

MINUTES  
TOWN OF JUNO BEACH  
**TOWN COUNCIL REGULAR MEETING**

April 22, 2015  
Council Chambers  
340 Ocean Drive

PRESENT: MORT LEVINE, MAYOR  
ELLEN ANDEL, VICE MAYOR  
BILL GREENE, VICE MAYOR PRO TEM  
JASON HASELKORN, COUNCILMEMBER  
JIM LYONS, COUNCILMEMBER

ALSO PRESENT: JOSEPH LO BELLO, TOWN MANAGER  
LEONARD RUBIN, TOWN ATTORNEY  
VANESSA M. DUNHAM, TOWN CLERK  
MATTHEW PAZANSKI, FINANCE DIRECTOR  
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS  
PAUL FERTIG, LIEUTENANT

Mayor Levine called the Town Council regular meeting to order at 5:30 pm.

Audience: 18

- ~ CALL TO ORDER
- ~ INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG
- ~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA - None

1. COMMENTS FROM THE PUBLIC  
Public Comments Opened at 5:34 PM

Lynn Lyons, 451 Apollo Drive, presented a beautiful plant to the Town on behalf of her students in the Congressional Award Program and their parents. Mrs. Lyons stated that her students are very thankful to the members of Town Council and Town Staff for their hospitality.

Mayor Levine thanked Ms. Lyons for her inspiring work.

John Flynn, 50 Celestial Way, Apartment 207, stated that he was presenting the Council with a bold idea. He was proposing greater access to the Town beach by way of a boardwalk. He stated that this boardwalk would give the elderly and the handicapped greater beach access. He would like the Council to look into this idea and work with Palm Beach County and the state for funding.

Nick Webster, 351 Zenith Lane, stated he would also like the Council to look into the boardwalk proposal and suggested that the name of this boardwalk be "Juno Beach Ocean View". He stated that every beachside community has a personality, and the "Juno Beach Ocean View" could be Juno Beach's personality.

Anne Bosso, 765 Hibiscus Avenue, stated that at the last meeting she requested that staff look into the RMT zoning district setbacks as well as the open house signage. She wanted an update on her request.

Public Comments Closed at 5:48 PM

2. **CONSENT AGENDA**

*All matters listed under Item 1, Consent Agenda, are considered to be routine by the Town Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A. Consider approving the February 27, 2015 Special Town Council Meeting Impasse Public Hearing minutes.
- B. Consider approving the March 25, 2015 Board of Adjustment and Appeals Hearing minutes.
- C. Consider approving the March 25, 2015 Town Council Meeting minutes.
- D. Selection of Voting Delegate for the Florida League of Cities 2015 Conference and Selection of Voting Delegates for the Palm Beach County League of Cities Meetings.
- E. Proclamation – National Public Works Week.
- F. Proclamation – Police Week and Peace Officers Memorial Day.
- G. Special Event Request – Town of Jupiter - Turtle Trot 5K Run.

***MOTION:*** Lyons/Greene made motion to approve the consent agenda.

***COUNCIL ACTION:*** The motion passed 5-0.

3. **AUDIT REPORT FY 2014– REVIEW AND DISCUSSION**

Mark Veil, CPA, Caler Donten, Levine, Druker, Porter & Veil, P.A., presented the Town's Comprehensive Annual Financial Report and reviewed the revenues and expenditures for the fiscal year ending September 30, 2014. Mr. Veil provided the Council with a brochure of the highlights (*brochure attached*).

Councilmember Haselkorn stated that on page 28 of the Report, there is a reference under the Noncurrent Liabilities to Compensated Absences and OPEB Liability, which are characterized as total long-term debt and net long-term debt. He stated that it is his understanding that the Town is debt free and wouldn't want this description to be misleading.

Mr. Veil explained that when you talk about debt, it is typically a long term debt where you make monthly payments and the debt has a maturity date. The reference on page 28 relates to the accruals that are paid when an employee leaves the Town. There is no maturity date.

Mayor Levine questioned if that section could be classified as something other than debt as the Town Council is very proud to be a debt free municipality.

