

TRANSCRIPT

MAYOR:

It is November 12th at 5:00 PM and I'd like to call the meeting to order. If we could all stand for the Pledge to Allegiance, please.

ALL:

I pledge allegiance to the flag of the United States of America. And to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MAYOR:

Caitlyn, do we have any additions, deletions, substitutions to the agenda?

TOWN CLERK:

No, mayor.

MAYOR:

Okay. Um, council, I'd like to request we move the single family appearance review discussion before item four since we have residents here to speak.

CM JOHN CALLAGHAN:

That's okay. I' I'd rather That's fine.

CM D. DAVIS:

I'd rather leave it the way it is. Um I I think the what follows from the communications discussion might be illustrative.

MAYOR:

Right, Marianne.

CM MARIANNE HOSTA:

Uh I always respect the citizens who are present and if I can accommodate them, I would and I would uh you know consent to a rearrangement in order that these citizens can go home earlier.

MAYOR:

Okay. So, you've got a consensus for that. Thank you. Um, any other council? Any other additions, deletions, substitutions to the agenda? And I hear none. So, we'll go on to comments from the town manager.

TOWN MANAGER:

Thank you, mayor. Uh, at our workshop that we recently held, we briefly talked about uh Palm Beach County Fire Department legislation. I was requested by town council to produce a draft copy of the letter um that was received from uh fire chief and I have forwarded it on to the town uh elected officials by email today. Copy of it is sitting on the desks in front of us. It effectively captures

the purpose of the legislation. Um, in addition to that, I recirculated a copy of the legislation itself as well as a letter that was received late later today uh from the Palm Beach County League of Cities where they are expressing opposition to that same legislation. Um, having read the Palm Beach County League of Cities opposition letter, I'll note um the first paragraph on the first page, you know, really basically just says they object because the county could have reached out and coordinated with member cities and towns ahead of time. Uh, then they represent that there are substantive objections including uh likely result in double taxation. Um but with that having been said they note on the second page as does the legislation note that uh double taxation would be avoided by virtue of uh intergovernmental agreement between the two jurisdictions uh removing the potential for double taxation. So I don't know how they concluded that it will likely result when the second page of their own memorandum and the legislation itself uh provide a very clear pathway for that to be avoided. Um, on the second page of the league's letter, uh, they represent that their league's attorney has expressed concerns about the legality of the local bill. However, having read that entire paragraph, there's no uh, real legal objection that I can find, and I've asked our legal counsel's act to kind of take a look and confirm that. But on one hand, they're suggesting that uh there's a requirement for a community that's annexing another place to prove that they can provide the municipal services, and they're citing that as a legal objection to the county's legislation, but uh the county is not trying to change that. So, there's really no change in the law, and they're not suggesting that no fire services will be provided. So, I'm not sure what the county intended there, or not the county, the uh the league. And the second part of that same paragraph uh does not appear to present a legality question either. They are just questioning uh the underlying basis uh for the legislation. And as was explained to us by Palm Beach County Fire, you know, from a Juno Beach perspective, you know, we see things differently than what a Jupiter or what a Palm Beach Gardens might see it because they have their own fire departments and this would have more meaningful impact to them when they go to annex other areas in that they'd have to negotiate with the Palm Beach County to have a transition plan so that fire services transition effectively and efficiently. Um, our circumstance on the other hand is that we're already contracted with Palm Beach County for fire services. So, this legislation that they're proposing does not adversely impact us and might actually benefit us simply because as areas are annexed into other communities that already have fire services. If the tax revenues supporting the Palm Beach Fire operations go along with those annexations at some point through a transition plan or otherwise, then Palm Beach County Fire is faced with the alternative of either a uh decreasing personnel, decreasing fire stations, decreasing something because they can't continue to provide the same level of fire service that they do with the revenues they have now under reduced revenues. So in theory, uh, as other communities continue to annex unincorporated areas into their municipal boundaries, revenues are being reduced and they have to be made up somewhere. Since we contract with Palm Beach County, our taxpayers could conceivably be viewed as one of the sources by which those revenue shortages would be made up. So, that information was related at our workshop and we're in the same u position at this time and I'm seeking authority from town council to go ahead and send the letter as uh

requested by the Palm Beach County Fire Chief and as illustrated in the draft uh presented today.

MAYOR:

All right. Thank you, Rob. Um you're going to want a motion on this, correct?

TOWN MANAGER:

Sure. Directing staff to send the letter or otherwise.

MAYOR:

Okay. Um I'd like to get council comments. John,

CM JOHN CALLAGHAN:

thank you, Mayor. I'm in support of fire um rescue's um position and request for us to send a letter um in support of their position.

MAYOR:

Okay. Thank you, Diana.

CM DIANA DAVIS:

I'm sensitive to the League of Cities opposition, so I would like our attorney to opine on uh the their position versus uh the fire department's position.

MAYOR:

All right, go ahead, Zackery. Thank you.

TOWN ATTORNEY:

Thank you. Um so having reviewed both the uh proposed bill and the League of Cities opposition um it does appear that the League of Cities opposition is uh couched more in terms of potential duplicative procedures and the potential for conflict between the existing chapter 171. um you know this is really a uh policy decision um over whether you would like to support this legislation or not. Um, you know, I certainly want to be respectful to the League of Cities and their legal counsel and I do think their concern about a potential conflict is valid, but that's not necessarily a reason why this council could not support the legislation, especially given the unique circumstance of Juno Beach um, you know, contracting for its uh, fire services and not being in a position where we're providing our own uh services and would look to provide them in a future annexation.

CM D. DAVIS:

I guess what I don't understand is why isn't this just a local law and why does it impact um the what is it 170?

TOWN ATTORNEY:

Yeah. And frankly, I would not

CM: D. Davis:

um one sorry about that. Yeah, you're fine.

TOWN ATTORNEY:

Frankly, I would not want to opine on why Palm Beach County feels it's necessary to ask for a special law rather than um you know have this be done as part of a local ordinance. Uh I would imagine it is likely um due to some provision of their of their charter.

CM D. DAVIS:

Okay.

MAYOR:

Is that it?

CM D. DAVIS:

Yeah, it just seems like it should be something that just affects Palm Beach County instead of a affecting chapter 171, Florida statutes.

MAYOR:

all right, Marianne,

CM M. HOSTA:

I concur with uh with John. You know, I don't think we should make this a big deal.

MAYOR:

All right. And I know DD is not present, but she is not online right now. Correct. Okay. So, I will need a motion if I could please.

CM J. CALLAGHAN:

I'll move that we um send a letter in support of our local fire department.

CM M. HOSTA:

I second it.

MAYOR:

All right. And I'll just I'm going to go ahead with just a a brief statement because even though I agree we want to be respectful to the League of Cities and other council members have reached out to us as well from other municipalities. I think that Juna Beach is in a different situation as Rob has stated. Um, and so I'm going to be in favor of of moving ahead with the the letter. So if you want to do a roll call.

TOWN CLERK:

Council member Hosta. AYE. Vice Mayor Pro Tem Davis. AYE. Vice Mayor Callahan. AYE. Mayor Wheeler. AYE. Unanimous.

MAYOR:

Thank you. Thank you. Rob, do you have anything else?

TOWN MANAGER:

No. Mayor, I don't.

MAYOR:

Thank you so much. Okay. Tom something.

CM D. DAVIS:

Is DD Halpern on? No. Okay.

MAYOR:

When she comes on, maybe we can have her comment as well if you'd like. Okay. I just towards the end if she does come on. Okay. Thank you. Um, so we're at town attorney comments, but first I would like everyone to be introduced to Gemma Torcivia and Zackery Good. They are new town attorneys, and we would like to officially welcome both of them to the town and to our community. As you know, we have a wonderful town and we look forward to working with both of you very closely. So, welcome.

TOWN ATTORNEY ZACKERY GOOD:

Thank you very much for the warm welcome. We look forward to serving all of you and um this is the perfect opportunity for me to switch off with Gemma. We have another seat up here if you move down. Yeah, I wish.

TOWN ATTORNEY GEMMA TORCIVIA:

Um I want to thank you guys again and I want to apologize my I like to make a big entrance. That's not true at all. And I don't love being in the middle here either. But I will say that um my battery died and I was like, boy, this is the world's worst timing. So I apologize, but uh thank you so much for having both of us here and we're very excited to serve the town and uh to work with you all as you bring your vision as electeds to fruition.

MAYOR:

Gemma, do you have any attorney comments?

TOWN ATTORNEY:

The one thing I wanted to flag um there is House Bill 145 which is um going to be brought to session. This is a bill that increases the sovereign immunity. So and there's a sovereign immunity cap currently. It's 200 per um person and 300 per incident. So if for an instance of negligence or a tort claim um and these typically occur if there's you know someone's in a car accident maybe with a police officer or a city vehicle um and they'll bring they'll bring an action

and a negligence action. The new bill seeks to increase those limits pretty dramatically um and the League of Cities has come out pretty strongly against it. Um and we just would recommend that it be on the radar of the town. I do think it's impactful um for everyone but particularly for small towns such as Juno because it can it can be a big impact um insurance-wise and then also with respect to um potential exposure and liability. Um so it raises the per person to 600 and then the per incident I believe it's to it's either a mill or a mill.1 in 2026 and then it goes up again in 2031. So, it's a it's a pretty significant um increase and um we just wanted to put it on your radar as you you know if you're going to go to Palm Beach County days if you're going to meet with your local legislators, we would just urge you to keep that in mind and we would recommend that it be something that that the town oppose.

MAYOR:

All right. Thank you. Um staff comments.

TOWN MANAGER:

No, mayor. No staff comments.

MAYOR:

All right. Comments from the public. Caitlyn,

TOWN CLERK:

John Stalludo.

MAYOR:

And John, I just want to make sure this is not single family right now. This is just public comments. Public comments.

PUBLIC COMMENT:

Okay. Well, first of all, right off the bat, it seemed like us citizens don't matter. We're second place. Right away, you asked, should we move these things up to make it better for the citizens? And it was opposition to that. You okay, there was what? No opposition. Oh, I mean, I appreciate that. I appreciate that. But there were people and you need to know even though you're up there, you're working for us, the citizens, that we should be put first. And Juno Beach has not done that. If you want me to go down the list, the roads 17 years, we're waiting for the road to fix the sidewalks, the crosswalks, all those things that never happened in the 40 years I've been here. You know, we're always second best. Take care of the staff. Take care of the council. Don't worry about the citizens. That's that was the old motto. I don't want to see that again. We come first. And welcome our new town attorney. And again, you work for me and the citizens here, not just the council. And I expect you to be physically responsible and advising what would be best for me and the fellow citizens in this town. We're a small town, two square miles. It looks like everyone's a multi-millionaire, but they're not. There are regular people like me, teachers, uh, policemen, things like that. People that invested in this town, invested their life in this town. I mean, I didn't even have a job when I bought my house

here, but we finagled away. And I'm just, like I say, I'm upset because I just see the same old attitude towards us. And my rest of my comments, I guess I'll wait till number six. Thank you,

CLERK:

Marshall Wool.

MAYOR:

Yeah. Are you are you talking about single family appearance review? Is that what you're going to comment on? Because that's coming after this. This is just general public comments. Okay. Sure.

CLERK:

Ann Baso

PUBLIC COMMENT:

Ann Baso d Baso and Boso 765 Hibiscus Avenue. I don't want to scare our new attorneys by complaining about attorney bills, but I have researched the amount of spending and wasteful spending that has gone on in this town. I reviewed I pulled the um attorney's bills and in 2022 we had a lawsuit that was 93,000.nIn 23 the attorney's fees were8906 or 909 and in 24 they went up around almost \$125,000. That was a 40% increase from the year before. And what happened? There were no lawsuits. It's all been about this BS of what um on harmony appearance review 40% not to mention the waste of time and everything else. Now, of the 24 2024 um attorney's bills which were um accounted for DD Halpern, 37% of that went to DD, 35.5% went to Diana. Those are the two who have been pushing this agenda, calling the attorneys, trying to really backstab the citizens, as John says. Another Okay. Um, just to be fair, Peggy Smith 14 14.5 went to Peggy and 9.5 to Marianne, but Diana and DD had the lion share of this. I have not really had the time to see where these bills were in relationship to their newsletters. So, I don't know this as for a fact, but I have a feeling that when I look into it deeper, a lot of it is before this stuff is published, they're using our attorney as a personal attorney and not one for the citizens of this town.

MAYOR:

Thank you,

TOWN CLERK:

Marsha Wolf.

PUBLIC COMMENT:

Hi, thank you Marsha Wolf Forge and Sunrise. My issue is the same. It's just spending money like drunken sailors. And I have a real problem with De's folly of the bench that I believe the Holiday in should be paying for, not us. and how many more \$10,000 studies we're going to have with engineers to see if you can sit on a bench in a 90° angle. People have said to me, "It's a grant. If

it's a grant, use it for the town. We could have beautiful poinciana trees out here. We could have gorgeous landscaping around the lake."

MAYOR:

Pull the mic down a little bit so we can hear.

PUBLIC COMMENT:

Um, so that that is a huge issue and just the division in the town of this inflammatory rhetoric. It happened before with this woman Linda and a town manager that were run out of town. This exact same thing. She didn't want anybody to build up bigger than her and she was willing to take our property rights. So, I feel that the spin that's really an issue for me is that this person who sent a drone up to make sure she had a beach view and then oh oops, I'm the fourth house in what can I do? Well, I'll prevent everybody else from building in front of me. I'll manipulate the town code with setbacks, no fill, which would mean no swimming pools, etc., so nobody can block my view. It's illegal. It's actually a felony for people of an elected capacity to plot to take away people's property values without due process. And that's what's missing. And I know I'll get on to that later and the list I have from everybody on my street. We're not interested. We will fight. I've already been fighting and been under attorney advisement since the beginning of this because I don't want to give a third of the value of my property to the town of Juno Beach without compensation. It's also kind of like where does it end? We don't want our codes pierced at all. And back to the spending money like drunken sailors. I don't think there's accountability up here. I feel like everybody works hard for their taxpayer money. I have another big issue with the fact that you're not properly filling in the area for the new children's swings before you put in the new swing set. So, we're going to have more muck and mud and flooding. Again, it's sort of like don't build the house on sinking sand. And that's what's being done there unless the grant that was put out for that is used for the proper reason.

MAYOR:

Thank you. Thank you

TOWN CLERK:

Sylvia De's.

PUBLIC COMMENT:

Oh, um, can I speak for Sylvia? Sure. She just asked me to say that she's loved living here and she hates it now. She's never felt such hatred and inflammatory rhetoric all coming from one person trying to fool everybody else into thinking that they're keeping somebody from building a tall house next to them. I'd like everybody to drive by my house at Fort and Sunrise Way. I love the big house next to me. We planned it together. It doesn't invade my privacy in the least. Uh she also has an issue with the electric bike. She's almost gotten run over a few times, but she just says that there's just so much infighting and chaos and it's just so unnecessary. We don't like it. Thank you.

MAYOR:

Thank you.

CLERK:

Other comments I received are for other items on the agenda.

MAYOR:

All right. Thank you, Caitlyn. Um, can I have a motion to approve the consent agenda?

CM M. HOSTA

I move to approve the consent agenda. Thank you.

MAYOR:

Second.

MAYOR:

I second. Go ahead, Caitlin.

CLERK:

Vice Mayor Prom Davis. AYE, Council Member Callahan. AYE , Mayor Wheeler. AYE, Council Member Hosta, AYE unanimous. Thank you.

MAYOR:

Okay, we're on single family appearance review discussion. And Rob, are you Frank is not here? He's out of town. So Rob, do you want to start us out on this or it's Diana? Sorry, it's Diana's. Sorry, Diana. It is your item. So, I'll let you go ahead and start us up.

CM DIANA DAVIS:

I I handed out a PowerPoint, and the two Len Rubin opinions, one for architectural review, and then one for the Harmony review. And then on the back on the last page on the master plan which was also in this packet the last section of that first uh first paper clip is the survey that I conducted you know um what's the best way to preserve the unique characteristics of Juno Beach because I I do agree with John Stalludo and others that the town council works for the citizens. And in this survey, more than 250, let's see, 252 people responded and more than 90% believe that the size of new structures in context is important. So, um those are that's our harmony review. this appearance review uh PowerPoint for the single family homes. It goes through the harmony test for bulk and mass and um Rob Cole had mentioned that on September 8th there was a discussion to not do test one, test two. That's also part of the Len Rubin's legal memo. Um and the bulk and mass metrics are not to be yes no decisions. So this particular uh PowerPoint slide that has the bulk and the mass has the metrics test one two three but then the yes no relies on the subjective test and it's the same for the scale. So for the scale or the height um it goes through that all zoning codes get at least two sto they get at least two stories

and then the final decision is based on the subjective decisions of orientation landscaping architecture features setbacks and um so this fits with the Len Rubin memo that was dated um July 21st 2025 That's the it's he's uh option two to continue what we're doing now for the harmony review. And the latest objection from staff as I understand it is that the Palm Beach planning and zoning staff are not comfortable with the parents review decisions for single family home which result which relies on subjective professional judgment. So a potential solution would be to hire professional consultants. We could use architectures, land use planners, other degreed professionals to provide their qualified professional opinions regarding appearance reviews for single family homes. The these professionals can provide their written opinions to staff who they can who then can present it to our planning and zoning board, our volunteer residents. We do have provisions in our code that allow for passing through the cost for these consultants and it's not a more stringent or burdensome. It just changes who's actually doing the review from our staff doing the subjective reviews to the degreed professionals doing the subjective reviews. And um and I think that that solves some of the problems that we've had most recently. Also, um a suggestion in the in the first PowerPoint is we've talked a lot about the doing a architectural review book. Some municipalities have adopted this field guide to American homes by Virginia McAllister is kind of the architectural bible and it goes through the different uh residential styles or um different architectural styles and it gives several different um uh qualities of these styles. So I think until we get the architectural re until we get um you know possibly it would save the money and not have an architectural review but it would certainly fill um that need uh currently. And another suggestion is that we adopt the Palm Beach County calculations for square footage. Sometimes the town of Juno Beach well the town of Juno Beach calculate square footage a little bit different than Palm Beach County. And so in order to be more uh transparent, reliable, if we use the Palm Beach County formula, then everyone would not have questions about how their square footage is calculated.

MAYOR:

So I'll open it up from there. Okay. I'm going to do public comments.

TOWN CLERK:

John Stalludo.

PUBLIC COMMENT:

John Stalludo, 401 Sunset Way. Okay, first of all, none of us knew this was coming and you you've run us through the mill for these last I don't know 4 months, 6 months is it's horrible. The majority of people in Juno Beach are over 70 years old. Most of them don't understand what's going on on the hill. We're the older people that didn't build up, didn't do anything to our houses because we're older. We didn't have the money. Okay? and you're going after us. You're not going after the people that already built up. It's only about 314 homes that this all affects. We want you to leave us alone. This is unconstitutional. I think it's article 14 that protects us. You can't take our property. I can't believe that my neighbors are taking my property, taking

square footage off my house. It's just not right. after 40 years of being here, being part of the town. And I you just feel like you're stabbed in the back. You can see what Sylvia D said. She's been here. She came after me, but she's been here for years. It's the town is sad place to live now. If people know what's really going on, it's horrible. And you're just picking on a minority of people. And you did a survey that in involved condos and everybody and his brother, not just the 314 people. You didn't ask us. It's just we did. We bought here because Juno Beach was eclectic, was creative. We have the castle. Now the castle is bad. Ooh, they like it tore down. And what about the first house that was like a bunker style? the Miami we used to call the Miami beach house. We have a a Spanish style house. you had creativity to do. I could have moved to Jupiter or the bluffs. If you want everything to look the same, go to the bluffs. We What makes Juno Beach Juno Beach is our creativeness, our a collective housing here. This is a beach town. Okay, you go up the shore, you go up to Orman Beach and all that and it's the same way. Some are big, some are huge, but we're all squeezed next to each other. You accept that when you live at the beach, and it's just wrong that what you all have done, especially the three people that keep passing this to us. It's just not fair. It's just bullying a certain group of people to make effect. If you want to go after the commercial property, that's one thing, but leave us alone. Let us have our get rid of 780. Let us have our basic uh zoning back that we had and let us let us bring the town back together. But you're not going to we're going to fight. I hate being like this. I was a teacher. I worked with little kindergarten kids. I'm the nicest guy in the world. But when you try to you try to touch one of those kids or you try to I would jump in front and I would become mean. Well, that's what I'm doing now. I'm becoming mean. This isn't me, but I'm tired of this and I'm stressed out. And so are the people on the ridge that that know about this. Other people stand there go, "What? That's what they're doing? They don't even know. So this is wrong what you're doing. Please stop. Please get rid of 780. This is America, not a fascist state where you come and take people's property."

TOWN CLERK:

Larry Sorsby

PUBLIC COMMENT:

Larry Sorsby Good evening, staff, mayor, and council members. Diana, I wasn't going to say anything about your bogus survey until you brought it up again, but your survey question that you keep citing. The big question was you want larger houses or do you want -

CM J. CALLAGHAN:

-point of order - this is this is -

MAYOR:

John, excuse me, this is public comment.

CM J. CALLAGHAN:

I understand, but I believe they have to be directed at the council, not any individual council member under our

CM J. CALLAGHAN

Yes. under our code of ordinance, under our conduct code. So

MAYOR:

okay. Just not the -

PUBLIC COMMENT:

There's a survey that one of y'all put out that and that individual keeps uh citing that survey. It's a bogus survey. The key question that they uh put out to the citizens was, do you want large houses? Do you want to let developers do anything that they want to do? Let them build anything they want to build. Such a bogus question, not a scientific survey, nothing that could be depended on. And as an individual who just built a house, I can assure you that builders cannot just do whatever they want with our existing code. Diana, stop it. So now I get on to my prepared remarks. My name is Larry Sorsesby. I'm here tonight as a homeowner and a member of the Juno Beach Property Rights Association to urge you to amend Ordinance 780 to restore clarity, fairness, and legality to our zoning processes for single family homes. For over 30 years, our Harmony Codes were built on three principles: fairness, simplicity, and certainty. They treated all homeowners equally, provided clear standards, and protected property rights while preserving the character of our town. Ordinance 780 dismantled that foundation. It replaced objective guidelines with vague, subjective appearance reviews conducted by the planning and zoning board without any codified metrics or instructions on how to apply it. This has led to confusion for property owners, uncertainty for buyers, and paralysis for staff. Additionally, Florida statute prohibits the use of building design elements when reviewing single family homes unless a planning and zoning board was already reviewing homes prior to 2020. Juno Beach's planning and zoning board did not review single family homes before 2020. That means our current process where the planning and zoning board conducts appearance reviews on single family homes is not just unfair, it's unlawful. We must stop permitting these reviews immediately and return single family home approvals to town staff where they belong under the law. Rather than repealing ordinance 780 outright, I urge you to just amend it, limit its application to multifamily homes and commercial buildings where design oversight is appropriate. Let's remove single family homes from its scope and restore the harmony codes and objective standards that served our town well since 1992. This amendment would bring Juno Beach into compliance with Florida law, protect single family homeowners from arbitrary restrictions that would cause property values to decline. It would restore certainty to the approval process for both property owners and buyers. Preserve the character of our town without regulatory overreach. Over 170 residents signed a petition asking to repeal Ordinance 780. Two council members who originally supported 780 now want to repeal it. Another has admitted she didn't understand its full impact. That speaks volume. Let's act on that recognition.

Let's admin ordinance 780 to exclude single family homes and reaffirm our commitment to fairness, simplicity, and legality. Thank you.

