MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
MONDAY, SEPTEMBER 9, 2024

TIME: Monday, September 9, 2024 – 9:00 AM

PLACE: Town Hall Island Room – 2 Bridge Rd., Hobe Sound, FL

PRESENT: Present were Mayor Penny Townsend, Vice Mayor Marshall Field VI, and Commissioners Anne Scott, Patricia Warner and Joseph Taddeo. Also present were Town Manager Robert Garlo, Town Clerk Kimberly Kogos, Alternate Town Attorney Brett Lashley and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS*

Mayor/Commissioner Comments*

Mayor Townsend stated the Town Vision Statement.

Commissioner Scott suggested a long meeting and asked all Commissioners to resist using their cell phones during the meeting.

a. Town Coffee Update

Commissioner Taddeo will report on the Town Coffee at the beginning of the Beach District meeting tomorrow.

b. Agenda Approval

Item 10 will be moved to Item 3A as there are visitors in attendance who plan to speak on the item.

MOTION: **Commissioner Scott*/Commissioner Taddeo moved to Approve, as amended.***
ACTION: ***Motion 5-0***

c. Other Comments

Public Comment (Non-Agenda Related)*

There were none.

Public Comment is an opportunity for the Mayor and Town Commissioners to listen to any issue(s) of importance to you. Public Comment is offered at the beginning of our meetings, in the event attendees cannot stay in chamber for the agenda item or meeting duration. If you elect to address an item on today's agenda during opening Public Comment, we ask that you please refrain from re-addressing the item during Public Comment at the agenda item. Residents also may submit comments, at any time, to the Mayor and Commissioners into the public record: THMail@tji.martin.fl.us. (Please email Public Comment at least one business day prior to the meeting to ensure timely distribution to the Mayor and Commissioners.)

CONSENT ITEMS

1. Consent Agenda

There were no comments regarding the Consent Agenda.

MOTION: Commissioner Taddeo/Vice Mayor Field moved to approve the consent agenda.
ACTION: Motion Passed 5-0.

Category A- To be reviewed and approved (as is or as edited) by the Town Commission

a. Minutes of the July 17, 2024, Town Commission

Category B- Other Informational Materials (No Action Required)

a. Minutes of the May 29, 2024, Pension Board Meeting
b. Minutes of the May 29, 2024, Jt. Town/SMRU Defined Contribution Plan Committee Meeting

PRIORITY MATTERS & PRESENTATIONS

2. Primary Election Special Outreach Acknowledgments*

External Affairs Consultant, Kelly Layman, provided background regarding the recent Martin County Commission election and the outreach taken by the Town pertaining to the election (i.e., reminders, referral to the Martin County Election website, and candidates forum). She acknowledged the team of individuals involved in the taping of the candidate forum and video production on the Town website.

Ms. Layman also noted a gift of *Five Thousand Years on the Loxahatchee* given to the vendor partners. The vendors and sponsors recognized were: CogniCare Neurocognitive; Alma Neurocognitive Specialty Group; and Alley, Mass, Rogers & Lindsay, P.A.

Ms. KC Ingram provided a few comments of gratitude to the Commission and Town.

Commissioner Scott asked about those participating remotely. IT Director Bill Sutton stated that there are 24 remote sign-ons.

COMMISSION ACTION ITEMS

3. Request for Waiver of Zoning in Progress (ZIP)

a. 161 North Beach

Attorney Jared Gaylord provided a presentation to explain the request for ZIP waiver for the 161 North Beach property. He showed historical aerial photographs followed by site photos of the property and existing structure, noting significant structural deterioration. He displayed the property survey, original site plan and elevations, followed by the proposed site and elevation plan. He explained that if the request is not granted, construction would wait until May 2025 after the ZIP expires.

Commissioner Scott asked if the owners live in the home. Attorney Gaylord stated that the family uses the property as a weekend home, not their primary residence. He noted that the family has owned the property for over 20 years.

Commissioner Scott questioned if regular maintenance had been conducted throughout the years and explained that she did not understand the elevated damage of the property in question verses other surrounding properties. She also asked if the owners want to rebuild or repair.

Vice Mayor Field expressed concern over approving a waiver for a project that is not yet determined and does not present a hardship. Discussion ensued.

