

MINUTES
TOWN OF JUNO BEACH
TOWN COUNCIL REGULAR MEETING
September 14, 2022
Council Chambers/YouTube
340 Ocean Drive

PRESENT: DD HALPERN, MAYOR
ELAINE K. COTRONAKIS, VICE MAYOR
PEGGY WHEELER, VICE MAYOR PRO TEM
JASON HASELKORN, COUNCILMEMBER
ALEXANDER COOKE, COUNCILMEMBER

ALSO PRESENT: JOSEPH LO BELLO, TOWN MANAGER
LEN RUBIN, TOWN ATTORNEY
MATTHEW PAZANSKI, FINANCE DIRECTOR
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING
ANTHONY MERIANO, DIRECTOR OF PUBLIC WORKS
ANDREA DOBBINS, PROJECT COORDINATOR/RISK MANAGER
STEVE HALLOCK, DEPUTY DIRECTOR OF PUBLIC WORKS
CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK
YASMIN FAVARETTO HAMEL, ADMINISTRATIVE SECRETARY

ABSENT:

Audience: 12

~ CALL TO ORDER – 5:30 PM
~ PLEDGE OF ALLEGIANCE TO THE FLAG
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA
(Time: 2:18 – 7:07) (TIME STAMP IS BASED OFF OF [YOUTUBE VIDEO](#))

Town Clerk Copeland-Rodriguez announced that staff is removing Item #2 and placing it on the September 28th agenda.

Vice Mayor Pro Tem Wheeler asked to jointly discuss items #18 and #19. She asked to remove Item #15 from the agenda and explained. She also asked to move Item #23 up.

Council gave consensus to remove Item #15 and replace it with Item #23.

1. **PRESENTING THE TOWN'S ANNUAL CONTRIBUTION TO BUSCH WILDLIFE SANCTUARY AND LOGGERHEAD MARINELIFE CENTER** (Time: 7:08 – 9:56)
(Mayor Halpern)

Mayor Halpern, Town Council, and Town Manager Lo Bello presented the Town's annual contributions to Busch Wildlife Sanctuary and Loggerhead Marinelifelife Center.

Lisa Wynne, Assistant Director for Busch Wildlife Sanctuary thanked the Town for the contribution.

Andy Dehart, President & CEO of Loggerhead Marinelifelife Center thanked the Town for the contribution.

2. SWEARING IN NEW POLICE OFFICER JOHN ROSSINI

(Chief of Police Smith & Town Clerk Copeland-Rodriguez)

3. COMMENTS FROM THE PUBLIC *(Time: 9:57 – 14:47)*

*All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). **Town Council will not discuss these items this evening.** Any issues will be referred to Staff for investigation; a report will be forwarded to the Town Council; and citizens will be contacted.*

Public Comments Opened at 5:37pm.

Stuart Katz, 900 Ocean Drive, spoke and provided his comment for the record (*see attached*).

Public Comments Closed at 5:42pm.

4. CONSENT AGENDA *(Time: 14:48 – 14:59)*

All matters listed under Item 4, 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 Town Council Meeting Minutes for August 24, 2022
- B. Proclamation – Florida City Government Week 2022
- C. Special Event – Juno Beach Craft Festival
- D. Request to Expend Funds for the Retirement of Two Employees

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

ACTION: The motion passed unanimously.

5. PUBLIC HEARING AND FIRST READING: ORDINANCE NO. 756 *(Time: 15:00 – 19:16)*

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, SETTING AND FIXING A MILLAGE RATE TO BE LEVIED AND SET FOR AND UPON ALL REAL PROPERTY WITHIN THE BOUNDARIES OF THE TOWN FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Finance Director Pazanski)

- A. Town Attorney Read Ordinance Title
Town Attorney Rubin read the Ordinance Title.
- B. Staff Presentation and Recommendations

Finance Director Pazanski went over the memorandum and asked Council if they had any questions.

