MINUTES
TOWN OF JUPITER ISLAND
TOWN COMMISSION MEETING
FRIDAY, MARCH 21, 2025

TIME: Friday, March 21, 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

ROLL CALL

COMMENTS*

Mayor/Commissioner Comments

Mayor Townsend called the meeting to order at 9:01 a.m. and read the Town Vision Statement.

a. Town Coffee Update

Mayor Townsend provided a report of the Town Coffee gathering and highlighted topics of conversation including Board of Adjustment authority, traffic, public beach facility and hours, traffic-calming methods, additional beach access in Martin County, beach renourishment, and turtle nesting season.

b. Commissioner Comments

There were no additional comments at this time.

c. Agenda Approval

Mayor Townsend requested to move item 13a to 3a (following item 3); move item 10 to be part of item 3a; and move item 18 to directly before lunch break.

MOTION: ***Commissioner Warner/Vice Mayor Field moved to approve amended agenda as discussed.***
ACTION: ***Motion Passed 5-0.***

d. Other Comments

Public Comment (Non-Agenda Related)

A resident read a statement by her husband, Stanley, regarding re-electing Penny Townsend as Mayor.

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

MOTION: **Vice Mayor 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 February 19, 2025, Town Commission meeting
b. Minutes of the February 18, 2025, Vulnerability Assessment Workshop
c. Minutes of the February 14, 2025, Special Town Commission Meeting

Category B- Other Informational Materials (No Action Required)

a. Minutes of the January 30, 2025, Board of Adjustment Minutes
b. Minutes of the February 6, 2025, Impact Review Committee Meeting
c. Minutes of the March 18, 2024, Finance Advisory Meeting
d. Beautification Committee Update
e. Scholarship Committee Update

PRIORITY MATTERS & PRESENTATIONS

2. Municipal Election 2025

a. Resolution No. 927 - Announcing General Election Results

MOTION: ***Commissioner Scott/Vice Mayor Field moved to Approve Resolution No. 927 announcing General Election results.***
ACTION: ***Motion Passed 5-0.***

b. Oath of Office/Swearing in of Newly Elected Commissioners - Honorable Judge Steven Levin*

Judge Steven Levin swore Commissioners Penny Townsend, Patricia Warner, and Joseph Taddeo into their respective terms of office.

c. Appointment of Mayor*

Town Attorney Baird opened the nominations for Mayor.

Town Attorney Baird opened the floor for nominations for Mayor. Commissioner Taddeo nominated Commissioner Marshall Field. Commissioner Warner nominated Commissioner Penny Townsend. Commissioner Anne Scott nominated herself and provided comments highlighting her past experience. Town Clerk Kogos collected and tallied the ballots. The results were as follows: two votes for

Commissioner Field, two votes for Commissioner Townsend, and one vote for Commissioner Scott.

Town Attorney Baird noted that in the case of a tie, a coin flip could be used to decide the outcome; however, the Town Commission agreed to conduct a second ballot vote. It was decided that the second vote would be between Commissioner Field and Commissioner Townsend. Town Clerk Kogos collected and tallied the ballots. The results were two votes for Commissioner Field and three votes for Commissioner Townsend. Commissioner Penny Townsend was confirmed as Mayor.

d. Appointment of Vice Mayor*

Town Attorney Baird opened the floor for nominations for Vice Mayor. Commissioner Taddeo nominated Commissioner Marshall Field. Commissioner Warner nominated Commissioner Anne Scott. Ballots were distributed and collected by Town Clerk Kogos. The results were tallied as follows: two votes for Commissioner Field and three votes for Commissioner Scott. Commissioner Anne Scott was confirmed as Vice Mayor.

3. Mid-Session Report - 2025 Florida Legislature - Kelly Layman*

Legislative and External Affairs Consultant Kelly Layman provided an update on legislative activity relevant to the Town. She reviewed three key legislative pursuits from the 2024 Session as approved by the Town Manager and Commission that had been successful.