PUBLIC COMMENT:

Ann Basso 765 Hibiscus Avenue. Once again, I'm at nauseum and I believe probably everybody in this room is with these PowerPoint shoving this down our throats one way or another. Two and two is four. $3 + 1$ is four. $5 - 1$ is four. It's the same thing. We hear it over and over and over and it's for one person's benefit who is like a dog with a bone. The other thing, and it goes back to the amount of money that's being wasted in attorney's fees for all of this. I just gave y'all all the numbers before. Now, let me ask you a question. John, you live in. Yeah. Let's just say people who are not in single family homes, condominiums, town houses. It applies to some of you on the board and your association decided I have a you have a three-bedroom unit and we don't want three-bedroom units anymore because they create um added expense, added cars, added traffic. they could have more people living in it, more people at the pool, blah blah blah. So, we're gonna say you can live in your three bedroom house or condominium until it's time to sell. And at that point, we you can only sell it as a two-bedroom. You've got to close a window. You have to um because to qualify for a bedroom, it has to have a window, a closet, and a door. So, they make you, if you're going to sell it, take out the window, close up the closet, remove the door, and you sell it as a two-bedroom because we don't want any more three-bedroom units in our building. What's the difference? That's what y'all are doing to the single family homeowners. You're saying, "We don't want any more big homes. How about And then you're surveying the condos." Put it to the condos that way. ask them. People in homeowners, if they want to be restricted like that, their property values will go down. They're not as desirable. As soon as you knock off a a bedroom, you may have the same square footage. And see how they like it. We don't like it a bit. Once again, I've printed the appraisal that I did for John Stalludo's house. I'm going to give y'all the number to show you the loss of values. If we can watch the same PowerPoint every week, y'all can look at these numbers again. And you've got about speak for themselves. 30 seconds.

MAYOR:

Okay, you're done. Michael Karp. Just don't say the name. Michael, please stop.

PUBLIC COMMENT:

I'll try to make this as generic as possible. Thank you. Um, Michael Karp 471 Sunset Way in Juno. Um, I had the opportunity to read a blog last night about hot topics uh within the town and one of those hot topics was the current brouhaha over appearance review and single family homes. Um, the long and short of it was, uh, at least in my interpretation was that the old codes before 780 seem to work perfectly well, which I fully agree with. Uh, and that 780 has done nothing but muck up the um, process in trying to get new homes approved. Uh, I agreed with the conclusions of this blog and I would certainly hope that if none of you have read it, um, please do and if the author of the blog sees

fit, uh, maybe they can come before the town council here and propose, um, removing 780 from our town codes.

MAYOR:

Those are all the comments I received for this item.

PUBLIC COMMENT:

I signed in that of Marsha Wolf. So, I have this funny thing that I'm reminded of because I think everybody saw the movie The Help. There's one scene in it, and there's a particularly despicable, mean, lying, scheming girl in that movie where there's just a talk. Can't you stop? Can't you just stop? And that's what we're all saying. Can't you just stop? We don't want this. Let me give you another good example. What about if I took a petition out, let's say, in uh the Glades or Okeechobee. Would you like it if Juno Beach limited all the members of Sea Oats to one car? Because it would greatly shorten the time at that light which is miserable during the season. Heck, I bet I could get two or 300 signatures. It doesn't matter. The only people that need to take that boat are the people in sea oats. I don't have the right to take their rights away from them. This is about one person's view who sent up a drone and is doing everything to protect her view at the expense of the rest of the town. She's manipulated hundreds of thousands of dollars with all these ridiculous studies. At a certain point, if you don't have some sense of what to plant or what sign to put up, should you even be on the council, doesn't that disqualify? If all you're doing is using up legal fees to check your newsletter, which is basically a popularity piece, and we the town are paying for it, we the town are paying for this argument. And there's been another person whose name I won't uh say that jumps in to defend this person in the most unnatural way. I mean, we started making a gag rule uh rule. Well, no, I'm defending. I'm voting this way. And that one person has kept this alive for the entire amount of time that they've been on the council. Over 300,000's been wasted what in over a year on all these studies to try to justify this mean girl taking the rest of our property rights away from us so she can maintain her view that she sent up a drone to protect. Only thing she forgot is, "Oh wow, I've got one, two, three, four houses in front of me. Unless I make them do setbacks and reduce their box and not build a swimming pool, so no fill, they could block my view. I'll just manipulate this entire town into acting like this is about something else. That is all this is about. We need to move on. We need to do positive things for the town. I'd like each and every person that sits up there to make a list of what have you done to improve our town? Because we don't see it. We don't feel it. We just feel crisis, chaos, and toxic manipulation. It doesn't matter what the survey says, except for those of us on the ridge. Thank you.

MAYOR:

What? Those are all the comments for this item. I didn't get start. Okay, we're going to start council discussion on this now. Um, Marianne, I'll go ahead and start with you. You got to put your mic on.

CM M. HOSTA:

CM M. HOSTA:

What is there to say? I was initially one of the two who also voted for 780 not realizing the impact but I was not afraid to admit that I made a mistake that I made an error and I am willing to correct it. I have talked about it for a long time. We had one time a I don't even know it was with citizens a citizen meeting and I even made the motion let's repeal 780 and it was just like it went nowhere. People looked at me like I was crazy. So I have I agree with the citizens who have spoken here and I think that um Larry Sorsby is suggesting to amend that and leave it there for commercial and multifamily settings is a good solution. It pleases John Stalluto. It pleases Marsha Wolf. It pleases Anne Boso. It pleases Larry, Michael Carp. Whom does it not please? It pleases me. How about you, mayor? I'm finished.

MAYOR:

All right. Thank you, Diana.

CM D. DAVIS;

I want to address the citizens that are speaking. I I think that Marsha Wolf called me Linda. I She said Linda somebody that got ran out of town and so I I'm confused by her comments, but if it's Diana, I do live four houses back from the beach and did not send a drone up. I'm not trying to protect a view. My our I'm in zoning code. I'm in RS1. Our houses can be 30 feet tall with 15 foot towers and uh my house is 20 feet uh elevation of approximately 20 ft with two stories. I mean I realize you know we're not going to do any additions on our house. We did a 600 square foot addition on our second story. I think that the Juno Beach Property Rights Association cannot fathom someone who is on the council that's serving the interest of our community that wants a small charming seaside community. I understand that, you know, we're realtors -

MAYOR:

Hey guys, hang on. Wait, we can't listen. We can't have any of that coming from the the chambers.

CM D. DAVIS:

So, I know that you're realtors and investors and you want the you know, you're zealously representing your clients and I get that. But if we do abandon our harmony codes that have been in place since 1992 and we're only left with our site plan, we're going to based on 35% lock coverage, we're going to end up with structures 72 to 74 floor area ratio. These are much larger than the houses that we currently have. The, our comprehensive plan, which is the Bible that directs all of our code, it um it states that that will have visual continuity of the community and consistent character of the neighborhood. Since 1992, the harm the appearance reviews have allowed this. the planning and zoning board granted appearance review authority since 1992. So, this is not something that's uh hasn't been in our codes for a long time. And what I hear you saying, you know, I hear you saying there's a mean girl that wants to do something for herself, but this is preserving our town. I understand you don't want you don't want anyone to -

MAYOR:

Okay, hang on, John. We Yeah, John. Wait, wait, wait. can't I I can't have comments from the the chamber.

CM D. DAVIS:

and and and Miss Boso has her um her calculations of the underlying zoning code, but if you look at the house across the street that's for sale prior to the large structure that was built behind it, it was on the market for \$400,000 more. So it was got taken off the market. The large house got built behind it and then I so I see that as a reduction of \$400,000 in value and you don't need any calculations. You just need to look at what's happening in the market. So um so you don't need those assumptions. I um so I I think we do have a solution. We can we can work on this with outside vendors and we can have those prices be be uh passed through.

MAYOR:

Hey guys, please don't say anything. Let Diana finish. Thank you.

CM D. DAVIS:

And um

CM M. HOSTA:

but there has to be an end to her speech.

CM D. DAVIS:

I think the

MAYOR:

Diana go ahead

three minutes everyone

CM D. DAVIS:

I think what we decided was 3 minutes then 10 minutes going the next way and then another 10 minutes. So um I'm within my time. Um, so the I think it is I think that it's shortsighted to say that only the folks on the ridge can review our land development codes because certainly if our beachfront properties were going to change shape and be more stories that everyone on the ridge would have an idea of what that should be. Everyone on the ridge should have uh a say so in our commercial areas and many folks on the ridge have volunteered to be part of the master planning. So um to pit one zoning code against another one in our town. We're all residents of the town and um and so I do think that this is important. I understand you have a specific viewpoint, but um I know based on my survey, it's not the majority viewpoint and I know a lot of uh council members are coming up for reelection and the you know over 200 people have a different viewpoint than those that are here in the room. Thank you.

MAYOR:

Um, I I'd like to ask um council members to be respectful of our residents just as we have set rules and protocols for us or for them. I'd like council members to do the same and not be calling out names um on the chamber or I would appreciate that and

CM D. DAVIS:

I understand respond especially if we don't understand what they're talking about.

CM M. HOSTA:

Please don't do that.

MAYOR:

I just made a statement and let me go ahead and go on to Dee. Um, did I understand you're on audio right now, correct? All right.

CM DD HALPERN:

Yes. Hi. Can you hear me?

MAYOR:

I can hear you. Yes. Okay.

CM D. HALPERN:

Yeah. Thank you. I've had a a family health emergency and um I had every intention of being there in person tonight, but um I'm doing my best.

MAYOR:

Um, can you go you're still on? Can you go ahead and comment on this?

CM D. HALPERN:

Um, I'm in favor of leaving it the way it is for now. I think sort of um with the with the current uh code in place um I did consult with our new town attorneys um who've assured me that our current methodology is not illegal as the town manager has been um stating and if our current code is not illegal then I'm inclined to keep it. Um, if the planning and zoning board is not comfortable uh applying the code as written, which at least three members have said they are not comfortable, then um I mean to that end, I would just allow our planning and zoning director, you know, to do the review of the applications and then leave an appeal process with the town council. Uh, I'm not saying that remedies anything, but it's a procedural remedy and I trust Frank to handle that um with his expertise. I am open to using um a consultant to review the applications if that's going to uh help bolster neutrality and uh proficiency of the process. And I understand that um using an outside consultant such as a certified architect um would not be a cost to the town. It's part of uh the application process or it's paid by the applicant and then we have a professional opinion and and that's where I stand for now. Thank you.

MAYOR:

Um, would legal counsel like to make any statements based on what DD Halpern has said about the metrics not being illegal?

TOWN ATTORNEY:

Do you have a question, mayor? She did not say anything about the metrics. She said the code.

MAYOR:

The code she was talking about we don't have a code. So Dee, could you -

CM D. HALPERN:

We do have a code.

MAYOR:

We have base zoning code, but the metrics were not codified. So could you just clarify what you're what you're talking about?

CM D. HALPERN:

My understanding is that we are still, you can correct me if I'm wrong, we're still using 34-116 3B2. Is that correct?

MAYOR:

And that is that is the base zoning. I am not sure. I don't have it in front of me. That's the code.

MAYOR:

Um I I think Diana Hold on. I'm talking to

CM D. HALPERN:

I believe Diana excerpted it and I understand that that's still the code we're following. It isn't it? So is that the harmony definition you're speaking of?

MAYOR:

Diana, hold on.

TOWN ATTORNEY:?

I have municode up if you'd like if that would be helpful.

CM D. DAVIS:

Okay. So yes, we have the definition. It wasn't part of my package.

MAYOR:

Diana, can you hold Yeah. Could you hold off? I know.

CM D. DAVIS:

But it wasn't part of my package.

MAYOR:

It's in front of everybody. I understand. We've got it. Just let us continue. And if you could just hold back until it's your turn again. So, the portion that she's talking about then is the 35.

CM D. HALPERN:

It's my understanding that we're still using the paragraph that includes uh the portion about the comparison of harmony between buildings and the preponderance of structures within 300 ft. Are we still using that

MAYOR:

DD? What was that question addressed to Staff or to Gemma?

CM D. HALPERN:

I would ask uh the legal counsel first of all to confirm that the current code that we have is not illegal which has been put out.

TOWN ATTORNEY:

Council member, yeah, I'm going to address your question which is if our current code and just so you know, I'm reviewing article 2 administration and enforcement. This is division one generally and you're referring to section 34 correct 34?

CM D HALPERN:

Yeah. 34116 which is under 3B2.

TOWN ATTORNEY:

Okay. So this is division 4 site plan and appearance review 34-116 required criteria. Um and this is the section that begins no construction or clearing of land may begin in any district prior to review and approval of the site plan and appearance. the review shall consist of and then there's a number uh one two three and you're referring to B2 pre B two which is appearance review criteria and then it has a one a two a three all the way to the seven you're referring to two under that section is that correct council member yes so this is the town's current code um the town's current code is legal it is constitutional and it is active has not been amended. And so the code that is active on municode is the current operative code in this town

CM D. HALPERN:

that section.

MAYOR:

Yeah, hang on. I'll we'll get to that. Just go ahead, Gemma. Thank you.

TOWN ATTORNEY:

I'm finished if you finished.

MAYOR:

Okay. Well, I I think you know it's not my turn. I want to do I do want to comment on what DD is saying. Um what I think DD you're talking about is the definition that was put in place in January of 2024 and that is just a definition that does not include the metrics.

CM D HALPERN:

Okay. And so is I guess the question for staff is staff still applying the metrics?

TOWN ATTORNEY:

Council member, I want to just back up for a second because I was just talking about something and now you're talking about something else.

CM D. HALPERN:

So, I just want to be clear. Well, um, the mayor just changed direction to from the definition to the metrics. So, I was talking about the definition, right?

TOWN ATTORNEY:

I I want to be clear with you. Harmony is defined elsewhere in the code. This is not the section of definitions. I'm happy to read this section if that would be helpful. This is not the definition section. And the section that we're all referring to um or that you're referring to, council member, under 34-116 3B2 reads in its current iteration um is of a design and proportion which enhances and is in harmony with the area. Concept of harmony shall not imply that buildings must look alike or be of the same style. Harmony can be achieved through the proper consideration of setback, scale, mass, bulk, proportion, overall height, orientation, site planning, landscaping, materials, and architectural components, including but not limited to porches, roof types, fenestration, entrances, and stylistic expression. For the purposes of this section, the comparison of harmony between buildings shall consider the preponderance of buildings or structures within 300 ft from the proposed site of the same zoning district. And that's where that section ends.

CM D HALPERN:

Yes. And so this is our current code. It's not illegal. Now, this is separate from the metrics which in my mind, you know, staff created. council didn't create the mathematics that go with this. We simply codified this language. So my thinking is the language is legal. It has these uh terms I guess um bulk scale mass which this is a multifaceted argument that people have made you know so the language is the language but then the planning and zoning board says well these terms bulk scale mass are subjective so then staff went and created math to go with the language and the preponderance of 300 ft and all of that stuff. I would, like I said, so I'm going to just reiterate my solution, keep the language the way it is and allow Frank to be the decision maker on bulk scale and mass because he has the professional expertise to evaluate that

because our planning and zoning board is not comfortable making determinations using the code that we've decided on. So, um, that's how I think about this and, uh, reiterate, I'm comfortable having, uh, hiring additional or using a consultant to an a certified architect consultant do further review. And, uh, the town attorney has said that and, and I had talked to Len about this, yes, that the cost can be paid by the applicant. And that's my question,

TOWN ATTORNEY:

Council Halpern. Just to clarify, yeah, that we did have a discussion um in our code, and this is common um when an applicant brings a project, whether it's commercial, residential, single family, we have an ordinance, which is a pass through cost. Some places call it cost recovery. Um because the applicant is the originator of the project. It's not the town going out and saying, "We need to build a new um sewer plant." The applicant wants to build something. So because of that, the professional fees that the town incurs that are incidental to that and those typically include attorneys fees, engineering fees, um they can be architectural review fees. These are common costs that are passed on to the applicant. So um this process has existed and the town has I believe long used attorneys and engineers for this type of review and the cost does pass to the applicant. So it would not increase the hard cost to the town. Um and again this is very common and often on large scale projects like large commercial projects towns might need to bring in specialized engineers um when there's lots of different mechanical um or complicated storm water implications to large scale projects. So we do have this in our code of ordinances and we and we have for many years. So that that is a tool that's available um for the town to use if they so if they so choose.

MAYOR:

All right. Um, Rob, I'm going to let you comment on some of this because I think knowing what DD's asking just from her standpoint, how does that affect staff?

TOWN MANAGER:

Sure. I think there's a a few important dimensions that are being glossed over just a little bit in our conversation and I think they need to be addressed head on. Um, there's been representations that the town manager has indicated that our code is illegal. I haven't indicated it's illegal. Um, clearly subjective review and appearance review is legal if it's done properly. There's numerous examples across both the state of Florida and nationally where appearance review does get done. Those examples, and I've provided copies to both our legal counsel and our town council, reflect well thought out guidelines and standards. They're not ambiguous. They're not unconstitutionally vague. They're actually pretty clear. So the question I've presented to our legal counsel is our set of regulations as they're presently written if we're to follow them um legally sufficient not can you do appearance review or subjective review but is our form of it and the and the rules and regulations that we have in place does that pass legal muster? one of our recent meetings, one of our council members has requested or suggested the potential for a legal memorandum. And I think that's probably a good idea. Take a look at some case law and help

us to determine which options are on the table and which ones are off the table, whether we're exposed or we're not exposed when it comes to how we're handling uh subjective review. Um, I think in the case of 3B 1 and 2, if we talk about the legality of it, I mean, we're sitting here saying to use the rules that are currently in place. If we look at appearance review criteria 3B1 talks about architectural standards, well, I think we're preempted under state law from actually using architectural standards and building design elements, but we explicitly say that's what we're doing. that to me is not compliant with state law. And so if whether one calls it non-compliant or illegal or whatever you want to call it, it certainly seems to scream for an amendment to correct that deficiency. Um we know for instance that in 2021 we amended our code to make um the planning and zoning board able to undertake the appearance review of single family homes. prior to 2021 they actually were not as you know even though it was said earlier P&Z board has been doing this since 1992 they haven't for single family homes that took place in 2021 and there's you know the code amendments on that date we'll say that

CM D. DAVIS:

34-28 they were given authority -

MAYOR:

hang on earlier let Rob finish okay -

TOWN MANAGER:

and then if so single family appearance review as such was what happened is in 2021 the state passed a law that had to do with preemption on building design elements and single family uh architectural review. Um it didn't call out in 2021 that you had to have a design review board prior to 2020. But so we authorized the planning and zoning board to undertake this single family appearance review on 2021. Unfortunately, couple years later, state took the next step to kind of take another bite at it. And what they did in 2023 was they said, "Well, same preemption still exists, but now it's retroactive to January of 2020." So if you did not have a design review board in place by January of 2020, then you don't have the ability to apply architectural review standards and use building design elements in rendering a pass fail decision on a on an application. So to suggest that there's not amendments that may be needed to our code or that everything in there is entirely legal, I would argue may not be the best representation of the facts. And our legal counsel perhaps should take a close look at that and at least at a minimum um identify any gaps between what the state preempts and what we have in our code that we're saying we're expecting people to do. And I think it's also important from the question of a staff ability. You know, this this is like a circular conversation. Uh each time we talk about appearance review, single family appearance review, we say that Frank can do it. We have faith. He's trained. He's a professional. Frank, on the other hand, has stood at the microphone and explicitly said, "I cannot do this in a manner that is not unconstitutionally vague." So when I asked him at the last meeting he participated in, I said to Frank, "How are you going to do this if the town council is telling you to do it?" His response

was, "I'm going to have to use base zoning to make the determination." I didn't tell Frank to say that. That's what Frank said. So today, we're again saying, "Well, Frank can do it, and we're confident Frank can do it." Well, you know, if we put a Superman suit on Frank and tell him to fly across the lake, and he's saying he can't and we push him off, he's going to break his legs at the bottom. He's not flying across the lake. Same thing here. We can't tell him that he can do something that he is saying he cannot do. He feels he can't do it ethically. He's saying he cannot be consistent and he does not understand how his personal opinion that of his assistant Stephen or anyone else is going to be sufficient absent some better guidelines that are in use in other places like Coral Gables uh is going to allow him to make these determinations faithfully, consistently, and clearly across the board. And so I would I would say to our legal counsel, you know, what yard sticks are we using to determine if that approach that we've just talked about is legally sufficient? What does it take to avoid or to overcome a claim of being unconstitutionally vague or a violation of due process? What yard sticks are you guys using? I mean, is seven words with no guidelines sufficient? And if it isn't, how can we help council in the community to kind of get what we're after? You know, how does that fit contextually in Juno Beach? We've heard of residents talking about it. We've suggested some pathways in the past and they've been twice voted on and approved only to be overcome at the next meeting with a reversal. Uh I I've heard something about one a recent blogger newsletter that suggested a potential path forward. And maybe we ought to talk about a potential path forward because doing what we've been doing, we're going to keep getting what we've been getting. and all that is a bunch of community angst and anger and divisiveness up here on the dais and I want to help get past that.

TOWN ATTORNEY:

Thank you so much, mayor, if I may. Um, I want to be clear. So, when I talk about a portion of the code that council member Halpern is referencing and I read that portion of the code and I say that portion of the code is valid, is legally sufficient and constitutional, that's what I'm referring to, which is why I read it to be clear. You are correct that 3B1 has been preempted. That's true. But just because one portion of our code has been preempted, you don't throw out the baby with the bathwater. Also, it's my understanding that staff knows it's preempted. I mean, we met with your staff and they advise that they are not doing that because they know it's preempted. So, would it be nice to clean up the code and take that out? Yeah, that'd be nice. But as long as your staff, as they've indicated they have, are aware of the preemption and are not applying what they're not permitted to do, which is 3B1, it's okay. I mean, and also, that's not what we're talking about here. Council member Halpern is talking about 3B2, and that's what we're talking about. 3B2 is legally sufficient and constitutional. And I want to be clear, I have not said it's the best practice. I have not said it's the best thing. You are the manager. If you want to make a recommendation for something that you believe is a better practice that other communities have used with more success, please do so. But I am telling you this is legally sufficient and it is not unconstitutional. Full stop. So I just want to frame this argument and be very clear that that's what we're talking about and we don't need to expand the argument to other sections.

It's my understanding again that your staff is not doing 3B1. And let me be clear. If they are, do not do it.

TOWN MANAGER:

Well, let me let me add something. They're not doing 3B2 either. So, they're not doing 3B1 and they're not doing 3B2. As I have already said, Frank stood at the microphone and told us exactly what he's doing. He's looking at that language. He's creating the numbers like we said at our one of our meetings and he's giving those numbers to planning and zoning, but he is not endeavoring to use his personal opinion to make a pass fail recommendation at this point because he has explicitly said that he does not have any ability to take those words and apply them in a way that is consistent and fair to the applicants. He said that himself at the microphone. So, we can't expect him regardless of our legal viewpoint on 3B2 to do exactly what he said he can't do. And that's part of the disruption that took place at the planning and zoning board also. You know, they the whole thing was a meltdown and it was over the same issue. They don't feel that they have enough meat on the bones to help them make a decision that they believe is fair to the applicants and that they can repeat again and again as successive applications come. So, this isn't a an argument against houses that fit better contextually. It's how can we do it to where people feel they have uh the ability to say yay or nay and stand behind it. And right now, we don't have it.

MAYOR:

All right. Now, I Yeah, I would like to ask you to hold your comments until we come back through again if that's okay. But we'll have John. Well, then I'll speak and then Yes, we'll come back through. John, go ahead.

