

**FINAL AGENDA AND MINUTES  
TOWN OF JUPITER  
TOWN COUNCIL MEETING  
TOWN COUNCIL CHAMBERS  
TUESDAY, JULY 21, 2020**

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

Roll Call: Mayor Todd R. Wodraska; Vice-Mayor Ilan Kaufer; Councilor Ron Delaney; Councilor Jim Kuretski; Councilor Cameron May; Town Manager Matt Benoit; Town Attorney Thomas J. Baird and Deputy Town Clerk Laura E. Cahill.

**PUBLIC HEARING**

1. **Resolution 60-20**, Approving the Truth in Millage for the preliminary millage rate for fiscal year 2021.

Mr. Scott Reynolds, Budget Manager, highlighted the TRIM presentation including the proposed rollback rate, business incentives, and the property valuation increase. He stated the proposed TRIM rate of 2.4633 and gave Council two options for COVID-19 financial assistance for business, in addition to the current business relief through a utilities rebate provided by the Town. The options included a Business Tax Receipt (BTR) rebate by waiving renewal fees for local businesses or a millage reduction for Fiscal year 2021.

Mayor Wodraska asked when the businesses would see the BTR rebate.

Mr. Reynolds stated businesses would receive relief by October 1, 2020, the end of the renewal season.

Councilor Delaney stated he agreed with the flat TRIM rate and the BTR rebate.

Mayor Wodraska stated to leave the TRIM rate flat and for Staff to look into the BTR rebate.

Councilor Delaney asked if the rebate would include new businesses.

Mr. Reynolds specified new businesses would not receive the rebate.

Mr. Benoit stated Staff would work on a resolution to waive BTR renewal fees.

Councilor Delaney moved to approve Resolution 60-20 and for Staff to implement a Resolution for a Business Tax Registration rebate program; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Delaney  
Yes

Kuretski  
Yes

May  
Yes

### **CITIZEN COMMENTS**

Mr. Jim Carrol, resident of Palm Beach Gardens, stated he was running for Florida House of Representatives and would be honored to have the chance to work with the Town to meet the needs of Council and Jupiter residents.

Ms. Linda Smithe, resident of Via Rio, spoke regarding climate change and Electric Vehicle charging stations. She also mentioned the Palm Beach County Zoning Commission was meeting to discuss adding more electric vehicle charging stations on highways.

### **MINUTES**

2. June 25, 2020 Town Council Budget Workshop Minutes and July 7, 2020 Town Council Meeting Minutes.

Councilor Delaney moved to approve the June 25, 2020 Town Council Budget Workshop Minutes and July 7, 2020 Town Council Meeting Minutes; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	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.

- Councilor Delaney pulled item 3.
- Councilor Kuretski pulled item 5.

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

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

### **PUBLIC BUSINESS**

3. **Resolution 56-20**, Approving contract award recommendation to Johnson-Davis, Inc. for Stormwater Utility Infrastructure Repairs Unit Price Contract (S2029) with an estimated budget of \$1,015,000 for the initial two-year contract term. **MOVED TO REGULAR AGENDA**
4. **Resolution 57-20**, Approving contract award recommendation to Ahrens Enterprises, Inc. for Water Treatment Facility Building Repairs and Painting (W1929) in the amount of \$970,594.71.

**CONSENT AGENDA**

**PUBLIC BUSINESS**

5. **Resolution 66-20**, Approving contract EPW 2020-27 for the Green Bicycle Lane Markings to TRP Construction Group, LLC in an amount Not to Exceed \$150,400.  
**MOVED TO REGULAR AGENDA**
6. Approving contract award recommendation to Audio Visual Innovations, Inc. for Audio Visual Equipment and Installation Services for Jupiter Police Department Headquarters in an amount not to exceed \$88,277.35.
7. Approving a Town Council Budget Workshop Meeting, Thursday, August 13, 2020 at 6:30PM.
8. Approving the cancellation of the Town Council Special Meeting Thursday, August 6, 2020 and scheduling a Town Council Meeting for Tuesday, August 4, 2020 at 7PM and approving the cancellation of the Town Council Meeting Tuesday, September 1, 2020 and scheduling a Town Council Special Meeting for Thursday, September 8, 2020 at 7PM.

**ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA**

3. **Resolution 56-20**, Approving contract award recommendation to Johnson-Davis, Inc. for Stormwater Utility Infrastructure Repairs Unit Price Contract (S2029) with an estimated budget of \$1,015,000 for the initial two-year contract term.

Councilor Delaney asked if the installation of check valves on Center Street was to address the rain flooding on Dolphin Drive.

Mr. David Brown, Director of Utilities, stated the check valves operated to let rain water fall out and would not let the tide back into the storm draining system. He added the contract enables the Town to be responsive to stormwater issues.

Councilor Delaney moved to approve Resolution 56-20; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

5. **Resolution 66-20**, Approving contract EPW 2020-27 for the Green Bicycle Lane Markings to TRP Construction Group, LLC in an amount Not to Exceed \$150,400.