For the 2025 session, Ms. Layman highlighted potential impacts to the Town’s discretionary review process and emphasized the significance of public safety funding, noting that 40–50% of the Town’s ad valorem taxes support public safety according to the Finance Director’s early review of the bills. If ad valorem taxes were eliminated, the Town would lose 90% of its revenue. She added that lawsuits and tort actions against local governments are expected to increase, and the Town supports the Florida League of Cities' efforts to negotiate statutory cap increases.

She emphasized the importance of local governments staying responsive to existing state mandates and confirmed that she would continue monitoring the accessory dwelling unit (ADU) bill, responding to consensus from Commissioners.

Town Manager Garlo stated that the Town has a completed septic-to-sewer study and noted that during the discussion of upcoming meeting dates, a workshop will be scheduled for some time in April to review the study findings.

MOTION: **Commissioner Scott*****/Commissioner Taddeo moved to approve Resolution No. 930 Opposing Lawsuits Against Local Governments aka Sovereign Immunity Bills.***

ACTION: ***Motion Passed 5-0.***

COMMISSION ACTION ITEMS

4. Ordinance No. 405 - Amending Appendix A of the Town's Code of Ordinances - 1st Reading

Mayor Townsend explained the purpose of the Ordinance. Town Attorney Baird read Ordinance 405 by title.

Vice Mayor Scott inquired whether the current proposal was a rewrite of Ordinance 393. Mayor Townsend explained that it was a limited revision, primarily to clarify the definition of “living space,” which had been added to address concerns about basements not being counted. She noted that the revised language would ensure the definition applies only to basements and that floor area calculations accurately include all living space.

Vice Mayor Scott expressed concern that residents and attorneys were exploiting loopholes in Ordinance 393 to influence Island policy on bulk regulations. She emphasized that while Ordinance 393 and later Ordinance 401 addressed important policy corrections, including granting the Board of Adjustment greater discretion, the current piecemeal revisions felt reactive and insufficient. She questioned the purpose of some definitions, noting that they lacked direct application to code enforcement or regulation.

Mayor Townsend stated that while the Town cannot prevent individuals from attempting to circumvent the intent of the code, it can address areas where the language may unintentionally make such arguments easier. She emphasized that the proposed revision is not about rushing policy through, but about clarifying definitions to protect the Town’s intent.

Vice Mayor Scott stated she was supportive of the proposed revision but emphasized the need for a broader policy discussion regarding who holds the authority to shape the future direction of the Island.

MOTION: ***Vice Mayor Scott/Commissioner Warner moved to approve Ordinance 405 on 1st reading.***
ACTION: ***Motion Passed 5-0.***

5. Ordinance No. 404 - Board of Adjustment Authority - 1st Reading

Town Manager Garlo explained the proposed ordinance to change the Board of Adjustment (BOA) to an advisory body, with discussion also addressing the potential consolidation of the BOA and the Impact Review Committee (IRC) into a single board.

Vice Mayor Scott expressed support for the ordinance and made a motion to move it forward.

Commissioner Taddeo raised concerns about the purpose and implications of the proposed change, including the additional workload it could place on the Town Commission. Mayor Townsend acknowledged the increased responsibility and noted that site visits might become a requirement, adding to commissioners' duties.

Commissioner Taddeo stated the issue was not yet ready for a decision and reminded the Town Commission that during prior discussion, BOA and IRC members expressed opposition.

Mayor Townsend responded that at least one BOA member had voiced interest in consolidating the boards, while another highlighted the need for improved board training—a point with which she agreed.

Commissioner Taddeo asked about the consequences of shifting the BOA to an advisory role. Town Attorney Baird explained that under the current quasi-judicial framework, the BOA issues decisions that can be appealed, with standing required. The proposed change would make the BOA advisory, with the Town Commission rendering final decisions, subject to circuit court appeal.

