

**SPECIAL MEETING OF THE STUART CITY COMMISSION
HELD ON FEBRUARY 15, 2013
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Eula R. Clarke
Vice Mayor Troy A. McDonald
Commissioner Kelli Glass Leighton
Commissioner Jeffrey A. Krauskopf
Commissioner James A. Christie, Jr.**

ADMINISTRATIVE

**City Manager, Paul J. Nicoletti
City Attorney, Michael D. Durham
City Clerk, Cheryl White (Absent)
Alice Lyons, Deputy City Clerk**

Mayor Clarke delivered the Invocation, followed by the Pledge of Allegiance led by the Commission.

COMMENTS BY CITY COMMISSION (NONE)

COMMENTS BY T HE CITY MANAGER (NONE)

APPROVAL OF THE AGENDA

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF AGENDA

SECOND: COMMISSIONER CHRISTIE

ROLL CALL

COMMISSIONER GLASS LEIGHTON	YES	COMMISSIONER CHRISTIE	YES
VICE MAYOR MCDONALD	YES	COMMISSIONER KRAUSKOPF	YES
MAYOR CLARKE	YES		

COMMENTS BY THE PUBLIC

COMMISSION ACTION

- 1. RESOLUTION 19-2013 Authorizing the execution of a Lease agreement between the City of Stuart and Spoto’s Hospitality Group, LLC for lease of the property at 131 SW Flagler Avenue, for a period of (10) years, to January 31, 2023.**

City Manager Nicoletti gave a brief overview regarding the proposal of the property at 131 SW Flagler Avenue. He read into the record emails and letters he received with comments and support of the proposed lease agreement.

City Attorney Durham gave a brief overview regarding the proposed lease agreement and stated that the concerns by the City Commission have been addressed.

City Manager Nicoletti requested a motion by the Commission to waive the 10% provided in section 2-254.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL TO WAIVE THE 10% REQUIRED IN SECTION 2-254 OF THE LEASE.

SECOND: VICE MAYOR MCDONALD

ROLL CALL

COMMISSIONER GLASS LEIGHTON	YES	COMMISSIONER CHRISTIE	YES
VICE MAYOR MCDONALD	YES	COMMISSIONER KRAUSKOPF	YES
MAYOR CLARKE	YES		

Robert Steinberg came forward and commented on the letter read into the record regarding no outdoor music, and expressed concern over that provision in the lease. He felt there was music that could be played that was not loud or over powering, and felt like it was cutting off culture to a new business and that it is counterproductive to what is happening in the community.

Mayor Clarke inquired into section 10-03 of the agreement, and asked the City Manager or City Attorney for the expectations.

City Manager Nicoletti stated that the City's expectations are specifically to amplified sound to the outdoor portion of the premises, and Mr. Spoto's is aware of the condition.

Armond Pasquale came forward and asked if the City could lease waterfront property for 10 years. He also said there was many problems from the previous owner and noise coming from the outside bar area.

City Attorney explained to Mr. Pasquale that the referendum held in 2006 regarding the lease of waterfront property restricted the lease to a 10 years lease not 5 years.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF RESOLUTION 19-2013

SECOND: COMMISSIONER GLASS LEIGHTON

ROLL CALL

COMMISSIONER GLASS LEIGHTON	YES	COMMISSIONER CHRISTIE	YES
VICE MAYOR MCDONALD	YES	COMMISSIONER KRAUSKOPF	YES
MAYOR CLARKE	YES		

Commissioner Krauskopf requested the City Manager focus on the area behind the Atwood House to the Congressman's office, up against the wall, get with public works and shell rock that area for parking.

City Manager Nicoletti said he would look into the matter.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL TO DIRECT CITY MANAGER TO USE FUNDS APPROPRIATED FROM THE PROPERTY MANAGEMENT FUND TO PUT STABILIZED SHELL ROCK PARKING IN THE AREA BEHIND THE ATWOOD HOUSE OVER THE DRIVEWAY AT THE FLAGLER LYRIC FOR AS MANY PARKING SPACES EVEN IN SOME CASES THEY ARE TANDUM ALLOWED AND TO USE THAT AREA FOR EITHER EMPLOYEES OR OPEN TO THE PUBLIC OR WHATEVER THE CITY MANAGER FEELS APPROPRIATE IN THE DESIGNATION AND TO ACCOMPLISH THAT AS SOON AS POSSIBLE.

SECOND: COMMISSIONER CHRISTIE

ROLL CALL

COMMISSIONER GLASS LEIGHTON	YES	COMMISSIONER CHRISTIE	YES
VICE MAYOR MCDONALD	YES	COMMISSIONER KRAUSKOPF	YES
MAYOR CLARKE	YES		

City Manager Nicoletti introduced Dave Peters to discuss the recent sewer break incident and hopefully takes steps to make sure it doesn't happen again.

Dave Peters gave a brief overview regarding the recent incident. He provided a photograph to the Commission regarding the sewer pipe failure. As a result raw wastewater entered the plant site and eventually entered the storm-water system that eventually leads to the river. The City determined that approximately 2700 gallons of raw wastewater escaped and entered the storm-water system and eventually into the river. DEP and the Martin County health Department were immediately notified who issued a public advisory. He said the City will take the necessary steps to assure that this doesn't happen in the future.

City Manager Nicoletti stated he was satisfied with the cleanup and closure to the recent raw sewer spill.

Commissioner Krauskopf reminded the Commission to get the City Manager their list prior to the upcoming March 8, 2013 Commission Strategic Planning Session.

ADJOURNMENT: 12:43 P.M.

ATTEST:

Cheryl White, CMC, City Clerk

Eula R. Clarke, Mayor

Minutes to be approved at the Regular Commission Meeting This 11th Day March, 2013