Councilor Kuretski stated the bike markings on A1A were in very sad condition and asked about Staff approaching the County to expedite the process. He also suggested Council think about the Town updating the A1A bike markings if the County doesn't do it sooner.

Councilor May stated he had received emails regarding issues with the bike lanes and suggested to them to reach out to the County to make the lanes on A1A safer for bikers.

**ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA**

**5. Resolution 66-20**

Councilor Kuretski moved to approve Resolution 66-20; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

**REGULAR AGENDA**

**PUBLIC HEARING**

**9. Ordinance 14-20, Second Reading,** Amending Chapter 13 of the Town Code to change all references from the term “Noise” to “Sound”, to separate outdoor sound amplification from outdoor venues, and to ensure regulations are content neutral and constitutional.

Mr. Baird stated to change the “or” to “and” in the second sentence of section 13-108(4).

Councilor May moved to approve Ordinance 14-20, Second Reading, as amended to change the “or” to “and” in the second sentence of section 13-108(4); seconded by Vice-Mayor Kaufer; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

**10. Ordinance 16-20, First Reading,** Prohibiting floating structures and mooring of vessels to Public property. (Second Reading – 8/18/2020)

Mayor Wodraska said he had received some emails from marine industry people about some requested language changes and he spoke to Mr. George Gentile, President of the Marine Industry Association, on the topic.

Chief Kerr gave a brief overview outlining the details of the Ordinance.

Ms. Frances Hyde, resident of Saturn Street, spoke about a sailboat that has been moored for seven years and other more recent vessels. She was concerned about sanitary conditions and general safety for sea life and vegetation. She also suggested lower speed requirements in some areas.

Mayor Wodraska noted other jurisdictional agencies were involved and Jupiter was trying to address many issues with the Ordinance. He mentioned the subject was challenging and he felt the Ordinance was a step in the right direction.

Council discussed meeting with Mr. Gentile before the second reading to understand the details of the requested changes. Chief Kerr confirmed a meeting was planned.

**REGULAR AGENDA**

**PUBLIC HEARING**

**10. Ordinance 16-20**

Councilor Delaney moved to approve Ordinance 16-20, First Reading; seconded by Councilor May; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

**PUBLIC BUSINESS**

**11.** Approving a Voting Delegate for the Florida League of Cities Annual Conference, August 14, 2020 in Orlando, Florida or by remote access.

Vice-Mayor Kaufer moved to approve Mayor Wodraska as the Voting Delegate for the Florida League of Cities Annual Conference; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

**ROUNDTABLE**

**12.** Discussion of Paid Parental Leave.

Ms. Nikki Carpenito, Human Resources Director, gave a presentation outlining current benefits, best practices and suggested additions. She noted the Town's generous donated leave benefit and mentioned fairness and equity concerns.

Ms. Carpenito explained Staff's recommendation for an added benefit which would allow employees who are on Family Medical Leave (FMLA) to continue to accrue time while on donated leave status.

Councilor Kuretski noted the Town had a very generous, flexible leave policy which benefited all employees. He asked for confirmation that there was no maximum accrual for sick time. Ms. Carpenito said that was correct. Councilor Kuretski gave an example of a long term employee and how much time could be accrued and used for family medical leave absences.

Mayor Wodraska asked if during police contract negotiations, paid parental leave had been requested. Ms. Carpenito said no. He said he felt the Town's benefits were more than fair and he would not support paid parental leave at this time.

Vice-Mayor Kaufer opined there were numerous direct benefits that derive paid family leave policies, including bonding with children, improved parental and infant health, employee recruitment and retention improvement, and opportunities to spend more time with significantly ill family members.

**ROUNDTABLE**

**12. Discussion of Paid Parental Leave.**

Vice-Mayor Kaufer mentioned that more public and private entities were adopting parental and family paid leave policies each year, including entities nearby such as West Palm Beach, Wellington, and Palm Beach County. He stated that in his opinion the current policies required employees to beg other employees for the donation of time earned by other employees in order to have adequate time following the birth of a child or other family matters.

Vice-Mayor Kaufer also stated that in his opinion the current policy should not be acceptable and was not equal for fathers, non-birthing parents, same sex couples, employees who identify as LGBTQ, caregivers, new employees, or young employees. He proposed a policy aimed at addressing and incorporating Staff's concerns related to equity. He proposed a plan, in memory of his father Barry Kaufer, which included paid family leave following the birth or adoption of a child, during severe illness of a family member, during bereavement, or other significant family matter.

Councilor May mentioned the paid parental leave benefit at Palm Beach County Fire Rescue and suggested something similar for the Town. He noted mental and physical stress concerns for new parents and felt employees would be more productive when they returned.

Councilor Delaney felt the current plan was generous and flexible and supported Staff's recommendation.

Councilor Kuretski felt the current benefits were very generous and adequately provided for paid parental family medical leave benefits.

