

**FINAL AGENDA AND COMMITTEE MINUTES
TOWN OF JUPITER
CHARTER REVIEW PANEL
COUNCIL CHAMBERS
TUESDAY, MAY 7, 2019**

The meeting was called to order at 4:05 P.M. by Mr. William Capko.

Present: William Capko; Tom McCarthy; Christopher Keller; Cheryl Schneider; Pamela Wohlschlegel; Thomas J. Baird, Town Attorney; and Sally M. Boylan, Town Clerk.

1. Approval of the April 30, 2019 meeting minutes.

Mr. McCarthy moved to approve the April 30, 2019 meeting minutes; second by Mr. Keller; motion passed.

Capko	McCarthy	Keller	Schneider	Wohlschlegel
Yes	Yes	Yes	Yes	Yes

2. Issues for consideration.

Mr. Capko recommended the Panel review the Articles of the Charter including the sections referenced in the memos from Ms. Schneider and Ms. Wohlschlegel.

Article I – None

Article II – Legal Description, Districts, and General Provisions

Ms. Wohlschlegel mentioned a typo Section 2. - line 4 “each” should be “such”.

Ms. Schneider suggested the Panel discuss Term Limits. Mr. Capko summarized his experience with term limits, when he worked with the State Legislature. He said there was a drastic shift and not for the better when the term limits were instituted. He felt institutional memory was lost; more power was given to Staff and lobbyists; and the product suffered.

Ms. Schneider mentioned the City of Palm Beach Gardens limits were very short and there were some issues and regrets related to term limits. She asked if the Panel was interested in looking at a higher limit, possibly 12 to 15 years.

Mr. McCarthy stated he supported three year terms and felt 10-12 years was the right amount of time to serve.

Ms. Wohlschlegel liked four, three year terms for a total of 12 years. She expressed strong concern about not going retroactive; like the City of Palm Beach Gardens.

2. Issues for consideration.

Mr. Keller indicated he would not be opposed to 15 years.

Mr. Baird asked if the Panel would like information on the amount of years Council members have previously served. The majority of the Panel agreed to request the information (CS, PW, WC).

Section 3 – District

Mr. Capko referred to the suggestion by Ms. Wohlschlegel to change the district boundaries from total population to total registered voters.

Mr. Baird informed the Panel he received the total as of March 31, 2019 for the Planning and Zoning Department. He indicated the population for the First District was 30,624 and the Second District was 31,011.

Ms. Boylan stated the total of registered voters for the First District was approximately 20,673 and the Second District was 22,473; as of the March 12, 2019 Town of Jupiter Election.

Mr. Capko felt the Charter was correct; the Town serves all residents not just registered voters.

Mr. McCarthy said population was the most appropriate.

Section 5 –

Mr. Capko referred to the suggestion by Ms. Schneider to allow the candidate receiving the highest number of votes to be the winner. A Run-off election would be scheduled only in case of a tie vote like the City of Palm Beach Gardens.

Mr. McCarthy stated he supported eliminating Run-offs and have the winner be the one with the most votes. He felt Run-offs were too costly. Mr. Keller agreed.

Ms. Wohlschlegel felt a “tie” needed to be more defined; like within one or two percent.

Mr. Capko agreed Run-offs were expensive; however if there were multiple candidates running, he was concerned someone could get elected with only 20 percent of the vote. Members discussed how the number of voters in a Run-off election was very small and there were many issues to consider.

2. Issues for consideration.

Ms. Boylan indicated there were typically less than 20 percent of the registered voters voting in a Town Election and less than 10 percent in a Run-off.

Article III – Legal Description, Districts and General Provisions

Mr. Capko mentioned the suggestions by Ms. Schneider to allow the public the right to speak for three minutes on each item on the agenda. She felt this would limit the chance of reducing the time to two minutes when there was a large number of speakers.

Mr. Baird explained the Florida Statutes actually provided the requirements for the Council to establish the procedures.

Mr. Keller felt the Charter was not the correct location for this issue.

Article V – Municipal Organizations and Officers

Mr. Capko referenced the suggestion by Ms. Schneider to Section 4, regarding the additional language “Convicted of any felony or Convictions for willful violations of Palm Beach County or State of Florida ethics rules”.

Ms. Schneider explained she felt the current language was too narrow.

Mr. Baird recommended additional language allowing for the Council to provide the designation.

Mr. Capko mentioned the suggestion by Ms. Wohlschlegel to Section 5 related to the need for language to address if the Town Manager was unable to designate someone to exercise his responsibilities.

Mr. Baird recommended additional language allowing for the Council to provide the designation.

Mr. Capko referenced the suggested amendments by Ms. Schneider to Section 6 to broaden the role of the Town Attorney.

2. Issues for consideration.

Article IX – The Initiative

Mr. Capko mentioned the suggestion by Ms. Schneider to Section 2 to change the percentage from 20 percent to 10 percent. Mr. Capko expressed concerns related to not wanting to make the process too easy.

Article X – The Referendum

Mr. Capko referenced the suggestion from Ms. Schneider.

Ms. Schneider commented the time frames were too short and questioned the reference to parking or paving districts.

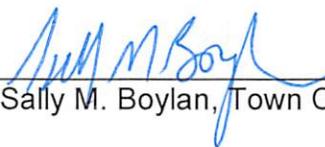
Mr. Baird offered to provide suggested language.

Mr. Capko asked if the members had any additional comments.

3. Next meeting date.

The Panel agreed to schedule the next meeting for May 16, 2019 at 4:00 P.M.

ADJOURNMENT – 5:22 P.M.



Sally M. Boylan, Town Clerk



William Capko, Chair