

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

**August 26, 2020**  
Council Chambers  
340 Ocean Drive

PRESENT: JASON HASELKORN, MAYOR  
JIM LYONS, VICE MAYOR  
PEGGY WHEELER, COUNCILMEMBER  
STUART KATZ, COUNCILMEMBER

ALSO PRESENT: JOSEPH LO BELLO, TOWN MANAGER  
LEONARD RUBIN, TOWN ATTORNEY  
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS  
BRIAN SMITH, CHIEF OF POLICE  
ANDREA DOBBINS, PROJECT COORDINATOR  
MATTHEW PAZANSKI, FINANCE DIRECTOR  
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING  
CAITLIN COPELAND, TOWN CLERK

Audience: 10

~ CALL TO ORDER – 5:30 PM  
~ PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Haselkorn asked for a moment of silence for former Vice Mayor Pro Tem Frank Fahy.

~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA  
(Time: 3:20 – 7:20) (TIME STAMP IS BASED OFF OF [YOUTUBE VIDEO](#))

Councilmember Katz requested that Consent Agenda Item C be moved to Item 10B for discussion.

Councilmember Wheeler suggested saving thirty (30) minutes at the end of the meeting for Council comments and requested that Consent Agenda Items G and H be removed for discussion as Item 10A.

*Council gave consensus to remove Item #12 from the agenda.*

1. **COMMENTS FROM THE PUBLIC** (Time: 7:23 – 11:49)

Public Comments Opened at 5:35pm.

Kathy Fahy, 840 Ocean Drive, thanked Council and Staff for all the care and support they have shown her during this sad time and commented on Vice Mayor Pro Tem Fahy's pride in the Town.

Bob Hamilton, 220 Celestial Way, commented on the life safety and preservation of the environment for the Town of Juno Beach.

Bonnie Landry, Bonnie & Associates, introduced herself and her planning firm to the Town Council.

Public Comments Closed at 5:40pm.

2. **CONSENT AGENDA** (Time: 11:50 – 12:02)

*All matters listed under Item 2, 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 July 22, 2020 Town Council Meeting Minutes
- B. Proclamation – National Preparedness Month
- C. ~~Resolution 2020-06 Amending the Fee Schedule to address the Vacation Rental Registration Fee Change~~
- D. Extension of Existing Law Enforcement Mutual Aid Agreement
- E. Request to Amend Ordinance No. 423 – Sewer Connection Fees
- F. Florida Municipal Insurance Trust – Insurance Renewals
- G. ~~530 Ocean Drive Dune Walkover Renovation~~
- H. ~~800 Ocean Drive Dune Walkover Renovation~~

***MOTION:*** Wheeler/Lyons made a motion to approve the consent agenda as amended.

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

3. **PUBLIC HEARING AND FIRST READING ON ORDINANCE NO. 723 – THE WATERFORD - VOLUNTARY ANNEXATION** (Time: 12:03 – 2:52:00)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ANNEXING APPROXIMATELY 1.453 ACRES OF REAL PROPERTY CONSISTING OF LOTS 8 THROUGH 15 AND AN UNCONSTRUCTED PORTION OF THE OSCEOLA ROAD RIGHT-OF-WAY AS DEPICTED ON THE PLAT OF PLEASANT RIDGE LOCATED WEST OF U.S. HIGHWAY ONE AND SOUTH OF UNIVERSE BOULEVARD AT 1703 TO 1787 PLEASANT DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION OF THE PROPERTY MEETS ALL LEGAL CRITERIA; DIRECTING TOWN STAFF TO DO ALL THINGS NECESSARY TO EFFECTUATE SAID ANNEXATION; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

*(Director of Planning & Zoning Davila)*

- A. Town Attorney to Read Ordinance Title

Town Attorney Rubin read the Ordinance Title.

B. Staff Presentation

Director of Planning & Zoning Davila stated that staff has received additional comments from the Public which will be added to the record and went over his presentation (*see attached*) and asked Council if they had any questions.

C. Applicant's Presentation

Harvey Oyer, Esquire, attorney for Lifespace Communities, owners of The Waterford, went over his presentation (*see attached*) and asked Council if they had any questions and if he could reserve time for rebuttal.