The Commission agreed that the request is premature. Attorney Gaylord withdrew the application.

b. 169 South Beach

Attorney Jared Gaylord provided a presentation to explain the request for ZIP waiver. He displayed aerial views of the existing residence and motor court followed by site photographs of the property and motor court. He displayed the property survey and proposed site plan noting the location of the proposed three-car garage. He also showed the proposed landscape plan including the property buffers.

Commissioner Scott noted that the owners have owned the property for over 20 years and does not see a hardship or urgency to construct at this time.

Vice Mayor Field noted that fundamentally, the proposed construction fits within the existing footprint and felt it is more in line with a reasonable request.

Commissioner Warner stated that she agrees with Vice Mayor Field but does not note a hardship. However, she feels that denying a resident progress on their existing property with a limited scope of work during a ZIP may not be the right thing to do.

Mayor Townsend asked Building Director Harding if the applicant would realistically have the approvals to begin construction on May 1, 2025, without a waiver.

Director Harding explained the regular construction season and the process for preparing for that construction. Discussion ensued.

MOTION: ***Vice Mayor Field/Commissioner Taddeo moved to approve the request for Zoning in Progress waiver for 169 South Beach.***
ACTION: ***Motion Passed 3-2 with Commissioners Scott and Warner dissenting.***

4. <u>Ordinance No 394 - Home Based Businesses - 2nd Reading</u>

Director Harding stated that the ordinance changes the reference from occupational licenses to business tax receipts and incorporates home-based businesses into the business tax section.

Commissioner Warner asked about temporary sales events, such as a trunk show. Town Manager Garlo stated that such events are not prohibited.

Discussion ensued regarding state regulations.

Mayor Townsend asked about business tax. Director Harding confirmed the business tax license would either need to be registered with the town or the county. If they do register with the county, they have to provide that license and have it visible in their operation.

Town Attorney Baird read Ordinance 394 by title only:

AN ORDINANCE OF THE TOWN COMMSSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING CHAPTER 6, ARTICLE III OF THE TOWN'S CODE OF ORDINANCES TO DELETE THE USE OF THE TERM "OCCUPATIONAL LICENSES"AND RPLACE IT WITH "BUSINESS TAX"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION;PROVIDING AN EFFECTIVE DATE.

MOTION: ***Vice Mayor Field/Commissioner Taddeo moved to approve and adopt Ordinance No 394 on second reading.***
ACTION: ***Motion Passed 5-0.***

5. Ordinance No 398 - Amending Administrative Review of Building Applications - 2nd Reading

Director Harding explained that this ordinance removes interior renovations and adds ADA accommodations.

Commissioner Scott asked how the Town might avoid abuse of this ordinance and what safeguards the Town might have. Director Harding stated that it has to go through the Building Department and be reviewed with good judgment.

Commissioner Scott summarized that the safeguards are as good as the Building Department is.

Mayor Townsend noted that this ordinance pertains only to interior minor construction. Discussion ensued.

Town Attorney Baird read Ordinance 398 by title only:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A OF THE CODE OF ORDINANCES TO AMEND ARTICLE X, DIVISION 1, SECTION 1 TO PERMIT APPLICATIONS FOR ACCOMMODATIONS UNDER AMERICANS WITH DISABILITIES ACT TO BE REVIEWED ADMINSTRATIVELY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

MOTION: ***Vice Mayor Field/Commissioner Taddeo moved to approve and adopt Ordinance No. 398***
ACTION: ***Motion Passed 5-0***

6. Ordinance No 399 - Amending Alternative Development Standards Regarding Fill - 2nd Reading

1. Director Harding explained that the second reading addresses Section E, which regulates fill on a property. Previously, the ordinance allowed choosing between two criteria: visibility from adjacent properties or ADMnecessity of the fill. This created issues, so the "or" was changed to "and" to require both conditions be met.

Town Attorney Baird read the Ordinance 399 by title only:

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING APPENDIX A, ARTICLE X, DIVISION 3, SECTION 3.02 ENTITLED "PLACEMENT OF MORE THAN THREE FEET OF FILL"; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

MOTION: ***Commissioner Scott/Commissioner Warner moved to approve and adopt Ordinance No. 399.***
ACTION: ***Motion Passed 5-0.***

7. Ordinance No 390 - Adopting Property Rights Element - Second 2nd Reading

Director Harding stated that the Town Commission previously adopted Ordinance 390 in May of 2024. However, since the ordinance was not submitted to the State's Department of Commerce within the required 10 days, the Town will need to readopt the ordinance and submit it through the State's transmittal portal.

