

DRAFT - MINUTES
TOWN OF JUNO BEACH
SPECIAL TOWN COUNCIL MEETING

May 31, 2023

Council Chambers/YouTube
340 Ocean Drive

PRESENT: ALEXANDER COOKE, MAYOR
PEGGY WHEELER, VICE MAYOR
MARIANNE HOSTA, VICE MAYOR PRO TEM
ELAINE K. COTRONAKIS, COUNCILMEMBER
DD HALPERN, COUNCILMEMBER

ALSO PRESENT: DAVID DYESS, TOWN MANAGER
LEONARD RUBIN, TOWN ATTORNEY
CAITLIN E. COPELAND-RODRIGUEZ, TOWN CLERK
ANDREA DOBBINS, PROJECT COORDINATOR/RISK MANAGER
FRANK DAVILA, DIRECTOR OF PLANNING & ZONING

ABSENT:

Audience: 12

~ CALL TO ORDER – 5:30 PM
~ PLEDGE OF ALLEGIANCE TO THE FLAG
~ ADDITIONS, DELETIONS, SUBSTITUTIONS TO THE AGENDA - None
(Time: :57 – 1:27) (**TIME STAMP IS BASED OFF OF [YOUTUBE VIDEO](#)**)

1. **COMMENTS FROM THE PUBLIC** (Time: 1:28 - 7:44)
All Non-Agenda items are limited to three (3) minutes. Anyone wishing to speak is asked to complete a comment card with their name and address prior to the start of the meeting as well as state their name and address for the record when called upon to speak (prior to addressing the Town Council). Town Council will not discuss these items this evening. Any issues will be referred to Staff for investigation; a report will be forwarded to the Town Council; and citizens will be contacted.

Public Comments Opened at 5:30pm.

Town Clerk Copeland-Rodriguez read a comment into the record (*see attached*).

Beverly Gibel, 451 Olympus Blvd., commented on transparency for the Town website.

John Stelluto, 401 Sunset Way, expressed concern on the retirement party/gift funding approved at the last meeting.

Public Comments Closed at 5:36pm.

2. **KAGAN PARK EXERCISE EQUIPMENT** (Time: 7:45 – 51:20)
(Project Coordinator/Risk Manager Dobbins)

Project Coordinator/Risk Manager Dobbins reiterated what is being asked at this time of the Town Council and asked if they had any questions.

Council reviewed, discussed and asked staff questions on this item.

Public Comments Opened at 5:40pm.

April Sovich, Juno Beach Resident, commented on this item.

Jacqueline Herbsman, commented on this item.

Public Comments Closed at 5:45pm.

MOTION: Halpern/Cotronakis made a motion to utilize the FRDAP funds for replacing the adult exercise equipment in Kagan Park.

Town Clerk Copeland-Rodriguez conducted a roll call on the motion.

ACTION: The motion passed 3-2 with Mayor Cooke and Vice Mayor Pro Tem Hosta opposed.

Vice Mayor Wheeler, Councilmember Cotronakis, and Councilmember Halpern gave consensus to have green turf, blue exercise equipment, and balance board for Kagan Park.

The Council gave unanimous consensus to have staff work with Kompan on options for the Kagan Park Playground Equipment with the cost not to exceed of \$225,000; and provide the options at the next meeting.

The Council gave unanimous consensus to move Item #5 up to Item #3.

3. **DISCUSSION ON PROPOSED LEAF BLOWER ORDINANCE – NOISE LEVEL AND FUEL TYPE** (Time: 51:21 – 1:28:11)
(Per the request of Councilmember Halpern)

Councilmember Halpern explained that residents have mentioned being in favor of this type of ordinance.

Public Comments Opened at 6:21pm.

Town Clerk Copeland-Rodriguez read comments into the record (*see attached*).

David Cox commented on this item (*see attached*).

Mr. Stelluto commented on this item.

Red Dunn, 440 Sunset Way, commented on this item.
April Sovich, Juno Beach Resident, commented on this item.

Public Comments Closed at 6:36pm.

Council reviewed, discussed and asked staff questions on this item.

