

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

March 25, 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  
RUBEN CRUZ, DIRECTOR OF PLANNING & ZONING  
ANDREA DOBBINS, PROJECT COORDINATOR  
MATTHEW PAZANSKI, FINANCE DIRECTOR  
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS  
BRIAN SMITH, CHIEF OF POLICE

Mayor Levine called the Town Council regular meeting to order at 5:42 pm.

Mayor Levine explained that the reason for this meeting's late start was that there was a Zoning Board of Adjustment and Appeals Hearing prior to the Council meeting. The Invocation and Pledge of Allegiance to the Flag were said at that meeting.

Audience: 20

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

1. SWEARING IN NEWLY ELECTED COUNCIL MEMBERS  
Town Clerk Dunham swore in Bill Greene and Mort Levine as Council Members.

2. COMMENTS FROM THE PUBLIC  
Public Comments Opened at 5:45 PM

Anne Bosso, 765 Hibiscus Avenue, stated that she had a few issues to discuss. First, she wanted to see if the Town would consider allowing directional signs for open houses and garage sales on Ocean Drive and US Highway 1. She added that it would also help to change the hours for when garage sale signs and open house signs can be displayed. She stated that most people go to garage sales early in the morning and open houses can last until 6 pm, especially during the summer. The Town currently allows for signs to be displayed between the hours of 10 am and 4 pm.

Ms. Bosso also mentioned the RMT zoning district and setbacks. She stated that the side setbacks for the RMT zoning district are 10 feet. She stated that with a 10 foot setback and 50 foot lot, you can only build a 30 foot house. Ms. Bosso stated that this is hurting property values and it is making it extremely hard to sell homes, especially on Hibiscus Avenue.

Mayor Levine asked Ms. Bosso what setbacks she would recommend for the RMT zoning district.

Ms. Bosso stated that she would recommend 5 feet on each side.

Ms. Bosso stated that the final thing she wanted to mention was the Council's selection of Mayor. She stated that she wanted to support the selection of Mort Levine as Mayor. She stated that he has unselfishly dedicated his time to the Town and has been an excellent Mayor for the past several years. She stated that she would like him to stay Mayor and urged the other Council Members to support this.

Steven Pinard, 370 Apollo Drive, stated that he was in favor of Mort Levine remaining as Mayor. He stated that Mort's willingness to stand up for what is best for the Town is exactly what we need for a Mayor and wants the leadership to stay this way.

Bob Hamilton, 220 Celestial Way, stated that he and his wife fully support Mort Levine as Mayor.

Barbara Wittenberg, 80 Celestial Way, stated that she fully supports Mort Levine as Mayor. She stated that she heard that some people wanted to change the position and take the Mayor's title away from Mort. Ms. Wittenberg also stated that she believes that many residents, when they voted during this past election, believed they were voting for Mort Levine as Mayor Levine, not just as a Council Member.

Nick Webster, 351 Zenith Lane, stated that he fully supports Mort Levine as Mayor.

Paul J. Martin, Jr., representing Future Energy Solutions, stated that he wanted to introduce his company to the Town which replaces street lights at no charge with energy efficient lights. He requested permission to speak with the Town Manager and Public Works Director.

Mayor Levine requested that Mr. Martin give his information to Town Manager Lo Bello.

Public Comments Closed at 5:58 PM

4. **COUNCIL MEMBERS TO SELECT MAYOR, VICE MAYOR AND VICE MAYOR PRO TEM**

a) Selection of Mayor -

Mayor Levine passed the gavel to Town Attorney Rubin.

Town Attorney Rubin opened nominations for the office of Mayor.

Councilmember Haselkorn nominated Councilmember Levine for Mayor.

Councilmember Haselkorn stated that his nomination is based on Councilmember Levine's body of work, which he has personally witnessed this past year. He stated that he has seen Councilmember Levine at various meetings and events and the level of commitment, passion and energy that Councilmember Levine puts towards the position of Mayor is the reason why he is nominating him as Mayor.

Councilmember Haselkorn also recommend that both candidates in this past election reach out to their opponents in order to strive to improve their position as Council Member.

Councilmember Levine accepted the nomination.

Having no further nominations, Town Attorney Rubin closed the nominations.

Councilmember Levine was unanimously elected Mayor.

Mayor Levine thanked Councilmember Haselkorn for his comments and the members of the Council for the confidence they have placed in him.

b) Selection of Vice Mayor –

Town Attorney Rubin passed the gavel back to Mayor Levine.