Town Attorney Baird read Ordinance 390 by title only:

AN ORDINANCE OF THE TOWN OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE PLAN TO ADD A PROPERTY RIGHTS ELEMENT.

MOTION: **Commissioner Taddeo*/Vice Mayor Field moved to approve readopting Ordinance No. 390 as presented.***
ACTION: ***Motion Passed 5-0.***

8. Potential Merger of Alternative Development Standards (ADS) with the Land Development Regulations (LDR)

Director Harding explained the potential merger of the ADS and the LDR and highlighted the key changes. She noted that these changes do not affect the work of the Board of Adjustment, as the alternate development standards have simply been moved to a different section of the LDRs.

Mayor Townsend explained that to address the gap between the BOA and IRC, alternative development standards were merged into the Land Development Regulations (LDRs). The only exception is fences and walls for pools, which are not treated as a variance. All other cases now require a variance from the BOA, using the same language from the previous alternative standards but with a higher level of review.

Commissioner Scott continued to express concern, stating that BOA decisions should be advisory. She questioned the role of the Commission, noting that with the BOA handling these tasks, it raises the question of what their responsibilities will be if this is no longer their job.

Commissioner Warner noted that docks and crossovers do not need to be included in the core residential district section since there is no waterfront.

Mayor Townsend confirmed it will come back as an ordinance.

9. Ordinance No 400 - Restoring Local Planning Agency (LPA) Authority - 1st Reading

Director Harding explained Ordinance No. 400 that would restore the authority and duty of the Local Planning Agency to convene as needed.

Town Attorney Baird read Ordinance 400 by title only:

AN ORDINANCE OF THE TOWN OF THE TOWN COMMISSION OF THE TOWN OF JUPITER ISLAND, MARTIN COUNTY, FLORIDA, AMENDING ARTICLE 1, DIVISION 111, SECTION 3.00 B 1 "LOCAL PLANNING AGENCY" TO AMEND THE AUTHORITY AND DUTY OF THE LOCAL PLANNING AGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

MOTION: ***Vice Mayor Field/Commissioner Scott moved to Approve Ordinance No 400 on 1st reading as presented.***
ACTION: ***Motion Passed 5-0***

10. Comprehensive Plan / LDR Review RFP 2024 - 09

This item was heard after Item 3b.

Assistant Town Manager and Director John Duchock provided background pertaining to the request for proposal (RFP) # 2024-09, explaining the solicitation and process for selection. He announced the results of the selection committee, noting the company that was chosen is Kimley-Horn. He stated that Adam Kerr and Ali Palmer are present to represent Kimley-Horn and provide information regarding their firm.

The Town Commission recessed at 10:07 AM.

The Town Commission reconvened at 10:10 AM.

Ms. Ali Palmer, Project Manager with Kimley-Horn, provided background information regarding the firm and project team. She explained their commitment to the project.

Commissioner Scott asked if Kimley-Horn is involved in the project in Fort Walton Beach as referenced in Friday's Wall Street Journal. Ms. Palmer said not to her knowledge but stated she would confirm.

MOTION: ***Commissioner Scott/Commissioner Warner moved to approve engaging with Kimley Horn***
ACTION: ***Motion 5-0.***

11. Finance Matters

    a. Approval of the 2024-2025 Property, Casualty, and Ancillary Insurance Policies

Director Matthew Pazanski explained that this approval is for the property and casualty insurance policies with the League of Cities, along with some ancillary policies with smaller vendors. The League of Cities issued the renewal, showing a 27% increase this year. A property survey, required periodically, revealed a 50% increase in asset values, from $22 million to $30 million, contributing to the rise in premiums. Property premiums increased by 44%, general liability by 19%, workers' compensation by 7%, auto insurance by 10%, and ancillary coverages by 6%.

Commissioner Taddeo asked if it would be worth self-insuring. Director Pazanski explained different options.