CM JOHN CALLAGHAN:

Yeah, Vice Mayor Pro Tem's feeling sorry for me because I didn't get to say a word in the last hour, but you all are making a big thing out of this. A lot of words and unnecessarily, I believe. But first of all, I did want to mention somebody mentioned I put a blog. Did everybody see my my blog post yesterday? If you didn't, I have copies and I I'd be glad to hand out a couple any if anybody's interested in there. Okay, bottom line on what I wrote is I think there's a fundamental misconception that harmony has something to do with house sizes and I don't know where that's coming from. Is that coming from staff? Where is that coming from, Rob?

MAYOR:

He's talking to staff right now.

TOWN MANAGER:

I believe that the concern about the size of the houses has come from a combination of some community members. One of them I understand where concern about size of houses coming from.

CM J. CALLAGHAN:

Where is the idea that harmony has something to do with the size of houses in our code? Because I don't see the word size I don't see anything like the size of houses in any sentence with harmony in it. Where is that coming from?

TOWN MANAGER:

That's not coming from staff. I think that is an interpretation that some members of council have embraced and helped the community to embrace. Now, if that is not what the code intended as you're suggesting, I I would strongly encourage that conversation to be worked out with your peers.

CM J. CALLAGHAN:

Well, if it's not coming from staff where this idea that there's a test one, test two for size and height and things like that, isn't that something that's produced by staff?

TOWN MANAGER:

What happened was when the rules changed in first 2021 and then 2023 to prohibit architectural review standards, Frank has reported he came up with a methodology that modified the base zoning regulations as a workaround for being able to administer these rules. So in effect, he's just repeating the fact that he created those metrics is simply him saying the same thing that he's saying now. I can't apply this language and make a reasonable determination. I need some criteria to use and they're absent in the code. So, he created them. The reason those numbers did not get into the code in 2023 was because Frank reported live at the microphone that legal counsel advised him he could not do that in the code because it would diminish the square footage size of homes and potentially result in Bert Harris claims. That was confirmed by legal counsel live in public session. so Frank instead took it upon himself to do that behind the scenes instead of codifying them back in 2023. And it wasn't until one of the cases before the planning and zoning board blew up that this all came to surface. And this town council as well as members of the community were then surprised that these metrics even existed and that they were being used in a way that uh artificially suppressed the allowable square footage of a property. even though that that language was not codified. And that feeds into your question of well, how did this all become about size and that's the long tale of it. It's just your staff trying to work with an ordinance that lacks adequate guidance, no guidelines, and they were being forced to do the best they could. And oddly enough, town council says, "Well, why didn't you tell us that's what's going on?" Well, now that we're telling you, people are saying, "Stop telling us and keep doing what you're doing." So, it's this this odd, you know, tension back and forth between tell us and don't tell us. Um, and and the reality is we just need to fix the rules so that we can cultivate the outcomes that I think a vast majority of people actually support.

CM J. CALLAGHAN:

Okay, let me let me give you the short tail of it. It looks like the count that staff made it up and it doesn't have any basis in the code. I look at the code, it mentions harmony. It doesn't say harmony means houses should be smaller. I

I think the staff has been one, the staff made it up. Two, I think the staff's been telling applicants throughout the town that your house is too big. It's not going to get passed. And three, I see recommendations from the staff to the planning board saying, "Here's a bulk uh measure. Here's a scale measure. and we measured this, we measured that, we use this metrics and therefore in our opinion it's not in harmony. So I think that the whole fallacy of this is an assumption that harmony has something to do with size and it's dead wrong. I think harmony had a purpose in 1992. That purpose is still good. And once you get over that idea that harmony has something to do with the size, the answers are or the solution is clear. We need to stop fighting about this. We need to pass a sensible um reso-, you know, path forward. I have some suggestions and I'm going to make it as a motion once we anybody else wants to speak on it. Other things first.

MAYOR:

Yeah, John, I'd like to hear um additional information on what you might present if you don't mind.

CM J. CALLAGHAN:

I'll make a motion ask staff to accomplish the following six things. One, create an ordinance that amends the zoning code to return appearance review for single family detached homes to the town planning and zoning department and removes it from the responsibilities of the planning and zoning board. And I have copies. Would you like me to pass them out?

MAYOR:

Yeah, that would be great. Thank you.

CM J. CALLAGHAN:

where I put them

MAYOR:

because we're frantically right trying to write these down. So that's great.

CM J. CALLAGHAN:

Okay. Number two, create an ordinance that adds clarifying language to our zoning code stating that the original intent is to be followed when judging harmony for single family homes, which is that the harmony requirements adopted in 1992 restricted the appearance of a proposed homes. In other words, no castles or domes, but not the size, mass, bulk, scale, or proportion of the home. Three, and these are things I'm uh the motion is to ask staff to accomplish these. Number three, publicize the existing zoning code restrictions on house sizes by the height and lot coverage limits and minimum setbacks listed for the various zoning districts. Four, publicized that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings, etc. are informational regarding the intent of town codes but not enforceable requirements. Five, create an ordinance that revises the architectural requirements in our zoning code to clarify that building design elements are

not to be used in staff decision making as to whether a proposed single family detached home is acceptable. and six continue with current plans to encourage voluntary compliance with the town's preferred architectural styles, such as with the pattern book now being proposed. And none of this precludes the staff from looking at other avenues from regulating the size if that's what the council chooses. But this gets us out of the box and clarifies our code so everybody can understand what it is. That's my motion. If it doesn't get a second, it just dies.

MAYOR:

All right. Thank you, John. Um can I ask you a few questions about what you've proposed? Um

CM J. CALLAGHAN:

I would and without a second, I would object to it as a point of-

MAYOR:

Did you Oh, you made the motion. I'm so sorry. I'll go ahead and pass the gavel, which I can't pass it to you, John, but I'm passing the gavel to John Cal, Vice Mayor John Callaghan, and

CM J. CALLAGHAN:

I'll second the motion. you have the gavel back.

MAYOR:

Thank you. Okay. So, I just have a couple of questions um to understand what you've presented. Um so, your suggestion is to repeal the appearance review for just single family homes. Correct? Is that am I reading that correct? For single family?

CM J. CALLAGHAN:

Yes. Detached homes.

MAYOR:

and that you want to give that back to the planning and zoning department and removes it from responsibility?

CM J. CALLAGHAN:

Yes. From the zoning board. Create an ordinance that amends the code to return appearance review for single family detached homes to the town planning and zoning department and removes it from the responsibilities of the planning and zoning board.

MAYOR:

Okay. And then you'd like to make it clear the purpose of the or with a new ordinance that could control out of context homes out of you know homes that

are not the dome homes the castles those kind of things and that was the intent back in the day. Is that correct?

CM J. CALLAGHAN:

That's correct because of the mass amount of misinformation and and um un which I think is is a a wrong concept that people have about it has something to do with size. I you know I elaborated on my blog that harmony by definition means whatever you're talking about is different than everything else. You talk about harmony in an orchestra. Everything is different from a violin to a flute to a tuba to a guitar to a piano. They're all different and they sound together in harmony. When they talk about harmony, they're talking about different things sounding well together, but they certain Nobody's talking about harmony like these things are all alike. They're talking about a barber shop quartet where everybody's singing the same tune. That that's ridiculous. the word is if that was the intent it would be conformity or um compatibility or something like that. But the fact that we're talking about harmony which is a musical term it means that the things are all different. Every house is different as some people call it eclectic.

MAYOR:

All right. Um and John I think you're right. Harmony um does not have to do with the size of the house. And um when you look at a house from the outside, can you tell how many square feet are in it? No. And if you looked at my house, and I'm going to use my home as an example because it's been put on the screen many times. It's been put on paper many times. I have a large lot, a very large lot, and I have a big home. But if you looked at my home, you would never be able to tell. And the reason you can't tell is I have balconies. I have insets. I have landscaping. I have screening for the house. I have done what we can suggest other people do with the pattern book. And that's how you fix I think the problem of these homes and the concern that some might have of the houses being too big. We can you do that through the pattern book. Um, I want to go back to what Dee mentioned about the it number two being legal. It it it might be legal as it's stated, but there is no way, as Rob has said, to actually use that. And so, it's causing it's causing issues obviously for our town staff. And, you know, metrics are not in our codes. So, it's really not an option. and Rob and Frank have said many times that when metrics aren't codified um and even with the way the language is now, they don't feel comfortable doing something that is in that language and it's Rob's decision. That's not a council decision really. So, um, I would like to look at this, John, and go forward with something like this where we can start a new ordinance perhaps that really approaches what all of our citizens want. And that's making sure that these homes don't look large, but also keeping the square footage for our single family homes. And I think that's a nice blend of hopefully making everybody happy. Um, I think going through this I've I'm looking at your numbers here. Um, so I'm I don't object to any of them. One is creating an ordinance that amends the zoning code to return appearance review to the planning and zoning uh department. Create an ordinance that adds clarifying language to our zoning code stating the original intent. um publicizing the existing zoning code restrictions on house sizes by the height and lot coverage limits which would

go back to the zoning codes we have currently John is that correct on number three

CM J. CALLAGHAN:

it it is what it what it says okay I'm not adding any right clarifying language there publicize the existing harmony definition and statements in our code regarding aesthetically pleasing buildings are formational regarding the intent. Number five is fine. Revises the architectural requirement in our zoning code to clarify that those elements are not to be used in staff decision making as to whether a proposed single family detached home is acceptable. And number six is um continue with a pattern book, which I don't think we have approved right now. Caitlyn, can you answer that question? Have we approved going forward with a pattern book?

TOWN CLERK:

I believe it's on hold right now.

MAYOR:

Okay. So, that might be something we want to do also. Um, so I Rob, do you have something you'd like to add to this?

CM D. DAVIS:

Can we continue?

MAYOR:

Yeah, I'm asking I'm still my time, Diana. So, I'm asking Rob a question

TOWN MANAGER:

Sure. I think if I could just add one thing real quick because I think Diana's been waiting much longer than I have. I just want to say I think there's some promise here and I'd like to see if council might want to allow us staff to work with legal counsel to flesh out something in an ordinance format and recirculate it to this group to the town council to see if it achieves u the desired objectives in a way that legal counsel's uh okay with the wording of it.

MAYOR:

All right. Thank you.

TOWN ATTORNEY:

And if I may, I think that's a great idea particularly in light of Senate Bill 180. So any revisions, we really need to look carefully. Um, but we're happy to work with staff to try to bring something back for the next meeting.

MAYOR:

Okay. I'm going to go back down the line if I can so I don't miss anybody. I'll get to you next day. And I Marianne, do you have any comments? Second comments.

CM M. HOSTA:

Yeah, I have a comment as to number four. publicized that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings are informational regarding the intent of town codes but not enforceable requirements. What does that mean? you you make suggestion but nobody has to uh really follow them. It's like saying all right uh this is a 30 mile uh speed limit but we are not enforcing it. Now guess what I would do or what many people would do I mean if there's no punishment and it's not enforceable let's just go for it. I don't think this this is a very good not enforceable. I mean uh but we keep on to a definition that is not enforceable. I would like to keep on to something that is enforceable.

MAYOR:

All right, Diana, do you want John to answer that question, Marianne, about the enforcing or are you finished? John was going to answer one of your questions.

CM M. HOSTA:

Yes, he may answer. If he would like to.

CM. J. CALLAGHAN:

Thank you, Marianne. I'll answer it. That that clause that's in the code right now, aesthetically pleasing buildings is something that you put in. You voted for that and I was going to willing to leave it in the, you know, you and and the other colleagues voted for that about, you know, a few years ago. Um, and I said, you know, leave it in, but make sure it doesn't have anything to do with the size and you're not going to you can't enforce it. You should let people know that we have no way to enforce that. But I guess the purpose would be that we do want aesthetically pleasing buildings. But we don't have any code language or something that we can enforce that what is aesthetically pleasing. If you don't if you don't like it, move to take it out of the code then. If you don't like that the fact that it's voluntary and it and it's formational, you can ask for it to be taken out altogether.

CM M. HOSTA:

I'm not asking anything at this point. I'm just finding this a very uh vague uh suggestion or a vague ordinance or I mean I cannot even follow it.

MAYOR:

Marianne, Rob has can weigh in on a little bit of it. He's just real fast,

TOWN MANAGER:

uh, if staff are given direction by town council to look at this and try and weave it into an ordinance, that's the type of thing that we would work with our legal counsel to present something that is clean when it comes to a statutory language. So, uh, we note that concern and our team would come back with something that, uh, addresses it in in one way or another. Diana, sorry to keep stealing the stage here.

MAYOR:

Go ahead, Diana.

CM D. DAVIS:

Yeah, I'd like to step back. I think that harmony very much has to do with the size because it's mass bulk scale those are defined in 34-4 and um I appreciate what staff has done to come up with ways to compare houses within the same zoning code and I think that that's what was missing from our code before with the harmony was the actual measures and with some of the speakers that we had at planning and zoning over the years. And it was I think it was your idea, John Callahan, to have the uh to have these educational speakers. And one of the things that uh that William Waters had brought up and I think Rick Gonzalez also were the fact that you need ways to measure and so that's what staff did with the metrics and then the town council had hired Shinmore Associates for code improvements to look at things like you know articulations no flat walls like the criteria for North Palm Beach was specifically to look for them to look at and the floor area ratio and the specifics that were going into the Harmony Code because yes, I would welcome, uh Rob Cole, your uh the details that are in some of the towns like Coral Gables and the things that you have suggested and certainly moving forward with what town council has already voted for was to have these ordinance, you know, have the proposal for our code improvements and that was done last year and um has been stopped because of uh Senate Bill 180. I would like for our new counsel to look at those potential code improvements and how we could possibly move forward with Shinmore so we're so when the Senate Bill 180 restrictions are lifted that we might move into those code improvements. I am more in line, I think, with the DD Halpern and keeping our existing uh our existing harmony reviews, the 3B2 with the guidance that the that the staff has been using with the proposed changes that were suggested by Len Rubin. And in the packet that I handed out, I have Len Rubin's legal memo for appearance review, architectural review, and harmony review. And for architectural review, he did not find that the 163.3202 had preempted our architectural review. He had looked at the town of St. Petersburg and they had similar codes to us and it was a footnote and the legislation or you you'll have to look at what he said because I don't want to uh summarize it but that and then addition to 34-28 um Nancy Stroud attorney she's a land use attorney that represents municipalities and she had looked at that 34-28 that from at least 1992 and I think before our planning and zoning board have been given than the authority to do appearance reviews. And the statutory language in 163.3202 is not um very specific. It's vague. So it doesn't say that you have to actually be completing the reviews and the granting the authority could actually exempt us from that as well as you know the historical buildings and there's other exemptions within that section too for architectural reviews for single family homes. So, I would like our new uh our new town attorneys to do a review of the architectural authority and the um and the harmony authority to look at that in in Len's discussion of he said we can continue to do what we have been doing for the harmony reviews regarding you know the metrics for bulk and mass and the metrics for scale. it just couldn't be a yes/no decision that under and we had to do our final review with the subjective review. So that's

why I had suggested this chart which is similar to what the staff presented on May 2nd at our appearance review workshop. It just has a subjective review as the final review which complies with Len Rubin's option two. And then the solution that Dee Halpern brought was if the planning and zoning board don't want to make the subjective decisions, give it to our staff. But I I hear what Rob Cole has said that the staff doesn't want to do these reviews. So another solution may be that we hire outside contractors to do these reviews and then the outside contractors can do the pass through charge to the applicant and it's not a Senate Bill 180 issue for more restrictive burdens. It just changes who's doing that review. So there are some other options on the table. I um I appreciate what John has written here and I would like to look at the blog and um or have you describe it in this meeting because we probably need to make our sunshine decisions based on what you say here. But um but um this this is good and an potentially we can bring this back. I know that staff has a strong opinion that they don't want to do appearance reviews. I think that really hurts the town of Juno Beach and we're going to end up um people say they didn't realize what the Harmony reviews are going to do. We've done 19 of the Harmony reviews under our existing codes under 780 and only one of those was not approved. So, it is working. The houses under the Harmony review, I know that there's concern about small houses, three stories with the tower. They've all been at least two stories, some two stories with the tower. There just have not been the denials. So, I think that this stirring up the public and saying that we're taking away property rights. Also, Len Rubin had made it clear that our codes did not take away property rights. So, um making those statements is what is -

MAYOR:

Wait, hang on, guys. You got you can't talk from the chamber. Thank you.

CM D. DAVIS:

making those statements that that have been refuted by our town attorney, it does stir people up and it does cause anxiety. So, um I think that we should look at these potential solutions and bring some of the solutions back and please do consider keeping our harmony codes. I know that uh some people don't like the survey that I did, but 252 responses is huge for our town and pe it's the size of new construction is a huge um issue. It partially had to do with why people were protesting in the street over Ketta and um and the master plan because um it's upsetting to people that um that the town council wouldn't consider their interests to preserve our small beach town community and the characteristics that are unique to Juno Beach. So I guess in summary, I would like to bring some of these proposals back and particularly with our uh new legal counsel giving their opinions on alternate solutions.

MAYOR:

All right, Dee.

CM D. HALPERN:

Yes. Hi. Um going back to John's proposal, I first want to state that I don't read any of the council members blogs or newsletters or anything like that. I found it's just um healthier to not do that. I don't I don't receive them, John. Yes, I saw yours, but uh no offense, but for sunshine rule purposes, I don't read any of those.

CM J. CALLAGHAN:

Um I read yours.

CM D. HALPERN:

I Well, then I should unsubscribe you because I have sunshine concerns. Um, regarding your suggestions, I So, um, I don't have them in front of me to weigh in on. I would ask the town attorney um, you know, I'd follow that lead. I guess -

TOWN ATTORNEY:

Council member Halpern, if I may briefly, I texted you a photo of what he sent, what he gave us, so you would have it in front of you.

CM D. HALPERN: Oh, just uh, it should

TOWN ATTORNEY:

like as soon as he passed it out.

CM D. HALPERN:

Oh, okay. I'm not even looking on my phone. But um I guess the question is one of the questions I have are John's suggestions implying or meaning that uh we go back to base zoning? Is that the crux of those suggestions that that we go back to base zoning and then implement those things?

CM J. CALLAGHAN:

I'm not going to um reexplain what it is. It is what it is. the words that I made as emotion is what I what I intended.

CM D. HALPERN:

But from a mechanical point of view or of the mechanics of this, I don't have the ability to analyze your words. I like I said, I don't have it in front of me. I'm doing the best to understand it remotely. Um Gemma, I don't see a text from you if you use my personal number. I don't have my work phone with me. Um, does it imply or does it require that we go back to base zoning in order to implement those suggestions?

CM J. CALLAGHAN?:

Base zoning is already part of the code. There's no going back to it. It's there, but we're not using -

MAYOR:

All right.

CM D. HALPERN:

Well, then just bring it back for the just bring it back and and we'll discuss it again because it's good, you know, it's good to discuss things a lot. So, we can have the town attorney review those suggestions and discuss them again. Um, I do recall in Len Rubin's memo, I believe it was his July memo, his analysis on this issue, he also presented um at least four solutions um for how to move forward. And I would ask that we use that as backup material as well and see if we can decide on or agree to any of Len Rubin's suggestions and possibly meld all of the suggestions together. And that would be uh Len Rubin's memo July 21st, 2025, his summary analysis of recommendations. Um that if you know recommendations for moving forward if we want to keep um appearance review I mean we're not going to solve this problem tonight so we might as well just discuss it again.

MAYOR:

all right John I'll let you go next.

CM J. CALLAGHAN:

yeah just a couple of things uh Len Rubin has um given his opinion on a number of things we disagreed as a council with um some of them, some we agree with, but the applicable thing tonight is Len has no vote. We're not going to get a vote from Len. Even though he says this is legal, this is you something you can do. We've decided not to do things in the past and I don't believe we're going to change now to go back to whatever Len Rubin might have said in the past. We take his advice under consideration and we vote. Uh the other thing is staff has no vote. I understand the staff doesn't want to do things and we take that under advisement, but the votes are here. The votes are on the council. That's who does it. Nothing in this proposal that I've made um preempts the staff from high of uh doing additional things such as impaneling decision makers that have more expertise in harmony and let them decide and give it back to staff if it's more comfortable for staff to have um a separate tribunal or whatever a committee of architects make these decisions. I wouldn't be opposed to that. But I think we have to explain, you know, by making these changes in in the ordinance what it is they're basing their judgments on. It has to be made based on what's in our code. We can't have a panel of outside experts deciding things that are not in our code anymore than we could have staff decide things that has something to do with the size of the house and twice the average. And um you know maybe even bigger than twice the average and if it has landscaping if it's not in our code that is not something that we want them to be using for their decision. Well, and the process for creating an ordinance, my motion is for the staff to create an ordinance. Of course, it comes back to us. We're going to ask staff to create an ordinance, bring it back to the next meeting. There'll be public hearings on it because that's the legality. If you have to, you know, public have an ordinance and we can debate it. If we don't like the ordinance, we don't like the language, we can change it at that time. We can modify it. And I believe it has to go two readings. Is it the change in ordinance? And then

there's another opportunity to look at those changes and modify it again. But by passing this tonight, we're giving staff the marching orders to create that ordinance and get it back to us.

CM D. HALPERN:

Are you talking about the attorney creating an ordinance? Because staff doesn't create ordinances. Is that are you talking about them working in concert?

CM J. CALLAGHAN:

Staff creates the ordinances and we approve them, but they write them up. We don't write the code language of the ordinance.

MAYOR:

All right. Thanks, John. I want to hit on a couple of things that I heard. Um I you know, we had a resident talking about your survey, Diana, and I know you're saying you talked about your survey, but when the citizens responded to your survey, you talked about the entire town. You talked about you showed a Kretta building. I don't think that was fair to get survey results to do that.

CM J. CALLAGHAN:

Um I don't think point of order. Mayor, this is off topic.

MAYOR:

I'm talking about individuals and how we are coming to the conclusion. So I don't need to use Diana's name, I guess, if you'd like me not to.

CM J. CALLAGHAN:

Her survey is is off topic for the my motion. I'm just saying why stir it up.

MAYOR:

Well, this is my time to speak and I'm gonna overrule that unless we'd like to take a vote. You want to take a vote on whether I'm allowed to speak?

CM D. HALPERN:

Yes. A vote.

CM J. CALLAGHAN:

Okay. Okay. Well, we'll take a vote if you'd like.

MAYOR:

Okay. You would somebody want to take a vote on I'm not allowed to.

CM J. CALLAGHAN:

I don't think Diana's survey is pertinent to the motion at hand. Okay. I think that it is. I'll give my argument because I'll drop my opposition. Go ahead.

MAYOR:

I'll give my argument I think it is because it's been discussed and if something is discussed up here we have a right to this is what we do as a council is go through discussion points and

CM D. DAVIS:

to clarify

MAYOR:

my turn and then I'll let you talk after that okay Diana - just let me have my time thank you um I think that there was um I think that John has given us a good option um we can't keep going on like this over and um you know the option is to have staff and legal look at this ordinance. It's going to come back um to us. We can like you know we can accept it, deny it, but it's a start and we have to move forward to say that we're going to come back and do this again and our residents are in limbo. We have staff that have said that they cannot do one 34-116. they don't feel comfortable. That is since this might be legal what's in our code. Number two, it doesn't mean it can be applied because there's an subjective part of that. And Florida courts have upheld that land use regulations must be clear, must be objective, consistently applied, um, and not left any personal discretion. And that's my concern with just leaving this as it is. And it can expose us to legal challenge under due process and equal protection. And that's what our citizens are absolutely concerned with. So I think we have the opportunity to move forward and do something that will be positive for both sides. So I'm in favor of the motion, John, and we can go back through again if you'd like.