Vice Mayor Scott noted that many residents already assume the Town Commission has authority over the BOA and emphasized that if the advisory board conducts thorough reviews, the Town Commission's added workload would be minimal.

Commissioner Taddeo maintained that the criteria guiding decisions should be revisited.

Commissioner Field commented that some board members lacked understanding of the criteria and did not seek clarification from the Building Department, raising questions about their qualifications to make binding decisions.

Public Comment:
Resident Jay Wilson asked if the Town has the right of appeal to the BOA decision. Town Attorney Baird explained the 1320 feet criteria of standing.

MOTION: ***Commissioner Field/Commissioner Taddeo moved to approve Ordinance No. 404 reagarding Board of Adjustment authority on 1st reading.***
ACTION: ***Motion Passed 5-0.***

Attorney Baird read the ordinance by title.

6. Ordinance No. 403 - Leaf Blowers - 1st Reading

Mayor Townsend announced that a provision was added to the ordinance allowing the Town to continue using towable gas-powered leaf blowers for municipal purposes such as clearing streets and parking lots.

Director Duchock presented an amended version of the draft ordinance initially reviewed during the previous month's meeting. Key changes included reducing the compliance period from 18–24 months to 12 months, setting an effective date of April 1, 2026. The revised draft prohibits the use of gas-powered leaf blowers on all residential properties and public lands, with limited exceptions for Town operations, as announced by the Mayor.

Discussion followed regarding the grace period and overall timing.

There was consensus among the Town Commission to accelerate the effective date, directing staff to amend the draft ordinance to reflect a new effective date of November 1, 2025, on page 4.

MOTION: ***Commissioner Field/Commissioner Scott moved to approve on 1st reading as amended with effective date November 1, 2025.***
ACTION: ***Motion Passed 5-0.***

Attorney Baird read the Ordinance by title only.

7. Resolution No. 928 - Creation of Building Code Restricted Reserve Account

Director Pazanski explained that currently, the Town has a reserve fund dedicated to the Town's Building Code enforcement function, however, it was not approved by formal resolution. He added that the creation of a formal reserve account will ensure compliance with Florida law, and both provide for the future capital needs of the Building Department and assist with rate stabilization throughout the years. Once the restricted reserve account is created, the undedicated balance of revenue collections during the fiscal year will be placed in reserve as of September 30. At year-end for each subsequent year, excess revenue will be added to the Reserve Account or taken from the Reserve Account to fund Town Council-approved expenses if there is a shortfall in revenue.

MOTION: ***Commissioner Field/Commissioner Taddeo moved to approve Resolution No. 928 as presented.***
ACTION: ***Motion Passed 5-0.***

8. Resolution No. 929 - Amending Building Department Fee Schedule

Director Harding explained the request to amend the building department fee schedule.

Commissioner Field inquired about the proposed reduction in the surcharge from 2% to 1.5%. Director Harding explained she had been advised the Building Department was accumulating surplus funds and that a reduction was appropriate. Director Pazanski added that the department currently has approximately $3.5 million in reserves, which are restricted in use but available if needed. Commissioner Field expressed concern that the fee reduction could potentially limit the department's operational flexibility. Director Pazanski clarified that the reserves provide adequate support and that the proposed reduction would not compromise essential functions.

Public Comment:
Resident Dena Testa asked why private inspectors are inspecting development instead of town resources.

Mayor Townsend explained that a private inspector is more convenient and timelier.

Director Harding confirmed that construction is often too large to inspect in a timely fashion, and a private inspector makes it easier and more timely for the resident. She noted that Town inspectors still review the work at critical phases of construction.

Director Harding explained that under state law, licensed private providers—typically engineers or architects—may conduct inspections on behalf of property owners. She noted that the Town cannot prohibit this practice but is authorized to perform spot inspections to ensure compliance.

