MINUTES
TOWN OF JUNO BEACH

TOWN COUNCIL REGULAR MEETING

January 13, 2016
Council Chambers
340 Ocean Drive

PRESENT:
MORT LEVINE, MAYOR
ELLEN ANDEL, VICE MAYOR
BILL GREENE, VICE MAYOR PRO TEM (*VIA PHONE*)
JASON HASELKORN, COUNCILMEMBER
JIM LYONS, COUNCILMEMBER

ALSO PRESENT:
JOSEPH LO BELLO, TOWN MANAGER
VANESSA M. 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
FRANK DAVILA, PLANNING TECHNICIAN
ANDREA DOBBINS, PROJECT COORDINATOR

Mayor Levine called the Town Council regular meeting to order at 5:32 pm.

Audience: 60

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

1. **COMMENTS FROM THE PUBLIC**
Public Comments Opened at 5:35 PM

Jerry Wilson, 765 Hibiscus Avenue, stated that there was legislation moving forward in the Florida Legislature, House Bill 823 and Senate Bill 1138 regarding regulating sober homes. He recommended the Town support this legislation.

Robert Hamilton, 220 Celestial Way, stated that he would like to see more informal gatherings like "Coffee with a Cop".

Public Comments Closed at 5:40 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 November 17, 2015 Town Council Meeting minutes.

B. Consider approving the December 9, 2015 Town Council Meeting minutes.

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

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

3. **PUBLIC HEARING 841 OCEAN DRIVE (OLD TOWN HALL PROPERTY**

A. Staff Presentation

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

Mayor Levine questioned if anything had changed since the receipt of the backup material and memorandum.

Finance Director Pazanski stated that nothing had changed.

B. Public Hearing

Public Comments Opened at 5:45 PM.

Don Felicella, 1045 Ocean Drive, #401, stated that the Town is in good financial shape and therefore he could not understand why the Town would want to sell this land, as it is a piece of the Town's history. He stated that the Town should protect the historical significance of the site.

Dan Corbett, 714 Bay Colony Drive, recommended that the Town get an appraisal of the property first before declaring it surplus property.

Barbara Wittenberg, 80 Celestial Way, 209W, stated that she was not in favor of the Town selling the property (*Mayor Levine read comment card*).

Louis Bugbee, 20 Celestial Way Apt 103, stated that she was not in favor of the Town selling the property (*Mayor Levine read comment card*).

John Flynn, 50 Celestial Way, #207, stated that he was not in favor of the Town selling the property (*Mayor Levine read comment card*).

David Cox, 911 Ocean Drive, recommended that the Town not sell this property and maintain it as a historic site.

Peggy Davies Wheeler, 460 Atlantic Boulevard, recommended the Town Council vote no to selling this piece of land. She stated that there is little to no green space anymore and selling this piece of land would allow a developer to do whatever they wished with the property. Ms. Wheeler stated that she collected 168 signatures of residents who did not want this property sold and stated her belief that the elected officials should listen to the voters. Ms. Wheeler spoke about a special relationship that one of the Councilmembers had with the applicant and she felt this Councilmember should have recused himself.

Frank Fahy, 840 Ocean Drive, stated that the Town should not be selling this piece of property. It is a bad economic decision and would take away from the open space atmosphere of Juno Beach.

Nick Webster, 800 Uno Lago, Unit 203, stated that the property is a piece of Juno Beach history and did not want the Town to sell it.

David Bailey, representing San Remo 1000-1018, 474 Zephyr way, stated that the majority of the San Remo residents are opposed to new development on this property, such as townhomes.

Gary Gelman, 530 Ocean Drive, stated that he would purchase the land and lease it back to the Town for a nominal fee, if the Town was willing to turn it into a park.

Jack Kneur, 541 Lyra Circle, requested the Council vote to not sell the property.

Paul Shea, 450 Ocean, stated that he was against selling the property.

Thomas Brite, 450 Ocean Drive, stated that he was against the sale of the property and even though the developer might have good intentions, you never know what could eventually end up at the site.

