FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, MAY 21, 2024

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

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

CITIZEN COMMENTS

Ms. Nancy Gonzalez, resident of Misty Lake Drive, stated she did not support building a fire station at Cinquez Park.

Ms. Cindy Loth, resident of 154th Road North, discussed her concerns regarding dash cams in Jupiter Police Department (JPD) vehicles.

Ms. Louise Symonds, resident of Clocktower Drive, spoke regarding zoning regulations for dispensaries and asked Council to reconsider.

Ms. Linda McDermott, resident of Chadwick Drive, gave an overview of her citizen comments from the May 7th Town Council meeting.

Mr. Daniel McAndrews, resident of Drake Street, discussed his concerns regarding the recent lawsuit and asked Council to reconsider putting the decision on the ballot.

Ms. Sinikka Pirttimaki, resident of River Drive, mentioned her concerns regarding the proposed plan for the Taylor Property and asked council to reconsider.

Ms. Jen Kleier, resident of Berkshire Avenue, said she did not support placing a fire station at Cinquez Park and expressed her concern for the lack of transparency.

Ms. Karen Vinson, resident of Sioux Street, stated her disapproval for the placement of a fire station at Cinquez Park and her concern with the Town's transparency.

Ms. Mikki Isackson, resident of Boynton Beach, expressed her dissatisfaction with the Supervisor of Elections (SOE) and their recent protocol changes.

Ms. Erin Aktas, resident of Royal Palm Circle, discussed the SOE and prior elections.

CITIZEN COMMENTS

Ms. Candace Rojas, resident of Waterside Circle, explained the public records request she planned to submit to the Town.

Mr. Kyle Knottnerus, resident of Carver Avenue, expressed his support for Palm Beach County Fire Rescue and asked Council to reconsider putting it to a vote.

MINUTES

1. May 7, 2024 Town Council Meeting Minutes.

Councilor Fore moved to approve May 7, 2024 Town Council Meeting Minutes; seconded by Vice-Mayor Sundstrom; motion passed**.**

Kuretski	Sundstrom	Delaney	Fore	May
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.

- Mr. Mason Torres removed item 6.
- Ms. Karen Vison and Ms. Kristen Henry removed item 10.
- Councilor May pulled item 10.

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

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

PUBLIC HEARING

2. **Ordinance 5-24, Second Reading,** Alma's Place (Tract A) Rezoning Town initiated Zoning Map Amendment.

Title read by Mr. Baird.

PUBLIC BUSINESS

3. **Resolution 51-24,** Approving a private Stormwater Improvement Grant agreement with Egret Landing Property Owner's Association for up to $15,000.

4. **Resolution 61-24.** Approving a land license agreement with Jupiter 1630 LLC for Town-owned property adjacent to 1630 Cypress Drive.

5. **Resolution 75-24,** Approving the revised language for contract EPW 2024-12, Landscape and Irrigation Maintenance.

6. Adopting the Fiscal Year 2024-2025 Strategic Plan. **MOVED TO REGULAR AGENDA**

CONSENT AGENDA

PUBLIC BUSINESS

7. Approving a purchase order to Ferguson Enterprises, LLC OBA Ferguson Waterworks for two flushing and monitoring stations (W2325A) in the amount of $52,400.

8. Approving the purchase of one (1) Police vehicle in the total amount of $63,676.

9. Approving the purchase order for two (2) new vehicles for Public Works in the amount of $234,780.

10. Approving the purchase order for three (3) used Chevrolet Tahoes and associated equipment for Fire Rescue from Jupiter Inlet Colony in the amount of $113,339. **MOVED TO REGULAR AGENDA**

END OF CONSENT AGENDA

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

6. Adopting the Fiscal Year 2024-2025 Strategic Plan.

Mr. Mason Torres, resident of Mitchell Street, proposed a variety of bicycle safety methods. He also thanked the Town and Jupiter Police Department for their recent public outreach campaign regarding E-Bikes.

Councilor May moved to approve the Fiscal Year 2024-2025 Strategic Plan; seconded by Vice-Mayor Sundstrom; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

10. Approving the purchase order for three (3) used Chevrolet Tahoes and associated equipment for Fire Rescue from Jupiter Inlet Colony in the amount of $113,339.

Ms. Karen Vinson, resident of Sioux Street, stated she was against the Jupiter Fire Rescue Department (JFRD). She said she thought the Town would be buying top of the line equipment and wanted to know why the Town was purchasing used vehicles.

Ms. Kristen Henry, resident of Majorca Way, said she was concerned the Town would be purchasing three large used vehicles and asked why we were not purchasing something smaller and newer.