- C. **ANNOUNCEMENT: The Town of Juno Beach, Palm Beach County, Florida, setting and fixing a millage tax rate to be levied at 1.8195 Mills which is 5.00% higher than the rolled-back rate of 1.7328.**

Finance Director Pazanski announced that the Town of Juno Beach, Palm Beach County, Florida, is setting and fixing a millage tax rate to be levied at 1.8195 Mills which is 5.00% higher than the rolled-back rate of 1.7328.

- D. Public Hearing

Public Hearing Opened at 5:46pm

Public Hearing Closed at 5:46pm.

- E. Council Motion/Second-Council Discussion

***MOTION:** Wheeler/Cooke made a motion to approve Ordinance No. 756 on first reading, setting and fixing the millage tax rate at 1.8195 which is 5.00% higher than the rolled-back rate of 1.7328.*

- F. Council Action

***ACTION:** The motion passed unanimously.*

6. **PUBLIC HEARING AND FIRST READING: ORDINANCE NO. 757** (Time: 19:17 – 21:59)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Finance Director Pazanski)

- A. Town Attorney to Read Ordinance Title

Town Attorney Rubin read the Ordinance Title.

- B. Staff Presentation

Finance Director Pazanski went over the memorandum and asked Council if they had any questions.

- C. Public Hearing

Public Hearing Opened at 5:48pm.

Public Hearing Closed at 5:48pm.

D. Council Motion/Second-Council Discussion

***MOTION:** Wheeler/Haselkorn made a motion to approve on first reading Ordinance No. 757, approving the 2022-2023 Tentative Annual Budget and the Classification & Pay Schedule and the 5-Year Capital Improvement Plan.*

E. Council Action

***ACTION:** The motion passed unanimously.*

7. **PUBLIC HEARING AND FIRST READING: ORDINANCE NO. 758** (Time: 22:00 – 25:15)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Finance Director Pazanski)

A. Town Attorney to Read Ordinance Title

Town Attorney Rubin read the Ordinance Title.

B. Staff Presentation

Finance Director Pazanski went over the memorandum and asked Council if they had any questions.

C. Public Hearing

Public Hearing Opened at 5:51pm.

Public Hearing Closed at 5:51pm.

D. Council Motion/Second-Council Discussion

***MOTION:** Wheeler/Cotronakis made a motion to approve on first reading Ordinance No. 758 – Amending the Fiscal Year 2021-2022 Annual Budget.*

E. Council Action

***ACTION:** The motion passed unanimously.*

8. **SPECIAL EVENT REQUEST – WEDDING CEREMONY ON BEACH** (Time: 25:16 – 29:19)

(Planning Technician Hickey)

Planning Technician Hickey went over the memorandum and asked Council if they had any questions.

Mayor Halpern inquired about asking Loggerhead Marinelife Center to survey in front of the property after November 1st for any residual nests.

Town Manager Lo Bello stated that staff will coordinate with Loggerhead Marinelife Center.

***MOTION:** Wheeler/Cotronakis 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 for special events and all conditions and requirements following said application, including any additional agency, and department reviews/approvals/fees.*

***ACTION:** The motion passed unanimously.*

9. **COMMUNITY EVENTS AREA; UPDATE (PRESENTATION BY TOWN ENGINEER/LANDSCAPE ARCHITECT)** (Time: 29:20 – 1:19:36)
(Project Coordinator/Risk Manager Dobbins)

Project Coordinator/Risk Manager Dobbins introduced the Town's Engineer Rob Rennebaum and Landscape Architect Rob Dinsmore.

Mr. Dinsmore made a presentation to Council (*see attached*) and asked Council if they had any questions.

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

Public Comments Opened at 6:22pm.

Public Comments Closed at 6:22pm.

Council gave consensus to keep the western staircase and stick with the original plan of using the umbrellas for shade.

10. **PUBLIC HEARING AND SECOND READING ON ORDINANCE NO. 754 – SENIOR CITIZEN EXEMPTION FOR PERSONS 65 AND OLDER** (Time: 1:19:37 – 1:21:41)
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, ADOPTING AN ADDITIONAL \$50,000 HOMESTEAD EXEMPTION FOR TAXPAYERS 65 YEARS OF AGE OR OLDER WITH LIMITED INCOME AS AUTHORIZED BY FLORIDA STATUTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Town Attorney Rubin)

- A. Town Attorney to Read Ordinance Title

Town Attorney Rubin read the Ordinance Title.

