary of the Town-initiated zoning amendment application to Section 27-264.

Councilor May asked if the change would affect the ability for an applicant to withdraw their application the day of the meeting. Mr. Hart stated the applicant could still withdraw their application if it fell within the quasi-judicial process.

Vice-Mayor Delaney suggested to modify Section 2b to reflect two or more instead of one or more.

REGULAR AGENDA

PUBLIC HEARING

9. Ordinance 4-24, First Reading

Mayor Kuretski agreed with the suggestion and appreciated Staff providing the Municipal Research for Rehearing Applications attachment.

Councilor May agreed with modifying the requirements listed in Section 2b to say two of the five. He also noted he would like input from the Planning and Zoning Commission.

Councilor Sundstrom stated she did not support the eight-day requirement in Section 2a and would like to keep the practice the Town had to provide flexibility but create criteria. She noted her support for the two or more requirement in Section 2b and proposed to eliminate four.

Mayor Kuretski noted it had always been Council's practice to provide the applicant with the right to withdraw.

Mr. Baird gave an overview of the quasi-judicial process. He stated if it was Council's desire to continue with the unofficial policy and not the quasi-judicial policy. He suggested to change the eight-day requirement to until council begins deliberations. He said it would provide the Mayor the opportunity to say Council will now deliberate and vote on the item and the Mayor can then ask the applicant if they wish to proceed. That would then restore the unofficial policy.

Title read by Mr. Baird.

Councilor May moved to approve Ordinance 4-24, First Reading, as amended to change Section 2b Line 19 to two or more and Section 2a Line 14 to state until Council begins deliberations; seconded by Councilor Fore; motion passed.

Kuretski
Yes

Delaney
Yes

Fore
Yes

May
Yes

Sundstrom
Yes

REPORTS

TOWN ATTORNEY –

- Sperry Property – Mr. Baird said mediations were going on and wanted to meet with the Town Manager and each Council member prior to Friday. He said there was a continued public hearing February 29, 2024 where if they had not reached a settlement agreement the Magistrate indicated that he would like the hearing to begin.

TOWN MANAGER –

- Transparency – Mr. Kitzerow went over some new features of the Town's website which was updated to include Utilities related projects. He said the update to the site will inform residents of projects descriptions and statuses.

REPORTS

TOWN MANAGER –

- Brightline – Mr. Kitzerow said Staff was going back and forth with Brightline and Florida East Coast Railway (FEC) about a fencing issue. He stated Brightline is working with FDOT finalize a grant agreement and expected to complete a notice of establishment application for quiet zones within two weeks. Mr. Kitzerow said some of the challenges were due to future maintenance of the fence, the Town has reached out Brightline to potentially expedite the process if the Town would agree to take on maintenance and what would that look like.
- CRA Stakeholder's Meetings – Mr. Kitzerow said meeting had started today.
- CRA Meeting and Workshop – Mr. Kitzerow asked if March 13th worked for The Mayor and Councilmembers.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS-

COINCILOR FORE-

- Quiet Zones and Fencing – Councilor Fore asked if quiet zones and fencing could be separated due to fencing being options paid for by the trains themselves and quiet zones having to do with intersections. He explained the horns at the intersections were a big complaint and were happening several times per hour. Mr. Fore asked Chief England how many incidents have happened where fencing would have helped.

Chief England said he did not recall any accidents where someone was walking across the intersection, any incidents where always purposefully done in an attempt to commit suicide.

VICE-MAYOR DELANEY-

- Brightline Fencing – Vice-Mayor Delaney asked Mr. Kitzerow if there was a timeline on the fencing.

Mr. Kitzerow said there was not and said Brightline has acknowledged we have asked for fencing but was not prepared to give a date or timeline.

Vice-Mayor Delaney acknowledged the horns were a problem.

MAYOR KURETSKI-

- Brightline – Mayor Kuretski said he stayed in contact with Brightline for several years and said by dais action agreed they were not going to pursue quiet zones until the fences were in. He said he was also understood the Town could not submit a notice of establishment until Brightline was ready asked. Mr. Kitzerow if that had changed and would be the next step.

Mr. Kitzerow said yes.

Mayor Kuretski said Brightline must work through FEC and they were hindering the progress. He asked if Brightline horns were at the high end of the decibel level and was waiting on a response from Brightline to see if it was a possibility to lower the level if it was on the high end. Mayor Kuretski di explain that a quiet zone did not mean they would not push the horn only that they were not obligated to.

REPORTS

MAYOR KURETSKI-

- E-Bikes – Mayor Kuretski stated Key West had an Ordinance prohibiting E-Bikes and said even County Commissioners were concerned about the safety and behavior issues created by irresponsible users. He recognized Councilor Sundstrom had previously asked about an ordinance.
- Park Improvements – Mayor Kuretski acknowledge Jupiter's parks were dated and fully supports the Parks Masterplan program. He said there was a regional park in Palm Beach Gardens and Jupiter helped fund that park and would like to ensure Jupiter Residents are getting fair use of it.

COUNCILOR SUNDSTROM-

- E- Bikes – Councilor Sundstrom said this was a topic of concern and she recently went to an Abacoa HOA Presidents meeting where they also *raised the issue of e-bikes*. She *suggested* having a comprehensive approach to understand what the rules were *enforce* the rules *and* look into an ordinance *for additional regulation if necessary*. Councilor Sundstrom said she would like more information from Jupiter Police Department (JPD) *on* what they were seeing. SP 3/5/24
- Quiet Zones – Councilor Sundstrom noted her time living in London and how the trains were on the edge of the city and the contrast to Florida where the trains run through several downtowns or commercial areas. *She* said the pedestrian crossing from Pine Gardens South to Publix was heavily trafficked, required horns and without them could lead to issues. SP 3/5/24
- Parks – Councilor Sundstrom said similarly to owning a home, you replace the roof at the end of a useful life and Jupiter *park facilities* are getting to the end of their useful life and it is time to upgrade which was exciting. She did agree with the Mayor about the regional park and encouraged the consultant to look at the regional parks and ensure they are being fair to Jupiter residents. SP 3/5/24

COUNCILOR MAY -

- Councilor May said Council had touched on all the items.

ADJOURNMENT - 9:03 P.M.

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