

**FINAL AGENDA AND MINUTES  
TOWN OF JUPITER  
TOWN COUNCIL SPECIAL MEETING  
COUNCIL CHAMBERS  
THURSDAY, SEPTEMBER 8, 2016**

Mayor Wodraska called the meeting to order at 7:00 P.M.

Roll Call: Mayor Todd R. Wodraska; Vice-Mayor Ilan G. Kaufer; Councilor Ron Delaney; Councilor Jim Kuretski; Councilor Wayne R. Posner arrived at 7:05 P.M; Town Manager Andrew D. Lukasik; Town Attorney Thomas J. Baird and Town Clerk Sally M. Boylan.

**PUBLIC HEARINGS**

1. **Ordinance 19-16, First Reading, Approval of 2017 Millage rate.**  
(Second Reading 9/20/16)
2. Public Hearing: 2017 Operating Budget.
3. **Ordinance 20-16, First Reading, Approval of 2016-2017 Community Investment Program.** (Second Reading 9/20/16)

Mr. Lukasik highlighted the presentation for the 2017 Budget.

He discussed the millage rate was between a roll-back rate and the previous year's rate. Mr. Lukasik stated the Town would be investing in fourteen new positions, totaling \$750k to fund the positions. He also mentioned the pay-for-performance would continue and it was funded at four percent. Mr. Lukasik mentioned the priority-based budgeting model which reduced non-essential programs and services.

Mr. Lukasik said the 2017 Budget represented a \$ 2.9 million increase over the 2016 original budget. He mentioned the fourteen new personnel positions included two positions in the Police Department, which would help with implementation of the body camera program, two positions in Public Works, three in Water Utility and one each in Code Compliance, Building, Community Relations, Recreation and three part-time Camp Counselors. He stated the mentioned positions were either technical or service level.

Mr. Lukasik said revenues in the General Fund would increase over two million dollars. He discussed the millage rate impact chart. Mr. Lukasik said a homestead property with a value of \$350k would pay roughly \$745.03 to the Town based upon a rate of 2.4633. A non-homestead property would have an increase of approximately \$72.00.

Mr. Lukasik briefly discussed the General Fund Revenue and Expenditures and mentioned the health insurance rates remained static and the Clinic would remain available for Town employees.

## **PUBLIC HEARINGS**

1. **Ordinance 19-16, First Reading, Approval of 2017 Millage rate.**  
(Second Reading 9/20/16)
2. Public Hearing: 2017 Operating Budget.
3. **Ordinance 20-16, First Reading, Approval of 2016-2017 Community Investment Program.** (Second Reading 9/20/16)

Mr. Lukasik mentioned highlights of the Water, Stormwater Utility and Building Funds, regarding operating costs, equipment replacement and increased staffing.

Councilor Posner and Mr. Lukasik discussed the population and history of millage rates.

Councilor Posner discussed homestead average values and noted he felt good that taxes were not going up significantly. Mr. Lukasik mentioned an error on recent tax notifications sent to the public and noted there was a tool on the Town's website that would identify the correct tax amount.

Councilor Posner noted non-homesteaded home owners and commercial property owners would see a more significant increase. He asked if those numbers could be lowered.

Mayor Wodraska and Councilor Posner discussed how the millage rate was achieved. Mr. Lukasik said he could prepare an analysis and present options.

Vice-Mayor Kaufer cautioned against cutting the millage rate further which could lead to budget shortfalls for emergency conditions.

Councilor Kuretski reiterated his concerns regarding the budget representing a burden for businesses and non-homesteaded home owners and felt the Town should look at total dollars instead of ad valorem rates. He opposed the rate because of the ad valorem collections for the past five years and associated spending habits and the amount of the general fund balance.

Mayor Wodraska mentioned discussions at past workshops and noted the vote would represent first reading for the millage rate based on what was proposed by Staff. He confirmed Mr. Lukasik would present further options before second reading.

**PUBLIC HEARINGS**

1. **Ordinance 19-16, First Reading, Approval of 2017 Millage rate.**  
(Second Reading 9/20/16)
  
2. Public Hearing: 2017 Operating Budget.
  
3. **Ordinance 20-16, First Reading, Approval of 2016-2017 Community Investment Program.** (Second Reading 9/20/16)

Vice-Mayor Kaufer moved to approve Ordinance 19-16; seconded by Councilor Delaney; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	No	Yes

Councilor Kuretski also opposed the CIP budget. He felt his comments from the last workshop were ignored. Councilor Kuretski cited he did not support deficit spending plans at a local government level with many discretionary type projects. He also opposed growing government by constructing a partial community broadband network.

Vice-Mayor Kaufer moved to approve Ordinance 20-16; seconded by Councilor Posner; motion passed.

