

**FINAL AGENDA AND MINUTES
TOWN OF JUPITER
TOWN COUNCIL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, AUGUST 18, 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.

Moment of Silence in honor of Mr. Jim Hilliker and his positive influences he had on the Community.

CITIZEN COMMENTS

Ms. Linda Smithe, resident of Via Rio, thanked Council for supporting local businesses and keeping Jupiter's water safe. She also spoke regarding the Energy Innovation and Carbon Dividend Act and gave Council a copy of Resolution H.R. 763.

Mr. Heath Wintz, resident of Sioux Street, spoke regarding the Jones Creek restoration and presented a petition to Council for the continual maintenance of the canal.

MINUTES

1. July 21, 2020 Town Council Meeting Minutes (continued from 08/04/20) and August 4, 2020 Town Council Meeting Minutes.

Councilor Delaney moved to approve the July 21, 2020 Town Council Meeting Minutes, as amended; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

Councilor Delaney moved to approve the August 4, 2020 Town Council Meeting Minutes; seconded by Councilor May; 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.

- Mr. Benoit pulled item 7.
- Vice-Mayor Kaufer pulled item 2.

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

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

CONSENT AGENDA

PUBLIC HEARING

- 2. Resolution 62-20, Orion Integrated Systems – Quasi-judicial** - Site Plan application to construct a 7,100 square foot office and industrial building on a 0.47+/- acre vacant property and a Special Exception application for a business office greater than 2,500 square feet, located on the east side of Capital Street approximately 380 feet north of Jupiter Park Drive within the Jupiter Commerce Center. **MOVED TO REGULAR AGENDA**

PUBLIC BUSINESS

- 3. Resolution 53-20**, Approving contract award recommendation to American Water Chemicals for Supplying Nanofiltration Antiscalant to the Water Treatment Plant (W2105F) beginning in Fiscal Year 2021 for a term of three (3) years at a cost of \$0.784 per pound.
- 4. Resolution 68-20**, Approving the renewal of contract EPW 2019-14 janitorial maintenance service for the Town Hall Facility with Ceiling to Floor Cleaning, Inc. in an amount not to exceed 53,400.04.
- 5. Resolution 70-20**, Approving award contract EPW 2020-16 to Ahrens Enterprises, Inc. dba Ahrens Companies for the Public Works Storage Building CMAR in an amount not to exceed \$490,599.
- 6. Resolution 73-20**, Approving the Replacement Interlocal Agreement with Palm Beach County for internet and network services in the amount of \$2,400 per year.
- 7. Resolution 74-20**, Approving award contract EPW 2020-20 to Brothers' Constructions, Inc. for Dune Crossovers Renovations, Phase IV in an Amount Not to Exceed \$564,900. **MOVED TO REGULAR AGENDA**
- Approving the cancellation of the Town Council Meeting Tuesday, September 15, 2020 and scheduling a Town Council Special Meeting for Tuesday, September 22, 2020 at 7PM.

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

- 2. Resolution 62-20, Orion Integrated Systems – Quasi-judicial** - Site Plan application to construct a 7,100 square foot office and industrial building on a 0.47+/- acre vacant property and a Special Exception application for a business office greater than 2,500 square feet, located on the east side of Capital Street approximately 380 feet north of Jupiter Park Drive within the Jupiter Commerce Center.

Ex-Parte Communications:

- Councilor Delaney stated he drove by the property earlier that day.

The Deputy Town Clerk swore in five people.

Vice-Mayor Kaufer noted he would be voting against the item's approval.

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

2. Resolution 62-20

Mr. Scott Summers, owner of the property, stated this property was their only facility and it would be headquarters.

Councilor Delaney stated he thought the business was a good fit for the industrial park and was glad a small local business was coming to Jupiter.

Councilor Delaney moved to approve Resolution 62-20; seconded by Councilor May; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	No	Yes	Yes	Yes

Vice-Mayor Kaufer wished Mr. Summers the best and stated he thought he was a great property and business owner.

ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

7. Resolution 74-20, Approving award contract EPW 2020-20 to Brothers' Constructions, Inc. for Dune Crossovers Renovations, Phase IV in an Amount Not to Exceed \$564,900.

Mr. Tom Driscoll, Director of Engineering, Parks and Public Works, presented background information, pictures, and Staff's recommendation not to proceed with the current construction design to include Dune crossover 52, due to safety and stability reasons.

