

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL SPECIAL MEETING
TOWN COUNCIL CHAMBERS
THURSDAY, OCTOBER 6, 2022**

Mayor Kuretski called the meeting to order at 7:02 P.M.

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

CITIZEN COMMENTS

Ms. Beth Dellinger, resident of West Beverly Road, said Chief England had given her a contact regarding donations for victims affected by Hurricane Ian. She stated if anyone had donations to contact her by the following morning.

Ms. Linda Smith, resident of Via Rio, spoke regarding electric vehicles; the Sawfish Bay Living Shoreline; moving ahead with the sustainability coordinator position and energy conservation initiatives for the new Town Hall.

Ms. MB Hague, resident of Bourne Drive and representing the Jupiter Inlet Foundation, thanked the Town for adding strategic initiatives to protect seagrass and marine life. She discussed the Sawfish Bay Living Shoreline Project and how the efforts of Staff and Jupiter High School students were paramount to the construction.

MINUTES

1. September 22, 2022 Town Council Special Meeting Minutes.

Councilor Schneider moved to approve September 22, 2022 Town Council Special Meeting Minutes; seconded by Vice-Mayor Delaney; motion passed.

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| Kuretski Yes | Delaney Yes | Schneider Yes |
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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 Schneider pulled Item 6.

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

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| Kuretski Yes | Delaney Yes | Schneider Yes |
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CONSENT AGENDA

PUBLIC BUSINESS

- 2. **Resolution 13-22**, Approving a special Warranty Deed and Right of Way maintenance agreement for Inlet Waters development, located on west side of State Road A1A, south of Parkway Street.
- 3. **Resolution 15-22**, Approving the replat titled Loxahatchee Club at Maplewood Plat No. 31 of Phase II.
- 4. **Resolution 92-22**, Approving contract award recommendation with Underwater Engineering Services, Inc. for the installation of a revetment for Phase One (1) of the living shoreline project for an amount not to exceed \$70,254.50.
- 5. Approving the purchase of two (2) radar speed trailers and one (1) variable message board (VMB) at a total cost of \$54,027.13.
- 6. Approving the 2023 Town Council Meeting Schedule. **REMOVED FROM CONSENT AGENDA**

ITEM REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA

- 6. Approving the 2023 Town Council Meeting Schedule.

Councilor Schneider had some questions regarding the schedule dates.

Mayor Kuretski asked for more clarity about rescheduled or canceled meetings.

Mr. Kitzerow stated things often changed at the last minute, but Staff tried to adhere to the schedule.

Vice-Mayor Delaney moved to approve the 2023 Town Council Meeting Schedule; seconded by Councilor Schneider; motion passed.

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| Kuretski Yes | Delaney Yes | Schneider Yes |
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REGULAR AGENDA

PUBLIC BUSINESS

- 7. **Resolution 60-22**, Accepting the 2022 updates to the Water and Stormwater Master Plans (W2203).

Mr. David Brown, Director of Utilities, gave a brief presentation regarding Water and Stormwater projects which included: Seminole Basin; Pine Gardens North; Jupiter River Estates canal vegetative clearing; North A1A infrastructure; Pennock Industrial Park; Fisherman’s Landing drainage; Eganfuskee Road; Bush Road; and Dolphin Drive drainage.

Mayor Kuretski stated there was a steep slope to Dolphin Drive and some home elevations were causing flooding. He felt the Town should make property owners accountable and require them to regrade to avoid future flooding.

REGULAR AGENDA

PUBLIC BUSINESS

7. Resolution 60-22

Mr. Brown continued reviewing projects which included Cypress Drive; Town Hall/Daniel Way water quality; Dover Ditch Living Shoreline; Eastview Manor; Seminole Basin wet retention pond; and Pine Gardens North Basin/Seminole drainage basin interconnect.

Mayor Kuretski believed projects like Pine Gardens North Basin/Seminole drainage basin interconnect should be considered for a special assessment due to it being a large commercial area. He thought the Town should consider if assessing special funding would be more appropriate.

Vice-Mayor Delaney asked how many older neighborhoods needed rehabilitation.

