

**FINAL AGENDA AND MINUTES  
TOWN OF JUPITER  
TOWN COUNCIL MEETING  
COUNCIL CHAMBERS  
TUESDAY, DECEMBER 6, 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; Town Manager Andrew D. Lukasik; Town Attorney Thomas J. Baird and Town Clerk Sally M. Boylan.

**PRESENTATION**

1. Healthier Jupiter – Ms. Carrie Browne, Project Director.

Ms. Carrie Browne, Project Director for Healthier Jupiter, presented Council with a handout, gave a brief overview of the program and discussed some initiative and projects. She explained the importance of walkability and bikeability and thanked the Town for their continued support and partnership.

2. One Down, LLC – Scarology, Dr. Mike Connor

Dr. Mike Connor, Co-Founder, gave a brief history of the company which started with the development of a scar cream. He stated the goal of the company was to develop multiple products to treat the skin and skin disorders for both adults and children. Dr. Connor discussed revenue results, research and development, and expected staffing numbers.

Vice-Mayor Kaufer stated he would be abstaining from voting on this item due to his children being patients of Dr. Jeanmarie Connor.

Councilor Posner asked if there were any proprietary patents associated with the product. Dr. Connor stated they had met with two patent attorneys who recommended they not patent the product because the formula and ingredients would be exposed.

Councilor Posner asked for clarification about the net value and assets. Mr. Villella stated due to the company being in an early stage Dr. Connor would sign a personal guarantee for the loan and would provide a stock option in case there were future issues.

Councilor Delaney asked who was currently making their product and if it would be cheaper to outsource. Dr. Connor stated there were two different manufactures and there was a cost of goods which could decrease after they achieved a certain volume of sales.

Mr. Baird asked if the guarantee was to the Town or to the bank. He asked if the loan would be through a lender. Mr. Villella stated it would be discussed further during the documentation process and the loan would be through a lender.

**PRESENTATION**

**2. One Down, LLC – Scarology, Dr. Mike Connor**

The majority of Council believed the company met consideration for the economic development fund (TW, WP, RD) and asked Staff to move forward with loan for Council’s consideration.

Councilor Kuretski was undecided and believed more clarity on the use of the funds, growth of the company and staffing would be helpful.

**CITIZEN COMMENTS**

Ms. MB Hague, resident of Bourne Drive, asked if Staff was informed on the purchase of the Rustic Inn property by Mr. Modica. She stated she was worried the Town was being bought out.

Ms. Carol Watson, resident of Chasewood Drive North, felt Culvers opening in Jupiter was a good thing. She mentioned she was shocked at how many people were at Lighthouse Park for the boat parade and was disappointed the restrooms were closed during the event.

Mr. Andres Lopez, Communication coordinator at El Sol, provided a brief update regarding: the partnership El Sol had with Palm Beach State College; an event with Santa Claus; the tenth anniversary of El Sol in October; and the growth of Jupiter’s farmers market at El Sol on Sundays.

**MINUTES**

**3. November 15, 2016 Town Council Meeting Minutes.**

Vice-Mayor Kaufer moved to approve the November 15, 2016 Town Council Meeting Minutes; seconded by Councilor Posner; 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.

- Councilor Kuretski pulled items 5 and 8.

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

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|----------|--------|---------|----------|--------|
| Wodraska | Kaufer | Delaney | Kuretski | Posner |
| Yes      | Yes    | Yes     | Yes      | Yes    |

## **CONSENT AGENDA**

### **PUBLIC HEARING**

4. **Resolution 81-16, Countywide School Planning Coordination Interlocal Agreement** – Execution of the Interlocal agreement between the Town, the School District of Palm Beach County, Palm Beach County and other County local governments to provide for the coordinated planning of public schools.

### **PUBLIC BUSINESS**

5. Consideration of a \$350,000 loan guarantee from the Town's Economic Development Fund in support of BioCurity Holdings, Inc. a bioscience company to be located in the Town. **MOVED TO REGULAR AGENDA**
6. **Resolution 82-16** Accepting a Fourth Cycle Permit Interlocal Agreement with Northern Palm Beach County Improvement District Related to the USEPA/FDEP National Pollutant Discharge Elimination System (NPDES).
7. **Resolution 66-16,** Appointing the Supervisor of Elections as a member to the Town of Jupiter Canvassing Board for the March 14, 2017 Municipal Election.
8. Approving an agreement with the Palm Beach County Supervisor of Elections, for vote processing equipment use and election services for the March 14, 2017 Municipal Election. **MOVED TO REGULAR AGENDA**
9. **Resolution 86-16** Approving contract award recommendation to Innovative Masonry Restoration, llc. for the Water Treatment Plant concrete repairs in the amount of \$135,115.
10. **CONTINUED TO 12/20/16**  
Approving an amendment to the terms of the Interlocal Agreement with Palm Beach County Fire Rescue to increase staffing at Station 16.
11. Approving the cancellation of the Town Council Meeting January 3, 2017.