MOTION: Halpern/Hosta made a motion to create an ordinance banning the use of gasoline powered leaf blowers within the Town with a phased in adoption date.

Town Clerk Copeland-Rodriguez conducted a roll call on this motion.

ACTION: The motion passed unanimously.

4. **DISCUSSION ON PLANNING & ZONING BOARD MAY 1, 2023 WORKSHOP**
(Time: 1:28:12 – 1:48:56)
(Director of Planning & Zoning Davila)

Director of Planning & Zoning Davila went over the memorandum and asked Council if they had any questions.

The council gave unanimous consensus to leave the Comprehensive Development Plan as is.

Public Comments Opened at 7:05pm.

Jim Ferguson commented on this item.

Public Comments Closed at 7:07pm.

Council reviewed, discussed, and asked staff questions on this item.

The Council gave unanimous consensus to not move forward with any recommendations except #5 – Topographical Features for which Council requested more discussion and detail from the Planning & Zoning Board.

5. **DISCUSSION ON THE PROCESS OF PRIORITIZING AGENDA ITEMS FOR THE PLANNING & ZONING BOARD** (Time: 1:48:57 – 2:07:58)
(Per the request of Vice Mayor Wheeler)

Vice Mayor Wheeler asked Council for a consensus to have the Planning & Zoning Board discuss setbacks in the Commercial General Zoning District.

Council reviewed, discussed, and asked staff questions on this item.

The Council gave unanimous consensus to have the Planning & Zoning Board discuss setback requirements for the Commercial General Zoning District; and the Wall/Fence Code.

The Council gave unanimous consensus to have a discussion regarding erosion protection measures for adjoining properties on a future agenda.

The Council gave unanimous consensus to have the Planning & Zoning Board discuss the topics on the list and then for the future to use the procedure of obtaining a consensus from the Board to add items relating to Chapter 34 only to the Board's agenda.

6. **COMMENTS FROM TOWN MANAGER** (Time: 2:07:59 – 2:08:07) - None
7. **COMMENTS FROM TOWN ATTORNEY** (Time: 2:08:08 – 2:08:09) - None
8. **COMMENTS FROM STAFF** (Time: 2:08:10 – 2:08:39)

Town Clerk Copeland-Rodriguez went over upcoming event and meeting dates.

9. **COMMENTS FROM COUNCIL** (Time: 2:08:40 – 3:19:15)

Councilmember Halpern inquired about hiring an additional code enforcement officer; expressed concern on traffic backup during events such as Art Fest; and asked to put a discussion on the next agenda about the turtle lighting for street lights.

The Council gave unanimous consensus to put the discussion of turtle lighting on the next agenda.

Councilmember Cotronakis expressed concern on the Mayor's email sent on May 25th.

Council reviewed and discussed the retirement funds that were approved for former Town Manager Lo Bello and Finance Director Pazanski at the last meeting.

Vice Mayor Wheeler, Councilmember Cotronakis, and Councilmember Halpern gave consensus to continue with retirement gifts for former Town Manager Lo Bello and Finance Director Pazanski in an amount not to exceed of \$7,000 (\$3,500 each); and have staff prepare options with costs for the joint retirement party to discuss at the next meeting.

Vice Mayor Wheeler commented on the Town's maintenance including all areas of the Town and asked Council for a consensus to send a sympathy card to Ms. Pinard and family.

No consensus was given.

Vice Mayor Wheeler asked for consensus to specify which Councilmembers were part of the consensus on future minutes.

The Council unanimously gave consensus to specify in the minutes which Councilmembers were part of the consensus.

Vice Mayor Wheeler inquired about the Veteran's Day monument and confirmed with staff that a ceremony will take place for the reveal.

Mayor Cooke announced that the Council is looking for Auditor Selection Committee members and inquired about the Caretta Project.

Director of Planning & Zoning Davila provided traffic updates from Palm Beach County and an update on the potential purchase of The Surf Condominium.

10. **ADJOURNMENT** (Time: 3:19:16 – 3:19:30)

Mayor Cooke adjourned the meeting at 8:48pm.

