

**FINAL MINUTES AND AGENDA
TOWN OF JUPITER
TOWN COUNCIL SPECIAL MEETING
TOWN COUNCIL CHAMBERS
TUESDAY, NOVEMBER 15, 2022**

Mayor Kuretski called the meeting to order at 6:00 P.M.

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

REPORT
TOWN ATTORNEY

1. Recess for Attorney-Client Session to discuss the pending litigation in the case styled, Harbourside Place, LLC vs the Town of Jupiter and the Jupiter Community Redevelopment Agency.

At approximately 6:01 P.M. Mayor Kuretski recessed the Special Meeting for the private Attorney-Client Session.

RECONVENE COUNCIL SPECIAL MEETING

At approximately 7:36 P.M. Mayor Kuretski reconvened the Meeting. Those in attendance were Vice-Mayor Ron Delaney; Councilor Cameron May; Councilor Cheryl Schneider; Councilor Malise Sundstrom; Town Manager Frank Kitzerow; Town Attorney Thomas J. Baird and Town Clerk Laura E. Cahill.

Mr. Baird requested the Council to authorize the Town Manager to notice an Attorney-Client Session to discuss the pending litigation, styled Harbourside Place, LLC vs the Town of Jupiter and the Jupiter Community Redevelopment Agency on December 1, 2022 at 6pm.

Vice-Mayor Delaney moved to authorize the Town Manager to notice an Attorney-Client Session to discuss the pending litigation, styled Harbourside Place, LLC vs the Town of Jupiter and the Jupiter Community Redevelopment Agency on December 1, 2022 at 6pm; seconded by Councilor Cameron May; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

PROCLAMATION

2. National Nurse Practitioner Week – November 13-19, 2022.

Mayor Kuretski read and presented the proclamation to Ms. Jennifer Kuretski and Ms. Kim Gunn.

Ms. Jennifer Kuretski thanked the Town for its support and service to the Community.

CITIZEN COMMENTS

Mr. Jeff Sabin, Government Affairs Director at Waste Management, discussed Staff's outstanding work and involvement with collecting recyclable waste from the beach.

MINUTES

3. October 20, 2022 Town Council Special Meeting Minutes (continued from 11/1/22) and November 1, 2022 Town Council Special Meeting Minutes.

Vice-Mayor Delaney moved to approve the October 20, 2022 Town Council Special Meeting Minutes and November 1, 2022 Town Council Special Meeting Minutes; as amended; seconded by Councilor Cheryl Schneider; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
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 Schneider pulled item 4

Councilor Cameron May moved to approve the Consent Agenda; as amended; seconded by Councilor Sundstrom; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

PUBLIC HEARING

4. **Ordinance 12-22, first reading.** Consenting to continue the inclusion of Jupiter in the Jupiter-Municipal Service Taxing Unit (MSTU) to finance the provision of fire-rescue services by Palm Beach County Fire/Rescue. (Second reading 12/6/22). **MOVED TO REGULAR AGENDA.**

PUBLIC BUSINESS

5. Approving a purchase order to Merichem for fiscal year 2023 Reverse Osmosis (RO) Odor Control and Water Treatment in the amount of \$118,320.
6. Approving a purchase order for procurement of water meters and meter appurtenances from Empire Pipe and Supply, the sole source supplier in the state of Florida for Master Meter, Inc. in the amounts of \$713,651.26 for fiscal year 2023.
7. **Resolution 77-22.** Approving contract award recommendation to Innovative Masonry Restoration, LLC for structural repairs and improvements in the Reverse Osmosis (RO) Clearwell at the Town’s water treatment plant in the amount of \$598,630.
8. **Resolution 93-22.** Approving fiscal year 2022 year-end budget amendments.
9. **Resolution 95-22.** Approving contract award recommendation to Sunshine Land Design, Inc. for Stormwater Utility Swale Rehabilitation Unit Price Contract (S2315).
10. **Resolution 103-22.** Approving award of EPW 2022-33, Miscellaneous Concrete to Sunshine Land Design in an amount not to exceed \$122,364.
11. **Resolution 107-22.** Approving contract award recommendation with Song & Associates, Inc. for architectural design and engineering services for Water Treatment facility (WTP) hardened training facility and server room improvements (W2007).