CM J. CALLAGHAN:

What was your question?

MAYOR:

No, I didn't have a question. I said I'm in favor of the motion um and moving forward with something because we cannot continue to go down this road like we are. Marianne,

CM M HOSTA:

you know, I'm a little bit more result oriented. So, you know, never making a decision and just saying let the staff do some more works. we just give the staff more work and uh it's like a copout. Why can't we just right now I mean there were so many people here who asked us to repeal 780 but we never gave them an answer. We never said yes or no. And I would like to say I would like to find out where we are standing. Are you no? Are you yes? Are you a maybe? Are you in the middle? I would like to come up with some kind of result and not saying we discuss it again. Some people want to on the council they want to hire consultants. Uh they want to hire architects. But you know this involves money and at the same time they don't want big houses who bring in big tax money. They want to stay small. So I don't understand this and other people

want to discuss it. I mean how much more can we discuss it? We have done it so many times. It hurts my head.

CM J. CALLAGHAN:

Could I could I answer that?

MAYOR:

Yeah.

CM J. CALLAGHAN:

The only way to pass an ordinance is have it up for a public hearing and more discussion. We need to change the ordinance that's on the books.

Okay. The only way to do that is to have the staff bring back the language, the precise language of that ordinance.

CM M. HOSTA:

We cannot just uh repeal. I mean there were people at the council from one

CM J. CALLAGHAN:

even a repeal they would have even a repeal they would have to bring back the exact language of the wording that we're repealing. Okay. It's it.

CM M HOSTA:

so it would involve the work of the staff?

MAYOR

Yes.

TOWN MANAGER:

Yeah. Yeah. Okay. Yes. So yeah. If I may, yes. Staff would have to work with legal counsel. Yeah. To draft a potential local law amending our code. It would come back to council for discussion and further letting in approval. It's a a multi-step process to codify an amendment to the code. So, no matter what that amendment is, it follows the same process.

CM M HOSTA:

Okay. But would that be a step forward?

TOWN MANAGER:

I believe that what's on the table as a motion is a step forward.

MAYOR:

Okay. Marianne, if I can, if you would allow me during your time to say something. Um, I John's option gives the single family homes. They It would not be taking away the square footage. And I think that's what's important. And that's what we've got to look at. But it also helps with adding, you know, you

know, the pattern book, which is going to be just additional screening and balconies in these homes, which everybody can live with. our single family homes can live with that I'm sure as long as you're not taking away their square footage and that's John's option um when in the motion. So I just wanted to clarify that and make sure you knew that. Go ahead Diana.

CM D. DAVIS:

I just wanted to clarify something else that Marianne had said regarding uh the hiring architects to do the reviews. We did we do have the pass through. So that goes to the applicant and it's not uh taxpayer money that pays that. So just to be clear on that, there are other options. I heard the mayor say that um you know there were legal issues at stake here and the developing policy to remove our existing appearance reviews is huge. Our comp plan and I am repeating myself but our comp plan in 11.(2) & (3) requires visual continuity of the community and it requires consistent character of the neighborhood. The only way we do that is through our appearance reviews. So, you're taking away the one tool that we have to comply with our comp plan. And our comp plan is our guiding document for our codes. And case law has gone so far as to require a structure to be torn down and if it violates the municipality's comprehensive plan. So, it's a really big deal to violate the comprehensive plan. So before we take away codes that have been in our that have been in our on the books since before 1992, I believe that it does involve a little consideration. We do have t new town attorneys. There has been some allegations that what our current codes are are illegal or don't contain enough detail. there there's been allegations that our current staff are not capable or willing or just somehow they don't want to make the subjective reviews that are required. We could hire those out to other types of professionals without abandoning our codes that have been in place since 1992 for Harmony. So, I think that it's a mistake to plow forward without having our new town attorneys provide information on architectural reviews, on harmony reviews. And one of the things that I was impressed about in their interviews was that they do the legal risk analysis. Currently, the two current currently the two Harmony cases are because they're alleging that the town did not apply our codes for Harmony and that the houses that were approved were were not harmonious with the context of the neighborhood. So, the only two cases that we have right now are because we didn't apply our codes or it's alleged that we didn't apply our codes correctly. And there is a a case, the other case that I'm aware of is on the base zoning um the 34-268 requirements that they're not um specific enough. So uh and that's a federal lawsuit which is more expensive. So it would be a higher risk. So that whatever whatever provisions we point to, there's always going to be lawsuits. We have to realize that. But if we could have our new town attorneys come back with the legal analysis of the state laws legal and have it as it applies to our code provisions and as it applies to our comprehensive plan and then and opine is whether the guidance that we've currently been using for mask bulk and scale you know as long as it has the subjective criteria at the end whether we can continue to use that until it is codified, until we can until we get the information back from Shinmore and Associates and the professionals that we have uh contracted with to look at some of these questions. So, I I think that we need more information at this time because the players have

changed. I would not want staff to make a policy decision to get rid of something that's been in the code since 1992. That's that's just really not a good idea. And um because it is based on the legal analysis, why wouldn't we get an attorney opinion um prior to our action?

CM J CALLAGHAN:

I' I'd be glad to answer some of that. I didn't put anything in my motion that said take away something that's been in our code since 1992 that I see. So maybe if you're under that impression, I'm I'm saying leave that in of the in 1992 that put the words harmony uh the design and proportion of the harmony with the area. So I I I hadn't proposed anything that was there in 1992 be taken out. Um, I also like to um address the comprehensive plan terminology of visual continuity that you mentioned and the consistent character. I know a town that has no visual continuity. Detroit, one house after another gets abandoned. It gets rind down. They bulldoze it and it's sad. And you go down the street, you'll see one house, two houses, then two vacant lots. It may be one house and four bacon lots. That has no visual continuity. Visual continuity in Juno Beach. Every lot has a house on it. I'm good with that. That's the language in our code. Visual continuity. Now, maybe somebody has a different way explaining what it means, but I don't think it has something to do with the size of the house or the bulk of the house or the mass of the house. Um, there's a there's a language inconsistent character. Houses that I've seen have pretty much of a driveway, garage. Some of them have garage. The older ones maybe don't. They have a carport. They have a door. They have a back door. They have maybe a patio. That's the character. And these new homes, they seem to be consistently have a consistent character. But how would we tell somebody that we don't think the the character of their house is consistent and get away with it? I think it's a loser. So, I think the words in the comp plan about consistent character and visual continuity are very good. It just doesn't regulate the size of a house. We can't stretch that rubber band around those things to say that it does.

MAYOR:

DD you still on with us, DD?

CM D. HALPERN:

Yes, I'm I'm here. Um I see in in um Gemma texted me John's uh the paragraph you're discussing. I see that it contains three ordinance suggestions. So, it it's sort of a large rewrite. I mean, I'm open to looking at it. It can't be any worse than what we've discussed already. I I'm open to looking at the suggestions. I'm open to our town attorney analyzing John's suggestions. And you know, worst comes to worse, we don't vote for that and we are back where we are today. So that's where I stand.

MAYOR:

Okay. And if everyone's completed, I I won't go on if you want to go ahead and do a roll call. Is everyone finished speaking? Okay. Caitlyn Would you state the motion again, please?

TOWN CLERK:

Yes.

MAYOR:

Go ahead, Caitlyn.

TOWN CLERK:

The motion is to create an ordinance that amends the zoning code to return appearance review for single family detached homes to the town planning and zoning department and removes it from the responsibilities of the planning and zoning board. to create an ordinance that adds clarifying language to our zoning code stating the original intent is to be followed when judging harmony for single family homes which is that the harmony requirements adopted in 1992 restricted the appearance of a proposed home no castles or domes but not the size mass bulk scale or proportion of the home. Three, publicized the existing zoning code restrictions on house sizes by the height and lot coverage limits and minimum setbacks listed for the various zoning districts. Four, publicize that the existing harmony definition and statements in our code regarding aesthetically pleasing buildings, etc. are informational regarding the intent of town codes but not enforceable requirements. Five, create an ordinance that revises the architecture requirements in our zoning code to clarify that building design elements are not to be used in staff decision-making as to whether proposed single family detached home is acceptable. Six. Continue with current plans to encourage voluntary compliance with the town's preferred architectural style, such as the pattern book now being produced. May I conduct a roll call?

MAYOR:

Yes, please.

CM D. DAVIS:

Would you uh entertain a amendment to the motion? Oh, I'd make a motion to amend.

CM D. HALPERN:

I'll second.

CM J. CALLAGHAN:

Yeah. Well, are you I think before we get a second, we have to know what the amendment is.

CM D. DAVIS:

Yeah, I want a motion to amend to have the attorney opinion first on these issues and then uh do the next step.

MAYOR:

I am not in favor of that only because, you know, we can do that when this comes back and she's had a a good chance to look at it and maybe working with some of the wording of John's suggestion and his motion.

CM D. HALPERN:

I have a question also when you're done.

CM D. DAVIS:

Well, a motion to make it clear that harmony stays and we're not just relying on base zoning is what I would like because certainly our code in 1992 had harmony and um I I believe the mask bulk and scale were also included. It just didn't have the definitions that had numerical um numerical reviews to them.

MAYOR:

Um, John, that's up to you if you want to amend it. I'm not in favor of amending your motion.

CM J. CALLAGHAN:

Well, well, there's an amendment and a second and we're in discussion, right?

CM D. HALPERN:

Yeah. So, I have a discussion point,

TOWN CLERK:

If I may, what is the amendment? I'm sorry.

CM D DAVIS:

I had amendment that harmony is in that harmony is in place and not just base zoning.

TOWN CLERK:

And that was seconded by you, council member Halpern.

CM D HALPERN:

Yes. Thank you.

CM J CALLAGHAN:

under discussion. - So the motion was not to have the town attorney involved here?

CM D DAVIS:

Well, first I would like the town attorney to review this and bring back a legal opinions on risk based is what I would like to happen first and then come back with some specifics because if you have I'm I know the staff isn't to make the policy decisions but if the staff has told you that they are not they don't they're refusing to do the subjective decision- making you have to and you want to keep harmony in place, you have to come up with alternative solutions. And

an alternative solution was to farm this out. And I know you're okay with that. But if we just look at this language, it doesn't say that. I think that we should weave all those solutions into the uh proposal.

CM J CALLAGHAN:

Well, let me ask the town attorney how long it would take to get that analysis done.

TOWN ATTORNEY:

we can have the analysis for the next meeting. Um, and I I I mean just to be direct, if we if this motion is passed as drafted, it will be challenging to have three ordinances ready by December, plus a legal analysis of all of these six issues. That's a that's a lot. Uh, we could amend. We could potentially get part for December and part for the next meeting. We we could have an analysis of these six issues done by the December meeting certainly. Um if if that would be acceptable.

CM D HALPERN:

I would be in favor of that.

MAYOR:

If I may, John, would that would you not do this analysis as you're working on these as well? Would isn't that something that you do? you'd have to look at these and analyze them and say this is how we would move forward with this ordinance and bring us the ordinance at the same time is that you did the analysis because one of the risks that we're looking at is it not being more restrictive and that's really the legal part of this is that is that right Gemma?

TOWN ATTORNEY:

So - then maybe this is a clarifying question. An analysis of an idea is different than the drafting of an ordinance. So, a legal analysis would look at each of these issues and look at the potentially Florida statutes that are on point and look at cases that are on point and it would then make a recommendation and say this as proposed is legally sufficient or in order to be legally sufficient it would need XYZ amendments or this is not legally sufficient. Right? So it could be yes, good as proposed or okay with changes or no. It would that is not the same as drafting an ordinance. So say for example and I'm not going to I'm obviously not I just received this so I'm not having to analyze this but let me just say for example if if number five right we could review this and say this is as drafted okay with XYZ changes but that's not the direction we're receiving here. So if you pass this motion as drafted and we write these and an ordinance is invalid or had to be changed, it it it would be preferable to give you an analysis and identify whether these proposed ideas are legally sufficient or legally sufficient with changes or not legally sufficient before going through the exercise of drafting an ordinance because it it wouldn't make sense to draft an ordinance if it turns out it's not legally sufficient. or to draft an ordinance with a bunch of changes, particularly

because if we bring it back to you and you say this is not what we directed you to do, we made a very clear motion in writing and you've not brought us this. Um, so it's up to you how you want to do this. Again, this is your government. This is your document. these are your codes. Um, but it is certainly advantageous to have an opportunity to do a a legal memorandum of law that does an analysis of statute and case law on on these six topics.

CM D. DAVIS:

I would be in favor of that.

MAYOR:

All right. Thank you, Dy. Um, I John, I want to clarify what you wanted to do with this. You did did you expect this to come back in an ordinance form or did you expect legal and staff to work on this so that it was legally sufficient?

CM J CALLAGHAN:

Well, both, right?

MAYOR:

So Gemma, if you're looking at this with staff and going over that, you would I think John is looking for something that would be legally sufficient for -

CM J. CALLAGHAN:

Let me let me try to explain this another way. My my question to Gemma was a similar question to Len a few months ago. When as as lay persons, not as attorneys, we say give us an opinion. I'm expecting we're going to get an opinion in like a day or two. Okay? If maybe not tonight, but you know when I say give us your opinion, yeah, go for it. And Len's opinions take two months and and that was the thing that was really throwing me because the terminology of a legal opinion to an attorney has to be researched at great length. We've been kicking this can around for years. We're not going to wait another month for a legal opinion. And I do expect that when we say create an ordinance for the staff that the ordinance they come back with is legally sufficient. Of course, it has to be. You would never bring us an ordinance that is not legally sufficient. And wherever that takes, if that's working with the town attorney or doing research on your own, you'll figure it out. We just have to give a general direction. We want an ordinance back and and um I think the language that I use is close enough.

TOWN ATTORNEY:

Mayor, if I may, to the vice mayor, to be to be clear, it it is not reasonable to expect an attorney to give you a legal opinion in one or two days. That's not reasonable. It even if I had all five of my attorneys working this for the next 24 hours,

CM J CALLAGHAN:

Agreed.

TOWN ATTORNEY:

it's not reasonable. First of all, we would need to discuss it. um we would need to review current case law and we would need to I mean part of the reason you want attorneys is because we take our time to get it right. Um and so that's I I just want to set an expectation that's not realistic expectation. We could do an analysis and prepare ordinances as directed if this passes and and provide an analysis with them. So there could be an ordinance. We would make sure it's legally sufficient and the analysis might say you directed us to do this. Unfortunately, this one portion is not legally sufficient. So we amended it and in the ordinance we're proposing to you, we changed it to be XYZ, which is legally sufficient. And here is why what you suggested was not legally sufficient. However, to do three ordinances um with that type of analysis, it is unlikely you will have all three for December um particularly because we have to get them to staff at least a week in advance and and now with the workshops, it's two weeks in advance. So, you're effectively giving us two weeks and and December 10th is our next meeting date.

CM J CALLAGHAN:

Yeah. So, I I don't I don't see a date timeline on this. I see a motion that I made that said direct the staff.

TOWN ATTORNEY:

I I Okay.

CM J CALLAGHAN:

If you're saying that you would like to see something in the motion that it doesn't have to be done by December 10th, I'll I'll accept that as an amendment from somebody.

TOWN ATTORNEY:

Yeah. If you don't want to put a deadline and there's you don't need to change your motion. I just want there I don't want there to be an expectation that in December you're going to get three ordinances plus a legal analysis of all three ordinances and say why certain things had to be changed. We can certainly work on staff with this right away. uh and we can if this has passed uh we can work this bring this back to you as quickly as possible and we potentially would bring one next month and maybe one or two in January uh and or maybe one February but we will um get them to you as quickly as we can uh if this is passed.

MAYOR:

Thank you. Rob.

TOWN MANAGER:

I know you I was just going to say that I think the appropriate amount of time needs to be provided to legal counsel to come up with an ordinance or ordinances whatever the case may be that address these issues and uh to John's point I would agree even with our legal counsel on this point that when the ordinances

come that analysis informs what's in the ordinance we would never bring back an ordinance that does not meet legal sufficiency standards and ever in my career. So, the two go hand in hand. So, um if an ordinance is drafted, the assumption by council should be yes, it is legally sufficient, but we need to have the flexibility and direction to make some changes and explain why we made them. Uh but embracing the concepts that are embedded in this in this uh document that we're looking at.

CM D. DAVIS?:

I would like to - Can I comment?

MAYOR:

Yeah.

CM D. DAVIS:

I I would like legal counsel to opine on guidance to implement our existing codes and whether that that's sufficient to move forward because I do see three items on this page that of the six that say create a ordinance and we were just given this on the dais but three of them say create a ordinance. Currently under Senate Bill 180 an ordinance can't be more restrictive or burdensome. So it's not going to create an ordinance that adds requirements. It's going to be create an ordinance that takes away our existing requirements. And so that is a concern. And currently we have guidance that implements our harmony codes. Uh even John has said that the harmony codes are important to keep in place. So that's how I read this that the harmony codes are important to keep in place and how do we implement those harmony codes. So as part of the legal analysis that we get, I would like a an an opinion on whether guidance to implement our existing codes is something that we can continue to do.

TOWN ATTORNEY:

Mayor, if I may, to the vice mayor Pro Tem. Um, thank you very much, Vice Mayor Prom. That that's a good point with Senate Bill 180. Any new ordinance is could be subject to challenge. And so again, we would have to analyze this, but realistically, what we might recommend would be clarifying language to our existing ordinances and and providing additional detail and potentially writing a new ordinance as directed here, but being super mindful of Senate Bill 180 because you are correct, adding at this phase in Florida's life uh with preemption is very challenging. and as I'm sure you all know and I'm sure Len advised you if you get a challenge of an ordinance of a new ordinance and the position is that it's more restrictive. Uh you have you have a grace period to retract it but if you don't retract it and you lose um you have to pay their attorneys fees. So it's it's quite the hammer um for government with land use regulations. So, uh, that that's a point well made and and that's partly why I'm I'm being a little uh cautious and trying to sort of cage this and and frame this correctly because Senate Bill 180 is a game changer for land use uh and not in a good way and it means that it may need it may require um it it may require uh clarifying language to existing ordinances versus the creation of

new ordinances which could potentially trigger it. So that that may that may be a recommendation that we make but that that is a point well made.

MAYOR:

Thank you. Um I we understand that you have to follow whatever the statute is right now SB 180. So that's that's understood. Um John, there is no time limit um on this that I see. So do you want to amend your motion or do you want to continue with the motion?

CM J. CALLAGHAN:

It's complicated enough because we already have a motion and amendment on the floor to be considered. Okay. So, I wouldn't do anything to get that train more up the tracks.

MAYOR:

All right. So, let's do the amended motion first, please. Um, you want to restate it that they were amending John Caligan's original motion?

TOWN CLERK:

Motion to amend to state that Harmony stays in place and not rely on base zoning.

CM D DAVIS?:

only on base at only not rely only on base zoning.

TOWN CLERK:

Only on base zoning?

CM D DAVIS:

Yes, because bass zoning is there.

CM J CALLAGHAN:

Before the roll call, I'd just like to make sure everyone understands I'm against this amendment. I think we have to move forward and this this amendment will add a month or two to our schedule, which we've been going around a long long enough with it. Right. And when the amendment when the proposed ordinances come back from staff, it they'll also come back with a memorandum from staff explaining what we what we asked for and how they prepared an ordinance. Plus, if they have any misgivings, I'm sure they'll let us know. If they have any suggestions for improvement, they'll let us know. If there's legal uh challenges or another way of looking at it or suggestions or clarifying, they'll let us know. all of that when we get the ordinance back. And if at that point we don't like the ordinance be based on staff's suggestions and legal suggestions, we'll ask it to be modified.

MAYOR:

All right. And I'm I'm agree with you, John. I'm against the first motion that we're going to hear so that we're all clear. That was Diana's motion to amend it and dee seconded it.

CM D. HALPERN:

So I'd like to make a comment.

MAYOR:

It's not John's It's not John's original motion. This first one.

CM D HALPERN:

May I comment? MAYOR:

Go ahead.

CM D. HALPERN:

Thanks. Um, I like Gemma's suggestion of uh doing the analysis first. Why lump together the analysis plus the creation of ordinances that we haven't had a chance to to review? Why would we not? We've taken all this time the the nothing's on fire. Why would we not take the time to look at the analysis and and then see where that leads to rather than having the analysis done, having Staff and and the legal counsel work on ordinances only for it to come back to us and then we don't agree with the analysis, we don't like the analysis or maybe, you know, some something else happens in the interim. Why not just my my suggestion if you want I'll make a motion. My suggestion would be to allow the town attorney to just bring back an analysis and and and let's see what that is.

MAYOR:

I agree with that. Okay. So, this is the first motion that Diana made to amend John's motion that we're voting on right now. Do you want to take a roll call?

TOWN CLERK:

Vice Mayor Callahan? Nay. Mayor Wheeler? Nay. Council member Hosta. Nay. Council member Halpern. AYE. Vice Mayor Pro tem Davis I motion fails two to three.

MAYOR:

Can we do a roll call on John's motion?

CM D DAVIS:

I would like to ask for a procedural that we split it out and we have create an ordinance on the zoning code appearance review to taking it away from our our our uh volunteer board as one and have a second vote on creating the ordinance. That's the clarifying language. Um, and then uh have a third motion on create an ordinance that revises architectural requirements and building design elements. I think in the past that some of the issues on the confusion for this. We did ask staff four times to come back with harmony um language that would be clear enough so that we could continue and move forward. um and the four times

the staff came back with the we're going to do base zoning only or something to a lot of other options but things to that nature. I don't know how this is going to be any different. We're going to do these three ordinances and then we're going to get base zoning because that's the staff review. So, I think we should look at the we should have the town attorney, our new attorneys look at this and then come back with options that we don't have to abandon our codes.

MAYOR:

All right. Um, do you want to move forward with the roll call

CM D DAVIS:

on on three separate ordinances though, not lumping it all together? And it's a little confusing because there are six items

MAYOR:

We need to we need to keep moving.

TOWN CLERK:

the motion is all three or what is presented by Vice Mayor Callahan?

MAYOR:

Sorry.

TOWN CLERK:

The motion is including everything that is presented by Vice Mayor?

MAYOR:

Correct. That's the motion that's on the table.

CM J CALLAGHAN:

I I believe Vice Mayor Prom was offering an amendment. I didn't hear a second on it. Correct.

CM D HALPERN:

I'll second. If that was an amendment, then I'll second it.

CM D DAVIS:

So, three separate votes.

CM J CALLAGHAN:

Under Discussion on the amendment.

MAYOR:

This is an entirely lengthy discussion on these three three new votes for three different ordinances now.

Yeah, we have three ordinances we've never seen before. These are all new ideas. I think we should take a moment to

MAYOR:

Excuse me, Yes, Diana, that's what I'm saying. I'm just clarifying that we need to have in-depth discussion on what she meant because I did not even gather, you know, I'm trying to listen to what you're saying and I want to make sure everybody understands your three ordinances is all.

CM D DAVIS:

Yeah. Okay. So now three ordinances. I don't think we should vote on a a motion to move forward. We should bring this back. We have a piece of paper that has six items on it. We should bring it back to the next town council meeting and discuss it.

MAYOR:

But that's been discussed. We've we've discussed that already and and that failed. That motion failed. So now you've got -

CM D DAVIS:

No, there wasn't a motion. That motion was to keep harmony and not just base zoning. But there was a discussion that our legal counsel is going to give us their opinion on this at the next town hall council meeting. So, why don't we vote on it at that time because we don't have a legal opinion on this yet? So, um I I would offer that we talk about this in December after we have the legal analysis and and their proposals.