D. Public Hearing

Public Hearing Opened at 6:16pm.

Town Clerk Copeland stated that all emails and letters received by staff prior to the meeting will be included in the record along with the Public Comments received through the Town's web forum that she read into the record.

Steve Karpel (*via Zoom*), 55 Uno Lago Drive, expressed his concerns and opposition of the annexation request.

Robert Hartsell, Esquire (*via Zoom*), 61 NE 1<sup>st</sup> Street, Suite C, Pompano Beach, attorney for Nancy Lodise and other members of the Pleasant Ridge Community, requested Council to deny the request for annexation and expressed the community's concerns.

Ilene Slagter, 95 Uno Lago Drive, expressed her concerns and opposition to this request for annexation.

Catherine Caudell, 5 Uno Lago Drive, expressed her concerns and asked Council to not approve the annexation of the property.

Charles Hollings, 2084 Radnor Road, expressed his concerns and opposition to this request.

Lola Hammer, 1905 Pleasant Drive, expressed her concerns and opposition to this request for annexation.

Nancy Lodise, 1865 Pleasant Drive, expressed her concerns on behalf of the Pleasant Ridge community and requested Council to deny this request for annexation.

Rocco Lodise, 1865 Pleasant Drive, expressed his concerns and opposition of this request for annexation.

Carolyn Severing, 1974 Pleasant Drive, expressed her opposition to The Waterford's request for annexation.

Michael Springer, 12189 Osceola Road, expressed his concerns and opposition to The Waterford's request for annexation.

Timothy Wayne, 1927 Ocala Road, expressed his concerns and opposition to The Waterford's request for annexation.

Jennifer Laman, 92 Uno Lago Drive, expressed her concerns and opposition to this request for annexation.

Anna Bennett, 85 Uno Lago Drive, expressed her concerns and opposition to this request for annexation.

Ken Craig, 605 Universe Blvd, expressed his support for The Waterford's request for annexation and asked the Council to consider his comments.

Mr. Oyer explained that they had eight residents on their way back to the Town Center to express their support.

Debra Mauser, 1893 Pleasant Drive, expressed her concerns and opposition to this request for annexation.

Frannie and Joe Rich, 605 Universe Blvd., expressed their support for The Waterford's request for annexation.

Mayor Haselkorn granted Mr. Oyer time for his rebuttal until the other members of the public wishing to speak have returned.

Mr. Oyer began his rebuttal.

Richard Altmansberger, 605 Universe Boulevard, stated that the redevelopment of The Waterford is a benefit to the community and expressed his support for this request for annexation.

Robert Kay, 605 Universe Blvd, expressed his support for The Waterford's request for annexation.

Mr. Oyer continued his rebuttal.

Nancy Lodise made her final comments and provided the clerk with two documents to add along with the backup material for this item (*see attached*).

Public Hearing Closed at 7:34pm.

E. Council Motion/Second-Council Discussion

Council reviewed and discussed this item.

F. Council Action

**MOTION:** *Councilmember Wheeler made a motion to approve Ordinance No. 723 for first reading on The Waterford's request for Voluntary Annexation.*

Mayor Haselkorn passed his gavel to Vice Mayor Lyons and seconded the Motion.

**ACTION:** *The motion failed 2-2 with Vice Mayor Lyons and Councilmember Katz opposed.*

*Mayor Haselkorn recessed the meeting at 8:20pm.*

*Mayor Haselkorn reconvened the meeting at 8:27pm.*

4. **RESOLUTION 2020-07 (APPLICATION FOR SPECIAL EXCEPTION USE - REQUEST FOR A PLANNED UNIT DEVELOPMENT (PUD) THAT WILL FEATURE 11 – TWO- AND THREE-STORY RESIDENTIAL STRUCTURES, TOTALING TWENTY-TWO (22) RESIDENTIAL UNITS. THE SUBJECT PROPERTY CONSISTS OF A VACANT PARCEL 3.88 ACRES IN SIZE, AND HAS A LAND USE DESIGNATION OF MEDIUM DENSITY RESIDENTIAL (MEDR) AND A ZONING DESIGNATION OF RESIDENTIAL MULTIPLE FAMILY – MEDIUM DENSITY RM-1)** (Time: 2:58:55 – 3:51:42)

