MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
TUESDAY, SEPTEMBER 16, 2025

TIME: Tuesday, September 16, 2025 – 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, Town Attorney Thomas Baird and IT Director Bill Sutton.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

AGENDA APPROVAL AND COMMENTS*

A. Mayor/Commissioner Comments

Mayor Townsend called the meeting to order at 9:00 AM and read the Town Vision statement. Mayor Townsend thanked the Impact Review Committee members who had returned to Town this summer and formed a quorum. She reflected on the 9/11 Memorial, noted the Town Commission's role as volunteers, and called for a moment of silence.

a. Commissioner Comments

There were no additional comments.

b. Agenda Approval

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

c. Other Comments

There were no other comments.

The Town Commission meeting will recess at approximately 12:00pm (noon) to conduct a closed-door Attorney Client Session in the Town Hall Conference Room, which is estimated to last approximately one hour, but may continue as long as necessary to conduct required business. The Town Commission will reconvene once the Attorney Client Session has adjourned.

B. Public Comment

There were no public comments at this time.

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.)*

The Town Commission will recess at approximately (or as reasonably close to the time as possible) 10:30am, 12:00pm, and shortly before the conclusion of the meeting - timing dependent on the meeting's length - in order to review any public comments submitted during the meeting. All comments received will be read into the record following each scheduled recess.

CONSENT ITEMS

1. Consent Agenda

MOTION: **Commissioner Field*/Commissioner Taddeo moved to approve consent agenda as presented.***
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 22, 2025, Town Commission Meeting
b. Fixed Asset Disposals

Category B- Other Informational Materials (No Action Required)

a. Minutes of May 5, 2025, Impact Review Committee Meeting

Vice Mayor Scott questioned the approval of the May 5, 2025, meeting minutes, noted that the committee met on May 1, 2025, instead of May 5, and expressed concern over delegating responsibilities to lower boards and committees.

Commissioner Field expressed concern regarding timely hearing of development applications. Discussion ensued.

b. Minutes of May 8, 2025, Pension Board Meeting
c. Minutes of May 8, 2025, Town/SMRU Defined Contribution Meeting

PRIORITY MATTERS & PRESENTATIONS

The new Code Enforcement Officer, John Jenkins, was introduced to the Town Commission and expressed appreciation for the opportunity.

2. Kimley Horn Presentation

a. Final Density Study

Hadley Petersen of Kimley-Horn provided an update of the Density Study that Kimley-Horn conducted for the Town. She provided background information and explained barriers to development including lot development regulations (i.e. setbacks, access, lot width), natural features (i.e. unsuitable solids, flood-prone areas, mangroves), and publicly and privately owned conservation lands. She reviewed residential parcels meeting minimum zoning requirement for subdivision, explaining that there are 213 units that could be added to the Town.

Ms. Petersen explained the Town and County service impacts including:

- Transportation and Roadways - currently operates at a Level of Service (LOS) C and additional units would not adversely affect the current level of service.
- Sanitary Sewer Service - septic system reliance could affect water quality.
- Potable Water - there will be an increase by about 2%, potentially exceeding current capacity.
- Solid Waste Disposal - waste generation would rise significantly
- Emergency Services - Law enforcement, fire rescue and Emergency Medical Services staffing a service remain adequate.

The Town Commission expressed surprise and concern that the level of service would not be adversely affected. Discussion ensued regarding how to address the level of service and how Senate Bill 180 affects the Town. Discussion continued regarding potable water supply.
Vice Mayor Scott asked how the Town Commission would proceed and what outcomes were expected. Mayor Townsend said the density study was commissioned to inform the comprehensive plan and align the Land Development Regulations (LDRs). Mayor Townsend noted concerns from the Kimley-Horn analysis indicating a potential 42% increase in island housing stock and urged a policy-first approach.

