

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, MARCH 19, 2024**

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

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

CITIZEN COMMENTS

Mr. Joseph Hackett, resident of Prescott Drive, stated he did not support the proposed changes to the Abacoa master plan. He believed the changes would not benefit the residents only the developer.

Ms. Dawn Zangara, resident of Prescott Drive, spoke regarding the proposed amendment to the master plan of Abacoa and asked Council to deny the request.

Ms. Debbie McDonough, resident of Barbados Drive, asked Council to deny the change to the Abacoa master plan.

Ms. Fran Buckley, resident of Bermuda Drive, mentioned she did not support the changes and suggested Council deny the request.

MINUTES

1. March 5, 2024 Town Council Meeting Minutes.

Vice-Mayor Delaney moved to approve March 5, 2024 Town Council Meeting Minutes; seconded by Councilor May; motion passed.

Kuretski
Yes

Delaney
Yes

May
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.

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

Kuretski
Yes

Delaney
Yes

May
Yes

PUBLIC HEARING

2. Ordinance 4-24, Second Reading, Applications for rehearing - Town-initiated Zoning Text Amendment to Section 27-264.

Title read by Mr. Baird.

CONSENT AGENDA

PUBLIC HEARING

3. **Ordinance 6-24, Second Reading**, Town initiated zoning text amendment to Section 27-1, 27-2304 and 27-2305, Exceptions to Development Regulations and Definitions.

Title read by Mr. Baird.

4. **Ordinance 8-24, First Reading**, Town-initiated Zoning Text Amendment to Section 27-3191, Increasing non-residential Linkage Fees. (Second Reading 4/16/2024).

Title read by Mr. Baird.

PUBLIC BUSINESS

5. **Resolution 2-24**, Approving EPW 2024-12, Landscape and Irrigation Maintenance to Arazoza Brothers Corporation in an amount not to exceed \$949,805.82.
6. **Resolution 4-24**, Application of Consumer Price Indexing to the Rate for Irrigation-Quality Water Sold to the Loxahatchee River District.
7. **Resolution 14-24**, Contract Award to Florida Armature Works, Inc., Mader Electric, Inc. and Tripp Electric Motors, Inc. for Repair of Pumps and Electric Motors (W2414)
8. **Pine Gardens North Infrastructure Improvements (WS2012)**
A. Resolution 33-24, Tender and Settlement Agreement with Developers Surety and Indemnity Company
B. Resolution 34-24, Contractor Takeover and Completion Agreement with Giannetti Contracting Corporation, Inc.
9. **Resolution 35-24**, Approving EPW 2024-14, Community Center HVAC Cleaning and Remediation to Air Duct Aseptics, LLC in an amount not to exceed \$67,199.
10. **Resolution 38-24**, Approval PZ 2023-03, contract addendum for Professional Services for Scanning and Digitizing Files with Documax LLC for a total project cost not to exceed \$59,330.

REGULAR AGENDA

PUBLIC BUSINESS

11. **Resolution 40-24**, for the Authorization Notice of Establishment of the Quiet Zone to the Federal Railroad Administration.

Mr. Thomas Hernandez, Director of Engineering and Public Works, gave a brief synopsis of the Resolution which would allow Staff to submit a Notice of Establishment for Quiet Zone to the Federal Railroad Administration (FEC).

Mr. Bruce Balsam, resident Jupiter Cove Drive, stated that since Brightline had started to come through, there had been more trains passing. He noted they were very loud and supported a quiet zone for all crossings.

Mr. Curt Dempsey, resident Dolphin Drive, stated the noise from trains was unbearable and supported the quiet zone.

Mr. Raymond Richards, resident of Old Jupiter Beach Road, said he lived a quarter of a mile from the tracks and was not able to sleep because of the noise. He supported the quiet zone.

REGULAR AGENDA

PUBLIC BUSINESS

11. Resolution 40-24, for the Authorization Notice of Establishment of the Quiet Zone to the Federal Railroad Administration.

Mr. Dempsey came back up and stated the train trestles were constantly down, which was inhibiting people from getting their boats out.

Ms. Barb Talty, resident of Diamante Way, discussed the numerous times the horns were blown by the trains. She stated the noise was a nuisance to the residents and supported the quiet zone.

Mayor Kuretski explained when the Brightline was extended to the north it had already been in the south for some time and this was why there were established quiet zones. He noted the Federal Government had approved speeds up to 110 miles per hour and stated Council would not have approved those speeds.

Mayor Kuretski discussed railroad's inherent rights, Brightline approval, engineering concerns, funding, and the federal grant for fencing. He went over the FEC fencing and their decision to halt installing them. He stated the FEC was working with Brightline to go through the issues so they could commence installing the fence plus the scope and approval of the federal grant.