Alexander Cooke, Mayor

Caitlin E. Copeland-Rodriguez, Town Clerk

Steve Allen

serealty@gmail.com

451 Olympus Drive
Juno Beach, Florida 33408

Phone 561-832-7880

May 29, 2023

To: Town Council of Juno Beach
From: Steve Allen

I support:

Another unbiased set of eyes looking over the finances of the town as a necessity. In every municipality there is waste and unnecessary expenditures. As tax payer I want transparency from an unbiased 3rd party made up of local citizens.

The going away party and monetary gift for Joe DeBello is an OUTRAGOUS waste of money. Joe was a very good Town Manager. He got compensated royally compared to other town managers in municipalities in Palm Beach County and in addition received an unbelievable retirement package. To spend \$7-10,000 on a party is unconscionable and a waste of tax payers' money.

I suggest that the Town Council on their web site have a listing of all intended, current and projected projects and expenditures so any interested parties can view anytime (Transparency).

The main concerns for the Town Council should always be:
How can we preserve the uniqueness of this small beachside town.
How can the council be informative and always provide transparency of finances and agenda items to the citizens of Juno Beach.

Sincerely,
Steve Allen



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Form submission from: PUBLIC COMMENTS

1 message

Town of Juno Beach Florida <juno-beach-fl@municodeweb.com>
Reply-To: Town of Juno Beach Florida <ccopeland@juno-beach.fl.us>
To: ccopeland@juno-beach.fl.us

Tue, Apr 25, 2023 at 4:08 PM

Submitted on Tuesday, April 25, 2023 - 4:08pm

Submitted by anonymous user: 172.58.174.213

Submitted values are:

First Name Debra

Last Name Levulis

Address 401 Sunset Way Juno Beach FL

Email Address johndeb642@gmail.com

Agenda Item Number (Ex: 1, 2, 3) Item 17 Gas powered Leaf Blowers

Public Comment / Question

- This item was postponed until May.

I am Debra Levulis residing at 401 Sunset Way Juno Beach. I and my husband John walk around Pelican Lake each day. We on a regular basis breathe in exhaust of commercial landscaper gasoline power equipment being used around town hall and condo properties as well as home properties. This exhaust is unhealthy to breathe and is exceeding loud. There is an opportunity for our town to be concerned about this pollution and move to have landscaping companies move to cleaner and quieter battery powered landscaping equipment. Our town can give companies time and money grant incentives to comply to using only battery powered landscape equipment. The town of Juno Beach must consider item 17 on the agenda to create an ordinance on limiting gasoline powered landscape equipment and create an strong enforcement policy to follow thank you.

The results of this submission may be viewed at:

<https://www.juno-beach.fl.us/node/2951/submission/19467>



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Leaf Blowers

1 message

'Michelle Noga' via Council <town_council@juno-beach.fl.us>

Mon, May 15, 2023 at 10:01 AM

Reply-To: Michelle Noga <michellenoga@mac.com>

To: town_council@juno-beach.fl.us

Dear Mayor Cooke, Vice Mayor Wheeler, Vice Mayor Pro Tem Hosta, Councilwoman Halpren and Councilwoman Cotronakis,

I have been a resident of Juno Beach for 13 years and love this beautiful coastal town and the quality of life it provides.

I am writing to let you know I am in favor of adopting the ordinances for leaf blowers in Juno Beach.

They are a chronic nuisance and health hazard. The toxic exhaust, dangerous dust and extreme noise they create are potentially harmful to everyone.

The EPA has shown that leaf blowers and other gas powered lawn and garden equipment expose workers and the public to high levels of toxic and carcinogenic emissions such as benzene, butadine, formaldehyde and fine particles.

The worst danger... The small particles they release known as "PM2.5" are an invisible and nasty pollutant. Particles of under PM2.5 remain in the air for up to several hours after discharge. They are breathable, and pass the lung blood barrier going directly into the blood of the circulatory system. PM2.5 have diameter of 2.5 micrometers or smaller. To put it in perspective, one strand of human hair is 70 micrometers which is 30 times larger than the largest fine particulate matter. So we can't tell when we are breathing in harmful contaminants.

