

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

**January 27, 2021**  
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  
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING  
CAITLIN COPELAND, TOWN CLERK

Audience: 12 (2 Via Zoom)

~ CALL TO ORDER – 5:32 PM  
~ PLEDGE OF ALLEGIANCE TO THE FLAG  
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA  
(Time: 2:30 – 8:00) (***TIME STAMP IS BASED OFF OF [YOUTUBE VIDEO](#)***)

Councilmember Katz requested to move Item #12 up to Item 6A.

Council gave consensus to move Item #12 up to Item 6A.

Councilmember Katz requested to move Item #13 to Item 6B. Council declined moving Item #13.

1. **SWEARING IN NEW POLICE OFFICERS RYAN HOFFMANN AND TIM PHILLIPS** (Time: 8:01 – 12:00)  
(Town Clerk Copeland)

Chief of Police Smith introduced the new police officers Ryan Hoffmann and Tim Phillips.

Town Clerk Copeland swore in new police officers Ryan Hoffmann and Tim Phillips.

2. **COMMENTS FROM THE PUBLIC** (Time: 12:01 – 18:48)

Susan Hottle, 70 Celestial Way, expressed her concerns regarding the use of drones adjacent to her condominium and asked Council to investigate regulating the use of drones.

Mayor Haselkorn suggested that staff find out what they can about the situation to see if it was an isolated incident or if it is something from a policy standpoint that Council can address.

Donna Hamilton, 220 Celestial Way, asked Council if the Juno Beach Civic Association could host a Candidate's Debate event in the front courtyard of the Town Center.

Mayor Haselkorn stated that Council will discuss Mrs. Hamilton's request during Comments from Council.

3. **CONSENT AGENDA** (Time: 18:49 – 19:19)

*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 December 9, 2020 Town Council Meeting Minutes
- B. Land and Water Conservation Fund (LWCF) Grant Application
- C. Annual Progress Report; Floodplain Management Plan
- D. Request for Retirement Gift and/or Party for Sergeant Andrew Luscavich
- E. Air Conditioning Systems for Town Center
- F. Aquatic Plants for Pelican Lake
- G. Restructuring of Conduit Note by Loggerhead Marinelife Center

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

Councilmember Wheeler stated that she would like to comment on Consent Agenda Items B, C & E during Comments from Council.

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

4. **RESOLUTION NO. 2021-01 – REQUEST FOR PLAT APPROVAL (461 VENUS DRIVE)** (Time: 19:20 – 34:19)

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, APPROVING A PLAT FOR 461 VENUS DRIVE AND AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

*(Town Attorney Rubin and Principal Planner Thompson)*

Councilmember Wheeler recused herself from this item (*see attached*).

Councilmember Katz asked Town Attorney Rubin on Councilmember Wheeler's ability to discuss and vote on this matter.

Town Attorney Rubin explained that Councilmember Wheeler cannot discuss or vote on this matter.

Councilmember Wheeler asked Director of Planning & Zoning Davila to explain her concerns on this item.

Town Attorney Rubin read the Resolution title.

Principal Planner Thompson went over the memorandum and asked Council if they had any questions.

Director of Planning & Zoning Davila explained Councilmember Wheeler's concerns, as an adjacent homeowner, regarding the delivery of water services and the possibility of going from a looped water line to a "dead end" water line for 461 Venus Drive and Councilmember Wheeler's property.

Councilmember Katz asked staff questions on this item.

Public Comments Opened at 6:01pm.

David Tassel, on behalf of the applicant, stated that he is there to answer any questions and explained that they are willing to work with Ms. Wheeler on constructing/maintaining a looped system but cannot do it without Ms. Wheeler's consent for perform work on her property.

Councilmember Katz confirmed with Mr. Tassel that if Council approved the plat tonight that it would not impact the discussions on the water main issue.

Public Comments Closed at 6:03pm.

***MOTION:*** Lyons/Katz made a motion to approve Resolution 2021-01 Plat Approval for 461 Venus Drive.

***ACTION:*** The motion passed 3-0.

5. **REQUEST FOR SPECIAL EVENT – WALKER CUP** (Time: 34:20 – 1:04:48)  
(Director of Planning & Zoning Davila)

Director of Planning & Zoning Davila went over the memorandum and introduced the United States Golf Association's (USGA) Championship Director Robbie Zalzneck and Seminole Golf Course's Clubhouse Manager Rhonda Flynn.