Title read by Mr. Baird.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	No	Yes

**PRESENTATION**

4. Economic Development Loan Candidate – BioCurity Holdings, Inc. – Dr. Jay Ramsey, MD and Ms. Nancy Cass.

Dr. Jay Ramsey, MD, PhD and Chief Scientist, explained BioCurity had developed a technology which protected healthy tissue in people who were receiving radiation as part of their cancer treatment. He highlighted the presentation which included treatment for severe skin burns, drug development phases, information on the advisory team and a financial evaluation of the organization.

Mayor Wodraska asked how many people were employed by the company.

Dr. Ramsey stated currently there were four employees, but additional employees would be needed as the company grew. In regards to manufacturing and testing, those items were contracted out to other companies.

**PRESENTATION**

Ms. Nancy Cass, Financial Advisor, stated they were planning to locate their executive office in Jupiter.

Councilor Posner asked if the product would have any hazardous material.

Dr. Ramsey stated the product was not considered a health threat.

Councilor Posner asked when BioCurity wanted to begin.

Ms. Cass stated they hoped to begin in October 2016 and be in phase one of clinical trials by the summer of 2017.

Councilor Delaney asked when the product would get to market.

Dr. Ramsey stated three to five years for approval and then another year to manufacture product for a million people.

Mr. Brian Cartland with the Business Development Board of Palm Beach County believed the advisory team was a vital part of the ecosystem which needed to be encouraged in the area and asked Council to consider them.

Councilor Kuretski asked what BioCurity would be giving as collateral.

Mr. Michael Villella, Director of Finance, stated BioCurity would put up their intellectual property as collateral for the loan.

Councilor Kuretski asked if there would be enforcement of the contract in regards to collateral if there were a default.

Mr. Baird stated in the past, the Town's money had been taken first by the bank when there was a default. He stated what the Town would want to do in the case of a default was to have the bank take the collateral before the Town's money. He did not believe the bank would agree to that request, but the Town could ask.

Vice-Mayor Kaufer moved to authorize Staff to proceed with the Loan Guarantee for Council's consideration; seconded by Councilor Posner; motion passed.

Wodraska  
Yes

Kaufer  
Yes

Delaney  
Yes

Kuretski  
Yes

Posner  
Yes

### **CITIZEN COMMENTS**

Ms. Cheryl Schneider, resident of West Mallory Boulevard, disagreed with the CRA Staff who recommended Council to approve changing the level of service on A1A.

Ms. Terri Grooms, resident of North Perry Avenue, also disagreed with changing the level of service on A1A.

Ms. MB Hague, resident of Bourne Drive, stated issues within the Inlet needed to be addressed, including parking, traffic, and level of service.

Ms. Carol Watson, resident of Sea Breeze Circle, distributed flyers to Council from Friends of Jupiter Beach to educate people about having dogs on the beach.

### **MINUTES**

#### **5. August 16, 2016 Town Council Meeting Minutes.**

Councilor Posner moved to approve the August 16, 2016 Town Council Meeting Minutes; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

### **CONSENT AGENDA**

All items listed in this portion of the agenda are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests; in which event, the item will be removed and considered at the beginning of the regular agenda.

- Ms. Cheryl Schneider, Councilor Kuretski, Councilor Delaney and Vice-Mayor Kaufer removed item 9.

Vice-Mayor Kaufer moved to approve the Consent Agenda, as amended; seconded by Councilor Delaney; motion passed.

Wodraska	Kaufer	Delaney	Kuretski	Posner
Yes	Yes	Yes	Yes	Yes

### **CONSENT AGENDA**

### **PUBLIC BUSINESS**

- 6. Resolution 63-16, Approval of replat titled "Loxahatchee Club at Maplewood Plat No. 23 Phase II."**
- 7. Approving Contract award EPW 2016-29 for the Collector Roadway Lighting to One Call Property Services, Inc. in an amount not to exceed \$188, 739.00.**

## **CONSENT AGENDA**

### **PUBLIC BUSINESS**

8. Approving a contribution of \$30,000 to help provide funding assistance to the Andrew "Red" Harris Artificial Reef Foundation.
9. Consideration of authorizing the engagement of GrayRobinson, PA to provide Legal Counsel on Communications Law issues and authorizing the Town Attorney to execute an Engagement Letter. **MOVED TO REGULAR AGENDA**

## **END OF CONSENT AGENDA**

### **REGULAR AGENDA**

#### **ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA**

9. Consideration of authorizing the engagement of GrayRobinson, PA to provide Legal Counsel on Communications Law issues and authorizing the Town Attorney to execute an Engagement Letter.