Commissioner Field asked whether the Town was adequately staffed to oversee these inspections. Director Harding responded that the Town's inspection agency is competent and regularly performs oversight inspections without issue.

MOTION: ***Commissioner Taddeo/Commissioner Scott moved to approve Resolution No. 929 amending the building department fee schedule as presented.***
ACTION: ***Motion Passed 5-0.***

9. Request for Waiver of Zoning in Progress

Mayor Townsend introduced the waiver request, noting that granting it would allow the applicant to begin the process ahead of the Zoning in Progress expiration in June.

Director Duchock stated it does not seem that the Waterfront Setback Line will affect this property.

MOTION: ***Commissioner Warner/Commissioner Taddeo moved to approve the request for waiver of Zoning in Progress as presented***

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

10. Resolution No. 930 - Opposing the "Lawsuits Against Local Governments" aka Sovereign Immunity Bills - Kelly Layman

This item was heard earlier in the meeting, along with item # 3.

OTHER ACTION ITEMS

11. Waterfront Setback Line Discussion*

Mayor Townsend asked staff to bring forth a settlement agreement and related documents.

MOTION: ***Vice Mayor Scott/Commissioner Field moved to approve staff bringing forth a settlement agreement for the April 16, 2025, Commission meeting along with all related documents including Ordinances and Resolutions.***

ACTION: ***Motion Passed 5-0.***

MOTION: ***Vice Mayor Scott/Commissioner Taddeo moved to approve staff bringing forth an Ordinance for the April 16, 2025, Commission meeting to adopt the Cummins Cederberg proposed Waterfront Setback Line as well as any related documents to accomplish that.***

ACTION: ***Motion Passed 5-0.***

12. Fiscal Year 2024 Annual Financial Audit Review

Daniel Anderson of Mauldin & Jenkins presented an overview of the 2024 Annual Financial Audit Review which was previously dissected by the Town's Finance Advisory Board. He noted that the audit did not find any deficiencies.

STANDING REPORTS

13. Town Manager's Report

    a. Correspondence Regarding Bamboo Cottage Approval

Item 13a was heard directly following Item 3.

Town Manager Garlo introduced the agenda item.

Dr. Ken Bottsford, President of the Jupiter Island Club, addressed the Town Commission and expressed the Club's interest in working collaboratively with the Town.

Attorney Jared Gaylord, representing the Club, was available to respond to provide additional information or address questions.

Vice Mayor Scott announced that she had filed a notice of appeal, which she stated was not acknowledged in the proposed Memorandum of Understanding (MOU). She emphasized that the MOU only referenced the Club's appellate rights and expressed disagreement with the current language. She stated the appeal should be heard within 60 days.

Town Manager Garlo noted that the entire agreement would be contingent on Vice Mayor Scott's willingness to grant an extension for hearing her appeal. He stated that he would work with the Town Attorney on preparing the appropriate document to formalize that arrangement.

Commissioner Field agreed with Vice Mayor Scott and stated there was no need to move forward with the MOU at this time. He recommended hearing the appeal first, followed by collaboration with the Club.

Vice Mayor Scott stated her appeal was filed to preserve legal standing in case the Town and the Club could not reach an agreement. She clarified the filing was not adversarial and expressed willingness to hold the appeal in abeyance during ongoing discussions. She emphasized the importance of preserving both her individual and the Town's appellate rights.

Commissioner Field reiterated his opposition to the MOU as written.

Commissioner Taddeo emphasized the value of the Town's long-standing relationship with the Club and noted that many priorities will require refurbishment over time. He expressed support for developing a long-range plan to streamline future approvals and make the process easier for both the Town and the Club. Attorney Gaylord confirmed the Club's openness to working with the Town.

Commissioner Warner disclosed her role on the Jupiter Island Club's architectural committee and noted that while many of the Club's plans are well thought out and appear feasible, this particular proposal raised concerns for her due to the potential density at the proposed location. She expressed uncertainty about supporting the current proposal but emphasized that future plans should be considered independently. She added that a cooperative approach, possibly including withdrawal and renewed collaboration, could offer a positive path forward.