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPROVING A PLANNED UNIT DEVELOPMENT SPECIAL EXCEPTION FOR THE CONSTRUCTION OF ELEVEN TWO-FAMILY DWELLING UNITS (FOR A TOTAL OF 22 UNITS) ON 3.88 ACRES OF REAL PROPERTY MORE PARTICULARLY DESCRIBED HEREIN TO BE KNOWN AS OCEAN ONE; PROVIDING FOR APPROVAL OF A DEVELOPMENT PLAN; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

*(Director of Planning & Zoning Davila)*

A. Town Attorney to read Resolution Title

Town Attorney Rubin read the Resolution Title.

B. Swearing in of Witnesses

Town Attorney Rubin swore in all parties wishing to speak on this matter.

C. Disclosure of Ex Parte Communications

Town Attorney Rubin asked Council if they had any ex parte communication and if so to disclose them at this time.

Councilmember Katz disclosed that he met with Mr. Gentile on July 15<sup>th</sup> and July 24<sup>th</sup>.

Councilmember Wheeler disclosed that she too met with Mr. Gentile.

Vice Mayor Lyons disclosed that he met with Mr. Gentile.

Mayor Haselkorn disclosed that he spoke with Mr. Gentile over the phone.

D. Staff Presentation

Director of Planning & Zoning Davila went over the memorandum and his presentation (*see attached*) and asked Council if they had any questions.

E. Applicant Presentation

Troy Holloway, 2GHO, went over his presentation (*see attached*) and asked Council if they had any questions.

F. Council Discussion

Council discussed this item and the additional representations made by the applicant in response to Council's concerns, namely, the prohibition of on street parking with the exception of parties and proper landscape screening of the adjacent properties.

G. Council Action

***MOTION:** Katz/Lyons made a motion to adopt Resolution No. 2020-07, approving the Request for a Planned Unit Development Special Exception, Site Plan and Re-Subdivision for the vacant parcel located north of the Juno Dunes Community and south of the Old Towne Community on the west side of Ocean Drive in the Residential Multiple Family – Medium Density/Planned Unit Development (RM-1/PUD) Zoning District, subject to the conditions stated in the Resolution and the representations made by the applicant at the meeting.*

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

5. **2020-2021 BUDGET DISCUSSION** (Time: 3:51:43 – 4:38:10)  
(Finance Director Pazanski)

Finance Director Pazanski went over the 2020-2021 Proposed Annual Budget and asked Council if they had any questions.

Council reviewed and discussed this item.

Councilmember Wheeler asked for clarification regarding the Council's ability to list and rank the items for which the Surtax money would be expended.

Finance Director Pazanski explained and used the Dune Walkovers and police vehicle as examples.

Councilmember Wheeler expressed her concern on the Dune Walkovers being placed on the consent agenda and not as a separate agenda item.

Town Manager Lo Bello explained that the projects will still come back to the Town Council for approval.

Councilmember Wheeler asked for clarification regarding approval of the funding source if the consent items were approved.

Town Manager Lo Bello stated that Council can change the source of the funding as the projects come before the Council for approval.

Finance Director Pazanski explained the importance of the engineering for the dune walkovers and why staff suggests utilizing the one-cent surtax.

Mayor Haselkorn explained that all Council would be approving under the consent agenda is the engineering expense for the dune walkovers.

Councilmember Wheeler stated that Council should have the options for the funding and questioned the engineering fees.

Town Manager Lo Bello and Finance Director Pazanski addressed Councilmember Wheeler's questions and concerns on the engineering fees.

***MOTION: Lyons/Katz made a motion to approved consent agenda items G and H.***

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

Finance Director Pazanski continued to go over the proposed annual budget and stated that they will go over the contributions list on September 8th.

Council discussed the millage rate and the impacts of the COVID-19 pandemic.

***MOTION: Katz/Lyons made a motion to establish the tentative millage rate at 1.9999 mills for the September 8<sup>th</sup> public hearing.***

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

Councilmember Katz stated that he would like to fund phase II for Town Hall Park from the 1% sales tax; fund the replacement gazebo on the west side of Pelican Lake; fund

capital improvement and enhanced maintenance for Pelican Lake; fund the environmental enhancement for Pelican Lake; and fund the police firearm simulator. He stated that many of these items can be funded by the one-cent sales tax and he wants to talk about them some other time but wanted to raise them now.