Vice-Mayor Kaufer explained there may be a conflict with this item due to his employment with Florida Power and Light and he planned to abstain from voting on this item.

Councilor Kuretski stated he contacted the Commission on Ethics and based on his position he would not have a conflict with the item.

Councilor Delaney asked if the broadband system would be accessible to the entire Town.

Mr. Lukasik stated the Town would own the infrastructure and it would be accessible to all areas of the Town.

Ms. Cheryl Schneider asked why the Staff would recommend a communications Attorney with conflicts of interest to advise on the proposed broadband project and suggested the Town to find another attorney without any conflicts.

Mr. Baird stated Mr. Gary Resnick, the attorney being recommended for hire, had previously represented Hotwire but did not currently. He mentioned Mr. Resnick could clarify any concerns with Council if needed or Council could select another attorney if they were not comfortable.

Councilor Kuretski stated his concern that the Town getting into this kind of service would be a liability.

Mayor Wodraska asked if other municipalities were further along in the process.

Mr. Lukasik mentioned that other communities offered similar services.

Councilor Posner stated he thought Council needed more information.

## **REGULAR AGENDA**

### **ITEMS REMOVED FROM CONSENT AGENDA TO REGULAR AGENDA**

9. Consideration of authorizing the engagement of GrayRobinson, PA to provide Legal Counsel on Communications Law issues and authorizing the Town Attorney to execute an Engagement Letter.

Mayor Wodraska suggested having a Workshop to make sure Council was comfortable.

Mr. Baird told Council if they were going to have a Workshop, Council should hold off on the engagement letter.

### **PUBLIC BUSINESS**

10. Discussion of Parental Leave Policy for the Town of Jupiter.

Vice-Mayor Kaufer explained additional financial and anecdotal analysis had been provided. He stated he was looking to provide mothers with six weeks and fathers with four weeks of paid leave for the birth, adoption or placement of foster children. He believed the Town should be a leader in providing employees with paid leave to allow them to bond with their child without the concern of the financial impact.

Councilor Posner asked what the Town's policy for maternity leave was.

Mr. Lukasik explained employees were able to use all their accrued time.

Councilor Posner asked if there had been any information gathered on how to pay for the leave.

Ms. Dawn Loren, Director of Human Resources and Risk Management, stated the Town did have a short disability plan available through AFLAC. She explained the employee payed towards their premium to get the benefit for pregnancy. She stated if the Town was looking to provide a short term disability plan it would only cover the mother.

Councilor Delaney asked what the average cost was for that type of plan.

Ms. Loren explained the City of Delray Beach had implemented the plan and it was approximately \$175.00 per employee per year.

Councilor Delaney asked how would the plan work.

Ms. Loren stated the plan would take effect after the first seven days and pay 60 percent of the weekly salary. She said the employee was then able to use their sick time for the other 40 percent.

## **REGULAR AGENDA**

### **PUBLIC BUSINESS**

#### **10. Discussion of Parental Leave Policy for the Town of Jupiter.**

Ms. Judith Selzer, President of the Women's Foundation of Palm Beach County, discussed the engagement of men who bonded with children at birth. She explained the trend was six weeks of leave for both the mother and father and thanked the Council for their consideration.

Ms. MB Hague, resident of Bourne Drive, agreed that parents should stay home with their children. She suggested a maternity leave program and a paternity leave program similar to what the Town had now.

Councilor Kuretski felt the current generous, flexible accrual policy was sufficient for employees.

Council and Staff discussed accrual caps and the opportunities for donations.

Councilor Kaufer felt passionately about the issue but would respect the majority of Council's input. He had some ideas on medians and benchmarking but thought even two weeks paid leave would be a step in the right direction.

Councilor Delaney said he would be interested to hear more about short term disability costs.

Mayor Wodraska noted without majority interest from Council the matter would not move forward.

## **REPORTS**

### **TOWN ATTORNEY**

- Harbourside – Mr. Baird informed Council the hearing was scheduled for Federal Court on September 14 and 15, 2016.

### **TOWN MANAGER - NONE**

### **TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**

#### **COUNCILOR KURETSKI**

- Friends of Jupiter Beach – Councilor Kuretski mentioned he appreciated the efforts of the Friends of Jupiter Beach to educate beach goers on keeping the beach clean and dog friendly.
- Los Olas Riverwalk in Fort Lauderdale – Councilor Kuretski referenced the recent article which indicated the Riverwalk was to be replaced by condos.

**TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**

**COUNCILOR POSNER**

- Dogs on the Beach – Councilor Posner complimented the new signage and better bags. He stressed the need for the beach area to be carefully monitored.

**ADJOURNMENT** – 9:20 P.M.

---

Sally M. Boylan, Town Clerk

---

Todd R. Wodraska, Mayor