## **END OF CONSENT AGENDA**

### **REGULAR AGENDA**

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

5. Consideration of a \$350,000 loan guarantee from the Town's Economic Development Fund in support of BioCurity Holdings, Inc. a bioscience company to be located in the Town.

Councilor Kuretski felt the draw request did not give him the protection expected and mentioned the importance of hiring additional employees.

Ms. Nancy Cass, Financial Advisor, stated they did plan to hire two people at the beginning of 2017 and a few more throughout the year. She explained if they had the transaction completed or loan closed at the end of the third quarter they would have hired two people in 2016 and more in 2017.

**REGULAR AGENDA**

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

5. Consideration of a \$350,000 loan guarantee from the Town's Economic Development Fund in support of BioCurity Holdings, Inc. a bioscience company to be located in the Town.

Mr. Mike Villella, Director of Finance, explained the number of employees they intended to hire had not changed just the duration of hiring them may take longer.

Ms. Cass stated they needed to find a space to lease and start hiring people.

Mr. Villella clarified the purpose of the loan guarantee was for working capital, relocation expenses and setting up staff locally.

Councilor Delaney asked when they started looking for space and how many places had they looked at.

Ms. Cass stated they began looking three months ago and had looked at about four or five places seriously.

Councilor Posner moved to approve the Consideration of a \$350,000 loan guarantee from the Town's Economic Development Fund in support of BioCurity Holdings, Inc. a bioscience company to be located in the Town, as amended to include two payments, *better commitment in hiring staff* and authorized the Mayor to execute all documents; seconded by Councilor Delaney; motion passed.

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| Wodraska | Kaufer | Delaney | Kuretski | Posner |
| Yes      | Yes    | Yes     | Yes      | Yes    |

8. Approving an agreement with the Palm Beach County Supervisor of Elections, for vote processing equipment use and election services for the 2017 Municipal Election.

Councilor Kuretski asked about the cost of \$4.77 to the Town for each absentee ballot. Ms. Sally Boylan, Town Clerk, said there were 4,331 absentee ballots requested for the presidential election and the current budget anticipated close to 4,000 requests for the March 14, 2017 Municipal Election. Councilor Kuretski felt the impact may have been high for the Town but the numbers were less than he anticipated.

Mayor Wodraska asked what the average cost was for a Town municipal election. Ms. Boylan stated the Clerk's Office budgeted \$70,000 for the March election. Mayor Wodraska commented that he did not know if once a person received an absentee ballot, whether they were continued to be sent without request.

**REGULAR AGENDA**

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

8. Approving an agreement with the Palm Beach County Supervisor of Elections, for vote processing equipment use and election services for the 2017 Municipal Election.

Councilor Kuretski moved to approve the agreement with the Palm Beach County Supervisor of Elections, for vote processing equipment use and election services for the 2017 Municipal Election; seconded by Vice-Mayor Kaufer; motion passed.

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|----------|--------|---------|----------|--------|
| Wodraska | Kaufer | Delaney | Kuretski | Posner |
| Yes      | Yes    | Yes     | Yes      | Yes    |

12. **Resolution 72-16,** Accepting the 2017 Update to the Water and Stormwater Utility Master Plans.

Mr. David Brown, Utilities Director, provided some history of the Water Utility, mentioning it had been around for over thirty-eight years and Stormwater was created in 1995.

He highlighted the PowerPoint Presentation, indicating they currently served 84,000 as a population which was outside of the Town's boundaries. The current capacity was about 30 million gallons per day and the demand peak was about 21 million gallons per day.

Mr. Brown said lead and copper rule, contaminants of emerging concerns and raw water supply degradation were future issues. He said the Town was in really good shape relative to the issues.

Councilor Kuretski asked what the impact was, if any, on the aquifer that related to the Water District's plan. Mr. Brown stated it was currently ongoing and was relative to the quality of water entering the system.

Mr. Brown stated the Town had eleven wells into the Floridan Aquifer and suggested going to fourteen or fifteen to expand the footprint of the wellfield. He said spreading would lessen the impact of the water degrading.

Mr. Brown briefly explained the twenty-five year future capital, indicating that 97 percent of 273 million in the next twenty-five years would be needed to expend on infrastructure. He said they were currently built out of the system and needed to ensure the systems were renewed or replaced moving forward.

Ms. Amanda Barnes, Utilities Assistant Director discussed some methods to extend the service life of equipment which would include rehabilitation of equipment instead of replacement; the methods included cost savings to the Town.

## **REGULAR AGENDA**

### **12. Resolution 72-16.**

Mr. Brown mentioned Jupiter's utility rates were currently the lowest relative to similar utilities throughout the County and twenty-six percent below the average of other utilities.