ITEMS MOVED FROM CONSENT AGENDA TO REGULAR AGENDA:

4. Ordinance 12-22, first reading. Consenting to continue the inclusion of Jupiter in the Jupiter-Municipal Service Taxing Unit (MSTU) to finance the provision of fire-rescue services by Palm Beach County Fire/Rescue. (Second reading 12/6/22).

Councilor Schneider clarified the item was the first step in the process and the Town still had to work on the Interlocal Agreement and finalize the details.

Councilor May stated the item established that the Town wanted to continue the MSTU as a funding source for taxes and asked if there had been a response from the County.

Mr. Kitzerow stated the County had gave a response and this was step one. He mentioned the second part of the process would be to negotiate the Interlocal Agreement.

Councilor Sundstrom moved to approve Ordinance 12-22; First Reading; seconded Vice-Mayor Delaney; motion passed.

Title read by Mr. Baird.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

REGULAR AGENDA

PUBLIC HEARING

12. Bear’s Club – CONTINUED TO 1/17/23 MEETING

- A. **Ordinance 2-22, Second Reading, Planned Unit Development (PUD) Amendment - Quasi-judicial** - Amendment for the Clubhouse and Cottage Site (Phase 1B) located within a 400.9 ± acre property, south of Frederick Small and west of Palmwood Road, known as the Bear’s Club PUD to add a freestanding Fitness Center Building Site and to request waivers to setbacks, lot coverage, wall height, minimum lot area and parking. (Continued from 10/20/22)
- B. **Resolution 7-22, Fitness Center - Quasi-judicial** - Site plan application to construct a freestanding clubhouse fitness center on a 0.21 ± acre property located south of the Bear’s Club Villas Condominium (Cottages). (Continued from 10/20/22)
- C. **Resolution 5-22, Duplex Golf Cottages - Quasi-judicial** - Site plan application to construct three residential duplex buildings with a total of six dwelling units on a 1.06 ± acre property located south of the Bear’s Club Villas Condominium (Cottages). (Continued from 10/20/22)

Councilor Sundstrom moved to continue to January 17, 2023 Meeting; seconded Vice-Mayor Delaney; motion passed.

Kuretski	Delaney	May	Schneider	Sundstrom
Yes	Yes	Yes	Yes	Yes

REGULAR AGENDA

ROUNDTABLE

13. Evaluation and Appraisal Report (EAR) amendments.

Mr. Martin Schneider, Principal Planner, gave a brief presentation regarding the Evaluation and Appraisal Report (EAR) based amendments which were part of the comprehensive plan. He discussed updates to maintain consistency with new State requirements on a seven-year cycle, an EAR notification letter to the Department of Economic Opportunities (DEO) and a summary of the May 3, 2022, meeting.

Mr. Schneider explained Staff was seeking direction on: the conservation/recreation land use approach; workforce housing; accessory dwelling units; and supermajority voting.

Mayor Kuretski stated he would like to wrap up the conservation/recreation land use within a year. He also wanted to see a list of the 193 areas listed by acre size. He noted Abacoa was mixed-use and the stadium was recreational use.

Ms. Stephanie Thoburn, Assistant Director of Planning and Zoning, stated Abacoa was mixed-use with a subdistrict of recreation. She said she would provide a list in the weekly update.

Councilor Sundstrom felt the conservation/recreation land use approach was a priority but did not feel it needed to be part of the EAR amendment.

Mr. Schneider discussed three recommended approaches to the workforce housing program.

Mayor Kuretski requested a roundtable discussion on how to use the Town's Housing Trust Funding.

