

**FINAL MINUTES AND AGENDA  
TOWN OF JUPITER  
TOWN COUNCIL MEETING  
TOWN COUNCIL CHAMBERS  
TUESDAY, JANUARY 4, 2022**

Vice-Mayor May called the meeting to order at 7:00 P.M.

Roll Call: Vice-Mayor Cameron May; Councilor Ron Delaney; Councilor Ilan G. Kaufer; Councilor Jim Kuretski; Interim Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Town Clerk Laura E. Cahill. Mayor Todd R. Wodraska was absent.

**CITIZEN COMMENTS**

Ms. Linda McDermott, resident of Chadwick Drive, spoke regarding the upcoming police contract, police holiday and overtime pay, and a possible indoor shooting range.

Ms. Penny Payne, resident of 126<sup>th</sup> Terrace, discussed Resolution 125-21 traffic concerns; consideration of a facility for Jupiter Tequesta Athletic Association (JTAA); and requested a workshop or roundtable discussion between Council and the Art Committee.

**MINUTES**

1. December 21, 2021 Town Council Meeting Minutes.

Councilor Kaufer moved to approve the December 21, 2021 Town Council Meeting Minutes; seconded by Councilor Delaney; motion passed.

May  
Yes

Delaney  
Yes

Kaufer  
Yes

Kuretski  
Yes

**REGULAR AGENDA**

**PUBLIC BUSINESS**

2. **Resolution 125-21**, Approving award EPW 2022-01 Indiantown Road from U.S. Highway One to A1A to FG Construction, LLC in an amount not to exceed \$4,185,083.86.

Councilor Kuretski discussed the history of the project which focused on the turn into the shopping center and other aesthetic public benefits. He mentioned the project being over budget and said he was hesitant to move forward with the project.

Mr. Tom Driscoll, Director of Engineering, Parks and Public Works, said estimates were based on state wide averages and there were significant drainage improvements which drove up costs. He noted the drainage improvements would be a benefit in a 10-year storm scenario and a new filtration system would help with water quality.

Mr. Kitzerow noted there was a grant timeline and asked Mr. Driscoll to discuss any conflicting timelines with the upcoming bridge improvements.

Councilor Kuretski asked how much the pay item was for the scope the Town asked to be removed. Mr. Driscoll said there were four respite structures and an arbor structure adding up to \$520,000 but noted the contractor's reluctance to reduce the budget based on other items' low estimates and unforeseen problems.

**REGULAR AGENDA**

**PUBLIC BUSINESS**

**2. Resolution 125-21**

Mr. Driscoll said the grant would expire on June 30, 2022 but an extension could be possible. He said by his calculations there may be a short overlap with the U.S. One Bridge improvement project, depending on any underground work delays.

Councilor Delaney said it was a good project but the cost increases were significant. He asked if postponing it would be beneficial. Mr. Driscoll said if Council wasn't happy with the timing, the project would probably have to wait another five years and the grant funding could be lost.

Councilor Delaney and Mr. Driscoll continued to discuss overlapping construction with the bridge improvements and Mr. Driscoll noted there could be as much as a six-month overlap.

Councilor Kaufer asked about the current condition of the road if the project did not move forward. Mr. Driscoll mentioned there were currently sidewalk repairs that needed to be done with some utility work and resurfacing within the next five years.

Councilor Kaufer said he felt safety was an issue with no bike lanes and had environmental concerns about drainage that close to the coast. He was also concerned with the budget increases but felt the project was positive.

Vice-Mayor May asked if a new grant could be applied for if the project were postponed. Mr. Driscoll said he did not have that answer but there were extenuating circumstances due to budget constraints and construction overlap.

Vice-Mayor May said he was concerned with traffic detours and taking money from the general fund.

Council and Mr. Driscoll discussed the timeline for the bridge improvements.

Councilor Kuretski suggested asking if negotiating the scope reduction as acceptable under the unique circumstances would be possible. Mr. Driscoll felt it would take weeks and it would probably not be approved.

Councilor Kaufer said any further negotiating would not be helpful.

Vice-Mayer May agreed and said timing seemed to be the biggest issue and he did not wish to make residents angry.

Councilor Delaney stated the negatives outweighed the positives on the project.

Councilor Kaufer moved to deny Resolution 125-21; seconded by Councilor Delaney; motion passed.

May  
Yes

Delaney  
Yes

Kaufer  
Yes

Kuretski  
Yes

**REGULAR AGENDA**

**PUBLIC BUSINESS**

**2.1.** Approving a contract with Mercer Group executive search firm to complete the search for the Town Manager position.

Vice-Mayor May stated he would like to put together a group of employees to give feedback and input to the search firm.

Mr. Baird clarified it would not be an advisory group and therefore not subject to the Sunshine laws but wanted to make sure that employees were able to give input during the process.

Councilor Delaney mentioned a few directors to have on the committee, including Kate Moretto, Senior Director; Mike Villella, Director of Finance; Nikki Carpenito, Senior Director; Laura Cahill, Town Clerk; Police Chief David England, and the Town Attorney.