Mayor Levine opened nominations for the office of Vice Mayor.

Councilmember Greene nominated Councilmember Andel for Vice Mayor.

Councilmember Andel accepted the nomination.

Having no further nominations, Mayor Levine closed the nominations.

Councilmember Andel was unanimously elected Vice Mayor.

c) Selection of Vice Mayor Pro Tem --

Mayor Levine opened nominations for the office of Vice Mayor Pro Tem.

Councilmember Lyons nominated Councilmember Greene for Vice Mayor Pro Tem.

Councilmember Greene accepted the nomination.

Having no further nominations, Mayor Levine closed the nominations.

Councilmember Greene was unanimously elected Vice Mayor Pro Tem.

4. **RESOLUTION NO. 2015-01**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPOINTING THE MAYOR, VICE MAYOR, AND VICE MAYOR PRO TEM FOR THE UPCOMING YEAR; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Mayor - Mort Levine**  
**Vice Mayor – Ellen Andel**  
**Vice Mayor Pro Tem – Bill Greene**

*MOTION: Lyons/Haselkorn made motion to approve Resolution No. 2015-01.*

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

5. **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 Town Council Meeting minutes.
- B. Purple Day Proclamation – Epilepsy Awareness Day.

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

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

6. **REQUEST FOR SPECIAL EXCEPTION APPROVAL TO ALLOW ANTENNAS AND RELATED EQUIPMENT – SPRINT (AGENT) AND JUNO BY THE SEA NORTH CONDOMINIUM ASSOCIATION, THE TOWER, INC (OWNER) – (Quasi-Judicial)**

- A. Disclosure of Ex Parte Communications – None.
- B. Swearing in of Witnesses – Town Attorney Rubin swore in all witnesses.
- C. Staff Presentation –  
Mayor Levine asked Director of Planning and Zoning Cruz if there have been any changes since staff's memorandum and the applicant's application was posted on Friday.

Director of Planning and Zoning Cruz stated that there have not been any changes.

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

- D. Applicant Presentation –  
Anne Hall, Site Acquisition Agent with Powder River Development Services representing Sprint, 820 West Indiantown Road, Jupiter, stated that they are seeking a special exception to install antennas and related equipment at Juno by the Sea (the

Tower) located at 840 Ocean Drive. She stated the property presently has three rooftop antennas along with an equipment room and they would like to install three additional antennas.

Jason Laskey, representing Sprint, stated that they are not changing any equipment inside and the additional antennas will allow for faster data transfer.

Mayor Levine questioned the radiation that is emitted from these antennas. He stated that he was concerned specifically for the residents of the Tower.

Mr. Laskey stated that the residents of the Tower will not be affected by any radiation emitted from the antennas. He stated that the antennas emit a very low frequency and generally once you are 5 feet away, a person is not exposed to any radiation.

Mayor Levine questioned Mr. Laskey and Ms. Hall if they received staff's memorandum and if they were agreeable to the conditions set forth therein.

Mr. Laskey and Ms. Hall confirmed they received the documents and were agreeable to the conditions.

Councilmember Lyons stated that this item went before the Planning and Zoning Board and the applicant satisfied all the requirements. He stated that he would recommend approval of the special exception.

E. Public Comment –  
Public Comments Opened at 6:18 PM.

No Public Comment.

Public Comments Closed at 6:18 PM.

F. Council Discussion

Councilmember Haselkorn questioned if there was a need for the bond referenced in staff's condition number 6.

Town Attorney Rubin stated that with this particular application, there was likely no need for a bond.

Councilmember Haselkorn recommended changing number 9 of staff's conditions, removing the words "arising out of the installation process" so it would read as follows: "the applicant shall repair any damage to adjacent roadways and property within thirty days after notification by the Town."

Town Attorney Rubin stated that he will amend the special exception order to reflect this change.

G. Council Motion –

**MOTION:** *Lyons/Greene made motion to approve the request for Special Exception to allow three additional antennas and related equipment to be placed on the roof of*

*the Tower located at 840 Ocean Drive within Residential High Density (RH) Zoning District, subject to the conditions identified in staff's report, as amended.*

H. Council Action –  
*The motion passed 5-0.*

7. **SELECTION OF PLANNING AND ZONING BOARD MEMBERS**

Director of Planning and Zoning Cruz stated that it is that time of year where the members of the Council select their appointees to the Planning and Zoning Board.

Mayor Levine opened up nominations for regular members to the Planning and Zoning Board.