Councilor Kuretski stated he wanted the crossover completed but wanted to make sure it was sturdy and ADA compliant. He stated this crossover should not be included in the resolution.

Vice-Mayor Kaufer asked if other crossovers had been constructed. Mr. Driscoll stated they had renovated all but four crossovers including three that were ADA compatible.

Councilor Delaney asked if there was an option to secure the pilings into the bedrock. Mr. Driscoll stated he didn't think they would get approval to do that but would check. Mr. Benoit stated the resolution was prepared without Dune crossover 52.

Councilor Kuretski moved to approve Resolution 74-20; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	Yes	Yes

REGULAR AGENDA

PUBLIC BUSINESS

- 9. Resolution 48-20**, Authorizing a 7% increase in Stormwater Utility fees in accordance with recommendations of the Town’s Utility Financial Consultant.

Mr. David Brown, Director of Utilities, gave a brief presentation outlining Staff’s recommendation for adjusting the Stormwater Utility fees for the coming fiscal year 2021. He noted the history of annual stormwater indexing, net changes, local comparisons and the community investment program.

Vice-Mayor Kaufer asked about increases for future years. Mr. Brown explained the plan would revert back to the 24-year plan related to the consumer price index (CPI). Vice-Mayor Kaufer asked where the Utility would stand if a lower increase was offered. Mr. Brown said he would have to refer back to the model but the cost of service was dictated by the amount of capital spent and operating costs and mentioned some ongoing projects.

Mayor Wodraska noted the Town’s fees were below the average and asked what the average cost was. Mr. Brown said the average cost was \$7.22 and the Town cost was about \$6 paid in the monthly water bill.

Councilor Kuretski asked about Palm Beach Gardens’ approach since they did not do stormwater indexing. Mr. Brown said they had been approached but were unable to explain how to extract stormwater costs from their general public works budget. He said they used benchmarks from utilities that had established stormwater enterprise funds.

Councilor May moved to approve Resolution 48-20; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	May
Yes	Yes	Yes	No	Yes

- 10. Resolution 69-20, County Historic Property Tax Exemption Interlocal Agreement**

– Execution of an Interlocal Agreement between the Town and Palm Beach County to allow owners of historically designated properties to request tax exemptions from County ad valorem taxes for the assessed value of qualified rehabilitation improvements.

Mr. David Kemp, Town Planner, said Staff was recommending approval of the interlocal agreement which would allow the owner of a historically designated property to be able to request tax exemption from County taxes for improvements made to structures. He noted the Town created a tax exemption in 2003. Mr. Kemp mentioned other municipalities who had similar interlocal agreements and that there were 20 potential structures in the Town that may be eligible for the exemption.

REGULAR AGENDA

PUBLIC BUSINESS

10. Resolution 69-20, County Historic Property Tax Exemption Interlocal Agreement

Councilor May asked if the exemption would mean any lost revenue for the Town. Mr. Kemp said the interlocal agreement was only for County Taxes and no one had ever used the exemption offered by the Town.

Mayor Wodraska asked about the process if someone did decide to use the exemption. Mr. Kemp explained an application would be review by Staff, then the Historical Resources Board and next brought before Council and finally would be reviewed by Palm Beach County.

Mr. Kemp noted the six other municipalities who had similar interlocal agreements. Mayor Wodraska asked if the Historical Resources Board had any concerns with the Resolution. Mr. Kemp said no.

Councilor Delaney asked if there were any limits to the County exemptions. Mr. Kemp said it was based on the assessed value of the improvements and the Tax Appraiser would decide the amount of the exemption.

Councilor Delaney moved to approve Resolution 69-20; seconded by Vice-Mayor Kaufer; motion passed.

Wodraska
Yes

Kaufer
Yes

Delaney
Yes

Kuretski
Yes

May
Yes

ROUNDTABLE

11. Bicycle and Pedestrian Safety and Traffic Strategic Plan Updates.

Mr. CJ Lan, Town Traffic Engineer, started the presentation citing 2020 Town wide traffic conditions and noted Indiantown Road was the busiest county six lane arterial road at peak hours.

