

**TOWN OF JUPITER INLET COLONY
REGULAR COMMISSION MEETING**

7:00 p.m.

10/15/2019

**Town Hall Building
50 Colony Road**

MINUTES

1. The meeting was called to order by Mayor Comerford at 7:00 p.m.

Roll call for the record:

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|-------------------------------------|--------------------------------------|
| Mayor Daniel Comerford | Town Attorney William P. Doney |
| Vice-Mayor Milton Block | Town Administrator Kevin Lucas |
| Commissioner Saeed Khan | Chief of Police John Pruitt |
| Commissioner Richard Busto - Absent | Town Clerk Jude M. Goudreau - absent |
| Commissioner Michael Armato | |

Others in attendance: 18 members of the public.

2. Public Comments: None

3. Vote: to approve Consent Agenda

- a. September 2019 General Operating Fund Budget Report & Financial Statements
- b. Minutes from September 9, 2019, 1st Public Hearing on Budget and Taxes
- c. Minutes from September 9, 2019, Regular Commission Meeting
- d. Minutes from September 23, 2019 Final Public Hearing on Budget and Taxes

Discussion: None

MOTION: Vice-Mayor Block

SECOND: Commissioner Khan

VOTE: Unanimous

Motion passed.

4. Commission and Staff Reports:

- a. Town Administrator: No report
- b. Town Clerk: No Report
- c. Chief of Police: Chief Pruitt thanked everyone for coming out to J-Town Jam this past weekend. It was a huge success. Jason Newsted and the Chophouse Band and a couple other bands donated their talents for Little Smiles and Little Kids Rock. Fire Fest is coming up on the 19th.
- d. Code Enforcement: No report.
- e. Town Attorney: No report.
- f. Commissioner Reports: No report from Commissioners Khan and Armato.
- g. Vice-Mayor: Vice-Mayor Block attended a meeting in Jupiter regarding the Brightline Train. The concern is construction for the train bridge at the same time as the U.S. 1 bridge. He spoke out against both projects being constructed at the same time and the traffic issues it would cause. He attended a meeting regarding Suni Sands. Condos with one restaurant will be constructed so that the impact will be low.
- h. Mayor: Mayor Comerford said he will be presenting a Power Point Presentation about undergrounding of utilities at a meeting in the Panhandle.

5. Second Reading: Ordinance: 04-2019

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING CHAPTER 4 BUILDING AND BUILDING REGULATIONS, ARTICLE I. IN GENERAL, SECTION 4-2 *TERM OF BUILDING PERMITS; FILL, REMOVAL OR REGRADING PLANS; SITE PLAN; MAXIMUM HEIGHT CERTIFICATION REQUIRED* OF THE CODE OF ORDINANCES TO PROVIDE THAT THE TERM OF A BUILDING PERMIT FOR THE CONSTRUCTION OF A NEW RESIDENCE WITH 4000 SQUARE FEET OR LESS UNDER AIR SHALL BE TWELVE (12) MONTHS AND THE TERM OF A BUILDING PERMIT FOR THE CONSTRUCTION OF A NEW RESIDENCE WITH GREATER THAN 4000 SQUARE FEET UNDER AIR SHALL BE EIGHTEEN (18) MONTHS; PROVIDING FOR THE TERM OF RENEWAL PERMITS AND PROVIDING FOR A FULL RE-SUBMITTAL OF BUILDING PLANS IN THE EVENT A THIRD RENEWAL PERMIT IS NECESSARY; PROVIDING FOR THE SUBMITTAL OF A CONSTRUCTION SCHEDULE FOR NEW CONSTRUCTION AND MAJOR REMODEL PROJECTS; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: None

MOTION: Vice-Mayor Block

SECOND: Commissioner Armato

VOTE: Unanimous

Motion passed.

6. Vote: Resolution: 2019-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA, AMENDING ITS SCHEDULE OF PERMIT FEES IN ACCORDANCE WITH SECTION 4-1.1 OF THE CODE OF ORDINANCES TO ADOPT AND ESTABLISH A NEW SCHEDULE OF PERMIT FEES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Mayor Comerford explained the Resolution.

MOTION: Vice-Mayor Block

SECOND: Commissioner Armato

VOTE: Unanimous

Motion passed.

