MINUTES
TOWN OF JUNO BEACH

TOWN COUNCIL REGULAR MEETING

December 9, 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
VANESSA MUTCHNIK, TOWN CLERK
LEONARD RUBIN, TOWN ATTORNEY
MATTHEW PAZANSKI, FINANCE DIRECTOR
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS
RUBEN CRUZ, DIRECTOR OF PLANNING AND ZONING
BRIAN SMITH, CHIEF OF POLICE
PAUL FERTIG, MAJOR

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

Audience: 15

~ CALL TO ORDER
~ INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG
~ ADDITIONS, DELETIONS, SUBSTIUTIONS TO THE AGENDA - *NONE*

1. **SWEARING IN POLICE OFFICER STEVEN SMITH AS SERGEANT**
Chief Smith introduced Sergeant Smith before he was sworn in.

Town Clerk Mutchnik swore in Steven Smith as Sergeant.

2. **EMPLOYEE OF THE YEAR – JAMES KOS (SPONSORED BY FLORIDA POWER AND LIGHT)**
Chief Smith introduced James Kos and said a few words about his work performance for the Juno Beach Police Department.

Don Kiselewski, Director of Public Affairs for Florida Power and Light, presented James Kos with a $500 check for the Employee of the Year award. Florida Power and Light (FPL) sponsored the Juno Beach Employee of the Year.

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

Christopher Huffman, 840 Ocean Side Drive, stated that he just moved to Juno Beach and was very happy with the Town. He stated that the Town of Juno Beach is a beautiful place to live.

Jeff Sabin, from Waste Management, wished everyone a happy holiday.

Public Comments Closed at 5:47 PM.

4. **PETITION FOR A DEMINIMIS DEVELOPMENT/REPLAT**

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

Mayor Levine questioned if there have been any changes since the memorandum and backup materials were sent out to Council on Friday.

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

MOTION: *Andel/Greene made motion to approve the proposed De Minimus Development subject to the required items cited in staff's memorandum.*

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

5. **841 OCEAN DRIVE – OLD TOWN HALL PROPERTY**

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

Mayor Levine stated that the issue before the Council was solely whether the Council wished to schedule a public hearing to determine whether the Old Town Hall Property was excess property that could be sold. The Council will not be discussing whether to actually sell the property at this time. That decision will be made at a later date if the Council chooses to schedule the public hearing.

Vice Mayor Pro Greene questioned the last time the Town utilized this procedure.

Finance Director Pazanski stated that the Town used this procedure several years ago with respect to the property where the water tank was located.

Jerry Wilson, 765 Hibiscus Avenue, stated that he was here on behalf of the applicant wishing to purchase the property.

Councilmember Lyons questioned what the purchaser would be doing with the property if they were able to buy it.

Mr. Wilson stated that his client only wishes to improve the Town and will make sure that whatever is done with that property will be the best and highest use for the Town.

Councilmember Haselkorn questioned if the Council moved forward with scheduling a public hearing, could the Council back out of the sale of the property at any time.

Town Attorney Rubin stated that scheduling a hearing does not bind the Council to selling the property.

COMMENTS FROM THE PUBLIC OPENED

Robert Maciejko, 460 Surfside Lane, stated that he would like the Council to vote no on this issue and not even schedule a public hearing. He stated that we cannot be sure what the purchaser will do with this property. He added that it could become a group home or something worse. Mr. Maciejko stated that it was his understanding the Town is in good financial standing and therefore there was not need to generate revenue through the sale of the property.

Jack Kneuer, 541 North Lyra Circle, stated that he would withdraw his public comment request.

Lewis Wheeler, 460 Atlantic Boulevard, stated that he was a previous resident of Stuart and believes that the Town should value its green space, as there is so little green space left. He requested that the Council not move forward with the item.

Nick Webster, 800 Uno Lago, Unit 203, stated that he was against the sale of the property.

Christopher Huffman, 840 Ocean Side Drive, stated that he did not believe at this time the Council had enough information to move forward with this item.

Paul Shea, 450 Ocean Drive, Unit #102, stated that the Town should not sell this property.

Frank Fahy, 840 Ocean Drive, PH-B, questioned the zoning of the property.

Mayor Levine stated that it was zoned RMT, residential, transient and multi-family

Mr. Fahy questioned if a group home could be placed on this property.