Councilor May said as the Town builds the fire department he preferred to have top of the line vehicles under warranty and was concerned over the expense to maintain the used vehicles. He also said if the Town was ordering equipment he would rather use the sheriff's contract and order new.

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

10. Approving the purchase order for three (3) used Chevrolet Tahoes and associated equipment for Fire Rescue from Jupiter Inlet Colony in the amount of $113,339.

Councilor Delaney clarified that the used vehicles would be purchased from Jupiter Inlet Colony and asked what the mileage was on the vehicles.

Mr. Kitzerow said they were low mileage and Jupiter Inlet Colony was interested in downsizing due to the small size of their jurisdiction.

Councilor Delaney said he was okay with the purchase due to low mileage and a savings for the Town.

Mr. Scott Reynolds, Director of Finance, stated Jupiter inlet Colony's Police Chief Kerr reached out and asked if we would need the vehicles. Chief Kerr explained due to the size of their jurisdiction they no longer needed the vehicles.

Councilor May asked what the Tahoe's would be utilized for.

Mr. Reynolds said the budget was programmed for the purchase of four vehicles and this opportunity allowed the Town to save over $100,000.

Vice-Mayor Sundstrom said the vehicles would have been purchased in 2025 and asked what the staffing timeline was for that timeframe as it related to the use of the vehicles.

Mr. Kitzerow said the vehicles would be general purpose designed for Command Staff, Management, and training. He mentioned this was a great opportunity and cost savings for the Town.

Councilor May stated his concern over purchasing used vehicles for command staff which would not be running until October 2026 and would prefer to wait and purchase new.

Mr. Kitzerow explained there was a timeline for hiring staff and training and assured Council the vehicles would be put to use. He said Council had directed him have JFRD ready for October 2026 and this purchase would help reach that goal.

Chief Darrel Donatto explained Staff was getting ready to start the process of purchasing new vehicles when this opportunity came up and would save the Town $100,000.

Councilor Fore said purchasing used vehicles was a smart choice and supported it. He asked after the outfitting of the vehicles would there be an immediate use.

Mr. Reynolds said a purchase order would be created and then they would be put to use. He did mention there was a backlog in the area to outfit vehicles regardless if they are new or used.

Chief Donatto said if everything went as planned, Staff would be in the vehicles by October 2025.

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

10. Approving the purchase order for three (3) used Chevrolet Tahoes and associated equipment for Fire Rescue from Jupiter Inlet Colony in the amount of $113,339.

Councilor Fore asked if the old vehicles were traded in.

Mr. Reynolds said the vehicle would be used for many years and then go to auction.

Vice-Mayor Sundstrom explained all vehicles are monitored and regularly inspected.

Councilor Delaney moved to approve the purchase order for three (3) used Chevrolet Tahoes and associated equipment for Fire Rescue from Jupiter Inlet Colony in the amount of $113,339; seconded by Vice-Mayor Sundstrom; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	No

REGULAR AGENDA

PUBLIC HEARING

11. KB Carlin

A. Ordinance 10-24, First Reading, Future Land Use Map amendment. (Second Reading 6/18/24)

B. Ordinance 2-24, First Reading, Zoning Map amendment. (Second Reading 6/18/24)

Mr. George Missimer with Cotleur and Herring on behalf of the Applicant, gave a brief presentation which included request summary; property location; site data information; and future land use.

Mr. Thatcher Hart, Planner, stated the request was to change the future land use designation and zoning of the property just north of Harbourside. He reviewed Florida State Statue 163.3187 and said the property was zoned commercial, and the amendment would allow for residential. He discussed Staff concerns regarding noise impacting other residents in the district, elevation differences, environmental impact, and lowering of density on the lot.

Councilor Fore asked if the right-of-way (ROW) north of the property would be used as the entrance and if it would be maintained by the Applicant.

Mr. Donaldson Herring, Cotleur and Herring, stated the Applicant would work with the Town on the ROW and would maintain. He noted it could be collaborated with the Town's proposed fire station.

Councilor May asked what type of mangrove mitigation would be needed for the property.

REGULAR AGENDA

PUBLIC HEARING

11. KB Carlin - Ordinance 10-24 & 2-24

Mr. Herring stated minimal and possibly a net gain. He said the one benefit would be to remove the exotic vegetation on site and the mangrove area would be preserved. Mr. Herring noted the Applicant was willing to work with the Town to take the land which was currently wetland and to put it into conservation land use. He stated the condition could be added when amending the site plan application.