Mr. Zalzneck (via Zoom) introduced himself and went over a summary of the proposed event. He also explained their COVID-19 protocols and asked Council if they had any questions.

Council reviewed, discussed, and asked staff and Mr. Zalzneck questions on this item.

Council gave consensus to have Juno Beach be recognized and announced more throughout the event.

Mr. Zalzneck confirmed that he would work with Staff about the possibility of further reducing attendance based on COVID-19 concerns as they got closer to the date of the event.

***MOTION:** Lyons/Katz made a motion to approve the request for the special event proposed in Juno Beach as stated above, 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; and to add a condition to have staff be involved in the decision making of the attendees.*

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

6. **REQUEST FOR SPECIAL EVENT – ARTFEST BY THE SEA AT JUNO BEACH**

*(Time: 1:04:49 – 1:17:38)*

*(Director of Planning & Zoning Davila)*

Director of Planning & Zoning Davila went over the memorandum and announced that staff received a letter from Palm Beach County Parks & Recreation Department denying the use of the County’s parks for this event (*see attached*). He explained that with the denial letter from the County’s Parks & Recreation Department, the application is now considered to be incomplete.

Council reviewed, discussed, and asked staff questions on this item.

***MOTION:** Lyons/ Wheeler made a motion to table the Request for Special Event – Artfest by the Sea at Juno Beach.*

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

6A. **DISCUSSION ON PLANNING FOR DISTRIBUTION OF COVID-19 VACCINE FOR TOWN OF JUNO BEACH (Originally Item #12)** *(Time: 1:17:39 – 1:55:19)*

*(Per the request of Councilmember Katz)*

Councilmember Katz went over his memorandum and backup material. He expressed his comments and opinions on this matter. He inquired about the Town having a plan if they were to receive a cooler of vaccines. He also encouraged everyone that if they are able to get an appointment for a vaccine to take it no matter where it is.

Town Manager Lo Bello corrected the record on the percentage of vaccinated elders in the State of Florida and the Palm Beach County Health Department’s current position.

Public Comments Opened at 7:19pm.

Jim Ferguson, 390 Sunset Way, commented on this item and recommended that the Town reach out to the governor for equal distribution of the vaccine for both the Health Department and Publix.

Nancy Lodise, 1865 Pleasant Drive, commented on this item and explained her experience with obtaining an appointment for the vaccine.

Public Comments Closed at 7:23pm.

7. **PUBLIC HEARING AND FIRST READING ON ORDINANCE NO. 736 – FLORIDA FRIENDLY FERTILIZER USE** (*Time: 1:55:20 – 2:13:48*)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING CHAPTER 12, “ENVIRONMENT,” OF THE TOWN CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE VII, “FLORIDA-FRIENDLY FERTILIZER USE;” PROVIDING FOR DEFINITIONS; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR TIMING OF FERTILIZER APPLICATIONS; PROVIDING FOR FERTILIZER FREE ZONES; PROVIDING FOR FERTILIZER CONTENT AND APPLICATION RATES; PROVIDING FOR FERTILIZER APPLICATION PRACTICES; PROVIDING FOR MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER; PROVIDING FOR EXEMPTIONS; PROVIDING FOR TRAINING; PROVIDING FOR LICENSING; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

*(Town Attorney Rubin and 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 went over the memorandum and asked Council if they had any questions.

C. Public Hearing

Public Hearing Opened at 7:41pm.

Diana Davis, 440 Sunset Way, on behalf of the Ecology Group, expressed the Group’s support for this ordinance. (*Read into the record by Town Clerk Copeland.*)

Public Hearing Closed at 7:42pm.

D. Council Motion/Second-Council Discussion

Council reviewed, discussed, and asked staff questions this item.

E. Council Action

***MOTION:*** Wheeler/Lyons made a motion to approve Ordinance No. 736 on first reading.

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

8. **PUBLIC HEARING AND FIRST READING ON ORDINANCE NO. 737 – IRRIGATION CONSERVATION MEASURES** (Time: 2:13:49 – 2:19:50)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING CHAPTER 12, “ENVIRONMENT,” OF THE TOWN CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE VI, “MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES;” PROVIDING FOR A PURPOSE AND APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR CONSERVATION REGULATIONS; PROVIDING FOR VIOLATIONS AND ENFORCEMENT; PROVIDING FOR VARIANCES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

*(Town Attorney Rubin and 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 went over the memorandum and asked Council if they had any questions.

C. Public Hearing

Public Hearing Opened at 7:48pm.