Town Attorney Rubin stated that a group home could go on this property. He added that a group home could be located in any residential zoning district.

Steven Callahan, 841 Oceanside Drive, stated that he did not think it made sense financially to sell this property.

David Cox, 911 Ocean Drive, stated that this property is a piece of Juno Beach history and saw no reason for the Council to even consider selling this property.

Peggy Davis, 460 Atlantic Boulevard, stated that she was very against the sale of this property and added that it would open up the Town to more problems, like group homes and halfway houses. She requested that the Council drop this item and look into rezoning that area so that transients could not move in.

Robert Vail, 321 Zenith Way, stated that one of the things that brought his family to Juno

Beach was the look and feel of the open space. He requested Council not move forward with this item.

COMMENTS FROM PUBLIC CLOSED

Councilmember Lyons stated that the Council should not move forward with this item. He said that the Town is not in any financial need at this time. He stated that he listened to and spoke to many residents and one of their top concerns was overdevelopment and traffic. Councilmember Lyons said that it would cost the Town money to schedule this public hearing and would recommend not moving forward with scheduling a public hearing.

Councilmember Haselkorn stated that the property is a part of the Town's history and would recommend not selling it.

Vice Mayor Pro Tem Greene stated that he believed that the Council should look into this item and would be in favor for scheduling a public hearing.

Vice Mayor Andel stated that she believed holding a hearing would allow the Council to hear what the proposed use would be for this property. She stated that this would allow the Council to make an educated decision.

Mayor Levine questioned if the Council could set conditions for the property if it chose to sell it.

Town Attorney Rubin stated that the Council could attach conditions to the sale of the property.

MOTION: *Andel/Greene made motion to approve scheduling a public hearing to determine whether the property located at 841 Ocean Drive is excess property that can be made available for purchase pursuant to Resolution 98-8.*

COUNCIL ACTION: *The motion passed 3-2, with Councilmembers Lyons and Haselkorn opposed.*

6. **EMPLOYEE INSURANCE PLANS FOR 2016**

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

MOTION: *Andel/Greene made motion to approve the Cigna HSA Open Access Plus Level Funding health insurance plan, Cigna PPO dental plan, and the Health Care Flexible Spending Account and opt-out provisions as outlined in staff's memorandum for the plan year 2016, effective January 1, 2016 to December 31, 2016.*

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

7. **COMMENTS FROM TOWN MANAGER**

Town Manager Lo Bello that the issue regarding the alcohol licenses for Town events has been resolved and will remain status quo.

Town Manager Lo Bello stated that the public hearing could be scheduled for the next Council meeting to be held on January 13th.

The Council was agreeable to this date for the Public Hearing and next Council meeting.

8. **COMMENTS FROM THE TOWN ATTORNEY**
No Comments.

9. **COMMENTS FROM STAFF**
Chief Smith stated that there was a burglary at the Waterford, and the Police Department has been working with the Waterford's regional director to make the property safer. He stated that right now the regional director of the Waterford is temporary.

Chief Smith stated that the open carry bill has had several amendments made to it and now it is more acceptable to the Chief's Association. He stated that he would suggest the Town take a passive role regarding the bill.

Finance Director Pazanski stated that they had three vehicles on GovDeals.com to auction off and sold two of the three. The third one is back on the site as the person buying the vehicle could not make the payment.

Director of Public Works Meriano stated that the Palm Beach County Department of Environmental Resources Management would start fuel reductions tomorrow.

10. **COMMENTS FROM COUNCIL**
Councilmember Lyons thanked everyone for a great Christmas by the Lake event and gave kudos to the Public Works Department for the decorations around Town.

Councilmember Haselkorn stated that there was an elderly woman who had an issue with permitting and Director of Planning and Zoning Cruz helped her out.

Vice Mayor Pro Tem Greene thanked Town Manager Lo Bello for looking into the issue about the delay in inspections. Vice Mayor Pro Tem Greene also gave kudos to Steve Smith for his promotion.

Mayor Levine wished everyone a Merry Christmas, Happy Hanukkah and Happy New Year.

11. **ADJOURNMENT – 6:57 PM**
Mayor Levine adjourned the meeting at 6:57 PM

Mort Levine, Mayor

Caitlin Copeland, Administrative Secretary