Ms. Petersen stated that discussions from today and prior meetings would be used to inform draft policies for the comprehensive plan. She reported that the policies were being finalized, with data from SMRU needed to complete the infrastructure element, and that the draft would be provided to staff for review. She noted a targeted focus group discussion was scheduled for October.

Mayor Townsend confirmed that the Evaluation and Appraisal Report (EAR) documents must be submitted to the state no later than July 1, 2026. She requested that the schedule be spaced to allow sufficient time for the discussions suggested by Commissioner Scott and others. She recommended setting a submittal date in April 2026 to provide adequate time for review and noted uncertainty regarding the formation of a focus group.

Ms. Petersen stated that the EAR letter had been submitted to the state by the Building Director, which initiated the timeline and established a deadline of July 1, 2026, for submission of the EAR documents.

Vice Mayor Scott expressed that policies should be created to legally protect the Town and its density as it currently is. She stated that the Town has reached its peak of development. She suggested that Kimley-Horn draft policies that reflect that vision. Ms. Petersen explained Kimley-Horn's process in creating the language for such policies. In summary, the Town Commission agreed that the development threshold had been met, and the level of service should be improved.

b. Comprehensive Plan Schedule Review

The focus group was scheduled to be deferred until December since the majority of residents are not in Town prior.

Staff was directed to revise the schedule within the next two weeks to create additional touch points with the Town Commission and focus groups between November and April.

Commissioner Warner suggested the use of a survey to provide broader feedback than a focus group and recommended including non-residents such as contractors, attorneys, and realtors.

COMMISSION ACTION ITEMS

3. Winter Waiver Request - 251 South beach Rd. (Hamm)

Attorney Jared Gaylord, on behalf of Ted Hamm, greeted the Town Commission, and introduced his project team. He provided aerial views of the property in question and older photographs of the existing, exposed seawall as well as video footage acquired from Department of Environmental Protection (DEP). He reviewed DEP and Town development regulations specifically to protect sea turtle nesting locations. He reviewed a proposed construction schedule that ranges from October 8, 2025, through February 20, 2026. He confirmed that a "Silent Piler" is proposed for construction use.

Mayor Townsend stated that, historically, the Town had approved winter construction for seawalls due to sea turtle nesting protections.

Vice Mayor Scott asked if more natural alternatives were considered. Discussion ensued regarding new seawalls. It was pointed out that the property in question had an existing seawall that could be shored up, not reconstructed.

MOTION: ***Commissioner Warner/Commissioner Field moved to approve the winter waiver request at 251 South Beach Road.***
ACTION: ***Motion Passed 4-1; Vice Mayor Scott opposed.***

4. Resolution No. 940 - Administrative Official to Approve Plats and Replats

Town Attorney Baird provided an overview of the resolution and the associated state requirements. Vice Mayor Scott noted that replatting could create rights of way and could have impacts on adjacent properties. She suggested notice to the Town Commission and written findings from the building department to ensure compliance with Town regulations.

Mayor Townsend suggested approving Resolution 940 and bringing back an Ordinance that will be codified in which specific directives could be clarified. Commissioner Field suggested adding language "approved after consultation with the Town Commission”. Discussion ensued. Mayor Townsend clarified that the Comprehensive Plan and zoning regulations drive the approval or denial of plats and replats.

MOTION: ***Commissioner Taddeo/Commissioner Warner moved to approve Resolution No. 940 as presented***
ACTION: ***Motion Passed 3-2***

Town Commission recessed at 10:41am.
Town Commission adjourned at 10:49am.

5. Resolution No. 941 - Abandon Devonshire Lane

Town Manager Garlo provided resident comments from Karen Testa. He noted that the abandonment only refers to the western portion of Devonshire Lane. Mayor Townsend stated she clarified with Mrs. Testa who has since retracted her opposition.

