MINUTES
TOWN OF JUNO BEACH

TOWN COUNCIL REGULAR MEETING

February 24, 2016
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 M. MUTCHNIK, TOWN CLERK
LEONARD RUBIN, TOWN ATTORNEY
MATTHEW PAZANSKI, FINANCE DIRECTOR
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS
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: 20

~ 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 5:33 PM

Jack Kneuer, 541 Lyra Circle, stated that he would like to commend the Town staff, specifically two departments: the Finance Department with Karen England and Public Works Department. He stated that Ms. England used to be the front desk receptionist and did an excellent job in that position. She was promoted to Finance Technician over the summer and with this position, has taken on the responsibility of organizing the Town events. He stated that she has done an excellent job with the Town events thus far and is very impressed by her hard work. He also spoke about the Public Works Department and the men who Anthony Meriano supervises. He stated that these employees do so much for Town and should be commended. Mr. Kneuer concluded by stating that all the Town Departments are wonderful and should be recognized for their hard work.

Jack Lighton, President and CEO of Loggerhead Marinelife Center stated that the Loggerhead Turtlefest event was on the consent agenda and he would greatly appreciate the Council approving this event. He stated that it is a free event with music and food and is very much enjoyed by the public. He added that the event is also great press for the Center.

Laura Niedernhofer, 471 Apollo Drive, requested to have more information regarding a possible rezoning issue adjacent to her property.

Town Manager Lo Bello stated that staff would contact her to set up a meeting.

Public Comments Closed at 5:39 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. Special Event Request – Oceanview United Methodist Church Easter Sunrise Service.
B. Special Event Request – Holy Spirit Lutheran Church Easter Sunrise Service.
C. Special Event Request – Loggerhead Marinelife Center Turtlefest.
D. Proclamation – Eating Disorders Awareness Week.
E. Resolution No. 2016-01 – Interlocal Agreement with the School District and Palm Beach County.

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

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

3. **BEACH FIRE PERMIT DISCUSSION**

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 the Police Department uses staff to the issue the beach fire permits, calendar the event and, when possible, visit the site of the beach fire to assure compliance. He stated that on occasion, some of the beach fire permit holders are not following the rules provided to them. He added that the Public Works Department has had to clean up burnt fire wood and other trash left behind by permit holders. Chief Smith stated that staff would recommend requiring a security deposit and permit fee (for residents and non-residents) for the beach fires. He stated that a permit fee would eliminate people requesting multiple dates for the beach fires.

Mayor Levine questioned if staff had a recommendation for Council.

Chief Smith stated that he would highly recommend a security deposit so that people would follow the rules and clean up, as well as a permit fee to prevent people from booking multiple dates.

Councilmember Lyons questioned if the Town of Jupiter allowed beach fires.

Battalion Chief Mike Wells stated that they do allow beach fires and require a permit fee and deposit. He was not sure of the amount.

Vice Mayor Andel questioned if the deposit would be refundable.

Chief Smith stated that it would be refundable and added that the department requires a location for the fire so they would know which fire belongs to which permit holder.

Vice Mayor Greene requested that the Town make a moderate adjustment and recommended a $50 deposit and no permit fee.

Councilmember Lyons stated that he agreed with Chief Smith and would recommend setting a $100 permit fee for residents and keeping the $300 permit fee for non-residents. He also stated that he would recommend a $200 deposit.

Councilmember Haselkorn stated that he would recommend a security deposit of $100 or $200. He added that he believes this will prevent people from booking multiple dates.

Vice Mayor Pro Tem Greene asked staff to give an example of problematic situations.

Chief Smith stated that they have received noise complaints as well as people not cleaning up the fire properly, requiring the Public Works Department to clean up the site.

Director of Public Works Meriano confirmed that there are occasions where people do not clean up the fire properly and his department must follow up.

Chief Smith stated that the beach fire permit application has guidelines listed for how to properly clean up the fires.

MOTION: *Greene/Andel made motion to approve a $100 refundable security deposit for both residents and non-resident with no permit fee for residents and keep the $300 permit fee for non-residents.*

Councilmember Lyons stated the reason he recommended a permit fee was because it does take staff time to process these permits and the Town should be compensated.

Vice Mayor Andel stated that she would be okay with approving a $50 permit fee.

AMENDED MOTION: *Greene/Andel made motion to approve a $100 refundable security deposit for both residents and non-resident with a $50 permit fee for residents and keeping the $300 permit fee for non-residents.*

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

4. **TOWN CENTER SECURITY DISCUSSION**

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 he has been discussing the security of the Town Center with Town Manager Lo Bello. He stated that the Juno Beach Town Center is very unique because of its openness. He stated that he would recommend adding some security mechanisms to keep the employees and those who visit the Town Center safe. Chief

Smith stated that he would recommend putting a camera in the lobby and possibly upstairs. He would also recommend keeping the doors which lead to the downstairs offices and upstairs offices locked, with a swipe card access. Chief Smith stated that he would also like for the Town Center to have a panic button.

Mayor Levine questioned if the police department was checking the Town Center when the Town Center is closed.

Chief Smith stated that the officers on duty do check the Town Center routinely when closed.

Chief Smith stated that staff estimates it would cost approximately $5,000 to make these security improvements.

Councilmember Lyons questioned if this project could be funded by forfeiture account.

Town Manager Lo Bello stated that staff would need to look into this issue.

Finance Director Pazanski stated that there is very little money in the forfeiture account to fund this project.

Town Manager Lo Bello stated that making these security changes would be a cultural change for the residents and staff. It was not that he is against these changes, just that he wanted Council to be aware of that.