MAYOR:

So, we're going back to that again. John. you know I think we need a consensus whether we're actually going to go that direction again? I mean, I I guess we didn't do a motion on that and if we need a motion not to wait.

CM D DAVIS:

Um, so I'll make a motion to have the attorney opinion first.

TOWN CLERK:

there was already a motion to amend and a current motion on the table that we would need to get through first.

MAYOR:

So, John, go ahead.

CM J CALLAGHAN:

I I agree with Caitlyn. There was a motion made by Vice Mayor Prom and seconded by Dee and we should be in discussion on that motion right now.

MAYOR:

Yes, that's what we were doing. So, I need clarification. We all need clarification from Diana on what she was saying so that we can all understand it

CM D DAVIS:

To have I would suggest having three separate votes since there's six paragraphs that were just handed to us this evening. I don't understand the house is not on fire.

PUBLIC:

Yes. Yes. Yes it is.

MAYOR:

Okay. Okay. We can't have any Hang on, guys. I got to warn you that you can't be talking from the chamber. Thank you.

CM D DAVIS:

So, we have um she doesn't get that three proposed ordinances that we haven't looked at the language and we don't have a legal opinion on. So, I just think that we should separate them out and that they shouldn't that the six paragraphs should not be voted on together. Um you know, and I just I guess I'll remind you usually we have a a usually we have a staff memo, we have some analysis. I I appreciate proposed solutions, but I feel like this was sprung on us. We're missing a council member. She got a text, I guess, that had the uh information on it. And I I would just as courtesy say wait until December until we have uh our legal opinion to look at this. And that's the motion that I made.

MAYOR:

All right, John, I'm going to let you go next.

CM D HALPERN:

I'll second that.

MAYOR:

Can we clarify something? Are we separating these into three ordinances? Are we going back to we're going to wait on doing the ordinance until is that a combined motion? Diana, is that your that was your first motion?

CM D DAVIS:

My preference is to wait until we'd have time to review this and we have a legal opinion on the proposals here.

MAYOR:

What was your first motion to -

CM D DAVIS:

The first motion was not to lump six items to six paragraphs together and vote on it, but to separate each item out. Um, there are three items on this list of six that say create a ordinance.

MAYOR:

Okay. So, that was your motion. That's what we have to vote on right now, but we're still in discussion. I understand. I'm going to go ahead and let John go next.

CM J CALLAGHAN:

Thank you, mayor. When I made this motion with six items, I was aware that we could make six individual motions, but I chose to make it as one motion for all six items, and I prefer to leave it that way.

CM D. HALPHERN:

Can I make a -

MAYOR:

Thank you. And I I'll go to Dee. Go ahead.

CM D. HALPERN:

Yeah. You know, there's a I'm just going to be very blunt. There's a huge hypocrisy here. Diana often brings items to the table that sometimes we have the item she brings to the table, we haven't vetted. She'll send an email before the meeting or or have a handout that we didn't have a chance to examine. And each and every time, I'd put money on it. Each and every time Vice Mayor Prom Davis gives us a document and wants a consensus or a motion, there's always push back against her. Well, we just got this. All of a sudden, we're not voting on it. So really, it seems a little bit hypocritical to to allow John's document to drive ordinances being made when we don't give the same courtesy to the information that Vice Mayor pro tem Davis often brings to the table. Um, I had every intention of being there tonight. I can't be there tonight. I was trying to read this in a text in an email. Look, you you three obviously you're voting together. You probably get what you want when the thing comes to a vote anyway. Why not just allow analysis in the interim that at least, you know, shows that we're doing due diligence and not just trying to rush it through alt together?

MAYOR:

All right, Marianne, I don't think you've had a chance.

CM M. HOSTA:

No. Uh I think we are complicating the case again. And I was happy to hear when Rob said that. Are you texting, Diana?

CM D. DAVIS:

No, just timing.

CM M. HOSTA:

What?

CM D DAVIS:

time?

CM M HOSTA:

Oh, well, you can use this up there. It just makes me nervous when you're working with the phone. Uh so I feel you know we are just John really tried he tried at least to move forward and I applaud him. It's not that I like everything but at least it's a step in the right direction. So I I was willing to go with the motion to that John uh put on the table. That's all I have to say.

MAYOR:

All right. And I feel that even though it's one motion, there'll be enough time to do analyzation when we see that. Um I think we can discuss it more thoroughly at that time. And so if everybody is do we want to continue this discussion and continue more motions? We're going to have to vote on this motion first. Diana, so let's let's vote on the motion, but Diana wants to read the motion so that I don't get it wrong. Caitlyn,

TOWN CLERK:

she wants to have a vote on each item separately. All right.

MAYOR:

So got the motion and a second. Motion by Diana, second by Dee. You want to do a roll call?

TOWN CLERK:

Mayor Wheeler? Nay. Council member Hosta. Nay. Council member Halpern. AYE. Vice Mayor Pro Tem Davis. AYE. Vice Mayor Callahan. Nay.

MAYOR:

Thank you.

TOWN CLERK:

So that fails.

MAYOR:

So my next Thank you. My next question is do we want to entertain more motions and more discussion or do we want to vote on John's motion? Let me just I need Can I Can I ask the council that question before we get into more discussion? Council John, do you want more discussion or do you want to make move ahead with your motion?

CM J. CALLAGHAN:

I'm not asking for more discussion. I'm pretty sure I like my own motion on it and I have nothing else to um to mention. But if somebody wants to amend a motion, um, I'm open to somebody making an amendment.

MAYOR:

Okay. We're gonna continue to to I need Marianne or Diana, you want to continue, I'm sure, because you want to continue discussion is the I know, but the question is, do you want to continue discussion? Yes, Marianne, do you want to continue discussion?

CM M. HOSTA:

No.

MAYOR:

DD?

CM D. HALPERN:

I mean, it's a 3 to 2 vote. I I guess we can continue to discuss it. Diana and I seem to have the same perspective, but I don't know that we're going to get anywhere. I don't think Diana I don't think we're going to get anywhere. The other three are pretty locked in their point of view.

MAYOR:

Why, Diana, hold on a second. I'm ask is that a yes or no?

CM D HALPERN:

I mean, at at this point, I just see it's a losing cause. Um

MAYOR:

Okay. Is that a yes or no? You want to continue discussion?

CM D HALPERN:

Oops. I'm sorry. Diana, you have one more point you want to let her make her point.

CM D. DAVIS:

I I but I don't think it's going to get us anywhere. I I'm okay. I the this this is John's blog that he handed out. I leap through it quickly and um it does say in capital letters and bold on page 206 that we must keep harmony in our code. And I just wanted to ask him this information that you're putting here takes 34116 3B2 out of our code. And um so to me the two the two things are inconsistent and I just wanted your comments on that if I may.

CM D HALPERN: My comments would be what I wrote up is six pages and it might not be perfect and maybe you'll find an inconsistency or two. That's the way it is.

CM D DAVIS:

But did you want to keep harmony in the code or not?

CM J. CALLAGHAN:

I whatever I wrote, you said I wrote to keep harmony there. Yes. The words harmony, the words um design and proportion with the area that language. I said yes. I keep 780. I kept the whole 780 language in there. I just can't apply it as to a size of a house. That's all. But leave the language in there. Everyone seemed to like it. Just don't you can't use that as a decision to say tell someone's house plans that it's too damn big. Can't do it.

CM D. DAVIS:

So that I guess see that's where I fall off because um this these these metrics when you're going through them it they aren't the final decision. It's really the subjective part. You know how does it look on the street or whatever. So it's these aren't the uh even if we do the metrics um it wouldn't be no go no go no no no go. So, as long as we keep as long as we keep harmony, including 780, which I heard you just say, um, then I and we get the legal opinions on that. I think that we can, um, see, I just have problems with the way with your vocabulary, I guess. And that's why I think we should look at this more.

CM D. HALPERN:

Right - Uh let me just interject please. That the point is like with number five, you want an ordinance created around the fact that we can't use the ordinance, you know. So you're saying you want to keep the harmony and 780, but six is essentially saying clarify that you know building design elements are not to be used. I just think it it sounds like a little contradictory. So, I'm not sure what the town attorney is going to this why the analysis is so important because some of this I don't know may fall apart in analysis. So, it it just I I don't know why there's this this rush and this push to create the ordinance immediately. It just none of this is making sense.

MAYOR:

Okay, we got to stop. Stop. Stop.

CM J CALLAGHAN:

Um, I'd like to call a have the mayor call a question.

MAYOR:

Call the motion. You want to roll call on the motion? You want to re We don't know if you need to repeat it. This is John's original motion.

TOWN CLERK:

Council member Halpern. Nay. Council member Hosta. AYE. Vice Mayor Pro Tim Davis. Nay. Vice Mayor Callahan. AYE. Mayor Willer. AYE. Motion passes 3 to two.

MAYOR:

All right. Thank you everyone. That was how many hours? Two and a half.

MAYOR: All right. We're moving on to the next agenda item. format and discussion for upcoming work session.

Thank you, mayor. Um staff is proposing a roundt focus group style format for the upcoming work session forum work

session that's scheduled for December 11th to encourage more interactive discussion amongst council members,

panelists, and staff. The room would be set up with the five tables including a mix of panelists and one council member

as facilitator. Every table will receive the same set of materials and guiding questions focused to express their

thoughts, concerns, and preferences for the commercial general zoning areas. Staff and consultant Dana Little will

open with a brief introduction and designated staff will circulate amongst the tables to provide clarification as

needed. Each table will select a scribe and a spokesperson to summarize their discussion during the report out

portion. The session will also be livereamed for public viewing with all table summaries presented aloud to

ensure key points are captured. This approach is intended to make the session more productive and engaging. Um staff

would just like to ask council if council is comfortable with moving forward with this proposed format. MAYOR: All right. Thank you, Caitlyn. Do we

have any public comments on this? Yes, Mayor Siobhan O'Donnell

for the Okay. First, I want to address the obvious. We are stuck with a manager who

has sent out Okay, you're supposed to address what we're gonna do. I am addressing it. I am addressing it.

Mayor Dealer Wheeler, I am Hold on a second. Siobhan, can I D babies? I am addressing it.

Can I talk Siobhan first? No, I'm up to speak now. The whole I get to speak now. So, please let freedom of

speech first amendment. Okay, you need to violated the first amendment to get the py vote through.

Okay. You should be violating my First Amendment rights now. I I am entitled to speak. I want order.

You have it. Okay. Then be quiet for a second because I need to tell you the rules of protocol

here. If you're going to speak to council or a town manager, you cannot pick them out. That's what we decided. You got it. So, you just need to talk to the as a whole.

You got it. Okay. And you got it, babe. being nice in a town when you have leaders

leadership in a town of public officials. One of the most paramount things is a

person's character and honesty. Honesty is required for there to be trust in an organization. When people are put at the head of an organization and they take events that occur in a council meeting such as August 6 council meeting where the uh presentation by the Treasure

Coast regional planning occurred and you have a person in leadership who sends out a vir virulently false and deceptive

newsletter that absolutely deceives the public who didn't listen to

the August meeting into thinking something completely opposite happened. This is debilitating to the town.

Honesty, integrity, morality are the foundations of a good working

government. Without it, we have what we have. We have a a town at odds at

fighting meetings that run on for hours. Nobody can agree. We have developers who are directing such person who's in a

leadership position who argues as if he himself is a developer with money at

stake in changing our zoning and our rules. This is wrong. Everybody in this

town knows it. The people who are silent about it, like I think we had a real estate broker run out of here. She knows

it's wrong. That's why she ran out of here. We've got developers who are mandating, controlling. We have a a

specific leader of this town, everybody knows who it is, who lied and said she was not a developer in order to get

votes. Her online resume broadcast all the developers was she was a developer.

and the the the the the assault on this town by the packs that jumped in after

Larry Sorsby of Havnanian Homes and uh Jack Luther of the Juno Beach Police

Foundation lie a good and decent man who ran this town, a financial person who

was very good at keeping our costs down. He took no salary. He protected our

codes and our and our zoning. And we got stuck with a leader who's just a

developer in sheep's clothes. It's very very sad that manag John, please ask this man vote again to remove him. Any other public comments?

Not that I received for this item. Okay.

Uh we'll go ahead and start discussion and I can start with Dee. I'll start with you on this one.

Yes. Hi. Um, I have a lot of comments on this.

I I appreciate staff's work um on

on this, but um I don't think the questions capture the essence of what we're looking for.

I mean, there's lots of different kinds of questions we can ask the forum. And I'm just jumping in and starting with

the questions. I'm not going to go question by question because I don't know that that's an efficient use of our time.

But um I think you know first of all the way

that that we would potentially be asking the people to score the questions um it says one of them says here let me see

you well usually we you know when you do the surveys which I've written you usually ask people to rank them you know

let's say in this case one through eight with one being um you know your

first preference to the eight being the least preference. You couldn't I don't think it's effective and it it certainly

limiting to ask people to just cir circle their top three choices. So for instance with like infrastructure what

do you see as important all of these things are important. wider sidewalks, green space, public art, uh public

seating areas, shade. You know, these are all important and I don't think anybody should be made to only select

three. So, typically, um, surveys have a ranking system so that you can report out and put into a spreadsheet which of the items rank the highest to lowest.

Um, there's no questions here, which I mentioned during our council workshop

briefing session. There's no questions questions for business owners and

there's no questions about businesses that the residents can weigh in on. So,

there needs to be businessoriented questions both from the um, you know,

shopper resident standpoint and then from the business owner standpoint.

Um anyway, I I could probably use a word document and just write in all my suggestions and changes, but uh it needs it needs more work. The other thing in preparation for this meeting, uh I think it would be useful to have images of that intersection. I don't know if there's any um plan to bring any images, but it would be useful perhaps even to use the police drone and do an aerial of the Donald Ross US1 intersection that commercial general zoning district, which this pertains to. Even though everybody knows the town and knows the intersection, we might be referring to particular parcels and spaces. And I would ask staff to prepare um some very large you know graphics to put on a board uh you know to help inform the decisions or the discussions I should say. One of the questions I do have for staff, you know, when the emails were sent inviting people to participate in the forum, I'm wondering was every business emailed and I would like council to get a list of all the email addresses that the invitation for participation was sent to. Um, I was a little disappointed in the turnout of business owners. I I do know they're all very concerned or a lot of them have expressed concern and I'm surprised that more business owners didn't step forward to participate. So, you know, my question for staff is was every business who submits a business tax receipt to the town invited to participate? The application information itself was sent via email blast to all those who are registered through the email blast system. But not every business it on the town's website. But if a business doesn't get our email blasts, then they wouldn't have gotten the email invitation to participate. Is that correct? If they didn't log in for the But I think we did send it separately through a business list that we had. I will have to double check to verify because I do know that the building department had that list. Okay. If if you would um you know, and send that to the council. Uh, I'd also like a list of the email addresses of the people of the email list that was

used. Um, anyway, I I think this needs work. Quite frankly, I I don't think we're prepared for December, what is it, 10th or 11th is the meeting? The 11th. I It is the 11th, but I did want to clarify that also in the memorandum for the table resources that'll be up for that meeting. There's a project area map, the sample development types, the list of potential attributes to maximize like green space and such, copies of the code section and and can the code section be sent to the residents and and participants I should say ahead of time. So this way um it's not sprung on them because as we can see here sometimes when materials aren't provided in advance you know it it's hard to synthesize it and really understand it. And by um the participants having our code section in advance they could at the very least reach out to staff and ask questions for clarification so they can come to the table more informed about the the decisions they're being asked to make. So I I but I I don't really think that we're prepared for that date. Um and what would be the the process for me to submit my comments because I I have very specific um I think some things aren't phrased as good as it could be. I I think it's steering the answers a little bit. I think it's a little like I said it it one of the things you know like familyfriendly you know we we tend to look at the town in a vacuum of what it is today but this is about creating a vision for the future and I see younger families younger people starting to move into town and they might have specific interests or or needs and I think we should be asking about how we can you know grow the future of the town in terms of I don't mean grow populationwise but in the type of um you know the demographics of the people that we serve. All right, Rob, I know you wanted to mention something. Okay. As to the deadline, as you know, staff were interested in getting some feedback, but uh December 1st would be a good target to make sure that we have feedback so that we can effectively consider that and incorporate it. Um, another thing to consider is this isn't actually, you know, so much of a survey as much as it is a a facilitated

discussion at each table. So, each council member will be able to, you know, drill down and even ask additional

questions and then report back out to the group. So, we do want to make sure that all the questions that are proposed

which were also reviewed with Treasure Coast Regional Planning Council um are asked at each table and each table does

report out but that does not uh limit the conversation at those tables. Uh the idea is for council members to hear what

we believe we need to hear from those participants and then share it back with everyone else more than guiding the

conversation. It's it's facilitating. But, uh again, with some suggestions you have in mind, we'd love to see them. uh

just try to make sure we get them by December one. So, Dee, do you have any specific

questions you'd like to add or any areas that you can give to the council now or

would you prefer to do it and give it to staff and then they can take a look at it? Um I don't have my um full

um copy deck of information with me where I am, so uh I'll have to send it

in. Okay. And and just one other thing, we'll have to be cognizant of course if we have a lot of suggestions. We we'll only have a limited amount of time to discuss at each table. So we want to

make sure we allow enough time for that. But I'm not sensing you're sending us a volume of of questions. I just want for

the balance of the council to to just be mindful of that and and when we get them in, we'll we'll do our best to balance.

But again, uh comments are are welcome and encouraged. So, are you saying that these questions that are here are set in

stone and can't be replaced or amended or or replaced or added to?

All we're saying is that the questions that were here were developed by professionals and vetted through the

consultant. So, we believe they are good questions. That is not to say there can't be other questions or if you

believe that one is, you know, worded in a way that could be worded differently, make the suggestion and and we'll

circulate it and and we're going to not, you know, be sticks in the mud over it. We're going to try and make sure that we

have a productive uh experience for both our council members and the members of the community dedicating their personal

time andor professional time to come and participate. I I don't think it's easy or or even possible necessarily to

dictate exactly what gets discussed at each table because it's a facilitated live discussion. It's not a survey. So

keep that in mind as well. It's inherently flexible. Yeah. And who's the professional who

created these questions? That would be your professional staff and the consultant team that's done this

for decades.

And okay, you'll be able to when you attend the meeting if you are, but are you finished? No, but I I do think

you know all the council members should think about you know what type of business oriented question you might be

interested in getting the answer to and that we shouldn't just leave it to chance that each of us facilitating the

table will ask a business oriented question. I think that it would be helpful to have one built in to the um

you know itinerary. Did you have something you wanted?

No, just agreed. That's why we solicited feedback from our town council members for this purpose. So, I think that's a a

good thing to suggest and and we uh look forward to getting the suggested question so we could take a look.

MAYOR: All right. Is that it, TD? Yes. Thank you. MAYOR: All right. John, I'll go to you next.

Yeah. Do we have a limit on how many minutes each of us are going to spend on this initial

um goound? You're talking unlimited.

Thank you. Okay. No. Wait, wait, wait. Are you talking about this item? Yeah. Joking.

How many minutes are we allowed to supposed to be three at the beginning, but we haven't really We're not timing

it and we can MAYOR: All right. I'll I'll talk fast. Um, first of all, I'd like to say I

think that whoever uh Caitlyn, you did a good job on this. I like it. I have two

uh areas I'd like to ask questions on. One is on uh let's see um item four, tradeoffs. The language says if the current zoning code don't allow what you want to see

happen, well the zoning code isn't the thing

that allows things to happen. That that's that would be a property owner. I think maybe you meant if the current

zoning code doesn't mandate what you want to see happen, what changes would you like to support?

Is that the intention of um what you really wanted to say there?

So, I'm sorry for the beginning if the current zoning rules don't allow what you want to see happen. You said what

was Yeah. What? Like what would be an example of a zoning code that doesn't allow what you want to see happen?

Like if for example the code says you can go 60 ft in height, right? Is that what the residents want to see

or would they prefer a building that's only 40 ft in height? That's an example.

If the currenting zone well it certainly allows shorter building heights that would be you said the current zoning code doesn't allow what you want to see happen. I think

mandate is is a good swap out. So we can we can address that. MAYOR: All right. Thank you.

Um the other thing on the first page, table

resources, what is a pedestrianoriented sidewalk?

It's a sidewalk for pedestrian. Pedestrianoriented sidewalks would be

something like a complete streets philosophy to pedestrian environment. So you'd probably see greater landscaping.

You'd see things like benches. You'd see things like uh wider sidewalks so that people aren't bumping shoulders as

they're walking their dogs or, you know, maybe strollers going past. It's more of a a design element that you'll see in

complete streets. And during the uh facilitated discussions, staff and uh

Treasure Coast Regional Planning Council will be roaming the room to provide resource to people who want to clarify

well what does this mean and we can step in and and kind of chat about it a bit. Thank you.

Is that it, John? Diana, I I have concerns that when we met with

Treasure Coast Planning Council and told them that we were not happy with the in progress plan, that steps have not been

taken to make sure we don't get a repeat of what was already given to us.

And for example, um the the name of this agenda item is master development plan.

Whereas our contract with Treasure Coast is to develop a community vision and a

master plan. And the thought when we entered into the contract with Treasure Coast Regional Planning Council was to

identify our codes that perhaps incentivize development and address

those codes so that Juno Beach in 10 to 20 years would look like we wanted it to

look. There was never a thought that we would do highest and best use for a single parcel like Plaza Lamar. And um I

know that we did recently get the um the

task one memo and it was the staff meeting and it identified some

individual parcels, but some of the proposed changes to the contract that didn't necessarily make it into the

Treasure Coast contract was community visioning strategies of slow growth, maintaining what's makes Juno Beach

unique, maintaining its small st town charm including strategies for uses to

preserve our mom and pop businesses and to provide residents with services locally. And and at the time, Treasure

Coast, we again, once again, we were in a a big hurry to go ahead and enter into this contract and not make contract

changes and have them come back and do the negotiations. and they said, "Well, this this is this type of language is

going to come about by our interviews with the residents and interviews with town council and it's the people that's

going to decide this." So, I mean that sounded reasonable and um the we also

had added a beachfront condominium redevelopment and it wasn't to redevelop

a particular parcel but it was looking to the future if the condominium condominium tearowns and terminations

occur and a bigger larger building is going to be there. you know, perhaps in our RH zoning codes, we need to look at those and decide what changes could

potentially be made. You know, certainly grandfather everybody's that's there, but for these new buildings, what would

we want to see along our coastline? So, it was it it was a big part of visioning for the town. I don't think we would have paid \$125,000 to come up with a plan of 183 condos for

Plaza Lamar. 184. 184. You're right. Um, so,

so I have problems with these questions because I believe they're going to result in the same thing. For example,

the number we're starting with the existing conditions and the limits on what we can possibly do. Well, that's

describing our and describing our current codes. When we sit down with developers, it's always the same. They

say, "This could be a 12-story live local project. If you don't want a 12-story live local project, what could we

possibly give the developers so that you don't get 12 stories? Or this could be

um if for uses assisted living facilities, get a RH zoning code even in the commercial area so they can be 12

stories. What what can we give them so we don't get a assisted living facility that's 12 stories? And I just think

that's backwards. I think we should say what is the vision for our community like our contract and come up with that

vision. In the information that I provided you in the clip I gave you a a

vision statement that had come out of our negotiations on our strategic plan. It wasn't voted on, but it just it

contrasts a vision with um you know, Juno Beach is a charming,

distinctive seaside community committed to preserving its unique character, natural resources, parks, open spaces,

historic assets, and small town charm. So, this was something that was supposed to be in our strategic plan, and we

never got there because it it it did get stopped and put on hold. Um, and I would

like to move forward with it, but preserving the town's character is paramount and cannot fall on our

volunteer boards of planning and zoning members or the town council. It needs to be in the job description of everyone on

staff and it needs be part of our strategic initiatives and it needs to be key performance indicators for our staff

members so that everybody's working towards this goal. So, I do have a list of questions that I would propose

instead of the questions that are listed here and um and they're regarding a vision. Uh describe the scope of the master plan and um

supporting codes amendments for slow and reasonable uh growth, a supporting code

amendments that will create a sense of place. And it lists in each of these, it lists several options that could

potentially do this. And keeping local businesses, I think it's very important that we get

our residents viewpoints. And I think it's very important that we support our local businesses, but we also need to be

cognizant that the business owners are going to have very different needs possibly than our residents because

they're probably going to want all residential that supports their particular business or they're going to

want a drive-through window or they're, you know, it's just there are going to be those different things and I think it's great that they're at the table and

we can include them, but I just wanted everyone to be cognizant that they might have different needs. And also um this

one of the things that was in in the what I gave you is the

is a memo dated October 29th, 2025. It describes the money that we've paid to Treasure Coast Regional Planning Council so far, \$56,250.