Mr. Veil stated that he wouldn't recommend that as the Town could run into issues with the Government Finance Officers Association and the Certificate of Achievement, but that was no problem with Council Members stating that the Town is free of municipal debt.

Councilmember Lyons questioned if there was there anything that the Town is doing or not doing that Mr. Veil and his associates noticed during the audit.

Mr. Veil stated that the Town is doing everything correctly.

Mayor Levine thanked Mr. Veil for his report.

4. **REQUEST FOR PLAT APPROVAL – OCEAN WINDS**

Mayor Levine stated that staff's memorandum, presentation and all back-up materials would be placed into the record.

Mayor Levine questioned whether there had been any changes since the staff memorandum was sent out.

Town Manager Lo Bello stated that there have not been any changes, but staff would like to make one minor change to the motion.

Town Manager Lo Bello stated that there is a discrepancy on the plat's legal description that David Cox brought to the Town's attention. He stated that staff would recommend approving the plat contingent on staff researching this issue, and taking any necessary corrective action.

Anne Bosso, 765 Hibiscus Avenue, she stated Mr. Cox is concerned about the base line being off. She added that the plat is correct and there is no discrepancy. She said that Mr. Cox is using a survey from 2002 and he should be looking at the prior plat recorded in 2005.

David Cox, 911 Ocean Drive, stated that he was correct and the survey is off by 1 degree. He submitted a letter to be entered into the record (*letter attached*).

Mayor Levine stated that all the documents would be made a part of the record and will be reviewed by staff for a final determination. Mayor Levine stated that once staff has come to a conclusion, staff will contact all the parties involved in this matter.

***MOTION:*** *Greene/Andel made motion to approve the proposed re-plat for Ocean Winds, subject to any final technical comments prior to recordation and subject to resolving any discrepancies in the plat's legal description as determined by staff.*

***COUNCIL ACTION:*** *The motion passed 5-0.*

5. **SELECTION OF ALTERNATE TO THE PLANNING AND ZONING BOARD**

Mayor Levine stated that at the last Council meeting, Council requested to delay selecting an alternate member to the Planning and Zoning Board, to this meeting.

Mayor Levine opened up nominations for an alternate member to the Planning and Zoning Board.

Councilmember Lyons nominated Paul Shea to be the alternate to the Planning and Zoning Board.

*All approved the appointment of Paul Shea to the Planning and Zoning Board as an alternate member.*

6. **SELECTION OF THE CHARTER REVIEW COMMITTEE**

Mayor Levine stated that Council had received the memo from Town Clerk Dunham and added that this memo would be placed into the record. He stated that the Town is required to review the Town Charter every 5 years. He stated that he would like each member of the Council to be able to appoint 2 members of public to the Charter Review Committee without final approval by the entire Council being required.

*Council was agreeable to this request.*

Mayor Levine stated that the Town Attorney would be the advisor to this Committee.

Councilmember Lyons appointed Tom Doyle and Chris Roe.

Councilmember Haselkorn appointed Bill Kollmer and Dan Corbett.

Vice Mayor Pro Tem Greene appointed Jerry Wilson.

Vice Mayor Andel stated that her appointments were taken and she had no one to appoint at this time.

Mayor Levine appointed Anne Bosso and Pat Bickford.

Mayor Levine questioned when the Committee will meet and the timeframe that Town Clerk Dunham had established for this Committee.

Town Clerk Dunham stated that she would like to schedule the meetings in May, starting on May 4<sup>th</sup>. She stated that the Committee will probably only need to meet a few times so the Committee should be able to wrap up in May and bring its recommendations to Council in June. Town Clerk Dunham stated that she would like to get any charter amendments to the Supervisor of Elections by August/September.

Town Attorney Rubin stated that the deadline for ballot questions for the March election is December 11<sup>th</sup>.

7. **COMMENTS FROM TOWN MANAGER**

Town Manager Lo Bello stated that staff would like to schedule the next Council meetings on the following dates: May 27<sup>th</sup>, June 10<sup>th</sup> and July 22<sup>nd</sup>.