MOTION: Commissioner Scott/Vice Mayor Field moved to approve recommendation as presented.
ACTION: Motion 5-0

b. Approval of 2024-2025 Employee Insurance Benefits

Director Pazanski explained that he worked with the Gehring Group to provide the best potential employee insurance benefits noting that Florida Blue was the only company that responded to the solicitation. Director Pazanski reviewed the coverage in summary with an increased amount of $129,600, and the cafeteria coverage of $152.08 per month per eligible employee.

Director Pazanski reviewed the recommendation for fiscal year 2024-2025.

MOTION: Vice Mayor Field/Commissioner Taddeo moved to approve as presented.
ACTION: Motion Passed 5-0

c. Resolution No. 923 - Amending the General Fund Budget FY 2024

Director Pazanski explained unexpected additional expenditures that occurred during the current fiscal year. He asked for a total budget amendment of $828,030.

Vice Mayor Field explained the current A/C condition. He added that a professional property manager would be beneficial. Town Manager Garlo stated that this is in process.

Commissioner Scott addressed comments from a resident regarding the increased legal fees. She requested a comparison of legal fees this year compared to previous years (10 years) so they may answer resident questions. Discussion ensued regarding the growing fees.

MOTION: Vice Mayor Field/Commissioner Warner moved to approve Resolution No. 923 as presented.
ACTION: Motion 5-0

d. FY 2024-2025 Tentative Annual Budget

Director Pazanski provided information regarding the proposed annual budget for fiscal year 2025. He explained that this information will be presented this evening at the first budget hearing at 5:01 PM and again on Thursday, September 12, at 5:01 PM. He reviewed details of the budget proposal, explaining that the proposed budget is $13,040,781, noting the 2025 Fiscal Year Ad Valorem revenues and added the COLA increase of 5% without a merit increase.

Vice Mayor Field noted that the Town Manager should have the liberty of granting merit increases in addition to COLA. Commissioner Taddeo expressed agreement that merit increases are given to provide employees with an incentive to high performance.

Director Pazanski reviewed the additional budgeted expenses and detail.

Director Pazanski reviewed the 5-year Capital Plan, the Electric Debt, and the Beach Protection District Budget. In summary, the proposed millage rates are:

- Town 2.7887 mills
- Beach .9593 mills

- Electric Debt .2472 mills

e. Resolution No 924 - Approval of Proposed Pension Board Investment Policy Statement (IPS) Revisions

Director Pazanski introduced the Town's financial advisor, P.J. Gardner of AGW Advisors. Mr. Gardner explained the changes in the Investment Policy Statement (IPS) that were presented to and approved by the Pension Board. Discussion ensued regarding potentially losing the ability to adapt to variable environments. Mr. Gardner explained that the Board will continue to monitor the activity and provided additional detail pertaining to being prepared for various environments.

MOTION: **Commissioner Scott*/Commissioner Taddeo moved to approve Resolution No. 924 as presented.***
ACTION: ***Motion passed 5-0.***

Commissioner Scott noted that this process is exactly how the Town Commission should conduct business and make policy. She explained the process of the professional bringing forward a recommendation from the Board and the Commission reviewing and approving or denying.

ADDITIONAL COMMISSION MATTERS

12. Waterfront Setback Line Study Update

Director Duchock introduced the agenda item and explained that the project manager is present to present the Task 2 Technical Report and their recommendation.

Ms. Jennifer Bistyga of Cummins Cederberg reviewed Task 2 of the Project Scope of Work, Data Analysis and Assessment of Setback Criteria. She explained that the company is now moving into Task 3 which includes preliminary maps and field verifications. She explained that the study focused on 12 R-Monument locations stretched across the Town's shoreline to conduct the data analysis.

Mr. Jordan Cheifet, P.E., reviewed the following five components analyzed:

- Nourished vs. Non-Restored beach
- Shoreline Change Rate (SCR)
- Seasonal High Water Line (SHWL) to Mean High Water Line (MHWL) distance
- Credit years (remaining life of nourishment project)
- Once calculated, 30-YEP (Year Erosion Projection) distance is added landward of either the ECL (nourished beach) or the SHWL (non-restored beach).