Mr. Tom Driscoll, Director of Engineering, Parks and Public Works, outlined proposed mitigation strategies for Indiantown Road, including Florida Department of Transportation (FDOT) projects and the Island Way project. Councilor Kuretski asked for clarification about funding for the southern Island Way Extension. He remembered having funding to construct the road and that the build-out condition funding was uncertain. Mr. Driscoll explained two different scope options affecting the gas station, which was a challenge. Mr. Driscoll said he would get back to Council regarding the funding clarification.

Mr. Driscoll continued outlining pedestrian and signalization initiatives and A1A and Jupiter Beach Road intersection improvements.

ROUNDTABLE

11. Bicycle and Pedestrian Safety and Traffic Strategic Plan Updates.

Chief Kerr, Chief of Police, went on to explain historical traffic crash injuries which were reduced and that DUI related crashes and citations also decreased. He noted crashes by location, jurisdiction comparisons, traffic enforcement and distracted driving grant initiatives.

Mr. Driscoll gave an update on the Palm Beach County project to provide a roundabout at the Central Blvd. and University Drive intersection. Chief Kerr added crash comparisons for Central Blvd.

Chief Kerr mentioned Bicycle and pedestrian crash criteria and education and enforcement initiatives. Mr. Driscoll continued with Indiantown Road future improvements for bicycle and pedestrian safety.

Mr. Lan went over the Comprehensive Plan Transportation Element and updated tables, including traffic projections, growth models and points of traffic issues and solutions. Mr. Driscoll also noted local road issues and safety improvements.

Councilor Kuretski felt this presentation every year was a best practice and very useful. He mentioned he would like to see more of the arterial roads intersection crash criteria included in the future. Chief Kerr mentioned an initiative which would provide that data in the annual report.

Councilor Kuretski noted Center Street currently had a Constrained Roadway at a Lower Level of Service (CRALLS) designation which made the Transportation Planning Agency (TPA) reluctant to widen it to three lanes. He suggested the Council approve a resolution to recommend removing the CRALLS designation and supporting the three lane project.

Mr. Benoit mentioned he had a meeting planned with Staff regarding the widening. He noted the CRALLS designation was in the County plan so they would discuss how best to proceed.

Councilor Kuretski said Donald Ross Road from Prosperity Farms Road to Ellison Wilson would be widened within the next five years. Mr. Lan said he would change his report to reflect the widening.

Councilor Delaney asked if the County had tested new adaptive signalization on Indiantown Road similar to what was used on Northlake Blvd. Mr. Lan said no because the system did not perform as well as what was expected.

REPORTS

TOWN ATTORNEY

- Harbourside – Mr. Baird stated there would be a hearing regarding Harbourside's interest in amending their complaint and moving forward with additional claims.
- Jupiter Yacht Club Master POA and Marina Association – Mr. Baird stated they had made progress and believed there was a viable settlement with the Jupiter Yacht Club Master POA but the Jupiter Yacht Club Marina Association wanted to proceed with litigations and the settlement was falling by the way side. He also mentioned they were proceeding with a Code Enforcement action.

TOWN MANAGER

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

VICE-MAYOR KAUFER

- No wake zone – Vice-Mayor Kaufer mentioned the no wake zone north of the Lighthouse was a subject at a recent Florida Fish and Wildlife Conservation Commission (FWC) meeting and requested to bring the item back on a future agenda to show support and receive an update.

Mayor Wodraska stated FWC performed a study and the results did not support the request to reduce the speed limit in that area. He also stated he was in support of bringing the item back but irresponsible wakes by large boats caused more concern than reducing the miles per hour (mph). Mayor Wodraska mentioned he had tried to advocate for responsible wake guidelines.

Councilor May mentioned there was local support and added the safety concerns for recreational water sports participants and marine life.

Councilor Delaney stated 25 mph would help prevent marine life being hit by boats.

COUNCILOR MAY

- Jones Creek – Councilor May mentioned the petitions handed to Council and asked if Council could add the item back into the budget in September.

Mr. Benoit stated Council's consensus was to leave the item in for one more year.

Councilor Kuretski mentioned 75 percent was funded through grants and suggested to wait till the grants were received.

Councilor May suggested fronting the money and repaying once the grants had been received.

MAYOR WODRASKA

- Mr. Jim Hilliker – Mayor Wodraska asked if something could be sent to Mr. Hilliker's family.

Ms. Cahill stated they planned to prepare a proclamation in honor of Mr. Hilliker.

ADJOURNMENT – 8:32 P.M.

Sally M. Boylan, Town Clerk

Todd R. Wodraska, Mayor