*Council was agreeable to these dates.*

Town Manager Lo Bello stated that the Council Goal Setting Workshop is scheduled for this Monday, April 27<sup>th</sup> at 4 PM.

Town Manager Lo Bello stated that the next Town event is the Town Picnic scheduled for Friday, June 5<sup>th</sup>.

8. **COMMENTS FROM THE TOWN ATTORNEY**

No Comment.

9. **COMMENTS FROM STAFF**

Lieutenant Fertig stated that at the last Council meeting, Vice Mayor Pro Tem Greene requested that the Police Department emphasize enforcement of the speed limit on Ocean Drive. Lieutenant Fertig stated that the Police Department has issued 22 citations and 80 written warnings this past month and will continue to monitor the situation.

Lieutenant Fertig stated that the department again received a generous donation of \$15,000 from a resident. He stated that the resident would like to remain anonymous.

Councilmember Lyons requested to know what the department intends to do with this donation.

Lieutenant Fertig stated that they have not decided yet what to do with the funds.

Public Works Director Meriano stated that today is Earth Day and wished everyone a Happy Earth Day.

Public Works Director Meriano stated that the Town had a wonderful beach cleanup on April 18<sup>th</sup>. He stated that the number of volunteers was down but he added that the Loggerhead Marinelife Center also had a beach cleanup that day so that could be the reason why there were less volunteers for the Town.

10. **COMMENTS FROM COUNCIL**

Councilmember Lyons stated that he received a cold call from a realtor asking if he wanted to sell his house. He stated that he told the realtor he was not interested and she informed him that there are a large number of people wanting to move to Juno Beach with very little for sale.

Councilmember Haselkorn stated that the two items which Ms. Bosso brought up during her public comments have been placed on the agenda for the Goal Setting Workshop and will be discussed by Council this Monday.

Councilmember Haselkorn stated that at the Impasse Hearing, it was mentioned that the Town's Personnel Policy would be revised to include a reference to "just cause". He questioned the status on that revision.

Town Manager Lo Bello stated that staff is working on the revision and will likely be bringing it to Council in May.

Councilmember Haselkorn requested an update on the Waste Management hydraulic spill.

Town Manager Lo Bello stated that Waste Management requested 90 days to address the issue and staff was agreeable to this. He stated that staff will have an update after the 90 days have elapsed, which will be the end of May.

Vice Mayor Pro Tem Greene stated that the microphones that members of the public use do not sound good as the members of the public do not know to hold the microphone a few inches away. He requested that staff look into this.

Finance Director Pazanski stated that staff will look into this problem.

Mayor Levine recommended possibly putting an instructional card at the podium where members of the public stand to speak, stating that they should talk a few inches away from the microphone.

Vice Mayor Pro Tem Greene requested a status update on the new monitors.

Town Manager Lo Bello stated that Project Coordinator Dobbins is working on it right now and collecting bids.

Vice Mayor Andel stated that Frenchman's Harbor has sold out and was wondering if there is any talk of annexation.

Mayor Levine stated that the Town Ice Cream Social was wonderful and very well attended.

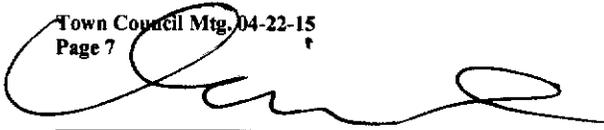
Mayor Levine stated that he would like to place the issue of RMT zoning district setbacks on the Planning and Zoning Board agenda. He stated that agenda items for the Planning and Zoning Board are set by either a board member request, council member request or by a council member seeking a consensus approval from the Council. He stated he would like a consensus approval of the Council for the Board to look into this issue.

The Council was agreeable to this request.