Tracey Callahan, 841 Ocean Side Drive, stated that she was not in favor of this property being sold and the Council would not be acting in the best interests of the Town if it moved forward.

Steven Callahan, 841 Ocean Side Drive, stated that municipalities value their greenspace and preserve it and the Town of Juno Beach should be doing this as well.

Robert Maciejko, 460 Surfside Lane, stated the Council members should be thinking about what is best for the Town and protecting the interest of the residents. He stated that the Town is well on its way to becoming the detox capital of Palm Beach County. He stated that he did not understand the Town's agreement with 461 Venus Drive property and believes partly that it was illegal. He stated that the Town should consider rezoning that area. Mr. Maciejko added that he would like to see the vacant property turned into a park.

Anna Maciejko, 460 Surfside Lane, stated that most of the residents would prefer this property be a park and not have Council declare it excess property and sell it. She stated that she speaks on behalf of the residents of Surfside and they would prefer this property kept as green space.

Chris Huffman, 840 Ocean Side Drive, stated that selling this property right now would be a poor economic decision. He gave two examples of poor decisions such as Napoleon selling the Louisiana Purchase to Thomas Jefferson for 15 million dollars and Russia selling Alaska. He also asked whether the Council's decision would benefit special interests or all of the residents of Juno Beach. Mr. Huffman submitted plans for proposed the single-family substance abuse treatment facility at 461 Venus

Drive that he represented were rejected by the Planning and Zoning Board. The plans were submitted into the record.

Mayor Levine stated that the single family home plan is submitted into the record for this hearing.

Debbie Huffman, 840 Ocean Side Drive, stated that it is her understanding that the Town Council represents the residents of Juno Beach and 90% of people who spoke tonight are opposed to selling this property.

Public Hearing Closed at 6:30 PM.

C. Council Discussion
Councilmember Lyons stated that if the Town were in financial need, he would consider selling the property but right now the Town is doing just fine. He stated that he has listened to residents and their concerns and their main concerns are overdevelopment and traffic. Councilmember Lyons stated that he would be opposed to moving forward with selling the property.

Councilmember Haselkorn thanked staff for their hard work on this item as well as Jerry Wilson. He also thanked the residents for coming out and voicing their opinion on this item. He agreed with Councilmember Lyons that the Town is in a good financial situation. He stated that he would like for staff to reach out to George Gentile and others and brainstorm some ideas for the property. Councilmember Haselkorn stated that he wanted to see the Town maintain its vision and mission statement and therefore would be against selling the property at this time.

Vice Mayor Pro Tem Greene made a presentation via phone (presentation attached). He supported looking into selling the property.

Vice Mayor Andel stated that she heard a lot of untrue statements tonight. She stated that yes the Town is debt free, but there is a reason why we are debt free. She stated that it is financially irresponsible to not look into options regarding this property. Vice Mayor Andel stated that she supported selling the property.

Mayor Levine stated that he considers the Town one neighborhood and thanked everyone for coming out tonight to voice their opinion. He stated that unfortunately there has been a lot of misinformation and statements made during public comments. He stated that every transaction is open to the public and the Town is not making deals behind the scenes.

Mayor Levine stated that tonight the issue at hand is whether or not to declare the property surplus land and allow it to be sold. He stated that he could not make that decision right now as he has not been given a clear plan of what the buyers are intending to build on this property.

D. Council Motion/Second
MOTION: *NO MOTION.*

E. Council Action
Items Fails for lack of motion.

Mayor Levine requested staff add a discussion item on the Council goal setting workshop agenda regarding ideas of what to do with this property.

Vice Mayor Pro Greene left the meeting.

4. **SPECIAL EVENT REQUEST – ARTFEST BY THE SEA**

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 anything had changed since the receipt of the backup material and memorandum.

Planning and Zoning Director Cruz stated that nothing had changed.

Councilmember Lyons asked if the Northern Palm Beach Chamber planned to add what Council requested for the title of the event, "Artfest by the Sea *at Juno Beach*".

Hannah Sosa, Director of Communications and Special Events, stated that the Chamber created a new logo and had a new website for this event.

Staff pulled up the website on the big screen for Council to view.