Vice-Mayor May also asked for John Sickler, Director of Planning and Zoning, to be included.

Councilor Kuretski supported having a committee and wanted to make sure employees were a part of the process.

Councilor Kaufer suggested having every department head on the committee.

Ms. Nikki Carpenito stated the firm was planning to meet with each senior Staff member for feedback.

Councilor Delaney mentioned the previous names due their involvement with almost every process and did not want to exclude anyone. He suggested employees could speak with the committee members to provide input.

Vice-Mayor May stated the committee was to help streamline the process and to give a better idea of the type of candidate that would fit with the Town.

Councilor Delaney moved to approve a contract with Mercer Group executive search firm to complete the search for the Town Manager position and for the Town to construct a Committee of employees to give feedback and input; seconded by Councilor Kuretski; motion passed.

May  
Yes

Delaney  
Yes

Kaufer  
Yes

Kuretski  
Yes

### **PRESENTATION**

#### **3. Waste Management Franchise agreement update.**

Mr. Kitzerow discussed concerns about obtaining information from Waste Management.

Mr. Tom Driscoll, Director of Engineering, Parks and Public Works, explained Staff tried to receive information from Waste Management regarding significant rate increases in September 2021. He noted residents would be looking at an increase of 50 percent for the same service and a 30 percent increase if services went to automated truck lifts. He stated there were some concerns with the automation which included some level of negotiation and services would not begin till January 2023.

Mr. Driscoll felt the Town needed to go back and look at how they assessed their performance and how they could monitor it in the future. He stated he would like to have a full time Staff member with experience who would go out to check routes and check on residents. He noted he was informed yard waste would only be one day which would change the service level.

Councilor Delaney asked if Waste Management was acquiring new vehicles.

Mr. Driscoll said he believed they were.

Councilor Kuretski discussed automation with the use of larger containers and the need for the Town to fully evaluate the system. He noted other areas which had used automation had found they were unable to accommodate the size of the containers.

Mr. Driscoll stated Waste Management were looking into providing smaller sixty-four-gallon container. He felt the Town should engage residents for their thoughts on the matter.

Councilor Kuretski believed Waste Management should have provided the numbers back in September and he felt there was no defense for a 50 percent increase with a decrease in level of service. He asked Staff to look into options which would benefit both parties.

Vice-Mayor May asked if the contract expired in February.

Mr. Driscoll stated yes, February 28, 2022.

Mr. Baird explained Council was stuck with electing a renewal or not, because at this point the Town could not go out for bid. He suggested if Council was unsure about renewing for five years, then extending for one year and demand the existing rate, which would allow the Town time to go out to bid or decide to renew.

Councilor Kuretski agreed with Mr. Baird's suggestion.

Vice-Mayor May stated it was frustrating that the Town was not giving enough public notice to the residents that their trash was going to increase by 50 percent.

### **PRESENTATION**

#### **3. Waste Management Franchise agreement update**

Councilor Delaney asked if Waste Management had gone out to the residents and asked if they wanted the larger container.

Mr. Driscoll stated he knew they had in Martin County and Wellington.

Vice-Mayor May asked if Waste Management had suggested any outreach to the customers to see who wanted or did not want automation.

Council Delaney believed it was unfair to the consumer.

Councilor Kaufer felt if there were to be some kind of increase for automation or the same level of service it should be done in increments instead of one giant increase.

Mr. Patrick Gallagher, resident of Laura Lane, stated he was shocked by the information regarding the rate increase. He also spoke regarding the removal of waste from the Jones Creek drainage system.

Ms. Linda McDermott, resident of Chadwick Drive, stated she had concerns regarding the renewal of the Waste Management contract.

### **REPORTS**

#### **TOWN ATTORNEY - NONE**

#### **TOWN MANAGER**

- Passport to Jupiter booklet – Interim Town Manager Kitzerow mentioned the Passport to Jupiter was on the dais and commended Staff for their efforts.

Vice-Mayor May thanked Staff and Councilor Kuretski for adding the passport as a strategic priority.

### **TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**

#### **VICE-MAYOR MAY**

- Fair Labor Act – Vice-Mayor May mentioned his concerns regarding Police overtime and wanted to delay the action of changing the Police pay period from 157 ½ to 171 hours until collective bargaining started. He stated it was not fair for officers to work more than their regular hours and not receive overtime pay. Councilor Kaufer agreed.

Councilor Delaney stated his concern was officers losing overtime pay.

Mr. Baird mentioned the motion regarding changing the pay period stated the change would be as soon as it was practical and that the Fair Labor Standards Act (FLSA) used the 171 hour pay period. He also mentioned the annual savings for the Town to adjust the pay period would be \$304,000.

Councilor Delaney stated he did not want to make the pay period change until bargaining started.

Mr. Kitzerow clarified Council's direction was to wait to implement the 171 pay period and move forward with the bargaining process. Majority of Council agreed. (CM, IK, RD)

**ADJOURNMENT** - 8:34 P.M.

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Laura E. Cahill, Town Clerk

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Todd R. Wodraska, Mayor