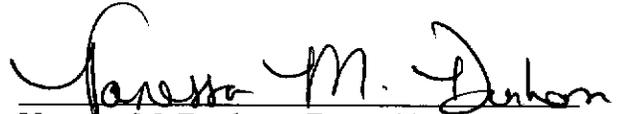
Mayor Levine stated that he attended the Palm Beach County League of Cities Luncheon/Meeting earlier today which was hosted by the City of Atlantis. He stated that it was board meeting as well as workshop after the meeting. He stated that at the meeting, it was mentioned that the Inspector General case would be appealed. He stated that the League also brought up a bill which is currently in the Legislature regarding amending comprehensive plans to include an element addressing the protection of property rights.

13. **ADJOURNMENT – 6:53 PM**

Mayor Levine adjourned the meeting at 6:53 PM



Mort Levine, Mayor

  
Vanessa M. Dunham, Town Clerk

**PRINCIPAL OFFICIALS**

(As of April 22, 2015)

**Morton J. Levine**  
*Mayor*

**Ellen D. Andel**  
*Vice-Mayor*

**William J. Greene**  
*Vice-Mayor ProTem*

**James R. Lyons**  
*Councilmember*

**Jason Haselkorn**  
*Councilmember*

**Joseph F. Lo Bello**  
*Town Manager*

**Matthew A. Pazanski**  
*Finance Director*

**We appreciate the opportunity to serve  
The Town of Juno Beach.**

***Should you have a question on the Town's  
Audited Financial Statements or any other  
matters, please feel free to call me directly  
at 832-9292.***

***Mark D. Veil***  
***Audit Partner***

The information presented has been derived from the Town's Financial Statements and information provided by the Town. It is not intended to be a complete financial report under U.S. generally accepted accounting principles.



**CALER, DONTEN, LEVINE,  
COHEN, PORTER & VEIL, P.A.**

TOWN OF

**JUNO BEACH**



FLORIDA

INCORPORATED 1953

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**FINANCIAL  
HIGHLIGHTS**

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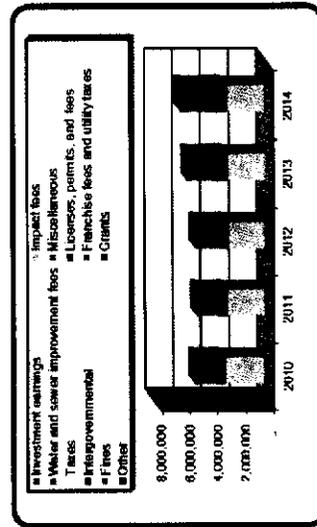
**For the Year Ended  
September 30, 2014**

## REVENUE AND EXPENDITURES

## FUND BALANCE

### REVENUE

The following graph presents General Fund revenues of the Town by source for the last five (5) years.



Total General Fund revenues for the year ended September 30, 2014, were \$5.9 million. This represents an increase of \$397,000, or 7.1%, when compared with the prior year.

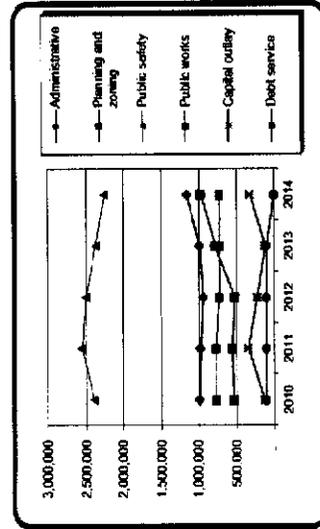
Total Town revenues have increased approximately \$1,016,000 or 20.6% since 2010. Decreases in taxes (\$189,000); fines (\$69,000); and investment earnings (\$66,000) offset by increases in licenses, permits and fees (\$866,000); franchise fees and utility taxes (\$136,000); grants (\$52,000); impact fees (\$37,000); and miscellaneous (\$231,000) account for the major portion of the change in total revenues.

The assessed value of real and personal property was \$1.147 billion, a decrease of \$112 million, or 9%, since 2010.

The General Fund millage rate adopted for the 2013/2014 fiscal year (2.7990) has decreased slightly since 2010.

### EXPENDITURES

The following graph presents general fund expenditures of the Town by function for the last five (5) years.