The equation for the 30-YEP for Nourished Beaches is:
30-YEP = -(SCR) x (30 years – # years Credit) + (SHWL to MHWL distance-pre project)

The equation for the 30-YEP for Non-restored Beaches is: 30-YEP = -(SCR) x (30 years)

Discussion ensued regarding the 30-year Erosion Line and a plan going forward.

Mr. Cheifet continued by reviewing the Town's beach nourishment history and sand placement areas.

Director Duchock explained that sand moves north to south and adjusts offshore as well. Vice Mayor Field was interested in reclaiming some of the sand going forward. Director Duchock provided information regarding the current and potential borrow sites. He stated that he could bring back more information on sustainability.

Mr. Cheifet reviewed the SCR, the SHWL compared to the MHWL distance, Coastal Armoring, and nourishment project credit years. He reviewed the 30-YEP related variables and calculated results as well as sea level rise scenarios.

Mr. Cheifet discussed reconsideration of the dune setback criteria including:

- Florida Statute defines primary dune as "first natural or manmade mound or bluff of sand which is located landward of the beach and which has significant vegetation, height, continuity, and configuration the offer protective value
- Primary dune or Primary Frontal Dune (PFD) is significant in CCCL Program
- Town has relatively well-defined dune along majority of shoreline
- Locations of dune crest, toe and hell are variable, diverse geometries

He explained the proposed approach as:

- Establishment of dune line will use ecological and engineering judgement
- Dune line will be preferentially established along relatively continuous features
- Aerial interpretation of the change in vegetation (ecotone) between dune grass and coastal strand vs other upland veg and landscaping
- PFD heel will be determined using slope changes, where appropriate based on dune geometry

Discussion ensued regarding a changing line vs. fixed line.

Mr. Cheifet explained that they will combine the ecological aspects of the dune feature with engineering through a multi-layered approach. Using the collected data, they will create preliminary maps. As the next step, they will conduct field visits to verify that the preliminary lines accurately represent the dune features at specific locations. This will include ground truthing and updated surveys to ensure the use of the most recent available data.

Mr. Cheifet reviewed the following recommendations:

- Reconsideration of Town Criteria 1:
    1. 50 ft. landward of MHWL (consistent with DEP)
- Reconsideration of Town Criteria 4 and 5:
    1. Line of Sight and Avg MHW Setback associated with conforming building within 1,000 feet.

Mr. Cheifet summarized the following Assessment of Setback Criteria:

- Town’s Existing Setback Criteria
    1. 50 ft. landward of the mean high water (MHW)
    2. 50 ft. landward of the dune (+14’)

3. 50 ft. landward of existing seawall/coastal structure
4. Line of sight between closest habitable conforming buildings within 1,000 ft.
5. Average setback from MHW of closest conforming buildings within 1,000 ft.

- Potential Alternatives to Setback Criteria
    1. 50 ft. landward of Erosion Control Line (ECL)
    2. 50 ft landward of dune line
    3. Remove coastal structure criterion
    4. Line of Construction for major habitable buildings
    5. Town-wide 30-YEP
    6. 25-year storm erosion
    7. CCCL General Permit Line

Mr. Cheifet added preliminary mapping and field verification will be done in consultation with the Town. After completion of preliminary mapping, ten parcels will be identified for field verification. He noted Task Force will include final mapping and summary report.

Town Manager Garlo asked if the state's methodology for permit applications is contemplated within the study. Mr. Cheifet confirmed they have met and presented the proposed methodologies three times with the State, and they agreed it is consistent with their application review.

Mayor Townsend spoke about the regularity of 100-year storm events.

Commissioner Scott summarized that they need to provide something that the residents can rely on and decide on specific criteria to define the line.

Commissioner Warner asked for an executive summary per se to provide residents with a layperson's response to the question as to why the Town is conducting another setback line study. Director Duchock will bring additional information to the Town Commission during tomorrow's Beach District meeting.

The Town Commission recessed at 12:28 PM for a lunch break.

The Town Commission reconvened at 12:48 PM.

STANDING REPORTS

13. Town Manager's Report
    a. Florida League of Cities and Treasure Coast Regional Planning Council Updates* (Kelly Layman)

Ms. Layman provided an update of the Treasure Coast Regional Planning Council appointment rotation for general reference.