Discussion ensued regarding retaining public access. Director Duchock provided an explanation of the location and request of the proposed abandonment. He noted that the abandonment does not include the cross-street connection between Gomez Rd and South Beach Road. He also noted that the Lane services two abutting properties with no through traffic or public use, is less than 10' wide paved surface, the Right of Way (ROW) width is 25', is approximately 578' length from Gomez Road ROW to the Intracoastal water, and there is an aging seawall that requires repair.

Vice Mayor Scott questioned the consistency of ROW abandonments. Following discussion, the Town Commission reached consensus that Town Manager Garlo would issue written notice for all violations, including the current matter.

MOTION: **Vice Mayor Scott*/Commissioner Taddeo moved to table without prejudice.***
ACTION: ***Motion Passed 5-0.***

Resolution No. 941 tabled without prejudice (postponed consideration but may be brought for discussion at a later meeting). Staff will work with abutting neighbors to move forward.

6. Resolution No. 942 - Authorizing Participation in Lawsuit to Oppose SB 180

Town Attorney Baird provided background information regarding the lawsuit in opposition to Senate Bill 180, stating that to date, there are 21 local governments who currently oppose the legislation. Town Manager Garlo explained that there may be unintended consequences to oppose state legislation. Commissioner Field noted that the Town may not be able to revise its Comprehensive Plan due to Senate Bill 180. Discussion ensued.

MOTION: ***Vice Mayor Scott/Commissioner Warner moved to table resolution 942 without prejudice.***
ACTION: ***Motion Passed 5-0.***

7. Ordinance No. 409 - Appeal Process - 2^{nd} Reading

Town Attorney Baird read Ordinance No. 409 by title.

Town Manager Garlo referred to Page 3, 9a, and questioned the timeliness of Town Commission notification of a Development Order. He suggested an internal policy to rectify the concern. **He explained that the Building Department will date-stamp the development order, send to stakeholders including Commissioners, and post to the Town website.**

Vice Mayor Scott expressed concerns regarding the ordinance, including de novo and appeals rules. Mayor Townsend noted the resident appeal process remained unchanged. Discussion ensued.

Mayor Townsend referred to page 3, 9c, and questioned the wording of "4" or "supermajority" to pass. **Consensus was gained to use the word “supermajority”.**

Vice Mayor Scott stated she wanted to review appeal ordinances from other municipalities for comparison. Discussion continued regarding expressed concerns.

MOTION: ***Commissioner Field/Commissioner Warner moved to approve Ordinance No. 409 with procedural considerations and language change as discussed.***
ACTION: ***Motion Passed 4-1, Vice Mayor Scott opposed.***

8. Ordinance No. 410 - Amending Code regarding Permits - 2nd Reading

Town Attorney Baird read Ordinance No. 410 by title.

MOTION: **Commissioner Field*/Commissioner Taddeo moved to Approve Ord 410 as presented.***
ACTION: ***Motion Passed 5-0.***

9. Ordinance No. 411 - Combining BOA and IRC - 2nd Reading

Town Manager Garlo read comments from resident Nancy Auth.

a. Ordinance No. 411 2nd Reading

Town Attorney Baird read Ordinance 411 by title.

Mayor Townsend noted that the portion of the title that refers to variances would need to be removed. She stated the board should have seven (7) members with attendance requirements and staggered terms to avoid full turnover. She emphasized including waiver criteria along with variance standards and suggested requiring members to commit in advance to summer meetings. She recommended that the board elect a chair annually, add a vice chair, and follow the Town Commission's adopted rules. She concluded that with seven members, the quorum should be four, and attendance provisions should be strengthened.

Commissioner Warner suggested adding language regarding Vice Chair position. She stated that on Page 3, Item 2 at the bottom, the language requiring the board to elect a chair each January should be removed, since the rotation already provided for in the ordinance covers this process. Commissioner Field supported the idea of establishing some form of rotation to address this concern. There was consensus to eliminate the Vice Chair position.

The Town Commission recessed at 11:59am.
The Town Commission reconvened at 1:30pm.