Mr. Brown explained that once a neighborhood's renovations was completed, another neighborhood would need renovations. He reviewed Center Street/Jones and Sims Creek; and Elsa Road stormwater pump station sea water rise project.

Mayor Kuretski asked for clarification on the design basin. Mr. Brown stated it was designed to minimize the exact rise. He continued to discuss the Taylor Property/Loxahatchee Backwaters Natural Area and River Road/Alma Place.

Mr. Chip Block, Vice-Mayor of Jupiter Inlet Colony, congratulated the Town for their exemplary past and present water policies and protecting the water supply and environment. He noted investing in water supply and quality paid off and ensured quality of life. He explained drainage was critical, waterways needed to be protected and encouraged the development of green space in the Town.

Ms. MB Hague, resident of Bourne Drive and representing the Jupiter Inlet Foundation, explained the importance of controlling the quality of runoff water and how it affects the Loxahatchee River and Intercoastal. She hoped the Town would consider changes to the Municipal Code to include green infrastructure solutions in order to protect low lying and coastal areas plus reduce pollution.

Councilor Schneider commended the Utilities Department for an outstanding project planning.

Vice-Mayor Delaney thanked Staff and felt anything the Town could do to reduce nutrients and pollutants in the water was important. He reiterated the importance of having clean waters for a way of life and tourism.

Mayor Kuretski stated for the record, he would not support the Resolution due to the amount being spent. He noted he had advocated for stormwater utilities for years but that Staff needed to look into the funding mechanism and a special assessment district. He said on the water side, he supported a number of projects but didn't support the timing of doing projects before they were due. He suggested the Town should pursue other cost-effective options.

REGULAR AGENDA

PUBLIC BUSINESS

7. Resolution 60-22

Councilor Schneider moved to approve Resolution 60-22; seconded by Vice-Mayor Delaney; motion passed.

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| Kuretski No | Delaney Yes | Schneider Yes |
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PRESENTATION

8. Strategic Initiative update - removal of derelict and at-risk vessels from Jupiter’s waterways.

Chief England gave a brief presentation to update the strategic initiative to remove derelict and at-risk vessels from Jupiter’s waterways. He highlighted: derelict and at-risk definitions; removal process; seagrass scaring and penalties; the “Blue Moon” vessel being questioned; public mooring fields; monitoring process; and vessels already removed.

Mayor Kuretski thanked the team for their diligence and good work.

Councilor Schneider also thanked the team for their efforts. She asked if anchoring limited zones had been studied since mooring fields were not practical. Officer Gundlach, Marine Patrol, said those were set by the County and there was only a certain portion of the county waters eligible for the zones. Chief England added there had to be a certain size area outside the navigable channel.

Councilor Schneider asked if any other tools could be used in these situations. Chief England said the waterways were governed by the Federal government but States had authority to oversee the laws. The States preempted allowing municipalities to create laws and as it stood, vessels were able to anchor outside navigable channels.

Vice-Mayor Delaney noted he had brought up the initiative and thanked the police department team for all the work. Chief England explained when the three hurricanes came through there were many damaged vessels throughout the County and it took a long time to establish protocol and funding sources. The Florida Fish and Wildlife (FWC) Commission has streamlined the process.

Vice-Mayor Delaney asked what the cost was to remove a vessel. Chief England used a large sailboat as an example and said it was about \$25,000.

Mayor Kuretski discussed specific action plans within the strategic initiative. He mentioned reviewing Town codes to identify opportunities, prohibiting commercial vessels from overnight anchoring and prohibiting overnight storage of kayaks and dinghies along the shore line along with bikes, which would discourage living on boats in the area. He felt all should be discussed.

PRESENTATION

8. Strategic Initiative update - removal of derelict and at-risk vessels from Jupiter's waterways.

Ms. Alyssa Freeman, Executive Director of the Marine Industries Association of Palm Beach County, said the Town had done a great job with initiative. She noted FWC recently approved a vessel title turn over program for at-risk vessels.

Mr. Bill Kelly, resident of Saturn Street, said he lived across the waterway from the "Blue Moon" a permanently anchored vessel with a full time resident. He stated his concerns with ownership, loud and crude behavior, lack of propulsion, lack of sanitation and elimination of sea grass.