The more documented research I read, the more I am in favor of banning them entirely.

Thank you for your consideration and appreciate all of the hard work you do to make Juno Beach a wonderful place to live.

Sincerely,

Michelle Noga

C: 561-801-3885

291 Mercury Circle #1

Juno Beach, FL 33408



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Fwd: Proposed Leaf Blower Ordinance

1 message

DD Halpern, Juno Beach Town Council <dhalpern@juno-beach.fl.us>
To: Caitlin Copeland <ccopeland@juno-beach.fl.us>

Wed, May 24, 2023 at 11:56 AM

Please share with Council and print for the record if this hasn't been shared already.

Thank you,
DD Halpern
Town of Juno Beach
561-972-1644

#14

----- Forwarded message -----

From: **Diana Mosolf** <dmosolf@gmail.com>

Date: Tue, May 9, 2023 at 11:59 AM

Subject: Proposed Leaf Blower Ordinance

To: Beach Juno <town_council@juno-beach.fl.us>

Cc: Mosolf Chuck <chuck.mosolf@gmail.com>, Holder Donna <donna2030@yahoo.com>, Noga Michelle <michellenoga@mac.com>, Conforti Michael <confortimike@yahoo.com>, Palumbo Liz <lizzpalumbo@gmail.com>, Packwood Tim <timpackwood80@gmail.com>, Ojea Peggy <pegojea@gmail.com>, Spies Ted <tspies1@gmail.com>, Schumacker Annette (Jerry) <schu_fam@comcast.net>

I am totally in favor of adopting both ordinances as pertains to leaf blowers.
The noise on Mercury Circle is obnoxious and deafening.
Diana Mosolf
241 Mercury Circle

Sent from Diana's new iPad Air



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Fwd: Leaf Blower Ordinance

1 message

DD Halpern, Juno Beach Town Council <dhalpern@juno-beach.fl.us>
To: Caitlin Copeland <ccopeland@juno-beach.fl.us>

Wed, May 24, 2023 at 11:57 AM

Hi Caitlin,
Please print this for tonight's record of backup materials.

Thank you,
DD Halpern
Town of Juno Beach
561-972-1644

#14

----- Forwarded message -----

From: **Elizabeth Palumbo** <lizzpalumbo@gmail.com>
Date: Wed, May 10, 2023 at 12:50 PM
Subject: Leaf Blower Ordinance
To: <town_council@juno-beach.fl.us>

Hi Town Council,

We are in favor of supporting both proposed ordinances concerning the extremely noisy and negative impact created by "leaf blowers"...

Maybe landscape companies could even consider a noise cancelling "leaf vacuum" that would collect the clippings and compost them.

Thank you for addressing this concern for our beautiful town.
Liz Kehoe Palumbo



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Form submission from: PUBLIC COMMENTS

1 message

Town of Juno Beach Florida <juno-beach-fl@municodeweb.com>
Reply-To: Town of Juno Beach Florida <ccopeland@juno-beach.fl.us>
To: ccopeland@juno-beach.fl.us

Wed, May 24, 2023 at 4:17 PM

Submitted on Wednesday, May 24, 2023 - 4:17pm

Submitted by anonymous user: 73.205.143.27

Submitted values are:

First Name Michael

Last Name Shea

Address 13878 Oleander Ave.

Email Address mjs1918@icloud.com

Agenda Item Number (Ex: 1, 2, 3) Discussion on proposed leaf blower ordinance.

Public Comment / Question

My wife and I very much support this proposed ban on gasoline powered leaf blowers in the town of Juno Beach. Our bedroom is 15 feet away from the back parking lot of the Park place office condominium on US one. Not only is the leaf blower startling to hear when we're sleeping with the windows open during the winter, but the incredible toxicity of the fumes blowing into our bedroom and the house creates a toxic atmosphere. Noise pollution and hydrocarbon pollution are serious threats and risk factors for many health problems as demonstrated in research literature. We support the same type of ordinance that the town of Palm Beach has.