Councilmember Lyons nominated Warren Turner to the Planning and Zoning Board.

*All approved the reappointment of Warren Turner to the Planning and Zoning Board.*

Councilmember Haselkorn nominated Michael Stern to the Planning and Zoning Board.

*All approved the reappointment of Michael Stern to the Planning and Zoning Board.*

Vice Mayor Pro Tem Green nominated Jack Kneuer to the Planning and Zoning Board.

*All approved the reappointment of Jack Kneuer to the Planning and Zoning Board.*

Vice Mayor Andel nominated Don Felicella to the Planning and Zoning Board.

*All approved the reappointment of Don Felicella to the Planning and Zoning Board.*

Mayor Levine nominated Robert (Bob) Hamilton to the Planning and Zoning Board.

*All approved the appointment of Robert (Bob) Hamilton to the Planning and Zoning Board as a regular member.*

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

Vice Mayor Pro Tem Greene asked if Council had to appoint an alternate tonight.

Town Attorney Rubin stated that the Code requires an alternate member; however, this item can be put off to the next Council meeting.

Mayor Levine stated that this item would be brought back to Council at the next meeting.

8. **PURCHASE OF POLICE DEPARTMENT VEHICLES**

Mayor Levine stated that staff's memorandum and all back-up materials related to this item would be placed into the record.

Chief Smith stated that the Police Department currently has three vehicles that need to be taken out of service due to age, high mileage and service requirements. He stated that the vehicles consist of a 2007 marked patrol car previously assigned as a take home vehicle, a 2008 marked patrol car assigned as a line vehicle and a 2005 unmarked vehicle assigned as an aggressive driving enforcement vehicle. He stated that he was requesting purchasing two vehicles, thereby reducing the department's vehicle fleet. He added that the department would be piggybacking on the Florida Sherriff's Association contract.

Vice Mayor Pro Tem Greene questioned the mileage of the vehicles to be taken out of service.

Chief Smith stated that the 2005 had 128,000, the 2007 had 108,000 and the 2008 had 111,000.

Chief Smith also stated that the cost of maintenance for these vehicles is getting extremely high.

Vice Mayor Pro Tem Greene questioned how many vehicles the Town currently has.

Finance Director Pazanski stated that the Police Department has 17, the Public Works Department has 7 and Administration has 2.

Vice Mayor Pro Tem Greene requested a spreadsheet of all the Town vehicles with their mileage.

Councilmember Lyons asked Chief Smith the make of vehicles he was looking to purchase.

Chief Smith stated that they are looking to purchase Ford Interceptors.

Councilmember Haselkorn requested that the spreadsheet list the cost of repair for each vehicle and an estimate of the salvage value.

***MOTION:** Lyons/Greene made a motion to approve the funding of one outfitted marked vehicle and one outfitted unmarked vehicle at a total cost not to exceed \$65,000 from contingency and to piggyback on the Florida Sherriff's Association contract.*

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

9. **COMMENTS FROM TOWN MANAGER**

A) Goal Setting Workshop Dates

Town Manager Lo Bello stated that staff has spoken with Mr. Parilla and he has agreed to moderate the workshop again this year. Mr. Lo Bello recommended scheduling the workshop on either Tuesday, April 28<sup>th</sup> or Tuesday, May 12<sup>th</sup> at 4 pm.

*Neither of these dates work for Council. Town Clerk Dunham provided additional dates of April 27<sup>th</sup> and May 11<sup>th</sup>.*

*Council discussed the dates for the upcoming Goal Setting Workshop*

Councilmember Lyons suggested moving the time for the workshop to 5:30 PM.

The consensus of Council was to keep the time at 4:00 PM.

**MOTION:** *Greene/Lyons made motion to continue using Ralph Parilla and Associates as the moderator for the workshop, not to exceed \$3,000, and not go out to bid as it is not advantageous to the Town.*

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

Town Manager Lo Bello stated that the next council meeting would be April 22<sup>nd</sup>.

Town Manager Lo Bello stated that staff has an emergency repair with one the A/C units. He stated that staff is requesting approval from Council to fix the coils in the A/C unit at a cost not to exceed \$8,000.

**MOTION:** *Lyons/Greene made motion to approve repairing and replacing the A/C unit components not to exceed \$8,000.*

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

10. **COMMENTS FROM THE TOWN ATTORNEY**

Town Attorney Rubin stated that he sent a copy of the Final Judgment in the Inspector General litigation to the Council. Councilmember Lyons had a question regarding payment; however, the Judgment only addressed the legal authority and did not address payment. Additionally, the issue of payment is premature because of a likely appeal.