Following the Attorney Client session, Mayor Townsend summarized the proposed revisions. The board would consist of seven members with a quorum of four. Authority and powers would include variances and criteria for waivers. Terms would be staggered. The provision requiring the board to elect a chair in January would be removed. The references on Page 2 to subdivision decisions would also be deleted since that was no longer applicable.

MOTION: ***Commissioner Warner/Vice Mayor Scott moved to approve Ordinance No 411 with changes as discussed.***
ACTION: ***Motion Passed 5-0.***

Mayor Townsend questioned the effective date and Town Attorney Baird confirmed it is upon execution.

Director Harding stated that she and Attorney Baird plan to provide an orientation for the new board.

b. Development Review Board Members

Discussion ensued regarding potential board members. The Commissioner affirmed the following:

Regular Members: Truman Hobbs, Jennifer Madden, Maria Byazid, Judy Holden as Chair, Nancy Auth, Christina Whitney, and Bonnie Schiralli.

Alternate Members: Deane Blazie, Eleanor Seaman, and Walter McCormick.

c. Development Review Board Criteria

Discussion regarding Board criteria ensued.

Mayor Townsend and Commissioner Taddeo submitted comments. Mayor Townsend noted that although she and Commissioner Taddeo had made notes on criteria, their comments carried no legal bearing until incorporated into an ordinance.

Commissioner Taddeo emphasized the importance of consistency and recommended that all suggestions from board and committee members be gathered and reviewed by the Town Commission when considering the criteria.

10. Ordinance No. 412- Dock Lighting - 2nd Reading

Attorney Baird read Ordinance No. 412 by title.

MOTION: ***Commissioner Taddeo/Commissioner Field moved to Approve Ordinance No. 412 as presented.***
ACTION: ***Motion Passed 5-0.***

11. Road Resurfacing Piggyback Contract (Sunshine Land Design)

a. Contract Approval Request

Director Duchock explained the contract approval request and provided background information. He stated that staff recommends entering into a piggyback contract with Sunshine Land Design.

Vice Mayor Scott requested a link to the contract in the future, instead of a full hard copy.

MOTION: ***Vice Mayor Scott/Commissioner Taddeo moved to approve the piggyback contract approval request as presented.***
ACTION: ***Motion Passed 5-0.***

b. Work Authorization Request - Isle Ridge

Director Duchock provided an explanation and background of the work authorization request.

MOTION: ***Vice Mayor Scott/Commissioner Taddeo moved to approve the work authorization request for Isle Ridge as presented.***
ACTION: ***Motion Passed 5-0.***

12. Town Manager Evaluation

a. Town Manager Evaluation Discussion

Mayor Townsend stated that the Town Manager had reviewed the submitted evaluations and comments, as well as the Commissioners.

Commissioner Taddeo spoke to the Town Managers objectives and expressed particularly positive comments regarding the Town Manager's accomplishments and outstanding performance. He referred to a list of salaries of neighboring municipal Managers. He suggested a 15% bonus (last year was 10%).

MOTION: ***Commissioner Taddeo/Commissioner Field moved to approve a bonus of 15%, or $39,375.***
ACTION: ***Motion Passed 5-0.***

b. Director Accomplishments and Objectives - Review and Discussion
Commissioner Taddeo expressed positive remarks regarding the good management of the Directors.

13. Finance Matters

a. Approval of the 2025-2026 Property, Casualty, and Ancillary Insurance Policies
Director Pazanski provided a review of the 2025-26 Property, Casualty, and Ancillary Insurance Policies. He stated that the insurance renewal quotes from FMIT reflect an approximate 2.5% decrease from last year. He stated that staff recommends approving as presented.

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

b. Approval of 2025-2026 Employee Insurance Benefits
Director Pazanski provided background and information regarding the employee insurance benefits and stated the goal to remain competitive with other municipalities. He noted that Florida Blue was the only company who provided a quote this year and consultant Gehring Group was successful in negotiating a 9.% increase down from the initial 13.7% for the Town's PPO Plan. He briefly reviewed the additional benefits and rates. He stated that staff recommends approval of the proposed employee insurance benefits.