7. Vote: First Reading: Ordinance 05-2019

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING CHAPTER 9, NUISANCES, SECTIONS 9-7 AND 9-8 OF ITS CODE OF ORDINANCE TO PROVIDE FOR THE SECURING OF CONSTRUCTION SITES AT THE TIME OF HURRICANE EVENTS AND TO PROVIDE REGULATIONS FOR THE CONTROL OF EROSION, FUGITIVE DUST AND STORMWATER PROTECTION DURING LAND DISTURBING ACTIVITIES; BY AMENDING CHAPTER 18, UTILITIES, ARTICLE III. STORMWATER CONTROL, SECTIONS 18-41, 18-44 AND 18-45 IN ORDER TO CLARIFY THE PURPOSE AND INTENT OF SAID ARTICLE, TO AMEND THE NOTIFICATION

PROCEDURES IN THE EVENT OF A SPILL OR DUMPING INCIDENT AND TO AMEND THE ENFORCEMENT ACTIONS AVAILABLE TO THE TOWN IN THE EVENT OF A VIOLATION OF THE ARTICLE; BY AMENDING CHAPTER 19 VEGETATION, ARTICLE II. FERTILIZER, SECTIONS 19-22, 19-25 AND 19-29 TO PROVIDE THAT STORMWATER INLETS OR STRUCTURES SHALL BE FERTILIZER FREE ZONES, TO MODIFY THE REGULATIONS PERTAINING TO GRASS CLIPPINGS AND VEGETATIVE MATTER AND TO AMEND THE ENFORCEMENT ACTIONS AND PROCEDURES AVAILABLE FOR ARTICLE II; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Discussion: Bill Doney explained the Ordinance.

MOTION: Vice-Mayor Block SECOND: Commissioner Khan

VOTE: Unanimous Motion passed.

8. Vote: Approval of Landscape plans for 241-243 Ocean Drive.

Discussion: The Landscape Architect for Shelly Boyce presented the landscape plan and explained it in detail. He answered questions from the audience and Commission.

Dr. Khan said he was opposed to this variance. He said he sent an email out. He said the variance process was backwards and not handled properly. Information was sent out piece meal. Dr. Khan was out voted. He said he still does not know what the wall looks like. The gate design has not received approval to date. He said he received a notice last Thursday about a meeting on Friday. He said there needs to be adequate notice and a meeting should not be simply set up. He said he provides pro-bono care on Fridays. He sent an email to Dr. Whiteford that it is difficult to attend a meeting on short notice. He questioned grandfathering of a gate permit since there is no structure left. He said a prior motion was passed that all presentations at Commission Meetings has to be presented to the Commission in advance of the meeting. He said he believes the entire process had been mismanaged.

The Mayor said that the other Commissioners met individually with the Architect on Friday about the landscape plan and all of them thought it was a good Landscape Plan. The Mayor said that Earl Fischer also met with the Architect and he loved the plan. He told the Mayor that he could not be here on Tuesday but to relay his thoughts of full-speed-ahead on the project. Discussion ensued among the Commissioners. Commissioner Khan brought up that a minimum quorum (3 members) of the Building and Zoning Committee met and approved the plan. He does not agree that Earl Fischer alone should be able to approve the plan for the Committee. The Mayor said that it was not necessary for the entire Committee to meet again regarding just the gate. A heated discussion ensued between Commissioner Khan, the Mayor and the other Commissioners regarding the approval of the gates. Mavis Sheridan stated that she did not understand why they need a gate. Vice-Mayor Block said there is a problem with people crossing the Boyce's property to access the beach and the gates are necessary due to the proximity to the Beach Club. Cindy Keim stated that gates make a property look like a compound and that is not the way the Colony has been. Commissioner Khan said he is for a wall but against gates.

MOTION: Vice-Mayor Block

SECOND: Commissioner Armato

VOTE: 3 – Aye (Mayor, Vice-Mayor, Commissioner Armato)

1 – Naye (Com. Khan)

Motion passed.

9. Vote: Proclamation: National Hunger & Homelessness Awareness Week

Discussion: Mayor Comerford explained the Proclamation.

MOTION: Commissioner Khan SECOND: Vice-Mayor Block

VOTE: Unanimous Motion passed.

10. Vote: to approve Inter-local Agreement between Palm Beach County First Responder Agencies

Discussion: The Chief explained that the State is mandating on a State level.

MOTION: Vice-Mayor Block SECOND: Commissioner Armato

VOTE: Unanimous Motion passed.

11. Neighborhood Rehabilitation Project Update. Mayor Comerford said he is in negotiations with Giannetti regarding reimbursement for restoration of driveways, sod, sprinklers, etc. Giannetti requested more documentation prior to issuing a reimbursement. Mavis Sheridan mentioned damages at her home but Commissioner Khan and the Mayor told her that the contractor across the street from her is responsible. Commissioner Armato said that the building at the front entrance should be done in approximately 6 weeks. Commissioner Khan said to those who donated toward the building that the funds are dedicated to the project. He said anything left over, donors will be contacted and they will be able to designate if the funds should be redirected or given back to them. This action would require prior approval by the Commission. Cindy Keim asked about 12 Ocean. Commissioner Khan explained that Rob Mancuso was putting in 12 pallets of sod and the cover will be put back on the fence. It had been removed due to the hurricane.

12. Wrap-up and Adjourn

Vice-Mayor Block motioned to adjourn.

SECOND: Commissioner Khan

Vote: Unanimous

The meeting was adjourned at 7:52 p.m.

Approved by:

Mayor Daniel J. Comerford III

Date

Town Clerk Jude M. Goudreau

Date