Mayor Levine stated that he attended the Palm Beach County League of Cities Luncheon and at the meeting, the League attorney stated that an appeal would be filed.

11. **COMMENTS FROM STAFF**

Chief Smith stated that the department was awarded an ultra-laser speed gun, with a value of approximately \$3,000, from the Florida Law Enforcement Challenge Program.

Chief Smith stated that this year's Juno Beach Police Awards were as follows: Andrew Lusavich received the Supervisor of the Year, Steven Smith received the Police Officer of the Year, James Kos received the Civilian of the Year and Roland Guay received the Volunteer of the Year.

Vice Mayor Pro Tem Greene stated that he would like the department to emphasize enforcement speed on Ocean Drive. He stated that he also likes seeing the police vehicles patrolling the residential streets.

Finance Director Pazanski stated that they have had great success with auctioning surplus items on GovDeals.com. He stated it is a nationwide organization and has been working very well.

Finance Director Pazanski stated that staff has been looking into revamping the chamber monitors and installing a big wall screen and has spoken to a couple of vendors. He stated that he would request a budget not to exceed \$12,000 if Council wished staff to move forward with this purchase.

***MOTION:** Greene/Lyons made a motion to approve expending funds to redo the sound and video equipment in the council chambers room at a cost not to exceed \$12,000.*

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

Town Clerk Dunham stated that the Ice Cream Social was scheduled for Friday, April 10<sup>th</sup> at 6 PM.

12. **COMMENTS FROM COUNCIL**

Councilmember Lyons stated that he received several calls regarding the election of Mayor. He also played a voicemail which sounded to be identified as Bob Hamilton which implied Councilmember Lyons was behind wanting a change for the office of Mayor. Councilmember Lyons stated that he has never had a conversation with any other Council member regarding this issue as this would be in violation of the Sunshine Law.

Councilmember Lyons stated that he supported Mayor Levine and congratulated both Mayor Levine and Vice Mayor Pro Tem Greene on their reelection and appointments tonight.

Vice Mayor Pro Tem Greene stated that he also received several calls on this issue.

Town Manager Lo Bello stated he just wanted to make it clear that staff stays out of the selection process for Mayor, Vice Mayor and Vice Mayor Pro Tem.

Vice Mayor Pro Tem Greene stated that during his campaign, he received numerous complaints regarding the construction time in the Town starting at 7 am.

Mayor Levine suggested this topic be discussed at the Goal Setting Workshop.

Director of Planning and Zoning Cruz stated that the start time for construction is 7 am and there is no construction allowed on Sundays. He stated that one thing to keep in mind is if Council changes the construction hours to a later time, then it will inevitably hold up projects.

Councilmember Haselkorn stated that he has received similar complaints and always directs those complaining to staff. He suggested that educating the public on later start times and how this could affect the project completion time.

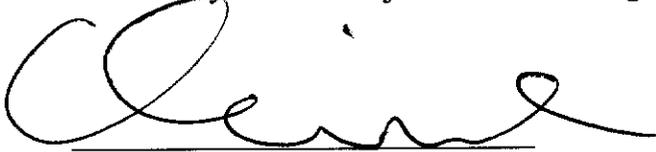
Town Manager Lo Bello stated that educating the public more is an excellent idea.

Vice Mayor Andel congratulated Mayor Levine and Vice Mayor Pro Tem Greene on their reelection and stated that she looks forward to working with them along with Councilmember Haselkorn and Councilmember Lyons.

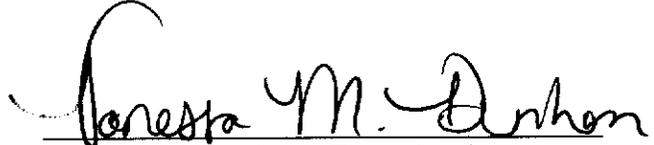
Mayor Levine stated that that at the Palm Beach County League of Cities Luncheon/Meeting earlier today, Councilmember Haselkorn was appointed as a regular member to the Palm Beach County League of Cities Water Resources Task Force and congratulated him on bringing that honor to the Town.

13. **ADJOURNMENT – 7:36 PM**

Mayor Levine adjourned the meeting at 7:36 PM



Mort Levine, Mayor



Vanessa M. Dunham, Town Clerk