Diana Davis, on behalf of the Ecology Group, commented on the Group’s support for this ordinance. *(Read into the record by Town Clerk Copeland.)*

Public Hearing Closed at 7:48pm.

D. Council Motion/Second-Council Discussion

Council reviewed, discussed, and asked staff questions on this item.

D. Council Action

***MOTION:*** Wheeler/Katz made a motion to approve Ordinance No. 737 on first reading.

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

9. **PUBLIC HEARING AND FIRST READING ON ORDINANCE NO. 738 – AMENDING SECTION 4-5 OF THE TOWN CODE (KEEPING OF LIVESTOCK AND POULTRY PROHIBITED)** (Time: 2:19:51 – 2:24:47)

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING SECTION 4-5, “KEEPING OF LIVESTOCK AND POULTRY PROHIBITED,” OF CHAPTER 4, “ANIMALS,” OF THE TOWN CODE OF ORDINANCES TO CLARIFY PROHIBITED CONDUCT; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

*(Town Attorney Rubin and Director of Planning & Zoning Davila)*

A. Town Attorney to Read Ordinance Title

Town Attorney Rubin read the ordinance title and went over the memorandum. He asked Council if they had any questions on this item.

B. Public Hearing

Public Hearing Opened at 7:52pm

Public Hearing Closed at 7:52pm.

C. Council Motion/Second-Council Discussion

Council reviewed, discussed, and asked staff questions on this item.

D. Council Action

***MOTION: Wheeler/Lyons made a motion to approve Ordinance No. 738 on first reading.***

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

Town Manager Lo Bello stated that staff will do their best effort to round the chickens up humanely but explained that the licensed trapper might have to use a pellet gun to remove the chickens. He stated that the same will apply to the iguanas.

Director of Planning & Zoning Davila stated that Florida Fish & Wildlife Conservation (FWC) had no objection to this removal process.

10. **REQUEST APPROVAL FROM COUNCIL FOR THE POLICE DEPARTMENT TO MAKE A FUNDING REQUEST TO THE JUNO BEACH POLICE FOUNDATION** (Time: 2:24:48 – 2:34:33)

*(Chief of Police Smith)*

Chief of Police Smith went over the memorandum and asked Council if they had any questions.

Council reviewed, discussed, and asked staff questions on this item.

***MOTION:** Wheeler/Katz made a motion to approve a funding request for a dual purpose 4x4 truck and equipment from the Juno Beach Police Foundation in an amount not to exceed \$48,000, and to fund the purchase from contingency and the current Police Department budget for police related equipment, if necessary.*

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

11. **AUDIO-VIDEO OPTIONS** (Time: 2:33:34 – 2:57:11)  
(Town Clerk Copeland)

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

Council reviewed, discussed, and asked staff questions on this item.

*Council gave consensus to conduct a test run with four laptops hardwired into the dais for the next Council meeting.*

12. **DISCUSSION ON PLANNING FOR DISTRIBUTION OF COVID-19 VACCINE FOR TOWN OF JUNO BEACH** (Moved to Item 6A)  
(Per the request of Councilmember Katz)

13. **DISCUSSION ON THE WATERFORD'S ANNEXATION PETITION** (Time: 2:57:12 – 3:33:05)  
(Per the request of Councilmember Katz)

Councilmember Katz went over his memorandum and the backup material. He asked each Councilmember to explain his or her vote on this matter at the August 2020 meeting.

Mayor Haselkorn stated that he stands by his previously made comments at the August 2020 meeting.

Vice Mayor Lyons reiterated his concerns that he had raised at the August 2020 meeting.

Councilmember Wheeler explained that she voted yes as it was a policy decision, and it was on the annexation only.

Councilmember Katz inquired about the cloud of ownership.

Town Attorney Rubin explained that the referred park is a platted right-of-way dedicated to the public that was never constructed. He stated that the Town could proceed with annexation inclusive of the right-of-way, and that The Waterford would need to request that it be abandoned at a future time.

Councilmember Katz continued to express his comments and opinions on this item.



Councilmember Katz made a motion to accept Ordinance No. 723.

Town Attorney Rubin stated that the Town Council cannot approve the Ordinance on first reading because there was no current application for voluntary annexation.

Public Comments Opened at 8:45pm.

Ms. Lodise stated that Councilmember Katz is wrong as the Council cannot move forward with the annexation tonight. She expressed her concerns and opposition on this matter. She gave a brief summary of the history on this matter. She asked Council to not allow annexation when there is only a conceptual drawing of the potential expansion.