- B. Staff Presentation

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

C. Public Hearing

Public Hearing Opened at 6:48pm.

Public Hearing Closed at 6:48pm.

D. Council Action

***MOTION:** Cotronakis/Haselkorn made a motion to approve adoption of Ordinance No. 754 adopting an additional \$50,000 homestead exemption for limited income senior citizens on second and final reading.*

***ACTION:** The motion passed unanimously.*

11. PUBLIC HEARING AND SECOND READING ON ORDINANCE NO. 755 – WASTE MANAGEMENT CONTRACT (Time: 1:21:42 – 1:26:04)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, AWARDED AN EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT INC. OF FLORIDA FOR THE COLLECTION OF REFUSE, RECYCLABLES AND VEGETATIVE WASTE FOR A PERIOD OF FIVE YEARS; APPROVING A SOLID WASTE AND RECYCLABLE COLLECTION SERVICE AGREEMENT BETWEEN THE TOWN AND WASTE MANAGEMENT INC. OF FLORIDA AND AUTHORIZING THE MAYOR AND TOWN CLERK TO EXECUTE SAME; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Project Coordinator/Risk Manager Dobbins)

A. Town Attorney to Read Ordinance Title

Town Attorney Rubin read the Ordinance Title.

B. Staff Presentation

Town Manager Lo Bello stated that this is second reading and asked Council if they had any questions.

C. Public Hearing

Public Hearing Opened at 6:50pm.

Public Hearing Closed at 6:50pm.

D. Council Action

***MOTION:** Cotronakis/Wheeler made a motion to approve Ordinance No. 755 on second and final reading, and thereby (1) forego the bidding process as not practicable or advantageous for the Town; (2) award Waste Management, Inc. of Florida an exclusive franchise for the collection of refuse, recyclables, and vegetative waste within the Town; and (3) approve a Solid Waste and Recyclable Collection Services Management Agreement with Waste Management, Inc.*

ACTION: The motion passed unanimously.

12. **PUBLIC HEARING AND FIRST READING ON ORDINANCE NO. 753: AMENDING THE PLANNING & ZONING BOARD DUTIES** (Time: 1:26:05 – 1:47:19)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO BEACH, FLORIDA, RELATING TO ARCHITECTURAL REVIEW OF DETACHED SINGLE-FAMILY DWELLINGS; AMENDING DIVISION 1, “GENERALLY,” AND DIVISION 4, “SITE PLAN AND APPEARANCE REVIEW,” OF ARTICLE II, “ADMINISTRATION AND ENFORCEMENT,” OF CHAPTER 34, “ZONING,” OF THE TOWN CODE OF ORDINANCES BY AMENDING SECTIONS 34-28 AND 34-116 TO ASSIGN ONLY APPEARANCE REVIEW, INCLUDING ARCHITECTURAL REVIEW, OF DETACHED SINGLE-FAMILY DWELLINGS TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

(Director of Planning & Zoning Davila)

A. Town Attorney to Read Ordinance Title

Town Attorney Rubin explained that the title of the Ordinance included in the agenda was incorrect and read the correct title as directed by the Council at its August meeting.

B. Staff Presentation

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

C. Public Hearing

Public Hearing Opened at 6:55pm.

Jim Ferguson, 391 Sunrise Way, commented on this item.

Public Hearing Closed at 6:56pm.

D. Council Action

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

Town Attorney Rubin read the prior Ordinance Title (as presented in August) into the record.

MOTION: Cotronakis/Haselkorn made a motion to approve the adoption of Ordinance No. 753 as originally presented at the August meeting on first reading.

ACTION: The motion passed 3-2 with Vice Mayor Pro Tem Wheeler and Councilmember Cooke opposed.

13. **PROPOSED LANGUAGE FOR SEPARATELY-ELECTED MAYOR** (Time: 1:47:20 – 2:15:42)
(Town Attorney Rubin)

Town Attorney Rubin went over the memorandum and asked Council how they would like to proceed.