Director Pazanski noted that collective bargaining approvals will be presented during the 2nd budget hearing on September 19th.

MOTION: ***Commissioner Field/Commissioner Taddeo moved to approve 2025-2026 employee insurance benefits as presented.***
ACTION: ***Motion Passed 5-0.***

c. Financial Report Year-to-Date
Director Pazanski provided a presentation of the current Year-to-Date financial report. Total revenues are $12.89 million and expenses are $11.56. He reviewed the interim balance sheet and noted that checks have been received from FEMA for the Beach District. Town Manager Garlo noted the County cost share of $9m as well.

d. FY 2025-2026 Tentative Annual Budget
Director Pazanski reviewed the proposed budget, noting that the proposed millage rates had been noticed to residents as required. He explained the General Fund proposed revenues of $13,587,227 and provided

details of the fiscal year 2026 ad valorem revenue and projected expense changes including 5% COLA/Merit. He reviewed the general fund expenditures and 5-year capital plan.

Commissioner Field suggested an audit of all Town assets and building maintenance.

Commissioner Taddeo suggested a 6% raise for the Town Manager. Commissioner Field suggested bonuses vs. merit and COLA raises.

MOTION: ***Commissioner Taddeo/Commissioner Warner moved to approve a 6% salary increase for the Town Manager.***
ACTION: ***Motion Passed 5-0.***

Director Pazanski continued with his presentation and reviewed the additional funds and budgets. He reviewed the Beach Protection District Budget, Revenues and Expenses.

ADDITIONAL COMMISSION MATTERS

14. Ordinance No. 408 Section Discussion - Non-Conformities

Director Harding provided background, explaining that two portions had already been reviewed and approved including the increase of fill from 3 feet to 4 feet, and maintaining the Initial Measuring Point as is. She noted that today's review includes hardship variances.

The Town Commission considered how non-conforming structures and uses should be treated, with examples raised including club facilities and guest houses. Commissioners agreed that relaxing requirements could inadvertently expand development rights.

Town Attorney Baird clarified that all variances under the current ordinance must meet hardship standards. He noted that other jurisdictions often required non-conforming structures destroyed beyond 50 percent to be rebuilt in compliance with current code and suggested reviewing comparable codes.

Mayor Townsend summarized consensus to maintain hardship variances, with limited exceptions for neighbor-approved walls or fences and for court lighting. The Town Commission agreed that all other matters would remain subject to hardship variance standards.

Town Attorney Baird was directed to return Ordinance No. 408 clarifying that variances referred to hardship variances, with first reading scheduled for October.

15. Ficus Allée Update*

Director Duchock provided a review of Ficus Allée and Town Hall Ficus Tree Replacement pilot. He explained the removal of the Town Hall entrance trees and explained that replacement Strangler Fig trees will be planted within the upcoming weeks. He provided vintage aerial views of Town Hall and Ficus Allée to highlight immature vs. mature landscaping and provided a preliminary high-level Bridge Road Ficus Allée management plan.

STANDING REPORTS

16. Town Manager's Report

    a. Elected Official Legal Expenses

Vice Mayor Scott recused herself from this agenda topic as it pertains to herself.

Town Manager Garlo introduced the topic and provided brief background information. Town Attorney Baird provided more detailed background and information regarding Ordinance No. 387 pertaining to elected official legal expenses. The request before the Town Commission is to reimburse Vice Mayor Scott's legal expenses in association with previous litigation.

Commissioner Taddeo asked if the expenses relate to depositions. Commissioner Field requested an affidavit from Vice Mayor Scott to explain the request as she was not a named party in the previous litigation. Town Attorney Baird suggested he speak with Vice Mayor Scott and her counsel to identify and define the itemized bill and bring back to the Town Commission for consideration.

b. Other Items*

Town Manager Garlo was excused from the meeting.