Mr. Rob Ori, Public Resources Management Group, said the Town's utility rates were impressive. He recommended continuing the annual indexing, which promoted capital reinvestment. Mr. Ori also suggested depositing six million dollars annually and an increase to three percent annually thereafter. He said it would help maintain the cost of inflation and renewal and replacement in the future.

Councilor Kuretski was excited about the cost savings that was presented and looked forward to receiving a copy for his review. He also asked for clarification on the five year plan figures which appeared higher. Mr. Brown clarified the increase was created due to the recommended wells which were not originally incorporated.

Mr. Brown moved on to the stormwater portion of the presentation which focused on regulations and the potential for sea level rise. He discussed budgeting, nutrient level requirements, creek impairments, plaza flooding, and harmful effects of sea level rise.

Mr. Brown introduced Mr. Rob Taylor, Hazen and Sawyer, who discussed sea level rise and its impacts. His firm was beginning an analysis based on how varying levels of sea level rise would impact the town based on elevations. Mr. Taylor touched on new building projects, possible rate increases to mitigate sea level impacts, and that rate structures based on elevations and proximity to the coast may need to be initiated.

Mr. Brown stressed that the spacial area forecasted to have significant impact from sea level rise was relatively minimal.

Mr. Ori made recommendations for funding stormwater improvements by borrowing internally and increasing stormwater rates by seven percent per year.

Councilor Kuretski noted he would need more information and analysis before supporting a seven percent rate increase. Mr. Brown explained the increased costs were new projects due to new issues. He discussed some of the slated projects with drainage issues.

Mr. Brown noted awards recently won by the Town including, Best Plant in the Southeast district by the Department of Environmental Protection (DEP) and Outstanding Water distribution system by the Florida section of the American Waterworks Association.

**REGULAR AGENDA**

**12. Resolution 72-16.**

Councilor Posner asked about budget reserves for renewal and replacement and felt more was needed. Mr. Brown explained every year there were recommended reserves, six million for the water utility and \$580,000 per year for Stormwater.

Councilor Delaney pointed out that sometimes funds were needed beyond that amount and currently for new wells.

Mayor Wodraska noted this item was a receive and accept five year plan from a compliance standpoint and a chance for Council to give direction.

Vice-Mayor Kaufer moved to approve Resolution 72-16; seconded by Councilor Posner; motion passed.

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|----------|--------|---------|----------|--------|
| Wodraska | Kaufer | Delaney | Kuretski | Posner |
| Yes      | Yes    | Yes     | No       | Yes    |

**REPORTS**

**TOWN ATTORNEY**

- CHS Pharma Settlement Stipulation – Mr. Baird provided a status update. He explained the Agreement was delayed due to the need to find a company which could take over the patents. Also, the Agreement had the potential to preserve the Town’s initial investment and possible future monies.

Councilor Posner moved to authorize the Mayor to execute the settlement stipulation; Second by Councilor Delaney; motioned passed.

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|----------|--------|---------|----------|--------|
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| Yes      | Yes    | Yes     | Yes      | Yes    |

- Advanced Disposal Bid Protest – Mr. Baird indicated he planned to discuss the process for the Special Meeting scheduled for Wednesday, December 14, 2016 with the attorney’s representing both companies and would report back to Council.

**TOWN MANAGER – NONE**

**TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**

**VICE-MAYOR KAUFER**

**13. League of Cities update.**

- Tri-Cities Barbecue –Vice-Mayor Kaufer commented on the outstanding event and great exchange of information.

Telecommunications Towers – Vice-Mayor Kaufer mentioned the Right-of-way issues and suggested Staff review the information and report to Council.

Sober Homes – He suggested Council contact the Town Attorney for a status update.

Conversion Therapy Resolution – Vice-Mayor Kaufer explained some cities had passed a resolution which banned conversion therapy for minors. He suggested Council contact the Town Manager if they were interested in scheduling this for a future agenda.

- Parental Paid Leave – He announced Palm Beach County was evaluating the leave for County Employees.
- Council Chambers Renovations – Vice-Mayor Kaufer asked for a status update. Mr. Lukasik agreed to provide the information.

**COUNCIL POSNER**

- Roundtable discussion on sign issues – Councilor Posner asked to receive an update on when the discussion would be scheduled.

**COUNCIL KURETSKI**

- Telecommunications Towers – Councilor Kuretski suggested the Town fill in the gaps of missing coverage before limiting locations.

**REPORTS**

**TOWN COUNCIL – LIAISON REPORTS AND COMMENTS**

**MAYOR WODRASKA**

- New basketball rims at Jupiter Community Park – Mayor Wodraska thanked Staff for the new equipment.

**ADJOURNMENT** – 9:37 P.M.