Public Comments Opened at 7:18pm.

Public Comments Closed at 7:18pm.

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

***MOTION:** Wheeler/Cooke made a motion to move forward with the drafting of the Ordinance required to place the item on the ballot for referendum vote.*

***ACTION:** The motion failed 2-3 with Mayor Halpern, Vice Mayor Cotronakis, and Councilmember Haselkorn opposed.*

Mayor Halpern recessed the meeting at 7:36pm.

Mayor Halpern reconvened the meeting at 7:43pm.

14. **DRAFT RULES OF PUBLIC PARTICIPATION AND DECORUM AND GENERAL MEETING PROCEDURES** (Time: 2:15:43 – 2:46:44)
(Per the request of Council)

Town Attorney Rubin went over the memorandum and asked Council how they wish to proceed.

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

Public Comments Opened at 7:50pm.

Mr. Ferguson commented on this item.

Public Comments Closed at 7:51pm.

Council gave consensus to have Town Attorney Rubin present the proposed rules to the Planning & Zoning Board for the Board's input and discussion.

15. **DISCUSSION ON PILOT PLANTING PROJECT FOR PELICAN LAKE (Originally Item #23)** (Time: 2:46:45 – 3:04:15)
(Per the request of Vice Mayor Pro Tem Wheeler)

Vice Mayor Pro Tem Wheeler discussed this item and asked Council for a consensus to proceed.

Public Comments Opened at 8:22pm.

Redd Dunn, 440 Sunset Way – on behalf of the Ecology Group, commented on this item.

Mr. Ferguson commented on this item.

Public Comments Closed at 8:23pm.

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

***MOTION:** Wheeler/Cooke made a motion approve the Pilot program and have staff work with the Town's Environmental Consultant, Sean Patton, on a time frame at a cost not to exceed \$5,000.*

***ACTION:** The motion passed unanimously.*

16. **DISCUSSION ON VISION AND STRATEGIC PLANNING FOR JUNO BEACH**

(Time: 3:04:16 – 3:42:34)

(Per the request of Vice Mayor Pro Tem Wheeler)

Vice Mayor Pro Tem Wheeler discussed this item and asked Council for a consensus to conduct a Workshop in September with Dana Little of the Treasure Coast Regional Planning Council.

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

Council gave consensus to have a staff led discussion on vision and economic development at the October meeting as the first item and invite the public to comment.

17. **DISCUSSION ON CS/HB 105 - REGULATION OF SMOKING BY COUNTIES AND MUNICIPALITIES**

(Time: 3:42:35 – 3:45:08)

(Per the request of Mayor Halpern)

Mayor Halpern discussed this item and asked Council for a consensus to purchase cigarette receptacles and have them placed at all the parks and the beach access points.

Council gave consensus to have staff work with Loggerhead Marinelifelife Center to acquire or get suggestions on cigarette receptacles.

18. **DISCUSSION ON DECLARING PELICAN LAKE AS A WETLAND**

(Time: 3:45:09 – 3:55:00)

(Per the request of Mayor Halpern)

Mayor Halpern discussed this item and asked Council for a consensus to start this process.

Council reviewed, discussed, and asked staff questions on this item but no consensus was given.

19. **DISCUSSION ON CONSERVATION AND ENVIRONMENTAL PROTECTIONS OF PELICAN LAKE**

(Time: 3:55:01 – 4:02:16)

(Per the request of Vice Mayor Pro Tem Wheeler)

Vice Mayor Pro Tem Wheeler discussed this item and asked Council for a consensus to allow the Planning & Zoning Board to review the proposed Pelican Lake protections and advise Council accordingly.

Public Comments Opened at 9:23pm.

Mr. Ferguson commented on this item.

Public Comments Closed at 9:25pm.

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

Council gave consensus to have staff review and work on the proposed Pelican Lake protections.