She continued by reviewing the current Martin County work projects which includes the Western Lands Study - Collecting and reviewing previous studies done in the western area of Martin County, along with other projects.

Vice Mayor Field asked about the MPO and the Town's request to be included on the voting board. Town Manager Garlo stated he and Ms. Layman would reach back out to the MPO.

Ms. Layman reviewed the Florida League of Cities 2024 Annual Conference. She noted that the legislative policy committees for the upcoming session will be in October, November and December (final priorities and full board vote). This year, the legislative session will occur March - May 2025.

Ms. Layman added a discussion item regarding water quality stations within the town limits. She stated that there are currently two stations within Town limits and is working on making these stations for toxic algae as well. These stations are currently maintained by the Water Management District, not DEP.

Ms. Layman reviewed the map of weekly site visits for blue-green algae. Commissioner Scott suggested a presentation to the Commission regarding toxic blue green algae and the health threat. Ms. Layman stated that the Town could send support to a current Environmental Protection Agency petition. Town Manager Garlo suggested inviting Mr. Perry to an upcoming commission meeting.

b. 2024 Primary Election Results, Martin County Elections* (Kelly Layman)

Ms. Layman reviewed the recent Martin County Primary Election results. She noted the elected county commission consists of Eileen Vargas (District 1), Blake Capps (District 3), Edward Ciampi (District 5) and Marsha Powers (District 2) and Brian Moriarty (District 5) for School Board; Laura Giobbi and Sean Reed for the City of Stuart; and Phyllis Waters Brown (Janet Hernandez) for the Village of Indiantown. Additionally, Rick Scott and Brian Mast will go to the State-wide November ballot.

Ms. Layman added that she provided a letter on the dais from a close friend of Nathaniel Reed commending a non-profit for ongoing conservation work and national-level exhibit. The Commission agreed to sign the letter.

Mayor Townsend noted that she is unable to attend the September 18th Treasure Coast Regional League of Cities. No other Commissioners are able to attend.

c. Town Manager Evaluation

Commissioner Taddeo stated that the Commission asked him to bring back criteria for an evaluation. He explained the 2-part evaluation that he put together with Town Manager Garlo. He noted that the first portion is based on his job description as laid out in the Town Charter, and the second portion is based on his personal accomplishments as well as those of the Town Directors, which the Town Manager submits to the Town Commission. The Commission then can review the goals and objectives of the Town staff and add to it or edit as a group.

Mayor Townsend summarized that the Commissioners will review the submitted accomplishments and evaluate. The Town Manager will bring forward his objectives and goals to the October meeting. The Commission agreed. Commissioner Taddeo stated that the Commission can in turn set forth objectives for the upcoming year.

d. Legal Representation Expenses

Town Manager Garlo stated that former Commissioner Collins provided legal fees that have been incurred in accordance with depositions pertaining to their tenure on the Commission. He explained that Former Commissioner Collins had requested Town representation, and it was denied. Upon review, he noted they are appropriate expenses.

MOTION: **Commissioner Taddeo*/Vice Mayor Field moved to approve reimbursement of expenses incurred by former Commissioner Collins.***

ACTION: ***Motion 5-0***

e. Other Items*

Town Manager Garlo noted that merit compensation has been completed.

He also mentioned the recent activity related to Jonathan Dickinson State Park (JDSP). Mayor Townsend explained that she sent a letter to Senator Marco Rubio regarding the matter. She stated that the Governor has tabled the matter, and the Town is currently monitoring the situation.

Vice Mayor Field explained that he felt an individual response is inappropriate and would have preferred an emergency meeting of the Commission to discuss and come to a group decision. Mayor Townsend stated that she acted in accordance with legal counsel and is in agreement with the Commission's request to call for an emergency meeting going forward.

Ms. Layman read the Town's 2011 Resolution related to the same state park matter. The Commission asked to bring forward a new resolution (November) regarding the Town's position on the JDSP matter.

Town Manager noted that Commissioner Scott may not be able to attend the September 12, 2024 2nd Budget Hearing in person, and requests remote participation if she is not able to make the meeting.