Vice Mayor Scott requested that any revised MOU include her right to appeal without contesting the merits of the appeal.

Mayor Townsend stated that this was an opportunity to pause and reconsider the proposal, as suggested by Attorney Gaylord. She acknowledged Vice Mayor Scott's interest in preserving her right of appeal and agreed that it should be included in any revised memorandum. She emphasized the importance of maintaining the Town's longstanding collaborative relationship with the Club and noted that, while the Club is zoned A-80, it borders areas with much smaller setbacks. She supported moving the dialogue forward given the Club's 10-year development vision and expressed willingness to bring back a revised MOU next month that includes the Vice Mayor's appellate rights.

Commissioner Field stated there was no urgency to finalize the MOU at this time.

There was consensus to bring back a revised MOU as a formal document at the next meeting. Commissioner Field opposed.

Staff was directed to assemble a working group to coordinate with the Club on development-related matters.

MOTION: **Vice Mayor Scott*/Commissioner Warner moved to create a staff communications group to work with the Club***

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

Public Comment:
A resident asked about parking for the dormitory. Vice Mayor Scott noted the topic will be part of the cooperative planning.

b. Traffic Calming - Adam Kerr, Kimley Horn

Town Manager Garlo introduced Adam Kerr of Kimley-Horn, highlighting his extensive experience with mitigation strategies. Mr. Kerr presented various traffic calming options aimed at reducing vehicle speed, lowering volume, and improving safety for both motorists and pedestrians—particularly in neighborhoods with documented speeding concerns.

Options presented included:

- Neighborhood Traffic Circles – Suitable for low-volume roads and must be placed at intersections.
- Bulbouts – Narrow lanes at intersections, limited to areas with cross-streets.
- Chicanes/Chokers – Alternating curb extensions that create a yield condition and slow traffic.
- Speed Humps – Best placed 300–600 feet apart between driveways and intersections; more effective than speed bumps but may impact noise levels and emergency response.
- Lane Width Reduction – Narrows lanes to encourage slower speeds on higher-volume roads.

Next steps include identifying specific locations where speeding occurs, determining preferred calming methods, and evaluating associated costs. Commissioners engaged in discussion regarding the applicability, benefits, and potential limitations of each option.

Public Comment:
Resident Kate Nelson expressed that pedestrians, trucks, bicyclists, etc. create a one-lane situation.
Resident Ken McBrayer agreed about the one-lane situation thus increasing safety matters.
Mayor Townsend asked public safety and public works to review these options as well and bring back a recommendation.

Vice Mayor Scott would like to see financial comparisons as well. She also expressed need for increased enforcement.

c. Other Items*

14. Town Attorney Report*

Town Attorney Baird noted the need for in-person training sessions for the Board of Adjustment and the Impact Review Committee, stating that prior written memos were insufficient. He indicated the boards have upcoming meeting dates and requested to work with staff to prepare materials focused on code responsibilities, beyond the procedural content previously shared.

Attorney Baird also requested a private attorney-client session be scheduled for April 15, 2025, which will require a special meeting notice.

15. Financial Report

Director Pazanski reported current revenues at approximately $10 million and expenditures at $5.2 million, noting that both are trending as expected. The balance sheet and reserve levels also remain consistent with projections.

16. Building Department Report

Director Harding reviewed the February–March building report, including data on permits issued, fees collected, and code enforcement complaints. She noted that short-term rental applications are now available, and that staff is working with Kimley-Horn on the Comprehensive Plan update. She also provided a brief overview of upcoming applications.