Councilor May asked Staff if they had a report stating how many mangroves would need to be removed for any designs on the property.

Mr. Hart said Staff had not gotten into those details due to them being part of the site plan process.

Councilor Fore asked if there were restrictions on cutting mangroves.

Mr. Herring said he did not believe that there would be any mangroves removed, but if there was a minimal impact, it would be at the Riverwalk connection.

Mayor Kuretski supported the zoning map amendment but not the future land use map amendment. He noted he was not comfortable having residential on the property.

Councilor Delaney believed the use was very intense for the area and did not agree with the future land use map amendment, but did support the zoning map amendment. He asked what the setback would be for the mangroves.

Mr. Herring stated it would be an average of 15 feet and noted commercial use would impact the mangroves more than residential. He said the mixed use would be a better use than commercial.

Councilor May said he agreed and was not in favor of residential near Harbourside. He supported the zoning map amendment but not the future land use map amendment.

Vice-Mayor Sundstrom asked the other Councilors why not residential. She said it sounded like the item needed more discussion and was not ready to commit to anything.

Councilor Fore believed it was better for the property to be mixed use and noted commercial had a higher intensity. He said he liked preservation over a commercial area and did not like the density.

Vice-Mayor Sundstrom stated the site plan was a separate issue. She agreed the density was unacceptable, but that was a different issue from the zoning issue.

Mayor Kuretski believed the mixed use would increase the building heights and was opposed to the land use change.

REGULAR AGENDA

PUBLIC HEARING

11. KB Carlin Ordinance 10-24 & 2-24

Vice-Mayor Sundstrom asked what the maximum height allowed was for the property.

Mr. Herring stated the average height was 35 feet. He asked Council to postpone and let the Applicant come back or to approve on first reading. He said the Applicant could come up with a program that addresses the delivery of the conservation land. He said he has heard their concern about residents having problem with the noise. He stated the Applicant was willing to work with the Town on mixed use.

Mayor Kuretski said they were not speaking about the site plan but instead the future land use. He stated the Applicant was looking to add residential to commercial, which was a policy decision. He noted he was not in favor of moving it along and then having more conversations about it.

Councilor Delaney said he was inclined to say no to “A” and yes to “B”.

Vice-Mayor Sundstrom stated she was inclined to say yes on “A” and “B”, but would like to see what the Applicant would come back with regarding mitigation the item.

Councilor Fore agreed with Vice-Mayor Sundstrom’s inclination.

Mr. Herring said he wanted to withdraw “A” Ordinance 10-24.

Title read by Mr. Baird.

Councilor Fore moved to approve the Ordinance 2-24, First Reading; seconded by Vice-Mayor Sundstrom; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

REGULAR AGENDA

PUBLIC BUSINESS

12. Approving Cinquez Park as the site for the Western Fire Station, and Resolution 62-24 for approval of Work Order No. 50 to EPW 2016-12D to Wantman Group, Inc. for the design and construction criteria package for the fire station in an amount not to exceed $242,182.39.

Chief Darrel Donatto, Fire Chief for JFRD, gave a presentation about JFRD western station locations which included location considerations, western response areas, density of fire and EMS calls, and site recommendation. He said the Cinquez Park site offered the best opportunity for the Town to align the fire rescue resources with the greatest demands. Chief Donatto said the site placed the Town in a strong position to provide fire and emergency medical response times that were equal to or better than the current service provider.

REGULAR AGENDA

PUBLIC BUSINESS

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Chief Donatto continued the presentation and explained the plan to deal with traffic using traffic lights and a traffic preemption system. He stated the banyan tree would be preserved as well as the dog park.

Mr. John Sickler, Director of Planning and Zoning, continued the presentation and noted the history of Cinquez Park and that it was the location of Jupiter's first volunteer fire station. Mr. Sickler mentioned the Town acquired 13 acres in 2008 with 10 acres purchased with open space funds and three acres purchased with the general fund which were able to be used for development.

Mr. Thomas Hernandez, Director of Engineering and public Works, continued with the timeline and next steps.

Councilor Fore clarified that the banyan tree would not be touched.

Chief Donatto said it would not.

Councilor Fore asked about traffic preemption and how long an intersection would be shut down for.

Chief Donatto explained that traffic preemption used an automatic vehicle locator that timed the lights turning green dependent upon the speed and direction of the emergency vehicle. He explained that traffic preemption was safer for firefighters and drivers.

Councilor Fore asked if the light on Central Boulevard had traffic preemption built in.

Councilor May said the only traffic preemption devices in Jupiter were on the US 1 corridor. He mentioned there was a policy to start rolling out County wide and was unsure if Central Boulevard and Indiantown Road had traffic preemption.