And um it has task four which was the task I was most

excited about because task four that was given to treasure coast regional planning council is recommending

recommendations for revising and updates the town's comprehensive plan and land development regulations. this by divi by

revising our codes. I thought well this is going to get that this uh keep Juno Beach Juno Beach in the next 20 years

you know which are the developer incentives that we need to remove so that we can um stay this small charming

beachtown community and preserve what makes us unique.

But on this memo from the staff, it says task for deliverables project

memorandum including a redevelopment scenarios and it and it says that these were provided for the work in progress meeting. Well, the development scenarios were the 184 condominiums and that we voted as a council 4 to one that we just

So, I'm going to have to call a point of order. Diana, you need to stay on the topic of this particular agenda item and

not what we should have plan update. So, and but we're talking about what we're talking about right now is the format and discussion plan for the upcoming workshop. So, we need to center the discussion around that. If you have any changes to what was presented. My point, Madame Mayor, was how do we assure that we don't get what we've

always got? We've got a document that's labeled master redevelopment plan. We have a contract that promises we're going to have a vision that we don't have. We have a task four for the

Treasure Coast Regional Planning Council that says they've already devel they've already provided redevelopment scenarios. None of us like that. So then

now we have Treasure Coast that's created these four questions. I don't understand how it's going to be any different, but I would like the town to consider my questions which are directed at creating a vision, describing the scope of the plan, and deciding how we

can move towards uh preserving what's unique about Juno Beach.

Thank you, Marianne. Well, first of all, you know, I had this

idea in the beginning that, you know, instead of meeting with too many citizens that residents

and business owners would be represented by volunteers

and they would communicate with council members. But you know I think whatever our staff did is very good. But what I miss there I would like to see some more initiative from the residents. I would like them to bring up topics that they want to know about. You know I don't think that somebody will come up and say tell me about the vision or tell me about the master plan. These are just two technical words that they just want

to know about sidewalks, right? Crosswalk.

So they will bring up what concerns them the most. And I feel the business owners, they know what concerns them the most. We don't know. I would like to hear from them rather than hearing from me. So I I would like to make more emphasis

and give them more room to direct the conversation in which

direction we go. What are their interests? What are their concerns? Not what is our concern about a vision and a

master plan, comprehensive plan. Okay. Really? Don't clap, please.

Oh, I like to pick. I know, but we not supposed to be doing that.

So uh that's really what I I have to say. I would like them to be uh

the lead role and we just the you know

more in the background taking in the information that we received from them.

MAYOR: All right. Thank you. Is that it? Isn't that that's good essence of it.

I just wanted to make sure you were finished. Oh, okay. Not 20 minutes. No,

no. Okay. Thank you. Is is texting? No. She is timing me again.

I have a question. Just because we have these questions doesn't mean we have to stick with these questions at the table.

These are questions that you can use at the table. But this the point of this is

exactly what Marianne said. This is information from our residents and it's an opportunity to get their

participation and to get information on what they're looking for in the town and

the vision. So, I know you talked a little bit about vision, Diana, but that's what this is for. It's for us to

have all of these discussions in the town. So, with our with the table that we're at. So, I think we're going to

find that it's going to take up the amount of time that we have. In fact, Rob, how much time will we have at the

tables before we get into a discussion as a group?

You mean for each question or for the whole work forum session, it's about four hours maximum.

Okay. So, is the anticipation that we're going to be able to set at our table and

have this discussion with our group for two hours and then go into a group discussion of what the results are?

I think we haven't parsed it that thin yet. We want to see what the level of engagement is at each of the table and

kind of play it at by ear, but certainly allow enough time at the end for each table to report back so everyone can

hear what was said at those tables. I think it's critically important for the council member liaison that are um

facilitating their table to do more listening than than talking. Ask probing questions, whatever you feel you need to

ask. We'd like to make sure that all the questions are answered by the same group of people. But with a couple hours,

there should be more than enough time to answer the same question group and then a council member can ask someone a

question, especially if they're struggling with what to talk about. But if they're full of ideas and concerns that help flesh things out, then we

really need to capture that so that we can report back out to the group and let everyone hear it because it really is

more about listening than telling and trying to figure out what would make these sites more attractive to the

community. uh what kind of uses they would like to see, what kind of public amenities, and all of these things are

like building blocks in getting to, you know, some kind of vision su for success of on those sites. Um and so I think

they're they're good questions and there are other good questions that aren't in there and council members would be

encouraged to ask questions but not to necessarily dictate or or lead people in a way that doesn't allow them to say what's on their mind. I think this is when you circle around.

Excuse me. Hang on, D. I'll come back to you. Okay, hold on a sec. Um, so I think this is a good start. Anyone that wants

to make any additional suggestions for questions, I think, you know, staff will take a look at those. Um, I would like

to see um more businessoriented questions um in there as well, but that doesn't stop us from mentioning those at

the table, right? If you have a business owner at your table and you want to ask them questions, you can, you know, do

so. But again, this is for them to kind of give us their information. Um, and I

want to thank Caitlyn and staff for putting this together. So, thank you very much. Thank you. And Dee, do you want to say something

else? Yes. Typically, you know, when I've

participated in groups like this, um, everybody uses the same set of questions

as prompts. They're not supposed to take the I I see Marianne, you're shaking your head. No, but the questions when

I've participated in these things, they're supposed to prompt a conversation and then you, you know, the

facilitator listens. So all the tables do need to generally

um use the same prompts or questions or however you want to call them so that we

can come back with some comparative

information otherwise if we each have you know our

own unique conversation for two hours I don't know if there'll be any sort of

benchmarks you know let's say the question is sidewalk walks or crosswalks. If if we don't ask similar

questions or prompt similar discussions, we may not I don't know. I think there needs to be continuity and consistency to some extent so that the the

conversations don't just become off on a a tangent and maybe away from the type of information we're trying to elicit

because the goal is to provide the master plan consultant with things that they can use to help guide the plan. And

if the conversations go too off on different tangents, it may not u bring

it back to the central point of what we're trying to do. So I know Diana has

mentioned that she's more interested in in a vision, I guess, for that intersection.

You know, we're not talking about the whole town master plan, just that intersection. So,

you know, she might submit that to the rest of us so that we're all mindful to go around our table and say, "Can you

tell me your vision for the town?" You know, and and so that we're all prompting people to give answers. No,

Marianne, you don't like that. But I I've participated in these things and that's generally how it goes. Yes, we

are letting people talk and and the whole point is to get their feedback, but if it's all over the place, that's

not helpful. when we bring it back to the consultant. Uh, you know, you

Marian, hold on a second. I'm gonna let Rob make a comment on De's. Um, I know he's his light is on.

Di I think you're generally right. You know, as I said, it's important that each table ask the questions that we lay

out as the questions that should be asked and summarize those for their group. I would add that at each table,

given we'll have different mindsets, people with different backgrounds and experiences, it's also natural for those

conversations to rabbit trail a little bit in unique ways at each table. So there's both inherent flexibility, but

also a core set of questions that you want to be sure uh everyone at least makes an effort to respond to. So again,

just to kind of reaffirm what you said and add that little bit more about the unique dimensions present at each

table resulting in at least some um less than homogeneous coverage of questions.

I I have a question about this. Let me Marianne had actually started

talking and I asked her to wait. So I'll come back down the line. Diana, you know, it's uh it's not realistic to

expect that every table has the same uh discussions. There are young people there with children. They will bring up their concerns. There are

elderly people in wheelchairs that will come up with their concerns. There are business owners, they are in retail or

restaurants, everybody. We cannot just put a pattern on on that's what we talk about. You have to be as a I know Deei said she has a lot of experience so she probably knows very well that you have to consider the audience. You have to

consider the people you are talking to and you have to be kind of flexible. You know I I would not ask a group of oxygenarian by the way I belong to them

uh what is your vision for the town in the next 20 years because you know they know what's happening to them in the next 20 years. So, you know, and I wouldn't I would just

listen and look what kind of audience I have and I would adjust the questions and the tone to them. They don't have to change to me. And I think, you know, if

we have different tables, I'm sure not every table has to come up with a solution for the same problem. I mean

there will be you know probably similar answers or similar topics but you know

you might be surprised what some people come out with. Some people might be concerned about the

beach, the dogs, this etc. And I I see

this meeting more basic. I see it like we are

we are finding out and then we can come up with a vision that is shared by all the people. MAYOR: All right. Go ahead Diana. Our our current vision statement for the

town is the town of Juno Beach, a seaside community where neighbors join together to share in our exceptional

quality of life. I'm not sure if that's the type of vision that would direct the

master plan and we need a vision that's specific to the master plan. I like John

Callahan's discussion at our workshop where he said you know what codes changes are needed so we don't get

another uh ketta or you know five kettas and I I don't think that we should just

look at the four corners of Donald Ross and US1 because one is credit that's already being built I would they have

their permits approved we've got CVS nobody wants CVS to go away we've got

the fish house and then we have uh the the Juno Square shopping center. So, um,

so that way, um, I think it needs to be more directed at what do we what do we want the town to look like? And that was my understanding of what we had agreed

on. And I know the staff has a different idea because I don't believe the redevelopment scenarios are completed as

states in this October 29th, 2025 memo. And I also disagree on the September 8th

newsletter discussion. Wait a second, D. Are we off topic here again? You know, we're on topic about

what we should do for the questioning session if we don't all agree on the scope and the vision. And this is not a redevelopment plan. It's a

visioning document. That's the title of the document. So I think that it is relevant. Maybe Dee had started off that

we might not be ready for this in December. Maybe we could push it to January. I think it's very important

that we get the public input, but I don't think that it is uh

you know about redeveloping a single parcel and if we if that's what we're doing, you know, maybe I should make a

motion to stop. I think D, I'm going to have to do a point of order on you again because we

need to make a decision on what we're discussing. Now, I'd like a break also. Maryann Hostel's

left the room. Okay. Council, would you like a break?

I'll second that. Okay.

Okay, I'll go ahead and reconvene the meeting. Dee, hopefully you caught that break. You were fine. Um,

so I did appoint a voter and Diane, I understand that, you know, you want to delay the process, but that would take a council vote to do that. Is that still your intention to delay this and and go back over the entire process again?

My intent is to stick to the contract that we currently have with the Treasure Coast Regional Planning Council and to

fulfill the terms of that contract. I don't think this the development of the four corners is fulfills that contract

because it talks about a vision for our community. So, um yeah, I want to reset on um on the scope and um how we're moving

forward with the with the deliverables for the master plan uh contract.

Okay. And Caitlyn's looking up right now what the scope was. I think back during the time that we voted on this, Davies, Wheeler, Halpern, and Hosta were on the council. I think two of you voted for it

and two did not and specifically I was not for it because of the scope. I was very very concerned about that. Um but we we it is what it is and I think going forward we should just keep that in mind before we jump into contracts as well.

But let's see what let's see what Caitlyn says the scope is real quick.

And let's other council members are not does not do not want to entertain

looking at that and want to move forward with the meeting as it is. Can I have a kind

of a consensus on that so that we know if we need to move forward with Diana's suggestion? John,

is it a motion? I think she's just put it out there. I don't know if it's a motion right now. Yeah, it's not a motion.

You can have discussion on it, though. So, she knows whether to make a motion.

No, I'm I'm I'm not in favor of discussing the contract terms right now. If we have time left at the end of the

meeting, I wouldn't be opposed to it. Okay, Marianne,

you know, I I stepped out a little bit microphone. Marian, I stepped stepped out a little bit

before you guys. So, I don't know what Diana suggested or

basically we are now at Treasure Coast. Uh, are we discussing the contract with

Treasure Coast? She's she's not happy with the scope. I

don't want to put words into your mouth. Diana, do you want to go ahead and explain to Marianne? The I guess the way I would describe it is the Robert Cole

memo from October 29th, 2025 has task four deliverables. It says not completed yet, but it says number one project memorandum including a redevelopment

scenarios per provided during the PowerPoint presentation for the work in progress meeting. But if you look at

task for deliverable in the Treasure Coast Regional Planning Council contract, it says redevelopment

scenarios. Working with town staff and based on input derived through public workshop number one, Treasure Coast

Regional Planning Council will develop conceptual redevelopment scenarios for the town of Juno Beach with the emphasis

on the US1 corridor, surrounding areas, and those sites identified as likely to redevelop. The plan should also analyze

challenges and opportunities for beachfront condominiums. The scenarios will include potential development

quantities, renderings, and analysis as needed. I just don't think we've gotten that.

Marian, so the question is, do you want to continue with our December 11th meeting based on this agenda item or do

you want to reconsider? I mean we are making now a good step in

the right direction and you know engaging our citizens and

now we are going back to our modus operandi

by by slowing down by going backwards. Uh,

I just think by postponing and kicking the Ken down the road, we

are not gaining any anything. Uh, and by the way, I wanted you to know

I was not one of the three counselors who voted for the Treasure Coast. I did not think they were the ones to solve the problems for Juno Beach. And I was proven right. Thank you, Dei. I think we've heard from you, right? No, I go ahead.

In the very beginning, you heard from me, but not completely. Um, regarding the scope of work, I think that that can be addressed through the prompting questions that we ask.

you know, if if the questions are about, you know, the condominiums and things like that, we can ask the professionals

to incorporate more prompting questions and when they develop the survey that's going to go out to everyone that those that that scope of work can be incorporated through those elements of the process. I don't think that that should hold this um forum from going forward.

Okay. regarding the other part of the scope of work. I mean, if collectively we don't think that Treasure Coast is um

incorporating the full scope that we've contracted them to address, then the onus is on us to direct staff to point them back in the right

direction and say, you know, here's the scope of work. you know, you're hyperfocused on um you know, US1 or

Donald Ross Road and you need to expand the scope that you're focusing on, but that's a different discussion that we can just direct staff to have with the consultant. As far as this master plan

forum goes, like I said, I'm going to be redundant. I think the scope can be addressed through the types of questions

we ask. So, thank you, Dy. So, I I just need a consensus and the understanding is that

council members will provide staff with additional questions. Um, and we're moving forward obviously

with the December 11th. Can I get a consensus on that?

I agree. I don't I just needed I agree. Okay. Diana,

I think we need to agree as to what the vision is first. So, okay, we got it. Thank you, John.

I would like to make a motion that the staff proceeds with the format presented for the upcoming master development plan work session.

MAYOR: All right. Do we have a second? We need a second on that before discussion. I second. Thank you.

I think we're all in agreement with the format. You know, five tables, a counselor at each table as facilitator,

the materials that are being provided for it's just the questions that are being asked I think is the only issue.

And I understand that everybody's being allowed to to add questions or to give their

questions to be considered and then that there's going to be something that comes out of that. as long as you give your

questions to be considered by December 1st. MAYOR: All right. Is there more discussion or

can I do a a roll call on the motion and second? No more discussion.

Can you repeat the motion? To have staff proceed with the format as

presented. So, we're proceeding with the format

with the ability to send staff our input on the questions. Is that correct?

John, did you want to add that to your motion? I don't know if it was in your motion because if it's as presented here, I'm

not going to vote for this because it needs some more. This is strictly for the format itself.

But if council wants to do consensus to just provide like we already offered the suggestion to provide any of your

suggestions and comments by December 1st in relation to the questions.

Okay. So, we can do a roll call and then we can offer the um staff additional suggestions on questions and get a consensus on that. Do you want Go ahead, Rob. Can I ask another procedural question?

Go ahead. When we have the results from this forum, I assume we'll provide some kind of summary to Caitlyn to type up as minutes. So, I guess the the question is the end result. So, we're going to have all these discussions at each of our tables. We're going to

report out what our findings were and what people had concerns about and how is that information going to be collated, used, and transmitted to the consultant.

Brad, the consultant team will be there. Uh, we'll be recording the entire meeting. They'll have all of the information that is recorded both in writing and verbally on either video or

the written documents themselves. And uh the consultant then would use all of that as they continue to collect public feedback about the master development plan. Next step after this uh is to get the survey done and we're still working on that. And following the conclusion of

the survey and the reporting out of the results, there's yet another um uh cheret type meeting set that's open to

the entire Juno Beach community where we'll be able to report back on not only uh this session that we're holding in December, but on the survey results as well and then give Treasure Coast the

opportunity to collect yet additional feedback based on all that information before they come back to task four to do

those concepts that they're committed to under the contract. So, this is all about pausing, collecting more public

feedback, making sure that what they're uh working on is not only feasible, but also reflects to the maximum extent um

the public engagement effort uh as expanded through this fall and beginning of next year.

Thank you. Any more questions? Nope. We'll go ahead and do a roll call.

Council member Hosta. AYE. Vice Mayor Pro Tim Davis.

On the microphone, please. AYE. Thank you. Vice Mayor Callahan. I.

Mayor Wheeler. HAYe. Council member Halpern. AYE. Unanimous. Thank you. And now we need a consensus to approve

questions being sent to town staff. Anyone that has additional questions that they would like to have staff take

a look at. And also Treasure Coast is looking at it as well, right?

Yes. Okay. And there is no room for an a question

that just comes up by the situation. I mean, of course, there is

there is there's inherent otherwise it's just like rules, regulations. Uh uh you cannot say

anything else. But this uh I would find very uncomfortable in this situation.

Yeah. So this is that's that's an option, Maryann. So this is just for additional questions. Okay.

That any of the council members have. Good. And I need a consensus. Can I get a consensus? I'm good with it.

Yes. John, no. No. You can't stop me from asking the staff

a question. So if we vote down, I you're saying I cannot send a question to the staff.

No. No. You can. You can. This is I consent. need your permission. Um, if I want to send a question to the staff, I'll send a question to the staff. Well, it's not me. It's Caitlyn that asked for a consensus to approve council sending questions so that it can be possibly implemented into our work session. So, it wasn't me. It was that this is the process we have to go through. John, I am totally against asking the staff

that we have permission to send a question. If I want to send a question, if any council member wants to send a

question, it's a free country. We're allowed to do it. I don't think we don't need a vote. Yeah. I don't think it's about asking to

send the question. It's about is it okay for us to look at improving the information we have here and adding additional questions to this. That's all

we're asking. You can send all the questions you want. No one's stopping. If I may, the

about adding the Hang on. Diddy. Can I say something? adding. Yeah, you can just if you could just wait. It's

about adding the questions to this this information that we will be discussing at the meeting as well. Go ahead, Dee. Well, we could send questions and lots of questions, but if staff and the consultant don't think our questions are are valid or our input is valid, then it's null and void anyway. So I don't think the consensus is permission or not permission to send questions. It's you know what what level of

I don't know consideration will our suggestions or input even get

if you know that and that's one way that the the thing could be biased because I

mean we could be totally blocked out of giving input which means to Marianne's point you know we can steer the discussion in a whole different direction at the table.

I I think what we're trying to do is come up with a core set of questions that are asked at each table. And if we

get far too many questions to ask, then yeah, someone's going to have to make a decision about separating the wheat from

the chaff somehow and we'll circulate that back around to council. And to the extent that a a question doesn't make

it, it we'll talk to that council member and say, "Hey, here's why it's not in there. You okay with that?" And then

even once that's all said and done, because we have to finalize a list of questions somehow, um then on the day of

the session, each individual council member is facilitating a conversation at the table and there's nothing preventing that council member from asking a probing question that he or she believes is necessary or appropriate. even if it,

you know, wasn't on the original list that every table is asked. We just want, to your point earlier, DD, for everyone

to be able to make it through one list of standard questions and kind of pivot into wherever that particular table is heading with the conversation. That's, you know, a hallmark of a of a a good

facilitated conversation. So, it's it's a list of core questions limited by what

we believe to be a a reasonable amount of time to be able to do that and still report back out, but modified at each

table based on how that conversation's going and what uh that particular council member wants to make sure their their group uh expresses viewpoints on.

Does that sound reasonable? Yes, it it that sounds reasonable. I I

just would before we finish this topic of discussion um I just want to circle back on Diana's point about the scope of work and get consensus to have council direct staff. Let's bring that up Dee. Let's bring that up during council comments because

this item I'm sorry and we have to make get a consensus either to add questions or not add questions. That's what we're looking for here because we need to move on. consensus to add questions or well

to send. Can I clarify mayor? Go ahead. Um just to let council know if

they could if they have any suggestions or questions that they wish to for consideration from staff and the

consultant to send it to staff by December 1st. Correct. So that's that's what we're

deciding now that she needs a consensus on. Do we want to do that or do we not? They they can Yeah, it doesn't need

consensus, mayor. We can just proceed. Okay, that's fine. then whoever wants to send them in, it's great. I wish

somebody would have told me that at the beginning. All right, we're moving on to the next item, which is discussion on

communication, events, manager position. And Caitlyn, I'll let you go ahead and start.

Uh, yes, Mayor. At the October 22nd town council meeting, council member Halpern obtained consensus of council to request

that staff outline the essential needs and responsibilities associated with the proposed communications events manager

position. Um staff prepared the memorandum with the essential duties and responsibilities, but I don't know if

council member Halpern wants to add on why it was brought up or what further to discuss.

Um okay, I can talk about this. Uh, you

know, when I brought it up, I thought that it was um a useful role. We had a a

tenative or hypothetical salary for the position. Um, when we took a

closer look, the salary turned out to be quite a bit higher salary plus benefits

than um originally anticipated. the role wasn't one of the um positions requested

to be filled by the town staff or town manager. It wasn't part of the original

budget. So, I'm taking that into consideration. Um as a communications professional myself, I do see the value

and importance in it. Marianne's laughing. Well, you know, I wish really wish you wouldn't laugh and

react every time I have something to say. I don't laugh. Let's stay. Let's Can we stay on point? I wish you would

stop now. I would appreciate Stop. Ignore me. I know. You guys, please just

continue on. Diddy. I don't think we need the position. Especially if it's just going to be

another propaganda mouthpiece that we have already. So, I don't think it's worth spending 116,000 on it.

MAYOR: All right. John, I I think we need a position. I don't I

don't quite understand the the perception about the dollars. I have some suggestions where to find the

money. If it's a money issue, um if that's the issue, if if it's a

different issue of what the responsibilities are, we we talk about that. But I'm not I'm not sure what to

do with that, Dee. That when you said we just don't need a position. And at the same time, you said you're a communication professional and you

understand the importance. Okay. Well, I can explain myself further.

Don't look at me when I work in these roles.