Councilor Sundstrom agreed with the Mayor's comments and felt it would be good to discuss challenges and to inform residents in greater detail.

Vice-Mayor Delaney mentioned previous discussions about rehabbing current homes and working with an outside agency to collect rent and run the operation.

Ms. Thoburn stated the Town had contemplated rehabbing but not in the initial stages. She explained it would end up costing more than building new. She said as a government agency the Town would not want to be in the housing business and it would be better to get a third party with the experience to oversee operations.

Mr. Schneider asked if the linkage fee should be reevaluated during the EAR process. He noted it was \$1.00 for every square foot over 10,000 square foot of gross area. He said Staff was recommending hiring a consultant to review it and stated the City of Palm Beach Gardens (PBG) had just hired a consultant to do a review and as a result, set a linkage fee cap.

Mayor Kuretski asked Staff to research information PBG had used during their process.

REGULAR AGENDA

ROUNDTABLE

13. Evaluation and Appraisal Report (EAR) amendments.

Ms. Thoburn stated she would gather the information for the next roundtable.

Councilor Sundstrom asked if Staff was recommending the linkage fee be included in the EAR amendments.

Mr. Schneider stated it would only be evaluated as part of the process.

Mr. Schneider discussed the encouragement to increase availability of accessory dwelling units (ADUs) per Section 163.31771.

Mayor Kuretski spoke regarding areas where residential parking was difficult for residents. He believed ADUs would not fit everywhere and would need to be investigated further.

Councilor Sundstrom was encouraged by the types of regulations in other locations.

Councilor Schneider stated Council would also need to be mindful of homeowner association rules and descriptions.

Mr. Schneider discuss supermajority voting. He explained a minimum of four members of Council were currently required for some elements and asked if there were other specific element areas that should require a supermajority.

Mayor Kuretski said he would like to see a supermajority required for changes in land use including from conservation or recreation. *LC 12/6/22*

Mr. Schneider moved on to refinements and updates. He said Staff recommended amending the conservation and coastal elements to enhance seagrass protection and encourage living shorelines. He also noted adding a policy to investigate a sustainability plan to address environmental concerns and guide resiliency strategies.

Mayor Kuretski discussed sea level rise being addressed in the coastal element and sustainability plan. Councilor Schneider agreed and mentioned inland flooding as well. Ms. Thoburn said a vulnerability assessment could be done and the results could be presented to Council.

Mr. Schneider mentioned five other language changes in various elements to update the EAR: water master plan update; a conservation policy update regarding green building standards; removing a future land use element related to a small mixed-use zoning district; a recreation element updates and adding a transportation element policy for Vision Zero.

Mayor Kuretski discussed the level of service standards for pickleball in the recreation element. He asked for more information on how many courts were currently available.

Mayor Kuretski asked if the transportation element mentioned a tri-rail station. Ms. Thoburn stated there was a map indication for a potential station. Mayor Kuretski asked for an update for the current Council.

REGULAR AGENDA

ROUNDTABLE

13. Evaluation and Appraisal Report (EAR) amendments.

Mr. Schneider noted Staff would follow up with recommendations for specific policy changes in early Spring of 2023.

Councilor Schneider said she wanted to review and address the land development regulations in the Community Redevelopment Agency zone. Councilor Sundstrom agreed and felt the current vision may be better aligned.

14. Roger Dean Chevrolet Stadium Major Renovations and Improvements Funding Discussion.

Mr. John Sickler, Director of Planning and Zoning, gave a brief presentation which included: history of the Stadium Renovation Request and Town Council actions related to the proposed Stadium improvements; May 12, 2022 Town Council Workshop highlights; Primary Funding options; Town of Jupiter agreement with Jupiter Stadium (JSL) and the Jupiter Funding agreement.

Councilor Schneider mentioned that the Stadium entry upgrades and the idea of adding public art would be important if the Town decided to contribute. She felt it would make it a better experience for everyone.