Town Manager Lo Bello stated that right now staff is looking for approval of this project for funding.

MOTION: *Andel/Greene made motion to approve a security project for the Town Center not to exceed $10,000.*

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

5. **COMMENTS FROM TOWN MANAGER**

Town Manager Lo Bello stated that staff would like to schedule the Council Goal Setting Workshop for either April 21st or April 25th.

The consensus of the Council was to schedule the Council Goal Setting Workshop on Monday, April 25th from 4 PM – 8 PM.

Town Manager Lo Bello stated that staff would request the next Council meeting be held on March 30th because of scheduling conflicts with March 16th and March 23rd.

The Council was agreeable to this date.

Town Manager Lo Bello stated that Palm Beach County is proposing a surtax, which would be shared between the County School Board (45.5%), County Government (28.5%), City Governments (18.5%) and Cultural Groups (7.5%). He stated that the surtax would be imposed for 10 years and would generate approximately $200,000 per

year to the Town to be used for infrastructure purposes. Town Manager Lo Bello stated that the County is requesting a priority list of projects that the Town would implement if the surtax passes. He stated that it is up to the Council to decide if the Town will provide this list or wait until more information in known regarding this item.

Councilmember Lyons questioned if the Town provided a list to the County, would that be interpreted as supporting this surtax?

Town Manager Lo Bello stated that it could be perceived as support.

Mayor Levine requested items that could possibly be put on the list.

Town Manager Lo Bello stated that we have small items in our capital improvement list, which include drainage projects, road issues and expansion of the Town Center. He stated that one big project is the burying of power lines, but added that this would cost roughly 20-30 million dollars, way more than then 2 million dollars the surtax would generate over the 10 year period.

Councilmember Lyons stated that he was concerned with the 1% and schools receiving $0.46 on the dollar. He stated that according the Palm Beach Post, Palm Beach County is among the largest school districts in all of Florida and Palm Beach County spends the most per pupil.

Councilmember Lyons stated that Palm Beach County also keeps stating that they need to fix the roads but there are no funds to do this. He stated that he doesn't understand how there are no funds to redo the roads in the County when Palm Beach County is the only County with a gasoline tax. He stated that this tax was supposed to be used to fix the roads. Councilmember Lyons stated the Town has requested the County on numerous occasions to repair Ocean Drive and they have refused because of lack of funds.

Councilmember Lyons stated that it seems to him that the County is taking in a lot of money and he does not see what this money is being used for. He stated that he would have a hard time right now supporting this surtax.

Councilmember Haselkorn stated that he has many concerns with this surtax and would be inclined to not take any position right now.

Vice Mayor Pro Tem Greene stated that he agreed with his colleagues and would have a hard time supporting this tax right now.

Vice Mayor Andel stated that she also agreed with her colleagues. She added that the County has a lot of backlog infrastructure problems as well as the School Board.

Vice Mayor Andel stated that the County is now looking to share this surtax tax with the Cultural Groups as a way to market this tax to the voters.

Vice Mayor Andel stated the County has a few options as a way to raise money. They could raise the millage rate, float bonds or do this surtax. She stated that this surtax would take the property owner out of it completely.

Vice Mayor Pro Tem Greene questioned if the Town did not support this surtax and did not send the County a list, would the Town still receive funds if this surtax passes?

Town Manager Lo Bello stated that the Town would still receive funds, if the surtax passes. He added that providing the County this list is a good selling point for them to use to get votes.

Mayor Levine requested a recommendation from Town Manager Lo Bello.

Town Manager Lo Bello stated that he would recommend the Council wait on providing a list until we have more information.

Jack Lighton, President and CEO of Loggerhead Marinelife Center, encouraged the Council to think of about the cultural groups and the education this tax could pay for. He stated that this tax puts the burden not solely on the property owner. He then passed out a pamphlet with information on the Loggerhead Marinelife Center, 2015 Annual Report.

6. **COMMENTS FROM THE TOWN ATTORNEY**

No Comments.

7. **COMMENTS FROM STAFF**

Planning Technician Davila stated that at the next council meeting, which would be March 30th, Council will appoint or reappoint the Planning and Zoning Board members. He stated that the next Planning and Zoning Board meeting will be scheduled after the council meeting and at this meeting, Town Clerk Mutchnik will swear in the board members and the members will select a Chair and Vice Chair.

Chief Smith stated that the Police Department has been working with the State Attorney's Office in an ongoing investigation. He stated that the Palm Beach County (PBC) Sheriff's Office has formed a task force with the State Attorney's Office. He stated that it would help the current investigation for the Town to join this task force. Chief Smith stated that he would like the Town Manager to sign a Memorandum of Understanding (MOU) with the PBC Sheriff's Office in order to have a member of Police Department be a part of this task force.

Town Manager Lo Bello stated that the Town can withdraw from this agreement with 30 days' notice if the Chief decides the taskforce is not working for the benefit of the Town.

Town Attorney Rubin stated that the Town would share in the forfeiture assets.

Council was agreeable to the Town Manager signing an MOU with the PBC Sheriff's Office.

Project Coordinator Dobbins passed around a sample picture of the plaque that will be installed for the Royal Palms Lighting Project.

Director of Public Works Meriano stated that staff has located a spot to place the plaque.

Finance Director Pazanski stated that the Town has surplus property and would be using online surplus auction website, GovDeals, to sell these items.

8. **COMMENTS FROM COUNCIL**
No Comments

9. **ADJOURNMENT – 7:07 PM**
Mayor Levine adjourned the meeting at 7:07 PM

Mort Levine, Mayor

Vanessa M. Mutchnik, Town Clerk