John, do you want her to explain herself? Do you want me to explain herself? If she'd like to. I I just don't

understand if it's a money issue or if it's a responsibility issue or it's a I I want to know who's going to have the

um where's the information coming from? When I was doing these roles, I was

given the latitude to interview the different the CEOs, the subject matter experts and to create, you know,

summaries of my interviews and then, you know, obviously it's reviewed by, you know, the the management But who's curating this information? Are

we giving the communications professional the latitude to curate the information?

Does it have what's part of it is that and part Yeah, part

of it's the money. It wasn't in the original budget. And and the other thing is, you know, in looking at what

Caitlyn's needs are for assistance, she's going to have um her an assistant

hired. And I think that that individual could perform

some of the tasks that are outlined here. The these administrative tasks, um, special event applications, assist

with legal advertising, planning, organizing, and coordinating town events. Those are sort of administrative

tasks that a administrative assistant could certainly help with. and we don't need to pay somebody 116,000

to perform um you know those type of tasks. Whereas usually communications is largely involved with writing um you know writing and designing

websites and things like that versus um some of the other things. So, I my

suggestion would be I do think it's valuable, but I'd like to re-evaluate this in the next fiscal season since it

wasn't on our original budget and perhaps, you know, take another look at it then.

Okay. Where did I leave off? Diana, hi. I

I'm agree with Dee about the communications position that it wasn't on the original ask and I'm not sure

that we need it now, but it does open up a very important topic that we do need to talk about and it's a creating a

communications plan and a communications strategy. I um I appreciated the town of

Lake Clark Shores website and what Joe Leello has done there regarding his the his report is similar to our activities report. Um and that gives good

information. I had sent by email the the city of Pinrook Pines public

communications. It's a uh I think it's a six page nine-page document and then

there's a city of Crest View, Florida. And so they go through, you know, it's

things like branding and font and things like that, but it's also guiding principles and key key publications and

and the content and format of those key publications. And so and additionally in

your packet, I didn't include any of these in the packet that I gave you in your binder, but I did I did have a

suggestions for content of the town newsletter. And the town newsletter,

that's this document that's in your in your binder packet. Um the town

newsletter would be titled Town of Juno Beach Newsletter. It would come out once a month and the town manager or their

designate should prepare the newsletter in coordination with town staff and consistent with the standards of this

policy. Required newsletter content, uh, four key sections, town council meeting

summary, and it has to be based on Caitlyn's minutes of the meeting. Wait, I I'm going to do a point of order

here. We're talking about things that are are not part of this agenda item.

This is on discussion on whether we get another employee for communications for the communications position, not what they do within that communications

position. That is so I'd like to stick to that agenda item if we could please. Well, I'd like to make a motion to

explore a communications policy and bring that back to town council.

I would second that for further discussion during comments from council. Go ahead, Brad.

So with respect to the communications position, that is the exact type of thing that a communications professional

would be responsible for developing and implementing. If we're not going to have a communications person, then I don't

know that we have anyone on staff with the time to develop all these things that the person we were talking about

hiring would actually do. So to illustrate um you know if we have an

Instagram that we want to start we would not be able to do that without a communications professional uh we can't

do a higher level of website presence and maintenance than what we are currently doing if we don't have a

communications professional. We can't necessarily upgrade our newsletters and uh do them in different ways and perhaps ways that reflect best practices nationally if we don't have a

communications person. We can't do routine press releases to celebrate

local successes and and help make Juno Beach's reputation even stronger

regionally than what it is. We wouldn't have, let's say, a YouTube station that many successful municipalities focused uh on communications maintain and use to educate the public about key issues about um you know, local assets. Uh town programs and services. Uh sometimes they do, you know, like a monthly meet your town or village board member and you have a little vignette or something like that. There's all kinds of things that a

communications professional can do and we need to realize that if we are not going to select that position to

advance, then we can't expect what that person was going to do to be completed by the staff that are already doing multiple jobs themselves as best they can. That's what gave rise to the

question of a communications officer in the first place. So, we can't on the one hand say, "Well, we're not going to fund

it, but let's go ahead and do the things anyway." Um, that's just not feasible. And Caitlyn is really concerned that

we'll increase expectations without providing funding to see that they can

actually happen. And as you recall from our budget process, that was something we wanted to make sure is when we're budgeting money for things, if town

council approves them from a policy perspective, great. we'll implement them. On the other hand, if town council

does not approve them, we made it very clear and town council should be clear we're not going to do them. So, it's

it's not I'll have cake and eat it too. It's give us the resources we need to do

these things and do them well or don't give them to us if if the policy decision is that, but in the latter

don't hold us accountable for them. So, that's that's the delicate line we're walking.

All right, Diane, are you I I just think a a strategic policy for communications is is very important for the town and I would require that prior to filling these positions. So, we all agreed as to what the scope of work is and what these different communications are. And um I know we don't have a strategic plan yet. So, so the council

hasn't um excuse me oh

so the council hasn't um decided you know what these deliverables are for the staff necessarily and um I don't know the communications position wasn't part of the original package and John it's always about the money.

Well, I have an answer about the money. If it's a money thing, I I asked for the

information on a Chen Moore consultant package, and I believe there's about \$60,000 we haven't paid them yet. just

cancel their contract and use the money we're going to spend on Chen Moore um and and use it on the communications because Chen Moore is uh you know stuck in place right now in a Senate Bill 180

and I don't see them um you know effectively moving forward anyway. So we'll just cancel that transfer the

money from their contract to pay for the communications director. But the the two biggest problems we have in town, I

believe, is is our piss poor communications and the piss poor way we keep records.

I would not want to go back and not have a communications director because that's the answer to our what a very serious

problem as I see it. MAYOR: All right. Um

I think um John you don't you have a little bit of a point there but the problem with that and I because I think Jen Moore is not going to be able to do what we need them to do and I think some

of those options that we gave them or those um the information that they're supposed to be reporting on is not even

maybe as relevant um like slow and slow growth and that type of thing. We should take another look at that. But anyway, um that you you have to remember that a an employee is almost forever where that

was a one time 60,000. So it comes around every year. And I have a lot of respect for Caitlyn and your position

and the staff. Um, I think that the original request from the town manager for an additional finance position, an

assistant town clerk, um, was justified, but it, um, I I there was no request for

an additional finance position or assistant town clerk position. So, um, or a communications

manager. So, um, I'd like us to see I'd like to see us continue with the two

employees. Um, I think Nicole's going to be a great asset. I think Nicole's gonna do a lot a lot of things for this town

and maybe she can move into that a little bit and so I'm I'm stand by original vote that only approved those

two positions and if we're done with discussion I can I could have go ahead.

There's a motion on the table to explore communications policy. I believe it was

right and I think DD you said that we could actually finish that motion during public comments. I don't know procedurally. Caitlyn might want us to finish it now, but we could certainly

have a discussion about a communications policy and that could set the framework for

future communications rules. And just because we don't have

multi-channel communications doesn't mean we don't need a policy around the way the town disseminates information

that it does send out. Yeah. So, I think it's useful.

Could go ahead. Could we have our town attorneys weigh

in? Um, could they do benchmarking and probably provide us with some proposals for a communication policy? Would it be something you do based on

what other towns have done? Um, mayor, if I may. Yes. We're we're

always happy to be collaborative with staff um and you know share other policies that we have found in other

places that are effective. Um you know the League of Cities has some great resources. You know it it may be

helpful to adopt a policy and then bring the person on once the policy is in place if that's something that would achieve the mutual goals. Although I don't know perhaps the policy's sufficient but um but we're happy to be collaborative

always. Um can I I know we have a motion um on

the table but is is it a position that we should finish the agenda item or every time a motion is made that we go

ahead and have to clear that motion? Gemox, I just want to make sure that you know because we could be doing motion after motion for different things that are not on the agenda items.

If I may, mayor, just to be cleaner for the record and just due to timing in case we don't make it to council

comments, a motion will need an action to it unless it's withdrawn. Right. But I was going to see also if

council wanted to start council comments at 9 as well. Um, can I just make a suggestion?

Go ahead. Maybe we could find a compromise and take a part-time communication uh position. You are shaking your head while

it's better than nothing. I'll wait for council discussion.

Okay. You see, but I realized especially now with all the communi tools uh of communications, we should take advantage like other towns do and not you know say keep Juno Beach Juno Beach like 20 years ago where we certainly didn't need a communication officer or so we are we have to just adapt to what's going on around us and I think

just to keep up with the progress, we should consider this position. And

Dee, you know how important with your background something like that is. So, uh I'm surprised that you are, you know, that you have concerns.

MAYOR: All right. Who didn't John? Do you have anything else to say on

either of the motions? I guess this motion with a communications policy

that council would fit. Could I get the Could we hear the motion

again? Motion is to explore a communications policy.

It's to what? Explore a communication explore a communications policy.

Um, we need clarification on that motion. Is this specifically because I feel like it centers around disapproval

of our town manager newsletters and is is it communication policy with the entire town and the control and and micromanaging what everything that's being put out

there or what is this communication policy geared towards? The communication policy is is similar to the two that I sent out regarding u Pimprook Pines and and the other one. Um it it addresses all and I described them to you earlier as addressing all areas of the talent communication including font size branding very comprehensive and um I the the specific portion that I read was about our town newsletter. We've had citizen petitions regarding newsletters and um I just think it's something that we do need to address and I think that it's polarizing in the town and so the

object would be to resolve that as well within this communications policy. But certainly the communications policy is much broader than just the newsletter. That's one type of communication. And if

you've looked at any of the other examples, it addresses all sorts of communications.

I can I can outline some of the topics that's included in the examples if you like. Um, while Diana is looking for that, I could

just chime in. Um, a policy could address things like, you

know, accessibility of information. For instance, a resident was requesting that, you know, treasurer reports be

posted to the website. It could have to do with posting resources that are useful to residents and how we manage

that. So, if you look at our website and our news and I think it's the news tab within the community. So you go to the community tab and then drop down into news and events. That's rarely ever

updated. So when a town puts a a policy in place about communications, it could it, you know, it doesn't have to manage the content of every word that everyone says. It's about what are we going to

deliver to our community? What can they expect from us? It could be enhancing the town's email list to include more

business owners and to make sure more residents are signed up for email. So, it's a larger picture of things. It's

not micromanaging one person. It's about making sure that we give our residents and our business owners in our town a

full spectrum of of resources to the best of our ability.

Okay. So, the motion's on the table. I'm not for micromanaging what it's not micromanaging.

Hang on. Deiana, I need to be able to speak. You need to let me speak. Thank you. Um, I am not for micromanaging our

town staff. Rob Cole is the manager. It is it. And I know that there was there was someone was talking about trying to control all the newsletter that was put into the uh quarterly

um newsletter that their citizens get. I I think this is going to go the wrong direction. I think Rob has the ability

to manage that and staff has the ability to manage that and I don't think to me we're overstepping and overreaching what we should be doing. So I wouldn't be in favor of it. But if you we need to take

a vote on it, that's fine.

Any other discussion? John. Thank you, Mayor. Um I did read the

material that Vice Mayor Prom provided about a communications policy. I think it's a great idea. Um, I think it's something that we could use, but I also think that it's something that staff uh generates and I don't necessarily know that the

council would would get into the the details of the communications policy, but it's a kind of a thing I would say

similar to this town council orientation package a staff put together. We can give our two cents, but it's basically a, you know, a staff effort on what to put in that book. And I think a communications policy would be a staff effort. And I think the town manager

would be ideal uh person to, you know, headline that.

And I would be in favor except for one thing. Without a communications person, a policy isn't going to do us much good.

So I'd make an amend. I'd like to offer an amendment that we hire the town staff um hires a communications director as anticipated when we budgeted it in

addition to the um going forward with the town policy on communications.

Is there a second to the amendment?

amended motion fails for lack of a second. Okay, more discussion.

The reason that I had suggested that our our new town attorneys participate in the public communications uh strategy is that it also includes public records chapter 119 and responding to public records request. So there is there is a legal component to it and the town of Jupiter's website addresses public records and I know that's that's one very small section of media releases, public service announcements, advertising, events, you know, photo galleries, all that different types of

communications, but that has a specific nexus with uh the attorney's advice.

mayor if I may be happy to to be collaborate with staff and and certainly lead and and handle that section. Thank you. Um

okay, any other discussion? Um just be just to be clear. Um since

we're not interested in funding the communications director, I can't support a policy for nothing.

No. MAYOR: All right. So, you want to do the roll call and read the motion again just so that I motion is to explore a communications policy.

Okay. Roll call. I have council member host town attorney. Actually,

we're doing roll call DD. Hang on. Council member Hosta. Nay. Council member Halpern.

I I have a question. And it'll uh I need to ask a question

that'll help me decide. So, can we interrupt real?

Well, I don't know what Go ahead, ask your question, Dy. Quickly. I guess the question I'd ask of the town attorney is when it comes to writing a

communication policy because it's a policy of the town, who usually does the writing of the

policy? Um I mean this this is certainly not governed by statute but but best practice is typically the staff would draft a policy and bring it to the body um for their approval.

Okay. Thank you. Then I would so this is the motion is in

is whether or not to discuss a policy or create a policy. Explore a communications policy. I

Vice Mayor Prom Davis AYE. Vice Mayor Callahan. Nay.

Mayor Wheeler. Nay. Motion fails. Two to three.

Okay. So now we need to move forward still with the the upcoming work session.

Excuse me. Our communications jumped a behind there. So,

we need to do a either a motion. You need a motion on this probably, right?

Whether we're accepting a um

what do you need? Probably cleaner to have a motion. Yes, I think so. Okay. So, a motion. I

need a motion on the communication events manager position, please.

I will make a motion not to hire and fund a communication manager's position.

I need a second. I'll pass the cab.

Sorry, I I'll second. I I was muted. Thank you. MAYOR: All right. Do roll call.

Oh, do we want more discussion? I think we had quite a bit of discussion prior to that, but is there more discussion?

No further discussion so we could do a roll call. Okay. Council member Halpern.

What's the Wait, say repeat the motion, please. It's not to hire

not to hire or fund a communications position. I

council member Hosta not to hire. So a double negative makes

a positive, right? Nay. Vice Mayor Prom Davis

AYE. Vice Mayor Kellyan nay. Mayor Wheeler AYE. Motion passes three to two.

MAYOR: All right. Does council want to start council comments or go through to the

next item which is seven a 3D GIS scene view. I think once we get into

these it's difficult to then be able to go back to council comments. What is council's suggestion?

Maryann, would you like to do council comments now or continue with the agenda items? I go with I go with a consensus.

Whatever you wanted to, Diana council comments. John,

continue with the agenda. I think the uh recordkeeping policy is the the most important thing our town faces and I've

thought that a long ways and I think it's sad that you would want to push it off any further. Daty,

I'd like to continue with the agenda if and John, just so you know, if we can limit it to if we can limit it

to like 15 minutes on this item or Well, we have two items in 45 minutes. If we can commit to finishing the agenda. I I don't know what how to handle this.

We're up against the the clock again. Well, I'm I'm willing to to change amend the

agenda and allow the record keepings to go first. So, John, just so you know, I'm getting

council opinion on this because if I don't do council comments and I don't go into that, then we get heck for not doing council comments. That's why I give you guys the option to do council

comments or continue with the agenda. And I would continue with the agenda as well. So, let's do that. Thank you.

Another question is do you want to move discussion on record retention policy before the 3D GIS?

Yes. Yes. Okay. I'll agree with that. We have a consensus on that. So, let's go ahead

and start the discussion on the records retention policy.

And Caitlyn, thank you, mayor. Um, at the direction of the town council, staff prepared the

draft records retention and disposal policy for review. Um, staff is here to answer any

questions that the council may have on this item. Is there um public comment?

Yes, Siobhan O'Donnell.

John, for bringing this up. It's so important. And I've been making records requests and they've been withheld. And I think there should be something addressing the fact that residents of

this town are being blocked from getting records. Roadblocks are being thrown.

Oh, this is too timeconsuming. Send us some money. You know, we can't find them. I I think it's serious because I

know that willfully and knowingly withholding records is a misdemeanor that can land

someone in jail for a year. Thank you. Any other public comments?

Not that I received for this item. Okay. Um I just want to make a mention that when this item first came up, I did give

my consensus, but I would like to withdraw my consensus. It doesn't mean we're not going to talk about it, but I

am not in favor of this any longer, but I want to hear I want to hear everyone's opinion as well. And Diana, I think this

is your item, correct? It was John's item. Oh, I'm sorry. I I was back at the GIS.

Sorry. Records retention. Forget what I just said at the wrong. So, this is the records retention. So, I'm fine with that. Records retention. Yeah. I brought the, you know, the

records issue up, uh, you know, previously and I'd like to take issue with the town, uh, staff position on

this that it's a discussion on record retention policy because that's not the issue and that's not what we talked

about and and that's not what we asked staff to bring back. It's recorderping, not record retention. Record retention

is a relatively minor part of the recordkeeping overall scheme of things.

So there is a record retention statute in in the state. I think it's GS1 and GS2 for a police department that does give retention requirements.

They're not an issue. The issues are many and varied about the the lack of um public information things that are public. So, I think the um I I think we could dispense with the records

retention aspect of this because that's almost a no-brainer, but the record keeping is what we need to discuss. So,

I'd like to I think it starts with a con um

a council consensus on what our polic should be on recordkeeping. And the basic policy I think we should adopt is all public records should be made available to public on our web to the public on

our website.

MAYOR: All right. Thank you. Um Diana,

um I don't have a problem with that

suggestion. All right, Marianne.

Now, who's going to be in charge of it? Uh, who's going to do the work? Uh, or can you hear me? I can hear you. Yes, that would be the under the town clerk's department.

Okay. So, that would add more work to you, right?

To add it on to the website. Yes, but I do fulfill the public records requests that come to me or address them

appropriately. Say it again. What did you say? Yes, it would be your uh for if your domain, but the town clerk's department handles the public records. Yes, that involves the records request as well as what the council is or what Vice Mayor Callahan is suggesting. Make the

public records available on the town's website. you would be responsible for this and would that add a lot of hours

to your workload? Yes. Yes. Okay.

Mayor, if I may ask a clarifying question of the vice mayor, do you mean when someone makes a public

records request and that request is No. What do you mean? All public records should be put on the

town website unless exempted by the council. I'm going to just be direct with you that that will be

potentially problematic.

All public records are every communication that is transmitted by any

member of staff on you for any matter including text messages, emails. If you want to do that, they all would have to be redacted by an attorney. I mean, I guess staff could do it and then the

attorney could do second review. But part of the reason that public records requests can take so much time is if

it's voluminous, let's say it's 900 pages and the staff has to prepare them and then we have to review them. that

could be three hours of time which is why there's a charge to the to the person to to do what you are proposing

as you have asked the the cost of both time and and I will

just say the potential liability in litigation

um is not recommended. You would effectively be giving the public every single communication that exists and

it would it would you would need to add both humans and re and financial

resources that candidly I I would be I can't even I I Robert I I'm happily put my head together with you but I think it would be immeasurable. There are we have a client who when a public records request comes in it comes in through a portal and it's posted on the website. So if that person makes it and receives

the record either because it's free because it's a short request or they pay for it, it's made available. That is a

practice. You could have all minutes of meetings or agendas available. You could ask for records in the planning department to be put like on a laser fish and PUDs and and have building

plans, but as worded, I would strongly urge you to amend your request.

Rob, do you want to make a comment on that as well? No, I I I think that our legal counsel

uh said it like it needed to be said. Thank you. John, did you want to do any amendments?

Heck no. That I guess what Gemma you're saying that your judgment is better than

the town councils and knowing that the town council would make that decision what public records should be put on the

website and what should be redacted and what should not be put on the website is valid. I think they can do that. I think

the five people are elected by the people. They would do that. They would say personal records do not go on the

website. Payroll records do not go on the website. Approved site plans like the Waterford

we voted on last meeting absolutely goes on the website and we can handle that. We don't need uh any manpower legally

except on a very few time things. So in a way I anticipate this going down is we

would say it's our policy to put public records on the website unless exempted by the council. And the first thing we would do is we would also say the town council exempts all public all public

records from the requirement starting January 1st, 2026 to get let staff get up to speed on it. And then as an area was ready to be put on public, the town council would release that exemption and allow it to go forward. But the default was would be if it's a public record and anybody can get it for any reason, why have the clerk go through and answer a request, put it together, put it on a, you know, put out there. Let's just put everything on their website unless the council says no. And that would simplify

everything. And it would do a lot to bring back the trust of the town's people in the council because there's a

lot of mistrust between the town and the council. There's a lot of mistrust between the council and the staff on not

getting things like public records. Once the public records are out there for people to see like other towns have a

whole lot more than we do of records, contracts, um they have pass approvals, permits, all types of things available for the public. I think the public acceptance of what the council does

would improve greatly. Mayor, if I may. Yes. Um, vice mayor, respectfully, certainly the council's judgment is not something I would question. Um, I I want

to be clear though, there are statutes on point that require redaction, which which would mean that so every email that is sent by every member of staff and council is a public record, right? However, there is information

contained in those emails that either could be exempted because of active litigation because it's the information

of a police officer or their spouse or children. Because of that, you can't just release

those emails. They have to be reviewed. Uh this is a good example. Police officers addresses are protected. Um and

their where their children go to school, those protected. If they are emailing HR and they're saying, "My kid, we just

moved. I need you to send the benefits to my new house and the emails are just pushed onto the website every day and

that information becomes public, it's a liability. It's a violation of statute, which would mean a human has to review

it. You can't have an AI review it. A human has to do it. And you could have the clerk do it, but I will just tell

you when law enforcement is con involved, I I would it is not

it is not recommended to have any records that could reveal any information about law enforcement be

released without attorney review in addition to the clerk's review. So I

I think that you could very easily have a policy where all contracts, all things that are don't couldn't contain any personal information or addresses or

identifying information um or potential litigation strategy or information

that's attorney client privilege. um that you could have a policy to your

point if you're if you want to have it be all public records are available and we exempt emails, text messages. Um and

and you I would just urge you that those types of communications are voluminous. Um I mean I would say on an average day

in Juno Beach in the 3 weeks we've been your attorneys, I'm going to say we get 10 to 15 emails a day just in three weeks. So that's just the two of us. I can't even imagine Caitlyn and Rob the volume. So I would if that is the direction the council wants to go, I

would urge you to exempt emails and text messages as a blanket. And then if certainly if someone wants to make a specific request, I want to see all communications from the manager to the clerk on this day, on this time on this topic, you know, that's the normal public records request. But there are statutes that require confidentiality

that we cannot violate. And there are statutes that protect litigation that we cannot violate. And because of that,

logistically, there would need to be review of most, I would say, if not all email

communications that's internal that's involving any staff personnel. Yeah. HIPPA. Uh I mean, if someone

requests FMLA, I mean, there's I I I I understand the intent and I think you can get it done if you exempt those things. I just would urge you to from the outset I would exempt those things

and and what I'm saying Gemma it would take us a month of Sundays to get that done on a case by case. If we if we

exempt all the records from this new requirement and then we have to affirmatively make them public. we have

a chance to discuss how do we handle emails, how do we handle texts, how do we handle things with uh police

department um addresses. And of course, the people on the council would absolutely agree with you that they would not we would not lift the cap on them. They would remain to be exempt. But all the other things would be placed on the website. We probably have to have a workshop that each department would bring in the types of records that they

have and we would say this is a no-brainer. Like I said, uh HIPPA, you cannot put on the website. We would agree with that. We would say contracts for cleaning. Of course, everyone should

be able to see the contracts we've awarded. And the differences were the things that were in a gray area, we

could do in a workshop fashion and decide how to handle them. But we're grown-ups and we could do it. Just because there's a chance of something

going sour, and I see what your your position as town attorney is, doesn't mean we should not go with a with a

formative policy. All right, Diana.