17. Public Safety

a. Bicycle Safety*

Chief Ewing noted the electric bicycle (e-bike) safety issues in other municipalities but stated that e-bikes have not been a big problem on the Island. However, bicycle incidents have been a potential safety matter and public safety continues to address incidents and monitors roadways and intersections. Statute says that the first rider must stop and the following nine may follow through without stopping. Public Safety will continue to work with the bicycle groups going forward. There was also a reminder to use helmets and abide by traffic rules.

b. Public Safety Activity Report

Chief Ewing reviewed the activity report, briefly highlighting incidents. Better timely communication with affected residents was requested and confirmed.

Chief Ewing also reported that the average response time for cardiac and stroke-related emergency calls is approximately 18 minutes.

Vice Mayor Scott thanked Chief Ewing for the increased Marine Unit activity and offered continued support for additional resources if needed. Chief Ewing noted that two new part-time marine officers have been added and are completing field training. He stated that the addition of the new patrol boat has also enhanced on-water enforcement efforts.

c. Other Items*

Chief Ewing informed the Commission that the Town has signed and submitted a Memorandum of Agreement under the federal 287(g) Program, part of the Immigration and Nationality Act. The agreement, mandated by Florida Statute 908, requires local law enforcement agencies to cooperate with federal immigration authorities and prohibits sanctuary policies. The Town is operating under the Task Force Model.

The agreement enables trained officers to enforce civil immigration warrants issued by ICE. Chief Ewing noted that all 67 Florida sheriffs and nearly 50 municipalities have already signed similar agreements. The program requires 40 hours of federal training, and the department plans to train select officers. He emphasized that participation is mandatory under state law and failure to comply could result in sanctions, including removal from office.

Chief Ewing provided an update on beach-related parking and enforcement. He noted that the message board placed on Bridge Road has helped reduce parking issues, particularly over the most recent weekend. With Palm Beach County’s spring break approaching, additional coverage has been scheduled, including ATV patrols on the beach and continued enforcement in the Town Hall and beach parking areas. He confirmed that citations were issued recently to beachgoers using the Town Hall lot during the week.

OTHER ITEMS

18. Meeting Dates

REMINDER - April 7, 2025 Ethics Training for Elected Officials - Town Hall Island Room, 9-1

- March 20, 2025 – Town Coffee with Mayor Townsend – 9AM
- March 20, 2025 – Beach Protection District Meetings – 10AM
- March 21, 2025 – Town Commission Meeting and Swearing in of newly elected officials – 9AM
- April 15, 2025 – Town Coffee w/ ??? – 9AM
- April 15, 2025 – SMRU Board and Beach Protection District Meetings – 10AM
- April 16, 2025 – Town Commission Meeting – 9AM

The Town Commission scheduled the following meeting dates:
- April 8, 2025 – Septic to sewer workshop – 9AM
- April 30, 2025 – Special Town Commission Meeting – 9AM (Commissioner Field not available)
- April 15, 2025 – Town Coffee with Commissioner Warner
- May 19, 2025 – Town Coffee with Commissioner Taddeo and Beach Protection
- May 20, 2025 – Special Town Commission Meeting with shade meeting and SMRU
- June 10, 2025 – Town Coffee with Commissioner Field and SMRU and Beach Protection
- June 11, 2025 – Town Commission Meeting

Ethics training was announced for April 7, 2025, from 9AM - 1PM.

a. Other Items*

Mayor Townsend reported on the recent Treasure Coast Regional League of Cities (TCRLC) meeting. She requested a change in TCRLC representation, appointing herself as the primary representative and Vice Mayor Scott as the alternate.

Mayor Townsend requested several follow-up items for future consideration, including a proposal from Kimley-Horn in April related to the Comprehensive Plan's density analysis, and the addition of South Beach Road and MPO/Main Map coordination to a future agenda, noting the need for increased engagement with the MPO. She also requested the development of a resident survey to gather feedback on key issues, to be distributed via both email and traditional mail.

Mayor Townsend adjourned the meeting at 12:42 p.m.

Respectfully submitted,

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Kimberly Kogos, Town Clerk