

ORDINANCE NO. 33-12

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA AMENDING CHAPTER 2, ARTICLE II, DIVISION I, SECTION 2-27 PERTAINING TO THE COMPENSATION OF THE MAYOR AND COUNCILORS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Jupiter, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Division 2 of Chapter 27 of the Town Code sets forth provisions pertaining to the Town Council's duties meetings, and compensation; and

WHEREAS, the duties and work performed by the members of the Town Council for the Town has been determined to create an employer-employee relationship; and

WHEREAS, as of January 1, 2007, the Mayor and other members of the Town Council have been salaried employees of the Town; and

WHEREAS, Section 2-27 presently contains language that erroneously suggests that members of the Town Council are being reimbursed for expenses for their work for the Town, when legally they are salaried employees of the Town; and

WHEREAS, this amendment to Section 2-27 is necessary so that it is consistent with Resolution No. 63-08 which clarified that members of the Town Council are salaried employees.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA:

Section 1: The whereas clauses are incorporated herein.

Section 2. Chapter 2, Article II, Division I, Section 2-27 is hereby amended to read as follows:

Sec. 2-27. Reimbursement Compensation of Mayor-Councilor and Councilors

The councilor-members of the Town council shall be compensated ~~reimbursed~~ the sum of \$1,550.00 per month for ~~such miscellaneous expenditures as are necessary or incidental to~~ their performance of the duties of their office, including attendance at regular Council meetings, workshop sessions, and other public meetings. The ~~reimbursement due~~ the Mayor-Councilor shall be compensated the sum of \$1,850.00 per month for the performance of the duties of this office. Such compensation ~~expenses~~ shall be paid each month during the Mayor-Councilor and Councilor's' term of office. No compensation expense payment shall be made to a Mayor-Councilor or eCouncilor whose term of office has expired, or whose service for that month is limited solely to attendance of the annual organizational meeting of the newly-elected Council. For any special meeting, emergency meeting, or workshop meeting attend by the members whose term of office has otherwise expired prior to the annual organizational meeting, such member shall be compensated ~~reimbursed for expenses~~ at the rate of \$50.00 per meeting.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of laws in conflict. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the Ordinance may be renumbered or re-

lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

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06/28/12

Upon First Reading this 19th day of July, 2012, the foregoing Ordinance was offered by Vice-Mayor Todd R. Wodraska, who moved its adoption. The motion was seconded by Councilor Jim Kuretski, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR TODD R. WODRASKA	X	_____
COUNCILOR WENDY HARRISON	ABSENT	_____
COUNCILOR JIM KURETSKI	X	_____

Upon Second Reading this 9th day of August, 2012, the foregoing Ordinance was offered by Vice-Mayor Todd R. Wodraska, who moved its adoption. The motion was seconded by Councilor Wendy Harrison, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	_____
VICE-MAYOR TODD R. WODRASKA	X	_____
COUNCILOR WENDY HARRISON	X	_____
COUNCILOR JIM KURETSKI	X	_____

The Mayor thereupon declared Ordinance 33-12 duly passed and adopted this 9th day of August, 2012.

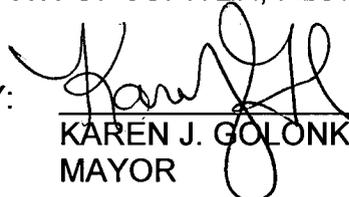
ATTEST:


 SALLY M. BOYLAN, MMG
 TOWN CLERK

(TOWN SEAL)



TOWN OF JUPITER, FLORIDA

BY: 
 KAREN J. GOLONKA
 MAYOR


 THOMAS J. BAIRD, ESQ.
 Approved as to form and legal sufficiency