Mr. Craig Mowrey, resident of Blanca Isles Lane, said he was very happy many derelict boats had been removed. He noted his concern with the sea grass on the Loxahatchee river just west of the railroad bridge, north of Marlin Drive. Mr. Mowrey said on weekends boats are anchoring between the buoy markers indicating no anchoring. He asked for that to be addressed.

Councilor Schneider asked if anything could be done to address the "Blue Moon" concerns. Chief England said he could do more research but noted one challenge was Florida Statute (FS) 327.60 preventing from the Town from enforcing regulations on the intercoastal waterway. He said he was also frustrated but everything that could be done by law had been done.

Regarding Mr. Mowrey's concerns, Chief England noted patrols monitored the sand bar every weekend and made sure laws were followed.

Mayor Kuretski discussed the public mooring fields and additional regulations for access to landing fields, which could be a way to discourage anchoring in the Jupiter area. He suggested moving ahead with regulations for commercial vessels. Council unanimously agreed.

Sergeant Bujanowski said the commercial vessel near the "Blue Moon" was registered but did not have hull numbers on it. He said several citations had been issued and paid. He stated there was a common goal and the Police department had stepped up patrols.

Vice-Mayor Delaney and Chief England discussed the commercial vessel. Chief England confirmed the bait trap on board was legal. Vice-Mayor Delaney brought up the "Blue Moon" and mentioned it looked like the sails were inoperable. Chief England said the law was conflicted and if propulsion were questioned, the anchor lifted and then the boat drifted, the officer could be liable for damages.

Mayor Kuretski suggested writing legislators regarding the conflicts in the law. Council unanimously agreed. Mr. Baird mentioned working with Jupiter's representative asking to sponsor something in the Palm Beach County legislative delegation and the delegation could ask the State to address the issues.

REPORTS

TOWN ATTORNEY

- Memos to Council – Mr. Baird stated he would be sending several memos regarding Sunshine Law, rent notice ordinances, and opinion on text and public records for Council's review.

TOWN MANAGER

- Community Redevelopment Agency (CRA) meeting – Mr. Kitzerow stated the CRA meeting would be rescheduled for October 20, 2022.
- Assisting the West Coast - Mr. Kitzerow thanked Utility and Police department Staff who went to the West coast to assist the victims of hurricane Ian.
- Jupiter Fire Municipal Service Taxing Units (MSTU) - Mr. Kitzerow stated there would be a presentation at the November 1, 2022 Council meeting. He also mentioned he had a meeting with the Fire Chief the day before and they were working towards a resolution.

Vice-Mayor Delaney asked how Council could show appreciation for Staff that was assisting on the West coast.

Mr. Kitzerow stated he planned to bring the Staff in front of Council to show appreciation.

Mayor Kuretski noted the Town could be eligible for Federal reimbursement for cost accrued while assisting the hurricane victims.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR SCHNEIDER

- Living Shoreline Project – Councilor Schneider asked for more information regarding the Bureau of Land Management's plan for a living shoreline project by the Lighthouse.

MAYOR KURETSKI

- Affordable Housing referendum – Mayor Kuretski stated he had not received the presentation regarding the affordable housing referendum.

Ms. Kate Moretto, External Assistant Director, stated Staff was confirming with the County to make sure the exact educational material would be covered in the presentation.

Mayor Kuretski stated if that information was confirmed, the Town could offer the Community Center as a venue to make sure the public was informed on the topic.

Councilor Schneider clarified the County would not be doing the presentation but the group advocating for the referendum.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

MAYOR KURETSKI

- Jupiter River Estates canal vegetative cleaning – Mayor Kuretski spoke regarding the Jupiter River Estates canal vegetative cleaning and advocating for a special assessment district.

Councilor Delaney stated he agreed with the Mayor’s stance and that it needed to be cleaned up.

Councilor Schneider stated she wanted to look at the policy matter regarding special assessments to make sure it wasn’t applied inconsistently.

ADJOURNMENT – 9:13 P.M.

Laura Cahill, Town Clerk