Councilor Fore clarified that lack of traffic preemption allows for greater use of sirens.

Councilor May agreed.

Councilor Fore asked for clarification on three acres at Cinquez Park.

Mr. Sickler explained that 10 acres were used for natural areas and environmental preservation and the remaining three were purchased with general fund money and could be used for active recreation or retail.

Councilor Delaney said the Cinques Park location was the most efficient and asked Mr. Sickler what the zoning was for the three acres.

REGULAR AGENDA

PUBLIC BUSINESS

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Mr. Sickler said the zoning was for public institutional.

Vice-Mayor Sundstrom recalled a discussion in 2017 where they were looking to name the Park and one of the names suggested was Banyan Tree Park, she explained that Council would never do anything to disturb the banyan tree as it was an important part of Jupiter's history.

Councilor Fore said his goal was to make JFRD better than Palm beach County Fire Rescue and said Council was trying to make it a world class and premier department similar to the Jupiter Police Department.

Ms. Lori Bailey-Bertrand, resident of Loxahatchee Drive, said she was in favor of JFRD and believed in home rule and supported the Fire Station at Cinquez Park. She mentioned residents were concerned about the location of the new station and noise and traffic. Ms. Bailey-Bertrand did not like the ugly attacks being levied against Council and she believed the Town Council was acting our best interest.

Ms. Teri Grooms, resident of North Perry Avenue, spoke about the potential of taking away park land. She said the property was purchased with co-mingled funds and believed it was fraud. Ms. Grooms said Council previously said Cinquez Park wouldn't be considered as a location and asked if other parks would be taken away.

Mr. Daniel McAndrews, resident of Drake Street, stated his concern about the sound of sirens and asked what the cost of lights would be.

Ms. Karen Vinson, resident of Sioux Street, said her dog would be scared of the noise. She also said Council said Cinquez Park was off the table. She noted she was upset the residents were not included in that decision.

Ms. Jen Kleier, resident of Berkshire Avenue, expressed concern over managing the high call volume at the Cinquez Park location. She asked what the plan would be to provide emergency service if all units were tied up and mentioned Palm Beach Gardens had an aid agreement with PBCFR.

Councilor May asked what apparatus would be housed at the fire station.

Chief Donatto said an engine, a rescue, and battalion chief but was having studies completed about resource placement. He explained the plan was to not have the ladder truck at that location.

REGULAR AGENDA

PUBLIC BUSINESS

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Councilor Delaney asked what infrastructure reconfiguration would there be at Indiantown Road and Carver Avenue.

Mr. Hernandez stated the Town received preliminary approval from Florida Department of transportation (FDOT) of the opening in the median and the Town owned the right of way (ROW) at Carver Avenue so it could be moved.

Mayor Kuretski said he was on Council when the property was first purchased and said Workforce Housing (WFH) was proposed for the remaining three acres. He addressed the public comments and stated his prior opinion was that Cinquez Park site would not be the site they would end up with and explained they wanted to pick a site that would best benefit the public. He stated he relied on experts and the analysis to guide the Town. He said many sites were studied and Cinquez was shown to be the favored site.

Councilor Delaney said the entire process has been fluid and nothing was decided until a week ago. He addressed social media posts and rumors regarding Council changing their mind after receiving more information and said he was upset that people said they would destroy the park because that was not the case. Councilor Delaney said Council did everything to keep the public safe as possible and the County put the Town in this situation by providing a contract in excess of a quarter billion dollars *over 10* year. LC 6/4/24

Vice-Mayor Sundstrom noted that The Town was in an early stage of the process and had time to draft and update. She mentioned she lived near a fire station and did not hear sirens.

Vice-Mayor Sundstrom noted having two audience's, residents who use and live near the park and residents who may have gotten mixed up in the political action committee (PAC). She said that when talking to residents at the park they did not want the park taken away and reassured them *the dog park* would not be taken away but added to. She said when speaking to residents on Carver Avenue they wanted to keep the green space. Vice-Mayor Sundstrom said the second audience was the PAC and would disagree no matter the decisions made and explained starting JFRD would save residents and average of $1,000 a year. LC 6/4/24

Councilor May stated his concern over traffic response and wished Council had more time to speak to other property owners out west. He said he was concerned of noise for residents and understood the location was great according to the heat map but most of those calls are code one EMS falls without injury. Councilor May said the location geographically is good but traffic and mitigating traffic was a concern.