Finance Director Pazanski stated in regard to the gazebo, staff received estimates between \$15,000 and \$20,000 to replace the gazebo which included both the material and construction. He stated that the Town has \$23,000 remaining from the Seminole Ridge contributions that must be used for a project around Pelican Lake so they would not have to use surtax money. He also stated that the Police Department has the Police Foundation which does a great job with funding projects for the department.

*Council discussed this information and gave consensus to add those items to the list to discuss at a later date.*

Public Comments Opened at 10:03pm.

Town Clerk Copeland read a Public Comment submitted through the Town's web forum from Diana Davis.

Jim Ferguson, 391 Sunrise Way, expressed his gratitude for the support on taking care of the lake and supported Diana Davis's document sent to Council. He stated that the members of the Ecology Group would be delighted to meet with Council and explain any item to them.

Public Comments Closed at 10:05pm.

Finance Director Pazanski stated that he is all set and staff will work on setting the Hearing for September 8<sup>th</sup> and setting the tentative millage rate for 1.9999%.

Councilmember Wheeler stated that Council can use money from the contingency fund for the items identified by Ms. Davis and Mr. Ferguson.

6. **ANNUAL GARBAGE COLLECTION ASSESSMENT** (Time: 4:38:11 – 4:39:49)  
(Town Clerk Copeland)

A. Staff Presentation

Town Clerk Copeland went over the memorandum and asked Council if they had any questions.

B. Public Hearing

Public Hearing Opened at 10:07pm.

Public Hearing Closed at 10:07pm.

C. Council Motion/Second-Council Discussion

Council briefly discussed this item.

D. Council Action

***MOTION:** Lyons/Katz made a motion to approve the non-ad valorem assessment for garbage collection in the amount of \$156.00 per unit per year for Fiscal Year 2020-2021.*

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

7. **REQUEST FOR PROPOSAL FOR COMPREHENSIVE DEVELOPMENT PLAN CONSULTING SERVICES** (Time: 4:39:50 – 4:53:10)  
(Director of Planning & Zoning Davila)

Director of Planning & Zoning Davila went over the memorandum and asked Council if they had any questions.

Council reviewed and discussed this item. They asked the staff members that were part of the Evaluation Committee to go over their individual rankings.

Director of Planning & Zoning Davila explained his rankings.

Finance Director Pazanski explained his rankings.

Principal Planner Thompson explained his rankings.

Council continued to discuss this item.

***MOTION:** Lyons/Katz made a motion to accept the ranking of the Evaluation Committee, and authorize the Town Manager and Town Attorney to finalize a contract with JLH Associates to perform the Comprehensive Development Plan Consulting Services, at an hourly rate of \$145.00 with the amount to complete the review not to exceed \$38,500.00.*

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

Mayor Haselkorn proposed that Council concluded Item #8 and then go on to the Comments from the Town Manager on the agenda.

Council discussed briefly and agreed.

8. **REQUEST FOR PROPOSAL FOR BUILDING OFFICIAL, PLAN REVIEW AND INSPECTION SERVICES** (Time: 4:53:11 - 4:58:55)  
(Director of Planning & Zoning Davila)

Director of Planning & Zoning Davila went over the memorandum and asked Council if

they had any questions.

Council reviewed and discussed this item.

**MOTION:** Staff recommends the Town Council consider a motion to accept the ranking of the Evaluation Committee, and authorize the Town Manager and Town Attorney to finalize a contract with Diversified Building Department Management to perform the Building Official, Plan Review and Inspection Services, at a revenue sharing percentage as shown below:

\$0 - \$500,000 (Town/Contractor) = 60/40%  
\$500,001 - \$1,000,000 (Town/Contractor) = 60/40%  
\$1,000,001 and over (Town/Contractor) = 65/35%

Hourly loaded billing rates for **Natural Disaster Services**, including inspections and post-disaster building/property damage assessments:

Building Official: \$ 0 per hour  
Plans Examiner: \$ 0 per hour  
Building Inspector: \$ 0 per hour

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

Mayor Haselkorn reiterated that Council agreed to postpone the other agenda items and move on to Comments from the Town Manager.