17. Town Attorney Report*

Town Attorney Baird elaborated on training for the new Development Review Board members. He explained the sessions would cover Sunshine Law, public records, and the quasi-judicial process, including standards for variances and impact review. He noted similar trainings had been provided in Palm Beach, Jupiter, and Lake Park, and could be adapted for Jupiter Island and delivered via Zoom with printed copies available.

The Town Commission discussed logistics, including member notification, scheduling, recording sessions for those unable to attend, and ensuring compliance with Sunshine Law. Staff was directed to coordinate invitations and dates, with follow-up from the Town Attorney as needed.

Town Attorney Baird also requested an attorney-client session in October regarding the Slan case.

18. Building Department Report

a. Private Road Construction Discussion

Director Harding stated that she discussed the topic with Stuart Trent, Director of Engineering, who stated that while private roads could be considered similar to multi-property driveways, permits should still be required. He emphasized that reviews should address engineering, stormwater, and adjacent impacts, even if formal road construction standards were not adopted.

b. Building Department and Code Compliance Reports

Director Harding provided a review of the building department report including code compliance.

19. Public Safety

a. Electric Bicycles (E-Bikes)*

Chief Ewing explained the three classes of electric bicycles:

- Class 1 requires pedals and has no throttle, with speeds up to 20 miles per hour;
- Class 2 includes a throttle and could operate without pedaling, also up to 20 miles per hour; and
- Class 3 operates by throttle only, with speeds up to 28 miles per hour and a 750-watt limit.

He noted that E-Motos and modified bicycles exceeding these limits were illegal.

Chief Ewing recommended restrictions on e-bike use, including prohibiting Class 3 e-bikes for juveniles within the Town. He cautioned against forcing minors off sidewalks and onto Bridge Road, noting potential liability. He advised that minors under age 16 be limited to Class 1 and Class 2 e-bikes, with sidewalk use permitted only on Bridge Road. He reported that enforcement concerns were primarily on Bridge Road and North Beach, not South Beach. Discussion ensued regarding safety concerns.

b. Activity Report

Chief Ewing reviewed the Public Safety Activity Report, noting that the summer was busy, but no major criminal activity occurred.

Mayor Townsend asked about the previously discussed monitoring station. Chief Ewing noted that the currently proposed site is not favorable at this time. Alternative site locations are under review.

OTHER ITEMS

20. Meeting Dates

September 16, 2025 – Town Commission Meeting – 9am
September 16, 2025 – 1st Budget Hearing – 5:01 pm
September 19, 2025 – Town Coffee with Mayor Townsend – 9am
September 19, 2025 – SMRU and Beach District Meeting – 10am
September 19, 2025 – 2nd Budget Hearing – 5:01 pm
October 28, 2025 – Town Coffee with Commissioner Warner – 9am
October 28, 2025 – Beach Protection – 10am
October 29, 2025 – Town Commission Meeting – 9am
November 19, 2025 – Town Coffee with Mayor Townsend – 9am
November 19, 2025 – SMRU and Beach District Meetings – 10am
November 20, 2025 – Town Commission Meeting – 9am

Commissioners agreed to hold December 16 or 17, and inquire if one of those dates will work for the annual holiday luncheon. Town Clerk Kogos will follow up.

21. Other Items*

Mayor Townsend announced Stephanie Flinn's resignation from the Beautification Committee. She stated she did not have a replacement at this time.

Mayor Townsend asked about the vulnerability study and the king tides on River Road. Director Duchock stated that Kimley-Horn should be ready to provide an update toward the end of October. He also mentioned Issemenger and Stubbs who the Town engaged with.

No other topics were discussed.

The Town Commission meeting adjourned at 4:42 PM.

Respectfully submitted,

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Kimberly Kogos, Town Clerk