REGULAR AGENDA

PUBLIC BUSINESS

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Councilor Delaney moved to approve Cinquez Park as the site for the Western Fire Station, and Resolution 62-24 for approval of Work Order No. 50 to EPW 2016-12D to Wantman Group, Inc. for the design and construction criteria package for the fire station in an amount not to exceed $242,182.39; seconded by Councilor Fore; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	No

PRESENTATION

13. Jones Creek Vegetative Trimming Update.

Mrs. Amanda Barnes, Director of Utilities, stated the Jones Creek vegetative trimming project was at the final stages.

Mr. Jonathan Batista, Senior Engineer, mentioned the propose of the project and project goals to improve water quality. He played a video that showed the improvements. He stated the initial trimming was funded fully by the Town and the maintenance trimming would occur once every two years for 10 years and the funding was through a non-Ad Valorem assessment.

Mr. Batista showed pictures and a video of the progress of the trimming of the creek.

Councilor Fore asked if the depth of the creek was changed.

Mrs. Barnes stated they didn't see any reasoning to change the dept of the water.

Ms. Karen Vinson, stated she appreciated the project and stated her concerns regarding the debris. She hoped for a future dredging of the creek and that the Town would help with the cost.

REPORTS
TOWN ATTORNEY

- Lawsuit with the Political Action Committee (PAC) – Mr. Baird stated they had begun the preparation of arguments in the Town's defense of the lawsuit brought against the Town by the PAC. He recommended the Town engage in the law firm of Kreusler-Walsh, Vargas & Serafin to assist the Town in its defense and in the event of an appeal.

Mr. Baird requested the Council and Town Manager to execute an engagement letter with the Law Firm of Kreusler-Walsh, Vargas & Serafin.

REPORTS
TOWN ATTORNEY

Councilor Fore moved to authorize the Town Manager to execute an engagement letter with the Law Firm of Kreusler-Walsh, Vargas & Serafin; seconded by Councilor Delaney; motion passed.

Kuretski	Sundstrom	Delaney	Fore	May
Yes	Yes	Yes	Yes	Yes

TOWN MANAGER

- Community Relations (CR) Team – Mr. Kitzerow acknowledged some significant accomplishments by the CR team. He stated they attended the Florida Municipal Communicators Association (FMCA) Annual Conference and won the FMCA outstanding award for website design and for brand guidelines. He also mentioned the Town's annual report finished as runner up. He stated all five members of the Community Relations team, Otto Suarez, Jill Alvarez, Kate Pokorny, Sandy McCready, Shawn Reed, and the Assistant Town Manager, Kate Moretto, received the FMCA Certificate of Excellence in Government Communications. Mr. Moretto was also voted in as the organizations new Vice-President.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
COUNCILOR DELANEY

- Jones Creek dredging – Councilor Delaney suggested to look into teaming up with someone to dredge the creek. He asked if it would be beneficial to the entire waterway and system to have some flow through the creek.

  Vice-Mayor Sundstrom agreed but wanted to give the creek time to see if it would continue to improve or not.

VICE-MAYOR SUNDSTROM

- Trash on Center Street – Vice-Mayor Sundstrom mentioned that Waste Management did regular collection pickups on Center Street and that a few had been missed but had since been remedied. She stated if anyone noticed the trash not being collected to let Council know.

- Max Planck Florida Institute for Neuroscience – Vice-Mayor Sundstrom stated she went to Max Planck for an open date to residents. She mentioned she was impressed and recommended going.
- County Commissioner - Vice-Mayor Sundstrom thanked the County Commissioner for her quick response regarding the cat issue and the Donald Ross Road.

- Board of the League of Cities - Vice-Mayor Sundstrom stated she was elected by other Municipalities to join the Board. She mentioned she was open to ideas and promised to bring the best ideas to the Town.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS
COUNCILOR MAY

- Melaleuca Trees – Councilor May asked Staff to address the concerns regarding the melaleuca tress on Delaware Boulevard. He did not want to disturb any wildlife in the area.
- Dispensary Zoning Change – Councilor May gave some background to the reason why Council previously decided not to allow them. He mentioned since dispensaries were technically a pharmacy it would allow for some live-work units in Abacoa to become dispensaries and Council was not supportive of allowing them in residential areas.

MAYOR KURETSKI

- Take your Child to Work Day – Mayor Kuretski stated he had the opportunity to participate as Mayor and Grandfather and Staff did a wonderful job. He also stated he challenged the children that participated to write a report about their parent's job and they would receive a gift. He mentioned the reports he had received were delightful.

ADJOURNMENT – 10:14 P.M.

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Laura Cahill, Town Clerk