20. **DISCUSSION ON PROPOSED REVIEW OF ZONING CODES AND COMPREHENSIVE DEVELOPMENT PLAN** (Time: 4:02:17 – 4:09:49)
(Per the request of Vice Mayor Pro Tem Wheeler)

Vice Mayor Pro Tem Wheeler discussed this item and asked Council for a consensus to have the Planning & Zoning Board review the Zoning Code and make sure it is in conformity with the Comprehensive Development Plan.

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

Council gave consensus to have staff start reviewing the codes.

21. **DISCUSSION ON UPDATE FROM TPA AND TOWN ENGINEER ON COMPLETE STREETS** (Time: 4:09:50 – 4:16:38)
(Per the request of Vice Mayor Pro Tem Wheeler)

Vice Mayor Pro Tem Wheeler discussed this item and asked to put the complete streets policy on the next meeting agenda.

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

Council gave consensus to move forward with the next step which is to have the Town Manager meet with the TPA and Town of Jupiter.

22. **DISCUSSION ON ONE-CENT SURTAX AND AMERICAN RESCUE FUNDS ALLOCATION** (Time: 4:16:39 – 4:20:15)
(Per the request of Vice Mayor Pro Tem Wheeler)

Vice Mayor Pro Tem Wheeler discussed this item and asked Council for their opinion on possibly having a workshop on this item and gather input from the citizens.

Public Comments Opened at 9:46pm.

Public Comments Closed at 9:46pm.

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

Council gave consensus put this budget information in the newsletter and town website.

23. **COMMENTS FROM TOWN MANAGER** (Time: 4:20:16 – 4:21:28)

Town Manager Lo Bello explained the recently passed countywide ordinance requiring landlords to give tenants at least a 60-day notice on any rent increase of more than 5%. The ordinance applies to municipalities unless they opt out. Staff is not recommending opting out and will put the information in the Activity Report.

24. **COMMENTS FROM TOWN ATTORNEY** (Time: 4:21:29 – 4:21:30) - None

25. **COMMENTS FROM STAFF** (Time: 4:21:31 – 4:32:29)

Director of Planning & Zoning Davila brought up recommendations from the Planning & Zoning Board for Council's consensus.

Council gave consensus to have the Planning & Zoning Board packets delivered at least one (1) week prior to a meeting.

Council gave consensus to have staff handle the proposed items from Boardmember Davis in the most efficient way for the Planning & Zoning Board to discuss at a future meeting.

Finance Director Pazanski provided Council with a proposed list of event dates (*see attached*) and asked Council if they had any questions.

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

Mayor Halpern asked for Council consensus to add an annual Veteran's Day event to the Town's holiday event calendar.

Consensus was not given.

Council gave consensus to have a dedication ceremony on Veteran's Day for the Veteran's memorial.

Town Clerk Copeland-Rodriguez announced that the next Town Council meeting is Wednesday, September 28th at 5:30pm.

26. **COMMENTS FROM COUNCIL** (Time: 4:32:30 – 4:49:20)

Councilmember Cooke expressed his concern on the Town Council email addresses and explained.

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

Town Manager Lo Bello stated that he will meet with each Council member, go over options, and see what each individual member prefers.

Vice Mayor Pro Tem Wheeler asked that at the next meeting, Council discuss adopting the complete streets policy and explained. She also provided an update on search firms she had

found for the position of Town Manager to send the RFP to and asked if any members of Council have other search firm suggestions to send them to the Town Clerk.

Mayor Halpern commented on the September 11th Remembrance Ceremony. She expressed concern on how the term rubber mulch is defined in the code and explained that she had received a complaint from a citizen about a couple of pieces of rubber mulch from the Wheeler residence on the drain on Atlantic Boulevard and provided a picture to Council (*see attached*). She also asked Council for a consensus to consider an amendment to Ordinance No. 712 and have meetings end by 10 p.m.

Council gave consensus to have Town Attorney Rubin draft an ordinance to have meetings end by 10 p.m.

27. **ADJOURNMENT** (*Time: 4:49:21 – 4:49:40*)

Mayor Halpern adjourned the meeting at 10:17pm.

Minutes Approved on September 28, 2022.