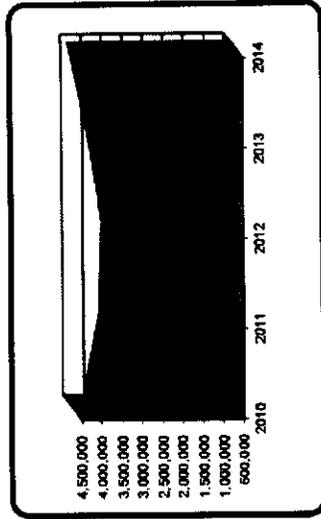


Total General Fund expenditures for the year ended September 30, 2014, were \$5.4 million. This represents an increase of \$349,000, or 6.9%, when compared with 2013. This is primarily a result of increases in administrative (\$175,000); planning and zoning (\$191,000); and capital outlay (\$193,000), offset by decreases in public safety (\$116,000) and debt service (\$96,000).

Total Town expenditures have increased approximately \$515,000 or 5.1% since 2010. Increases in administrative (\$168,000); planning and zoning (\$438,000); and capital outlay (\$189,000), offset by decreases in public safety (\$137,000); public works (\$46,000); and debt service (\$97,000) account for the major portion of the change in total expenditures.

The Town paid off its bonds in 2013 and is currently debt free.

The following graph presents the trend in assigned and unassigned fund balance for the last five years.



Assigned and unassigned fund balance at September 30, 2014, was \$4,484,000 including \$575,000 assigned to the subsequent year's budget.

Unassigned fund balance was \$3,909,000 and represents 73% of the 2014 actual budgetary basis expenditures, or approximately 266 days of working capital.



Copy

**Juno by the Sea North Condominium Association (The Manor), Inc.**  
911 Ocean Drive, Juno Beach, FL 33408  
Phone 561.626.6088 Fax 561.290.8229

April 22, 2015

Town Planner Ruben Cruz  
Town of Juno Beach

RE: Replat Discrepancies Ocean Winds Survey

Dear Ruben,

I hope you had a relaxing week vacation. We missed you at tonight's Council Meeting. The Council voted to provisionally approve the plat pending resolution of the discrepancy concerning the parameters of the centerline of the Old Ocean Drive Abandoned ROW. Mayor Levine and Town Manager LoBello assured me that we would receive advance notice of the assessment by staff of the documents I submitted into the record and we will receive an explanation of the reasoning for their decision.

The difference between the current survey by Magellan AKA Dearlove & Associates and our survey:

- According to Ms. Bosso, Magellan followed a survey by Daniels who did the first plat for Ocean Winds circa 2005 and it was approved and recorded by the Town. It shows the centerline at N 21° 53' 55" W.
- My evidence shows that the Town approved and recorded the original plat for Ocean Ridge by Mixon showing the centerline as N 22° 22' 51" W. In addition, the Town approved and recorded our plat and utility easement in the abandoned ROW showing N 22° 22' 51" W. Furthermore, Dearlove & Associates AKA Magellan, themselves, gave us their drawn utility easement sketch in the ROW showing N 22° 22' 51" W and they did a Boundary and TOPO Survey for Ocean Ridge showing N 22° 22' 51" W.

So the crux of the matter is, did the Town approve the correct centerline designation originally done for Ocean Ridge and The Manor that Dearlove & Associates concurred with?

Did Daniels make a mistake that the Town did not catch when they approved the original plat for Ocean Winds?

It is our belief that Magellan AKA Dearlove & Associates is compounding a mistake by Daniels and contradicting Dearlove's own previous conclusion that was approved by the Town.

Did the Town Surveyor and Engineer look extensively enough at all the different surveys of this 353' long line to come up with the right conclusion? That is all we are asking to be explained to us.

Please call with any questions. We appreciate the opportunity to quickly resolve this matter now that all the evidence is available. I would like to meet with you briefly for 15 minutes to go over the documents. If Monday is available that would be great. If not, can we meet Tuesday?

Thank you for your assistance with this matter. We appreciate your time, effort and support.

Very truly yours,  
*David Cox*, VP  
626-6088

cc: Frank Davila  
Joe Lo Bello  
Len Rubin