MOTION: ***Vice Mayor Field/Commissioner Taddeo moved to permit Commissioner Scott to participate remotely at the September 12, 2024 5:01pm 2nd Budget Hearing***
ACTION: ***Motion Passed 4-0 (Commissioner Scott did not vote).***

14. Town Attorney Report

    a. Short-Term Rentals

Town Attorney Baird discussed the memo on short-term rentals and explained that the state has preempted local regulation. A recent bill that would have given local governments more regulatory control did not pass. During his review, he spoke with the Palm Beach Shores town attorney, whose town adopted an ordinance that, while not prohibiting short-term rentals, makes the process more difficult for individuals. He suggested presenting this ordinance to staff and, with the Commission's approval, potentially bringing it back for discussion and consideration as a future ordinance.

Commissioner Scott noted that there have always been short term rentals on the Island. She explained that she does not want to discourage residents who rent to family members or friends for 1-2 weeks per year but would like to discourage VRBO-style rentals.

    b. Other Items*

Town Attorney Baird stated that in the case of Feldsine/Dolphin Suite vs Townsend, the plaintiffs have amended the complaint to add the Town in the complaint. Mr. Rob Wilkins of Jones Foster will represent the Town in this matter.

Mayor Townsend recommended an Attorney Client session on October 3 to discuss the notice case and possibly the abandonment case.

15. Finance Department Report

    a. Monthly Financial Report

Director Pazanski reviewed the monthly financial report with total revenues at $12,706,535 and expenditures at $8,911185.

No questions or comments were presented.

b. Other Items*

16. Building Department Report

Director Harding reviewed the Building Department Reports and Code Compliance Reports. Vice Mayor Field expressed approval of the new reporting system.

a. Building Department Reports

b. Code Enforcement Report

c. BOA/IRC Chair Update

Director Harding reviewed the survey of the IRC, BOA and LPA as to who should appoint the Chairperson of each Board/Committee. In summary, the majority of the IRC and BOA prefer the Mayor to choose the Chairperson, while the LPA prefers the members to choose the Chair.

d. Other Items*

There were no other items.

17. Public Safety Department Report

a. PSD Activity Report

Chief Ewing reviewed the Public Safety Department activity report. He mentioned the recent house fire on the Island and noted the quick and successful response. He also reported on the recent mail fraud case which was turned over to the Postmaster who is heading up the investigation. He noted there has not been a lot of information provided regarding the case.

Discussion ensued regarding traffic stops and uninsured drivers, which morphed into a conversation regarding companies who should E-Verify their employees.

b. Other Items*

There were no other items.

18. Public Works Report

a. Road Improvements Recap*

Director Stuart Trent provided an update on the recent road work on various side streets on the Island as well as the entrance to Bon Aire Subdivision.

He also noted that the US 1 bridge is expected to have one lane open in each direction by November, with all lanes scheduled to open by the spring.

b. Other Items*

There were no other items.

OTHER ITEMS

19. Meeting Dates

- September 9, 2024 – 1st Budget Hearing – 5:01 PM
- September 10, 2024 – Town Coffee with Commissioner Taddeo – 9AM
- September 10, 2024 - SMRU Board – 10:00AM PM
- September 10, 2024 – Beach Protection District – Directly following SMRU Board
- September 12, 2024 – 2nd Budget Hearing – 5:01PM
- October 2, 2024 – Town Coffee with Mayor Townsend – 9AM

- October 2, 2024 – Beach Protection District – 10AM
- October 3, 2024 – Town Commission Meeting – 9AM
- November 5, 2024 – Town Coffee with Commissioner Warner – 9AM
- November 5, 2024 – SMRU Board / Beach Protection District – 10AM
- November 6, 2024 – Town Commission Meeting – 9AM
- March 18, 2025 – Municipal Election (3 seats)

a. Potential Scheduling of Additional Meeting Dates

The Town Commission discussed the December meeting dates and agreed to the following:

- *December 4, 2024 – Town Coffee with Vice Mayor Field / Beach Protection District– 9AM*
- *December 6, 2024 – Town Commission Meeting and Employee Luncheon– 9AM*

20. <u>Other Items*</u>

Mayor Townsend announced that Charlotte Johnson has resigned from the Scholarship Committee. She also noted one vacancy each on the IRC and BOA.

The Town Commission adjourned 2:30 PM.

Respectfully submitted,

____
Kimberly Kogos, Town Clerk