Councilor Sundstrom spoke about the Town's contribution to the stadium including the 25 acres, regular maintenance, and security. She also mentioned the source of funding and the concerns regarding the previous list of improvements not directly benefiting the public. She stated the improvement to the stadium entry and public art would be a benefit to the Town. She also mentioned the letter from Palm Beach County (PBC) was received by Council around 4:15pm and she had not had a chance to digest it.

Councilor Sundstrom also stated the quad maintenance made sense due to the Town owning them.

Mayor Kuretski mentioned he took a stadium tour and learned about the quad. He spoke about the bed tax revenues and the value of the Town's contribution including the 25 acres, infrastructure and the ability to conduct tournaments. He stated he was committed to do renovations and lighting replacements so the collection of bed taxes could continue for the next 25 years. He added he did not dwell on the stadium entry improvements and public art as much.

Vice-Mayor Delaney also spoke about tax revenues and the lighting replacement.

Mayor Kuretski discussed lighting replacement and asked for a cost estimate.

Vice-Mayor Delaney stated he supported improving the assets the Town already owned and items that were a direct public benefit.

Councilor May also mentioned tax dollars paid by the residents should be used to directly benefit them and that he was inclined to invest and upgrade the Town's infrastructure.

REGULAR AGENDA

ROUNDTABLE

14. Roger Dean Chevrolet Stadium Major Renovations and Improvements Funding Discussion.

Councilor Schneider stated it would be important to see the funding plan.

Mayor Kuretski stated his concerns with cost estimates and that it was up to Council to decide the total funding amount. He also mentioned the annual contributions made by the Town and asked Staff to give Council that yearly cost.

Mr. Kitzerow mentioned Staff had presented the \$2.5 million based on the data received for the recommended items that would add value to the Town.

Mr. Sickler reiterated the \$2.5 million estimated by Staff included \$1.4 million of renovation improvements of the field house and the lighting, \$441,000 for the stadium entry upgrades, and \$650,000 for the public art.

Mr. Kitzerow stated the funding plan would be brought back for Council's consideration.

REPORTS

TOWN ATTORNEY-NONE

TOWN MANAGER

- Live webcam – Mr. Kitzerow mentioned a live webcam was set up to view the Town's Veteran's memorial.
- New Town Hall groundbreaking ceremony - Mr. Kitzerow stated the groundbreaking ceremony would be on Friday, December 9, 2022 at 9am.

Mayor Kuretski emphasized welcoming all employees to the ceremony.

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

COUNCILOR MAY

- Car carriers – Councilor May mentioned the car carriers were back and were causing traffic issues due to where they were parking. He asked if the Town could enforce or prohibit them from parking in certain areas that were blocking the roadways.

COUNCILOR SUNDSTROM

- Supporting small businesses – Councilor Sundstrom spoke about the weekly report that mentioned the October 27, 2022 Business advisory Council and participating in the Government Affairs Committee to make sure the Town supported its' small businesses and the business community as a whole.
- Senior Citizen Holiday care package drive - Councilor Sundstrom mentioned the Jupiter Police department and Neighborhood Services were collecting items through December 7, 2022 for the Town's Senior Citizen Holiday Care Package Drive. The donation box would be located in the Police department lobby.

REPORTS

TOWN COUNCIL – LIAISON REPORTS AND COMMENTS

VICE-MAYOR DELANEY

- Election – Vice-Mayor Delaney stated he and Councilor May ran unopposed and therefor were re-elected for another three-year terms. He mentioned the Town saved approximately \$190,000 by not having an election. He also stated it was an honor and a pleasure serving on Council.

Councilor May also thanked the public and hoped that it meant they were doing a good job on Council.

Mayor Kuretski, Council Schneider and Councilor Sundstrom congratulated them on their re-election.

MAYOR KURETSKI

- Veteran’s Memorial ceremony – Mayor Kuretski thanked Staff for their efforts with the event.

ADJOURNMENT- 9:38 P.M.

Laura Cahill, Town Clerk