The results of this submission may be viewed at:

<https://www.juno-beach.fl.us/node/2951/submission/19498>



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Form submission from: PUBLIC COMMENTS

1 message

Town of Juno Beach Florida <juno-beach-fl@municodeweb.com>
Reply-To: Town of Juno Beach Florida <ccopeland@juno-beach.fl.us>
To: ccopeland@juno-beach.fl.us

Mon, May 29, 2023 at 3:09 PM

Submitted on Monday, May 29, 2023 - 3:09pm

Submitted by anonymous user: 172.58.128.56

Submitted values are:

First Name Debra

Last Name Levulis

Address 401 Sunset Way Juno Beach FL

Email Address johndeb642@gmail.com

Agenda Item Number (Ex: 1, 2, 3) Agenda Item 5 Leaf Blower

Public Comment / Question

My husband and I walk around Pelican Lake daily and am assaulted regularly with ear deafening two stroke engine powered leafblower and edger and lawnmower exhaust and particle debris. This lawn maintenance routine by homeowners condos and our town is not healthy for the maintenance workers or us the residents . Battery powered lawn maintenance can environmentally friendly and keep all of us safer. If a company needs monetary help to switch from polluting maintenance equipment to battery power equipment there can be a grant awarded by our town to assist low income landscape companies.

The results of this submission may be viewed at:

<https://www.juno-beach.fl.us/node/2951/submission/19502>



Caitlin Copeland <ccopeland@juno-beach.fl.us>

Form submission from: PUBLIC COMMENTS

1 message

Town of Juno Beach Florida <juno-beach-fl@municodeweb.com>
Reply-To: Town of Juno Beach Florida <ccopeland@juno-beach.fl.us>
To: ccopeland@juno-beach.fl.us

Mon, May 29, 2023 at 4:45 PM

Submitted on Monday, May 29, 2023 - 4:45pm

Submitted by anonymous user: 98.53.25.117

Submitted values are:

First Name Karen
Last Name Stevens
Address 402 Sea Oats Dr, Apt C
Email Address kgfs44@bellsouth.net
Agenda Item Number (Ex: 1, 2, 3) 5
Public Comment / Question

I live in Sea Oats and the blowing started at 8:15 this am. It has just now quieted down at 4:30pm. Not only is it terribly disturbing but they blow stuff all over which still requires you to rake out the mess they leave behind and discard. I would LOVE to see the use of leaf blowers go away. (Didn't some neighbor somewhere in America shoot his neighbor over a leaf blower?) The noise is is pretty unbearable. Thanks, I'll anxiously await this vote!

The results of this submission may be viewed at:

<https://www.juno-beach.fl.us/node/2951/submission/19503>

Restrictions on blowers should be sound level based not whether they are gas or electric powered. Some Newer gas blowers have some ability to muffle the sound and many cordless electric ones have sound ratings. Muffling reduces power. You need power to direct debris in windy conditions.

First the Town should agree on a sound level at 50 ft either 65 or 70 db. And perhaps for a duration. Council would be well served to have a field test of various equipment that has a certified sound level.

They should apply only to commercial contractors not to homeowners.

Most complaints are probably about landscapers which is a weekly activity.

Blowing incidental to other construction work should be exempt.

Preparations before and after a hurricane should be exempt.

The Town could adopt an ordinance or amend a code to require landscapers working in the Town to provide documentation from the manufacturer as to the sound level of their blower. They could provide the model, brand and serial number of their equipment which would be on file. A modest fee could be charged as well as a fine for changing equipment without re-registering compliant equipment.

Potential Problems of banning gas blowers

1. How does a landscaper charge Lithium batteries in the field?
2. What is the danger if rain wets a Lithium battery while it is being charged?
3. Does he use an inverter and run his truck or use an onboard gas powered noisy generator?
4. Significant increase in cost of landscaping to residents.

Other sources of annoying sound pollution:

1. Trucks and commercial equipment backing up.
2. Power generators after a hurricane.
3. Motorcycles. Town has done a good job policing.
4. Loud car stereos. Town has done a good job policing.
5. Loud AC condensers through the wall in a condo. Very little can be done because of the scarcity of available equipment and energy code requirements.