Councilmember Katz explained that he felt his position was misrepresented on this matter.

Town Clerk Copeland read comments submitted through the Town's webform into the record (*see attached*).

Charles Hollings expressed his thoughts on the meeting with representatives of The Waterford and explained that it is just a conceptual plan.

Public Comments Closed at 8:57pm.

Councilmember Katz explained that based upon his conversations with Lifespace Communities, he is prepared to support the annexation. He reiterated that he feels his position has been grossly misrepresented at The Waterford and clarified that he likes the concept of a compromised plan.

Council confirmed that there is no motion on the table.

Councilmember Wheeler commented on Pleasant Ridge having a meeting with Lifespace Communities.

Ms. Lodise provided the Town Clerk with copies of articles from the Palm Beach Post back in 2008 (*see attached*). She stated that the Pleasant Ridge community is opposed to annexation. She continued to express her concerns.

Councilmember Katz stated that he wanted Lifespace Communities to present tonight as they had a deal in December but they wanted to wait until February and explained. He stated that Council will be considering this in February and hopes that there will be plenty of dialogue between the Pleasant Ridge, Ocean Trace, and The Waterford communities prior to the meeting.

14. **COMMENTS FROM TOWN MANAGER** (*Time: 3:33:06 – 4:00:00*)

Town Manager Lo Bello went over event cancellations for February and upcoming meeting dates. He asked Council if they wished to discuss Mrs. Hamilton's request at this time.

Mayor Haselkorn provided a brief summary of the request from the President of the Civic Association and asked staff if they wish to work directly with the Civic Association.

Town Manager Lo Bello explained that the Town prefers to stay out of anything that has to do with the election or politics. He stated that he is not in favor of having gatherings and recommended a Zoom meeting.

Council discussed this item.

*Council gave consensus to have Town Manager Lo Bello reach out to Donna Hamilton to provide the options of either using the church (or some other off site location) or using Zoom for the Candidate's Night Event.*

15. **COMMENTS FROM TOWN ATTORNEY** (Time: 4:00:01 – 4:00:04) - None

16. **COMMENTS FROM STAFF** (Time: 4:00:05 – 4:11:54)

Director of Planning & Zoning Davila provided an update on the Native Vegetation Code Text Amendment recommendation from the Planning & Zoning Board and asked Council how they wished to proceed.

*Council gave consensus to have staff proceed with adding this item to a future agenda.*

Director of Public Works Meriano provided an update on the iguana issue and the Universe Boulevard storm drain.

Council discussed this item and asked staff questions.

***MOTION:*** Wheeler/Lyons made a motion to spend up to \$15,000 to repair the Universe storm drain as an emergency repair.

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

Vice Mayor Lyons inquired about applying for another grant for Universe Boulevard.

Town Manger Lo Bello stated that staff will put updates in the Activity Report on this matter.

Councilmember Katz inquired about the Town's budget for this year and how it is being reflected regarding the grant.

Town Manager Lo Bello explained.

Director of Public Works Meriano commented on the vaccine discussion and explained his experience of obtaining the vaccine from the Veterans Administration in West Palm Beach.

17. **COMMENTS FROM COUNCIL** (Time: 4:11:55 – 4:17:57)

Councilmember Katz stated that he was glad they could discuss the coronavirus vaccine issue and that he was able to broadcast the message that he is not an enemy of The Waterford. He stated that he likes where they are on the site plan.

Councilmember Wheeler inquired about additional items to include with the Land Water Conservation Funding grant; how much the Town had received from FEMA for the mitigation plan; and the Florida Building Code requirement that mandates the simultaneous replacement of both the condensers and the air handlers.

Town Manager Lo Bello addressed Councilmember Wheeler's questions and stated that staff will confirm with the Building Official on the new Florida Building Code for condensers and air handlers.

Councilmember Wheeler inquired about how to address Council as a resident.

Town Attorney Rubin explained that she is a Councilmember and can bring a matter up to the Council.

Town Manager Lo Bello stated that if a Councilmember has any issues then they should speak with the Town Attorney.

Councilmember Wheeler asked if Director of Planning & Zoning Davila would discuss the permit portal at a future meeting.

18. **ADJOURNMENT** (Time: 4:17:58 – 4:18:15)

Mayor Haselkorn adjourned the meeting at 9:47 pm.

***Minutes Approved on February 24, 2021.***