Ms. Sosa stated that Howard Allen is just in charge of the vendors and that the Chamber is running the event now.

MOTION: *Andel/Lyons made motion to approve the "Artfest by the Sea", special event request for March 11th – 13th, subject to the applicant being responsible for the application process of the special event and all conditions and requirements following said application, including any additional agency reviews/approvals/fees. Also subject to the title of the event being "Artfest by the Sea at Juno Beach".*

COUNCIL ACTION: *The motion passed 4-0.*

5. **SPECIAL EVENT REQUEST – TAKE STOCK IN CHILDREN**

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 anything had changed since the receipt of the backup material and memorandum.

Planning and Zoning Director Cruz stated that nothing had changed.

Councilmember Lyons asked what this organization does.

Lydia Vargas, 1896 Palm Beach Lakes Boulevard, #103, West Palm Beach, stated that Take Stock in Children is a nonprofit organization that gives full scholarships to

deserving low-income youths, many from minority families to escape the cycle of poverty through education.

Councilmember Lyons questioned how long this organization been around.

Ms. Vargas stated that this organization was established in 1995.

Mayor Levine questioned why the organization chose the Juno Beach location.

Ms. Vargas stated that Juno Beach is a beautiful location and they would be very honored to have their event in this Town.

MOTION: *Andel/Lyons made motion to approve the "Take Stock in Children", special event request for April 23rd, subject to the applicant being responsible for the application process of the special event and all conditions and requirements following said application, including any additional agency reviews/approvals/fees.*

COUNCIL ACTION: *The motion passed 4-0.*

6. **LANDSCAPING LIGHTING PROJECT**

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

Project Coordinator Dobbins stated that staff went out for bid and had two contractors submit bid proposals. She stated that staff is requesting Council approval of the bid submitted by Global Electric, Inc.

MOTION: *Andel/Lyons made motion to approve the Landscaping Lighting Project as submitted by Global Electric, Inc., with additional options for work to be performed as deemed necessary by staff, not to exceed $30,000 from contingency.*

COUNCIL ACTION: *The motion passed 4-0.*

Town Manager Lo Bello stated that they would not order the fixtures until staff acquires the permit through the Palm Beach County.

7. **MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) TO FACILITATE EXTERNAL INVESTIGATIONS INTO CRITICAL INCIDENTS**

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

Chief Smith stated that in an event of a police involved shooting or in-custody death of an arrestee, the Juno Beach Police Department would contact FDLE to conduct an independent investigation. He stated that there are two investigative units that typically conduct these types of investigations: the Palm Beach County Sheriff's Office and FDLE. Chief Smith stated that it would be in the best interest of the Department to utilize the services of FDLE and recommended that the Town enter into a Memorandum of Understanding (MOU) with FDLE.

MOTION: *Andel/Lyons made motion to approve the MOU with the FDLE for investigation of critical incidents and be executed by the Town Manager.*

COUNCIL ACTION: *The motion passed 4-0.*

8. **COMMENTS FROM TOWN MANAGER**

Town Manager Lo Bello congratulated Frank Davila on receiving his Master's Degree.

Town Manager Lo Bello commended the Council on the Public Hearing tonight and reminded the Council that staff has an open door policy to the public.

Town Manager Lo Bello stated that staff would like to go back to scheduling the Council meetings on the 4th Wednesday of the month. He stated that if Council was agreeable to this, then the next meeting date would be February 24th.

The Council was agreeable to this date.

9. **COMMENTS FROM THE TOWN ATTORNEY**

No Comments.

10. **COMMENTS FROM STAFF**

No Comments.

11. **COMMENTS FROM COUNCIL**

Councilmember Lyons requested better communication with the Town Manager and the Council as he did not know that the front desk receptionist had put in her notice in the middle of December.

Town Clerk Mutchnik thought that it was in the weekly activity report but apologized if it was left out.

11. **ADJOURNMENT – 8:07 PM**

Mayor Levine adjourned the meeting at 8:07 PM

Mort Levine, Mayor

Vanessa M. Mutchnik, Town Clerk