

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JUNE 8, 2009
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

**Roll call was answered by:
Mayor James A. Christie
Vice Mayor Michael Mortell
Commissioner Carol S. Waxler
Commissioner Jeffrey A. Krauskopf
Commissioner Mary Hutchinson**

**Also present were:
City Manager: Dan Hudson
City Attorney: Paul J. Nicoletti
City Clerk: Cherie White**

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

PRESENTATIONS

1. PROCLAMATION: Proclaiming the week of June 7-13, 2009 as Garden Week.

Stephanie of the Garden Club of Stuart came forward and graciously accepted the Proclamation, and thanked the City.

2. Presentation by Business Development Board

The City Manager gave a brief overview of the proposed contract and presentation by the Business Development Board.

Ron Bunch, Executive Director and Jack Burns, Small Business Development Center, Mark Robitaille, CEO of Martin Memorial Hospital, all were present.

Mr. Bunch gave a brief introduction of everyone. Mark Robitaille came forward and thanked the City for allowing him to serve on the Business Development Board.

Jack Burns gave a brief overview and mission of the Small Business Development Center of Indian River State College. The organization was designated as Florida's principal provider of small business assistance. For more information on the SBDC at IRSC visit www.FloridaSBDC.org or call 772-462-7296.

COMMENTS BY CITY COMMISSIONERS

Commissioner Krauskopf asked if the City Manager had planned to give a report on tax certificate sales.

City Manager Hudson explained he had sent out an email to the Commission but summarized for the public the City Commission authorized the City Manager to purchase Tax Certificates on June 1, 2009 for a not to exceed \$400,000.00. He participated in the sale and purchased certificates totaling \$394,000.00 with an average return of 8 ¾ %, which is good.

Mayor Christie noted the many weekend activities; Jazz Concert, Bike Race and the East Stuart Heritage Festival. He said the events were good in spite of the rain.

COMMENTS BY CITY MANAGER

City Manager Hudson announced the following meetings:
Joint County/City/School Board to be held on June 16, 2009 at 9:00 A.M. at the Blake Library.

Community Redevelopment Agency meeting is requested to be scheduled for June 22, 2009 at 5:15 pm, prior to the regular City Commission Meeting.

He also stated he would like to schedule a Special Commission Meeting between the City Commission and the Local Planning Agency to discuss the draft EAR.

Mr. Hudson addressed the effects of SB-360 that will “likely” designate Stuart as a “Dense Urban Land Area” with more than 1,000 population per square mile. As of June 2008, Stuart is 6.2/3 square miles and 17,011 population or about 2500 per square mile. He said the city’s traffic consultant is working on the impact which will be discussed in early July. He also noted that the City’s real estate values have seen a reduction of 11.88% - as a preliminary estimate. He said this was on target with the estimate given by Dottie Zaharako, Financial Services Director.

In his review of tentative agenda Hudson noted that Item 9, Contract with Creech Engineering, is being removed from the agenda as staff has determined that this action is redundant to the budgetary action taken previously. He also referenced a memo on Item 11, the Business Development Board Contract, noting some minor revisions.

Vice Mayor Mortell requested the agenda include an update on the status of the construction of Stuart Middle School.

COMMENTS FROM THE PUBLIC (Non-Agenda Matters Only – 5 min. max)

David Bailey came forward and expressed concern over the Police Department halting of their Veterans fundraising activities.

City Manager Hudson said he would meet with Chief Morley to discuss this matter.

Helen McBride came forward and expressed concern over the following items; She is concerned over the house on Flamingo Avenue that had a fire. She said something needs to be done with it. She also stated that we should not allow plywood on the windows and noted several houses with plywood up. 10th Street, Flamingo Avenue and others. She also noted the many business activities going on at the Greco gas station at the corner of Martin and Dolphin on East Ocean. She also noted that she has been seeing some "red and white poles" being installed by AT&T, and wanted to know if rent is being paid for use of "that land".

Commissioner Waxler asked that staff also look into the U-Haul rental business now being run on the Pelican Mart property.