~~9. **UPDATE ON AUDIO VIDEO SERVICES – OPTION C**  
(Town Clerk Copeland)~~

~~10. **PUBLIC HEARING AND FIRST READING ON ORDINANCE NO. 722 – CIVIL RIGHTS ORDINANCE**~~

~~AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING CHAPTER 1, “GENERAL PROVISIONS,” OF THE TOWN CODE OF ORDINANCES BY ADOPTING A NEW SECTION 1-12, “CIVIL RIGHTS;” PROVIDING FOR A STATEMENT OF PURPOSE AND THE ADOPTION OF THE JUNO BEACH CIVIL RIGHTS ACT; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.~~

~~(Town Attorney Rubin)~~

~~10B. **DISCUSSION ON RESOLUTION 2020-06 – AMENDING THE FEE SCHEDULE TO ADDRESS THE VACATION RENTAL REGISTRATION FEE CHANGE**~~

~~(Per the request of Council)~~

~~11. **FILLING OF TOWN COUNCIL VACANCY**~~

~~(Town Attorney Rubin)~~

~~12. **DISCUSSION FROM GOAL SETTING WORKSHOP ON DEVELOPMENT PLANNING FOR US 1**~~

*(Per the request of Council)*

13. **COMMENTS FROM TOWN MANAGER** *(Time: 4:58:58 – 5:01:35)*

Town Manager Lo Bello provided an update on the County moving to Phase II. He stated that the main concern is keeping residents in our community and our employees safe.

Vice Mayor Lyons asked about the Town Center Library.

Town Manager Lo Bello explained that the parks will be open, but they have to be monitored to prevent large gatherings.

14. **COMMENTS FROM TOWN ATTORNEY** *(Time: 5:01:36 – 5:01:37) - None*

15. **COMMENTS FROM STAFF** *(Time: 5:01:38 – 5:01:59)*

Town Clerk Copeland announced that Jack Horniman will not be participating in the Landmark's Advisory Committee as he feels it would be a conflict of interest.

16. **COMMENTS FROM COUNCIL** *(Time: 5:02:00 – 5:31:44)*

Councilmember Wheeler commented on the Ecology Group outlining what Hobe Sound Environmental (HSE) may want to see and look at it as a scope of work and explained. She asked for a consensus to get costs from HSE for the scope of work provided by the Ecology Group.

*Council discussed and gave consensus to forward the Ecology Group's List to HSE to get the pricing information on both that list and staff's list.*

Public Comments Opened at 10:40pm.

DD Halpern, 410 Apollo Drive, clarified that the Ecology Group based their list off of Sean Patton's (Stocking Savvy) management plan.

Public Commented Closed at 10:41pm.

Director of Public Works Meriano commented on the report from the Ecology Group and stated that he spoke with Aquagenix and that they had spoken with Stocking Savvy.

Councilmember Wheeler commented on resident Gary Gelman and Vacation Rentals.

Council discussed this item.

Director of Planning & Zoning Davila explained staff's hours on vacation rental inspections.

Councilmember Wheeler congratulated Vice Mayor Lyons on the John Land Years

award and wish Kathy Fahy and her family their condolences as they will miss Frank tremendously.

Vice Mayor Lyons explained his vote on The Waterford annexation item and asked if they are going to have a memorial for Frank Fahy.

Town Manager Lo Bello stated that he spoke with Mrs. Fahy and she wants to do something on St. Patty's Day, which was his birthday.

Councilmember Katz suggested renaming the Town Hall Park after Frank Fahy.

Vice Mayor Lyons explained his opposition to that idea.

Mayor Haselkorn stated that he is adding a Resolution addressing antisemitism to the next consent agenda and explained. He also commented on the passing of Ron Reeves and positive feedback on Town Manager Lo Bello and Director of Planning & Zoning Davila on assisting the local businesses during this time. He also commented on the Golf event.

Councilmember Katz deferred his comments.

9. **ADJOURNMENT** (Time: 5:31:45)

Mayor Haselkorn adjourned the meeting at 11:00 p.m.

*Minutes Approved on September 8, 2020.*