Mr. Benoit said he wanted to understand employees concerns before he weighed in on Staff's recommendation.

Vice-Mayor Kaufer moved to direct Staff to bring back a different policy for family leave; seconded by Councilor May; motion denied.

Wodraska	Kaufer	Delaney	Kuretski	May
No	Yes	No	No	Yes

**13. Industrial Sectors - Opportunities for redevelopment in the Town's industrial sectors.**

Mr. John Sickler, Director of Planning and Zoning, gave an overview of the presentation which included areas analyzed (Pine Gardens Industrial, Toney Penna Industrial, Pennock Industrial Park and Cypress Drive); existing conditions; protecting industrial and existing flexibility; strategies for improvements; contemplating the strategies; and next steps.

## **ROUNDTABLE**

### **13. Industrial Sectors** - Opportunities for redevelopment in the Town's industrial sectors.

Councilor Kuretski said that Pine Gardens Industrial was part of the Pines Gardens North neighborhood and asked Staff from Neighborhood Services to clarify if the residential neighborhood still considered the industrial area to be an asset to the neighborhood. Mr. Sicker stated he would investigate.

Mayor Wodraska asked if Cypress Drive was the only C4 in Town. Mr. Sickler stated no there was a C4 section in Pine Gardens South.

Mayor Wodraska asked what restrictive commercial meant to Planning and Zoning. Mr. Sickler stated restrictive commercial was a service commercial type district with limited general retail and a light side for intensity.

Councilor Kuretski stated an additional item which should be included in the summary of existing conditions was drainage. He believed Stormwater should be involved with drainage concerns. Mr. Sickler stated Planning and Zoning Staff had met with Stormwater, Utilities, Building and Code Enforcement to discuss issues and opportunities. Councilor Kuretski said he would like those concerns to noted.

Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning went on to discuss the strategies to maintain existing businesses; revitalizing areas; and pros and cons of potential strategies.

Mr. Sickler asked Council to prioritize some of the strategies they would like Staff to continue looking into further and asked if there were any areas with more importance for Staff to focus on. Staff believed the priorities would be Pine Gardens Industrial, Cypress Drive, Toney Penna Redevelopment Overlay Area (ROA) and Pennock Industrial. He explained the next steps could include a workshop with the public or to engage the stakeholders; an online survey to business owners and abutting residents; and any additional information or strategies proposed by Council that would be beneficial to evaluate further.

Mayor Wodraska stated Tequesta, Juno, Palm Beach Gardens and North Palm Beach had little to no industrial and noted what the Town was doing was for the greater good of the North County. He believed it was important so residents would not have to travel very far for industrial services.

Councilor Kuretski appreciated the Mayor speaking up and Mr. Sickler and Staff exploring the purpose of the strategic priority. He thought it may be beneficial to take one area and survey the businesses to see what would assist them to improve their properties.

Mayor Wodraska believed broadening Neighborhood Services to gather some collectible information would allow for the Town to seek some input from the businesses.

**ROUNDTABLE**

**13. Industrial Sectors** - Opportunities for redevelopment in the Town’s industrial sectors.

Councilor May suggested making some parking and adding sidewalks along Dixie Highway between Indiantown Road and Center Street and felt more parking would be beneficial to any business in the area. He asked if something could possibly be done immediately.

Councilor Kuretski felt it would be an improvement for parking and sidewalks along Dixie Highway if businesses could envision themselves using it effectively and thought polling businesses would be helpful.

Councilor Delaney believed it was a great presentation and stated the levels of business are vital to the Town. The Town should do anything it could to entice businesses to stay in business or improve their properties and remain in Jupiter.

**REPORTS**

**TOWN ATTORNEY**

- AGCS Marine Insurance Co. and Jupiter Yacht Club Marina Condominium Association v. Town of Jupiter – Mr. Baird stated the mediation was not successful with respect to the lawsuit of breach of contract against the Town by the AGCS Marine Insurance Co. and the other case with Jupiter Yacht Club Marina Condominium Association and Master Association mediation would be continued in hopes to work something out. Mr. Baird stated Code Enforcement planned to take action regarding the closure of the public slips.
- AGCS Marine Insurance Co. a/s/o Jupiter Yacht Club Marina Condominium Association, Inc. v. Town of Jupiter – Mr. Baird proposed to offer a settlement of \$5,000 to AGCS Marine Insurance Company because if the offer of settlement was not accepted and the Town prevailed in the litigation the Town would be able to recover their attorney fees.

Councilor May moved to authorize the Town Attorney to serve an offer of settlement in the amount of \$5,000 to AGCS Marine Insurance Company; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Delaney  
Yes

Kuretski  
Yes

May  
Yes

**TOWN MANAGER - NONE**

**TOWN COUNCIL – LIAISON REPORTS AND COMMENTS - NONE**

**ADJOURNMENT** – 9:09 P.M.

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Sally M. Boylan, Town Clerk

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Todd R. Wodraska, Mayor