I I think a records policy is very important and I think, you know, it should be one of our strategic initiatives and be part of our strategic

plan. I I do have a correction to what I said earlier. The vocabulary, I think, is wrong. I don't think that all public

records should be made available on the website and it should be public documents and then we can define what

public documents are because I don't think that terminology is used in chapter 119. Um, but we do need records

available on the website that are searchable. And some of the records that

I have trouble finding are the PUD requirements. So, you know, the street

or the neighborhood that's the PUD, but unless you know the ordinance number, you can't find what their zoning code

says. Um, the other item, we have a public web forum. It's called public web

forum. If you put a comment into that web form, you can't go back and look at it yourself. And other people who are

interested to see if anybody has commented, they can't look at it either. It's um so items like that are are

specific, but I think you should be able to go online and search a topic and then get all the documents pop up that are

related to that topic. and um certainly not emails and litigation and

things involving the police officers or HIPPA or FLMA. I mean, I don't think that's what people are looking for

daytoday when they're trying to um research a particular issue in town. But

I do find that it's difficult to find records on issues just by searching.

And I think it's very important that we have uh policy process and procedure. There

needs to be a naming nomenclature decided for our record. So that it's the

and we have to have the software that allows you search capability and um I I think it is a a big deal and um it will

be very time consuming and possibly needs um we need to work out how the that staff time would work or if we could um contract it out or what are the options to move forward with this because it's a very very very important topic and I appreciate you bringing it up John. All

right, Marian,

did we not just say that we don't need uh communications uh uh manager? Uh I think he would be the guy to set it up, do it if you're so interested. I mean, who else? Uh Diana even mentioned again a consultant. We get a consultant. Uh but you know it it would give a task to that communication officer not 100% of the time but he could do that and if you are so interested in getting that work done you have to just accept the consequences consequences of hiring somebody and paying that person and I'm sure De did knows with her background around that they are very skilled people who earn a very decent living and they should.

So just don't ask for things to be done and then say we are not hiring people to

do it. We ask the people who are here to do more.

That's my all right TD.

Yeah. Um, there's definitely things that need to be posted that aren't. Um, I would, uh, agree to the exemptions the town attorney stated. It just makes sense, uh, from a personal liability standpoint.

Um, I don't know what what's the direction

staff would need. I mean, this needs to be sort of parsed out, I think, because we would have to be very specific, and I

would want to see a list of the types of records that the town has, the categories,

and, you know, talk about that. I mean, certainly, I I brought up at the council workshop that we should post candidate treasurer reports, and I didn't get any consensus for that.

Everybody said, "No, we'll just post a link to the state and that's good enough." So, is it good enough or is it

not good enough? If if we want transparency and recordkeeping, I think you would start with candidate reports

of financials and things like that, which I have seen posted on other municipalities websites during election

season. So I I think we need to enumerate we need a list of records or or you know different

types of files um subject matter and you know then

decide which of these things is of the utmost important to invest uh staff's time in uploading and then prioritize that list and say

you know here's we want all contracts if that's the most important thing then start with every vendor contract, you

know, engineers, whatever it is that we have, and then, you know, go from there, cuz it can't all happen at once. So, um, I'm in favor of of posting records, but,

you know, we need a prioritization. All right, D. Thank you.

I I think that, you know, we're probably not the first organization to try to expand access to public records online. So, what I'd like to suggest is a good next step would be let uh Caitlyn and her team do a little bit of research.

You know, there's probably software vendors involved in doing this. There's probably communities that are known for

their online public records access. kind of look at the categories that they've excluded or what they've included. Um,

as legal counselor cited and and John, I believe you might have mentioned contracts pretty slam dunk thing to put

out there. Um, but let her take some time to to conduct that research, find

some best practices, categorically come back and present that to council and then develop a next step from there.

Does that sound good? I think she can do that and come back with some good information that'll save us time rather

than compiling a laundry list and trying to, you know, kind of recreate the wheel. John, this is your item, so I'll let you

start it. Well, I I don't I'm I'm fine if we look

at other cities and what they do, but I think the basic problem we have to

address here is is a town. Do we want to set that as our policy to be open more than secretive? I think that's

important. start off there. And I also think that Caitlyn is the one person that is doing a good job of putting the

ordinances on the website. She's putting the resolutions on the website, putting the meeting minutes on the website. And

I also understand that same service is available to all other town departments who are not putting their records on the website as Caitlyn could do. These things are electronic.

Most of all, they're electronic documents and it's just matter of putting a link to them. But if you look

on the, for example, the public works department, why can't the public works department put links to their electronic documents tomorrow? I mean, as long as we get okay from the

council that we're okay to see, you know, what the what contracts we have for tree trimming or how much we're

paying for um replacement bricks, you know, why not put it on the website?

That's that's my thing. And sort it out later how you're going to organize it and things of what other towns are going

to do. But my question tonight is I I'm putting before the council. I want to make a motion that it's our policy that

we put all public records available

to the public except as exempted by the council and trust the

council is not going to do something stupid. So John, just to clarify, you want the

ones to be exempted brought back. You want the ones that they could put on there and the ones they feel they

couldn't and then we would make that decision as a council. Yeah, we probably probably workshop it and say these are the have maybe have

staff present a list of the types of records and go down the list and say do we want these on the website or do you

want to keep them secret? It's not a big thing, but somebody's going to have to say what type of record specifically we

have and tell us the choices and we'll make the policy decisions as council members along with the town attorney and

say, you know, we'll come up to a um we're going to agree on 98% of the

things. By the way, you know, there might be there might be 2% that we have a disagreement on. If I may clarify,

mayor, was that a motion that you made or just a statement for the policy to make all public records made available

to the public except as exempted by council? I'd like to make a motion on it. If somebody makes a second, we'll discuss

it. If not, we won't discuss it. Say the motion again, John.

I make a motion that we adopt a town policy that states all public records will be made available on the town website except as exempted by the town council.

Can I please just add an and law and applicable law?

You're just amended to add that and yes and enforceable law.

We need a second on that.

I would second that for discussion. All right, we're in discussion. Um, I did not get discussion from the last round. So, I just want to say the town I think should put on the website any

information, but you know, we really do need when we go through this process, I would be

happy to do that, but I think legal and staff have to have the ability to put give their input on that. Um, I think John, you're looking at things like contracts, build approved building plans, site plans, any building approvals, things that you could readily

access. Um, I know there's retention requirements and so maybe we just need another meeting to go through that and see how we really feel about it at that point. Um, and just a a mention about

the public records request. That's a requirement of the town. So that's really kind of a separate issue than what you're talking about here because the town is required to provide all

public records um based on our policy. I think so if we are going to go through these areas I I don't know how many we're talking about. I mean could this be unlimited? I mean all the emails all

of the contacts you know within each department. I mean, are we going to limit that right now or do you want them just to come up with a list of all kind of all sorts of different communications

and then have to pick through all of those? Or can you kind of weed those out now at all? John,

well, if we don't want to do it, there's no point making a list. But if we do want to make a policy, the first step is

to adopt a policy. It would require town staff from bringing back a resolution

exact with exact words on what exactly we're going to do and then we could talk about the logistics.

Well, do they have to bring back a resolution or can they just bring back an agenda item um for the meeting? John,

what do you Well, you're either way. I I prefer resolutions so it gets in a public record automatically under resolutions. But if we just want to make an agenda item that doesn't have

specific um you know details that's fine. But you know making it a resolution invites the public in and

they know there's something on the agenda that's very important and they can weigh in on the concept. And Jeemma, do you want to go through

and explain to everyone the difference in doing a resolution versus you know just putting it on the agenda and

speaking about it? It's that a resolution is a little bit I mean how

can you actually do a resolution before you know we know what the resolution is exactly going to say especially if we're

going to discuss it at a future date.

We could do a resolution in preparation for what we think you

want based on this discussion. Um, we could do an agenda item that has like

the form of a resolution to be completed after the meeting. So like we could

frame out the whereas clauses, you know, on this day at this time the council directed XYZ and then the actual policy

that you adopt. You don't have to adopt this as a resolution. You could adopt it as a policy. Um, so this is, you know,

the records retention policy. You could have a public records or public document web policy or availability policy as well that you could just adopt by vote.

Um, there's a number of ways to sort of skin this, but I would you if you want it to be more significant than an agenda item, we could put like a form of a resolution to the best of our ability

and then it can be amended after the fact if you're not happy with it or potentially work with staff to come up

with a policy that again, same thing, you could, you know, redline uh after the fact.

MAYOR: All right. And so for sta a question for staff is how difficult is this going to be to come up with the items all of the

items that you deal with on a daily basis so that council can take a look at that and make a decision from there

just coming up with all the categories staff will compile all of what's consistent with the public records a

list that would that be too difficult for no just a lengthy time but no just to prepare the list

okay and And you made John added the legal part of it in there as well. So, um I could I make a comment since I seconded the motion? Absolutely.

I Yeah, I think in my opinion it's premature to do a resolution again without knowing the contents of that. You know, I I personally feel that it's it's backwards to do resolutions first with unknown content or ordinances with unknown content. I like to know what I'm codifying. I like to know what the body

of of the topic is. And I think I it would be a good discussion to have at one of our you know pre meetinging workshops and have staff if they can if that's the right forum for it have staff bring back that list of categories that list list of

topics so that we can give the town attorney solid direction and not have them working on a hypothetical because I think that's sort of a waste of their time. I would rather give them solid

something to work with and not just say, "Oh, go off and, you know, create a template that we may or may not use." I

I just don't think that's efficient use of anybody's time. Mayor, if I may, um, to the council

member Halpern, we could prepare a a simple resolution that adopts a policy that the town is committed to transparency and will endeavor to place records online in much haste and then that could be

adopted at the next meeting by resolution to give staff and the attorneys time to then develop the

policy. I I just want to be direct and clear though that this will take months of work from both sides to prepare. Um

and I will say most communities that do this, they use a company called Laser Fish. They we're ballparking it's like

\$50 to \$500,000 a year to scan, upload, and maintain. You don't have to use

laser fish. There's other formats, but when you have the voluminous records, you tend to not be able to handle them

on the servers that you probably already have. Um, and there are other companies that do this, but my my point

is it may require an RFP um of some type, either for a company or maybe to buy additional town servers. But there there are more implications to this.

But but I think having a resolution that says this is our policy. We want transparency. we're going to do this as quickly as possible. We've directed staff to develop the policy and then come back to us with the procurement requirements to make this a reality. We

could definitely have something like that if that is what you are hoping for and your intent.

Well, I I'm open to a transparency policy. I think that's a good idea. But when I un the way I understood John's

concern that it's more like existing reports that the staff has already scanned and that we're not just like

scanning paper files that it's things like that we have studies um you know

whether it's a traffic study from the county anything data related anything we you know um NPDES reports things that

we're reporting out to other agencies that we probably already have in a PDF form and that we wouldn't really need,

you know, a a scanning investment. Um, so my understanding is a little

different, but I think the transparency resolution is a good idea. Yeah, that's super helpful. But I I just

want to be clear, like for example, we can't put public facility records online. It's a public safety issue. So

even if those records exist, right, to build this building um or the police station, someone has to check and make

sure those don't get put online. So, a human has to do that at some point,

either Caitlyn or the police officer, you know, the chief, but we will, a

human will be required, even if they're already all scanned and in the S drive,

a human will need to manually go through and say, "Oh, wait. This is a plumbing plan for the police department. We we can't put this on." So, I just want to be clear about that.

Okay. Thank you. Understood. Do we want to um direct staff with legal

advice to bring back the bring this back as an agenda item with their with a

memorandum on what they feel comfortable or what legally they can do? Is that how

we want to move forward with this? Just a thought, but go ahead Diana. I wanted to the it's my understanding that that GS1 GS2 record retentions is a list of documents and it's very voluminous but you could go through that and say put it on the web don't put it on the web. It

seems like that's an already made list that we could say go no go on. Um, and I

would be opposed to any resolution regarding all public records made a web made available on the website unless exempted by council or applicable law and think we should use something that's

not already defined in chapter 119 and call it public document or something just so we have an opportunity to define

what actually that means and not and we're not bound by the statutory definition. And um I would agree to a town committed to

transparency as long as it means something. And um

and I'm in favor of the data that's already existing in PDF form that's uh you know, for example, the spray records have to be kept for um for spraying around the lake. I would like all that to be online.

MAYOR: All right. So, we have a motion on the table and a second. Um D, if there's no

more discussion, we can go ahead. Let me ask I have a question for Diana. You're saying that if you want the word

public record, change the public documents. That's your preference, but you didn't make a amendment to that.

Does that mean you're voting no on the main motion if you don't do that? I would vote no on the main motion

unless we made that amendment. So, I guess I have a motion to amend and and substitute public documents for public records.

I'll second the amendment. Um, Caitlyn, would you read the motion

again? I might have a question. I mean, just a moment

for the amendment. For the whole motion with the amendment. Yes.

So the amendment is to change the term public records to public documents. The main motion is to adopt a town policy that states all public records with the

amendment all public documents made available to the on the made available on the town's website except as exempted

by council and enforceable law. I I guess another correction to that it should be I thought what Gemma said was applicable law not enforceable law. I don't know if that makes a difference

but applicable law is is common terminology. So can we make that that change? So that's part of the amended amendment and I have discussion too on the amendment that does not state that it's coming back to council. Did it state that?

I don't. Yes. As approved by council. Council. As exempted by council. Okay. Go ahead,

Diana. The I wanted to ask uh town attorney if changing it to public document. Does that throw us under chapter 119 or would that give us room to define what that term means?

You're asking Gemma, right? public document is better in my opinion.

Um I mean I'm just I always still doesn't get us there. Yeah. I mean you're it's given me a lot

of heartburn. I'm going to I would much prefer this to you to give us direction to prepare an agenda item with staff

where we come back and we we I we hear what you want. You can say, "Please prepare an agenda item to reflect the

vice mayor's intent for the next meeting." And we can come back to you with a proposed policy, perhaps maybe some quotes from the costs of these things, the list of what is exempt right now. Um, and the staff can come up with

a list of records that they have, records that are already scanned. I this is the kind of item candidly that I

would much there was great discussion before about the item and having it in advance. This

is a candidly a very serious item a significant item with a lot of potential implications and and litigation exposure if we make if we get it wrong and we expose one law enforcement officer's

address. So which is serious. Uh so I would much prefer direction to work with staff. We're happy to do it. we can put all those things together and bring it back for December.

And I I'm gonna defer to legal on this because I think I I can see you getting heartburn over here. So, um I probably wouldn't be in favor of John's motion with the amendment, but I would be in favor of doing what uh our town attorney has stated. Any other comment?

I'm okay with what the town attorney stated as well, Dy or Marianne.

Yeah, I I agree with the town attorney that it should be brought back after they had sufficient time to meet with

staff and discuss the parameters of this. All right, Marianne, do you have any additional comments? It makes sense what the town attorney says. Okay, so the motion on the table is not

what the town attorney has said, but we have to go. We have to do a roll call on the motion. John, did you have another

any other comments before we do a roll call? Um, the only comment is I could see this

dragging on for months and it very getting very expensive. If you take it to the town attorney, look at all

aspects of heartburn costs and things. So, I think the council's um going to going to lose a few months on this by doing it. So that's why I would say just move forward, get on record that we want

to go to this policy and so vote the motion down. I'll I'll be the a nay and the lone wolf and you four vote it down. That's all. MAYOR: All right. So we'll do a roll call on

the motion. This roll call is just on the amendment which is to change the term public

records to public documents and enforceable to applicable. And

can you put the microphone? Oh, I'll withdraw that amendment. Does the second withdraw?

The original motion is to adopt a town policy that states all records be made available on the town's on the website

except as exempted by council and applicable law.

Hey, Council Member Halpern, is this what you know said this got this

this is a good idea that's getting muddled by trying to rush it through

without the due diligence of the attorney and I would like the emotion. I

would like the motion to pass because it's important and I like the transparency uh resolution. So,

but John, I'm I'm struggling with this because I I like to review things. I don't like to just do, you know, flash

in the pan resolutions. It it just doesn't feel right from a review perspective. I mean, so I I agree with

the core of the goal, but not the process to get

to the goal. And I don't think speed alone should be how we judge the success of what we're doing. And that's my

concern. So I'll have to vote nay. Any other discussion before roll call.

MAYOR: All right. Roll call, please. Council member Halpern. Nay.

Council member Hosta. Nay. Vice Mayor Pro Tim Davis.

Nay. Vice Mayor Callahan. AYE. Mayor Wheeler. Nay. Motion fails for Could I get another motion on the table? I would like to make a motion to have the town attorney work with the town

staff to bring council. Um I'm trying to

paraphrase Gemma to you could just say as stated by the town attorney earlier

by the town attorney item that reflects um Vice Mayor Callian's desire to have um records and documents posted on the town website for transparency. I'll second that

discussion. And before we start discussion, Caitlyn, did you have a question on the last one?

No. Okay. And discussion? No. Do we have any additional discussion

on on this motion? With no discussion, I'll go ahead and do a roll call.

Council member Hosta. No, this is just the general idea. Now,

this is what the town attorney stated. Okay. MAYOR: All right. Hi, Council Member Halpern.

Hi, Vice Mayor Pro Tim Davis. I, Vice Mayor Callahan. I,

Mayor Willer, AYE. Unanimous. Thank you. Do you want to go to C? We're going to go to council comments. You've got 40

seconds each and you're going to be held to that. Maybe 30 seconds. So, if you want to say some stuff really quick. Can

you put the timer on? We'll go ahead and Dee, do you have anything? Yes. I would just like to know um if the

staff can provide council with the deadlines and dates that we have to submit. Um, I guess are we going to do a

premeating workshop for the next council meeting or anything like that? So, I

just need to know how to prepare. The premeeting workshops we I think decided were going to be based on the agenda. So, their agenda review a week ahead of the scheduled regular meeting, which would be what date for December? December 3rd is the Wednesday prior to the meeting.

Okay. So, we're having a meeting that day. At what time? I need to be able to plan my my work and my life around these

things. I need to advance notice. It's scheduled for December 3rd. We got to just Is it scheduled right now for

December 3rd? It's it's what council asked for consensus. It's not on the calendar yet for December 3rd.

Okay. Those are the that is the date that the C the So perhaps Caitlyn can go through and get an idea of when we can all meet then

or I'm good for the third. If you want staff to send out an email.

And and I' I'd like to request that these meetings be in the afternoon so residents can also hear what's going on

and and be sensitive to those of us who have work obligations during the day.

Okay. MAYOR: All right. Deut. Thank you. Maryann, do you have anything? Oh. Diana,

um, short. Keep it short. Well, I wanted to thank you for the Veterans Day ceremony. I thought that

that was very nice. I appreciate the staff coming in on a a scheduled

holiday. And um, it was it was a great community event. And I want to thank our neighbors with Frenchman's Creek Beach

Club. Um they did a great job with the food and uh it was a nice time to get

together by all. Thank you, John. Um thank you, mayor. Um a lot of people

have asked me if I'm going to run for council uh this upcoming. I've made a decision. I've asked people to weigh in

on it and give me their opinion, and I've come to a conclusion that I am not going to run. Thank you.

MAYOR: All right. I just want to ask quickly if anybody wants to reconsider the Kagan Park playground equipment because um I'd

like to see us do the entire park first and you know get that done and take a look at that. Um we've got the money

sitting there and I'm not that happy with the \$100,000 that wasn't really earmarked for the playground equipment.

It was supposed to be for Kagan Park as a whole. Um anybody that would reconsider if not you can just say no or

yes. Dee No, I I'm um happy to move.

That's fine. No, I just know or yes that Marianne

microphone. MAYOR: All right. I I have to think this through. This is like standing in front of a firing squad. It's okay if you don't want to

reconsider it. You know, I need I need It doesn't mean that I don't want to consider, but it's really sprung on me

and I have to think about it. Um Diana, I'm in the

John. Okay. And then I want to thank um staff for the wonderful Veterans Day ceremony

and Frenchman's speech club and um the you know, it was just it was amazing. It really was. And everybody had a great time and our staff does such a wonderful job of putting our

You forgot to mention Waterford who put on a wonderful luncheon for us.

Yes, they did. On Veterans Day. Yes, they did that too. That was very, very nice. So, thanks. Thank you to

Thank you, Waterford. And sorry, they Oh, yeah. Are we going to have Thanksgiving before we come

back? That's true. We are. So, everyone have a happy Thanksgiving everyone out there, please. And happy Thanksgiving to the council. Thank you to everybody. And the meeting is adjourned.

Town of Juno Beach Town Council Meeting Minutes

Regular Meeting – November 12, 5:00 PM

Call to Order and Pledge of Allegiance

The meeting was called to order on November 12th at 5:00 PM. Attendees were requested to stand for the Pledge of Allegiance.

Approval of Agenda

The mayor asked if there were any additions, deletions, or substitutions to the agenda. Caitlyn confirmed there were none. A council request was made to move the single-family appearance review discussion before item four to accommodate residents present for that topic. While there was initial hesitation, consensus was reached to keep the agenda as is, with the understanding that public accommodation would be made when possible. No further changes were proposed.

Town Manager's Comments

The Town Manager provided an update from a recent workshop regarding Palm Beach County Fire Department legislation. A draft letter from the Fire Chief was distributed to council members and elected officials. The letter, along with the legislation and an opposition letter from the Palm Beach County League of Cities, was reviewed. The League's opposition was rooted in concerns about double taxation and the process of coordination with member cities. However, both the legislation and the League's own letter indicate that intergovernmental agreements could prevent double taxation. Legal concerns expressed by the League were deemed unsubstantial upon review, and the Town's legal counsel was tasked with further analysis.

The Town Manager explained that the proposed legislation would impact municipalities differently, depending on whether they have their own fire departments or contract with the county. Juno Beach contracts with Palm Beach County for fire services, so the legislation is not expected to adversely affect the town and may, in fact, be beneficial. The manager requested council authorization to send a letter in support of the Fire Chief's position.

Council Comments on Fire Department Legislation

During council discussion, support was voiced for sending the requested letter. A desire to have the town attorney review the League of Cities' position was expressed. The town attorney summarized the legal aspects, noting that while the League's concerns about duplicative procedures and potential conflicts with state statutes were valid, these do not preclude council support for the legislation, particularly given Juno Beach's unique situation.

Following further clarification and discussion, a motion was made and seconded to send a letter in support of the local fire department. The roll call vote was unanimous in favor.

Introduction of New Town Attorneys

The council and community welcomed new town attorneys Gemma Torivia and Zackery Good. Both expressed gratitude for the opportunity and enthusiasm to serve the town.

Town Attorney's Report

The attorney reported on House Bill 145, which proposes an increase in sovereign immunity caps for municipalities. The current cap is \$200,000 per person and \$300,000 per incident. The bill seeks to raise these to \$600,000 per person and up to \$1.1 million per incident by 2031. The League of Cities opposes the bill, and the attorney recommended that council consider opposing it as well, particularly due to its significant impact on small towns like Juno Beach.

Staff and Public Comments

No additional comments were provided by staff.

Public Comment Period

Several residents addressed the council, expressing concerns about citizen priorities, town spending, attorney fees, and perceived lack of responsiveness to resident needs. Specific issues raised included long-delayed infrastructure improvements, fiscal responsibility, attorney expenses, and opposition to certain council members' handling of legal matters. Additional topics included the use of grant funds, divisiveness in the town, and the need for accountability in spending.