Mayor Kuretski reviewed a presentation from 2022 regarding safety fencing for the Brightline High Speed Rail service. He emphasized pedestrian safety at Pine Gardens South, North of Indiantown Road and North of Riverside Drive where the safety fencing would be installed. He reviewed the train speeds through crossing locations and quiet zones.

Mayor Kuretski presented and advocated for a phased approach to the implementation of Quiet Zones. He stated phase one included quiet zones at five of the seven roadway crossings within the Town to be applied for and implemented as soon as possible. Phase two included quiet zones at two roadway crossings which would be implemented after the pedestrian safety fencing installation was completed. He mentioned this approach mitigated pedestrian fatality risk exposures in areas used by pedestrians and complies with the Town Council's Vision Zero policy commitment. LC 4/2/24

Mayor Kuretski read a section from the Vision Zero Resolution 53-22, "the Town Council hereby adopts Vision Zero as the policy for all railway and roadway corridors and traffic safety in the Town of Jupiter and directs near and long-term traffic planning to be based on Vision Zero principles." He stated public safety was paramount.

Mayor Kuretski asked Staff to explain to residents an expected timeframe they could expect an enacted quiet zone if voted on tonight.

Mr. Hernandez said if Council agreed tonight to enact quiet zones at all six locations Staff would forward the signed resolution to various regulatory agencies. He explained there would be a 21-day waiting period which would give Staff time to replace signage. Mr. Hernandez noted if Council only enacted a portion of quiet zoning they would need to restart the process and would extend the timeframe.

REGULAR AGENDA

PUBLIC BUSINESS

11. Resolution 40-24, for the Authorization Notice of Establishment of the Quiet Zone to the Federal Railroad Administration.

Mayor Kuretski clarified after quiet zones were approved it would be effective immediately.

Mr. Hernandez said after the regulatory agencies approve and all signage was complete essentially the quiet zone could be implemented immediately.

Councilor May asked if the Town had a plan to install supplementary safety measures (SSM's) at Center Street and Riverside Drive.

Mr. Hernandez said Staff did not move forward with the quad gates. He mentioned the Town could still request for them to be added to the raised grant or another means.

Councilor May said he did not think the Town needed to wait for fencing to establish quiet zones, Vice-Mayor Delaney agreed.

Vice-Mayor Delaney stated the Town was proud of its small town feel and with the train sounds he felt it was starting to feel like an urban environment. He noted he was not willing to wait on the fencing due to impact of the sounds.

Mayor Kuretski asked the Vice-Mayor Delaney to sign the Notice of Establishment to establish a new quiet zone within Town of Jupiter letter and execute the resolution. He stated he was supportive except for two zones and he could not rationalize signing because as an elected official and engineer he was bounded to support public safety.

Councilor May moved to approve Resolution 40-24; seconded by Vice-Mayor Delaney; motion passed.

Kuretski
No

Delaney
Yes

May
Yes

REPORTS

TOWN ATTORNEY- NONE

TOWN MANAGER

- 2024 Legislative Session Final Report – Mr. Kitserow stated they were tracking the final report and currently the West Indiantown Road and Community Webcams funding was on the Governor's desk for signature.
- Town's Utilities Department – Mr. Kitserow shared that the Town's Water Utility received notice that they were selected as a recipient of the Florida Department of Environmental Protection's (FDEP) 2023 Drinking Water Plant Operations Excellence Award in recognition of outstanding treatment plant operation, maintenance, and compliance.
- Public Input meetings – Mr. Kitserow mentioned the Town previously had two public input workshops for the Community Redevelopment Agency (CRA) plan and the Parks and Recreation Facilities Master Plan.

REPORTS

TOWN MANAGER

- Police Nighttime Traffic Safety Campaign – Mr. Kitzerow stated the Police Department was starting a new safety campaign providing awareness and educational messages on various safe driving topics to include overall traffic safety.
- Service Award 20-year Anniversary – Mr. Kitzerow congratulated Ms. Jenny Bryant on achieving the remarkable milestone of 20 years of dedicated service with the Town. He stated there were over 90 employees currently in the Club 20.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR MAY

- Traffic at Riverside Drive and Alternate A1A Intersection – Councilor May stated there had been a significant increase in traffic and accidents and asked Staff to reach out to Palm Beach County about changing the light timing.

Mr. Kitzerow said Staff would follow up.

VICE MAYOR DELANEY

- FEC/Brightline bridge Schedule app – Vice Mayor Delaney asked about the app that monitors the bridge expected openings. He also mentioned the boat backup and safety issues.

MAYOR KURETSKI

- Proposed Abacoa Master Plan – Mayor Kuretski explained the process of how a development project comes before Council. He stated Council previously has a presentation and allowed the project to move within the process but did not necessarily support the project. He mentioned the development should be meeting with the public to get consensus. He also mentioned a Code change would be required first to allow an increase in the number of units in that district.

ADJOURNMENT- 8:04 P.M.

Laura Cahill, Town Clerk