APPROVAL OF AGENDA

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE TENTATIVE AGENDA WITH WITHDRAWING ITEM 9 AND ITEM 11 AS AMENDED
SECOND: COMMISSIONER HUTCHINSON
MOTION APPROVED UNANIMOUSLY

CONSENT CALENDAR

- 3. Request to approve the minutes of the regular Commission Meetings of May 11 and May 18, 2009**
- 4. Request to apply for second Justice Assistance Grant (JAG) for Mental Health Court and equipment to be used by law enforcement agencies**
- 5. RESOLUTION 60-09 REQUEST TO CONTINUE TO THE MEETING OF JUNE 22, 2009
Authorization to execute a Utility Service Agreement between the City of Stuart and Huizenga Holdings, Inc. to provide water and sewer service to property known as Sunset Bay Marina**
- 6. RESOLUTION 62-09 Authorization to approve a Revocable Permit associated with valet parking services for the use of public right-of-way in front of the Lyric Theater and public properties located at 121 SW Flagler avenue and 161 SW Flagler Avenue; permitting the uses of public property and public right-of-way for valet parking services associated with downtown customers**
- 7. RESOLUTION 63-09 Authorization for a budget amendment to the 2008-2009 annual Stormwater Fund Budget of the City of Stuart for the appropriation and expenditure of \$185,000.00 to fund the construction of five Baffle Boxes for the completion of the Baffle Box Retrofit Program; Authorizing receipt of South Florida Water**

Management District Funds in the amount of \$50,000.00 to be used to offset the cost of the Baffle Box Retrofit Construction Program

- 8. RESOLUTION 64-09 Authorization to approve the award of a bid to J.H. McGregan & Sons, Inc. the lowest, most responsive and responsible bidder for a total amount not to exceed \$182,209.08 for the construction and installation of five baffle boxes**
- 9. RESOLUTION 65-09 Authorization to execute an agreement with Creech Engineering, Inc. to provide professional design and permitting services in the amount of \$42,500.00 relates to SR 707 right turn lane project and funded by the American Recovery and Reinvestment Act of 2009 (ARRA)**
- 10. RESOLUTION 66-09 Authorization to execute an interlocal agreement between the City of Stuart, Martin County and the School Board of Martin county to provide for the sharing of motor fuel in the event of a disaster disruption**
- 11. RESOLUTION 67-09 Authorizing to execute an agreement for services between the City of Stuart and the Community Redevelopment Agency of Stuart and the Business Development board of Martin County, Inc. to provide annual base-level funding to the board for economic development services**
- 12. RESOLUTION 68-09 Recognizing the “Building Citizenship in the Community: Back to Basics” initiative of the Florida League of Cities, Inc. and pledging support for this statewide effort**
- 13. RESOLUTION 69-09 Authorization to ratify the current two year Collective Bargaining Agreement between the City and the Professional Firefighters of Stuart Local #2411 (“IAFF”) to begin October 1, 2008 through September 30, 2010**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CONSENT AGENDA.

SECOND: COMMISSIONER WAXLER

ROLL CALL

MAYOR KRAUSKOPF	YES	COMMISSIONER HUTCHINSON	YES
VICE MAYOR CHRISTIE	YES	COMMISSIONER WAXLER	YES
COMMISSIONER MORTELL	YES		

END OF CONSENT CALENDAR

COMMISSION ACTION

ORDINANCE FIRST READING

**14. STAFF IS CURRENTLY FINALIZING AN ACCOMPANYING ANNEXATION AGENDA WITH FP&L AND REQUESTS THAT TONIGHT'S PUBLIC HEARING BE CONTINUED TO THE MEETING OF JUNE 22, 2009:
ORDINANCE 2185-09 (First Reading) Annexing a parcel of land consisting of 3.34 acres owned by Florida Power & Light Company located at 1401 SE Monterey Road**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO CONTINUE ORDINANCE 2185-09 TO JUNE 22, 2009
SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

**15. STAFF IS CURRENTLY FINALIZING AN ACCOMPANYING ANNEXATION AGENDA WITH FP&L AND REQUESTS THAT TONIGHT'S PUBLIC HEARING BE CONTINUED TO THE MEETING OF JUNE 22, 2009;
ORDINANCE 2186 (First Reading) Amending the Comprehensive Land Use Plan of the City thereby assigning a "Commercial" land use designation to a parcel of land consisting of 3.34 acres owned by Florida Power & Light Company located at 1401 SE Monterey Road, said lands to be concurrently designated as B-4 on the City of Stuart zoning map**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO CONTINUE ORDINANCE 2186-09 TO JUNE 22, 2009
SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

ORDINANCE SECOND READING

DISCUSSION & DELIBERATION

ADJOURNMENT 6:12 pm

ATTEST:

Cheryl White, CMC, City Clerk

James A. Christie, Mayor

Minutes approved at the Regular Commission Meeting This 22nd Day June 2009