

**REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD ON JULY 8, 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  
Acting City Attorney, Robert Kilbride  
City Clerk, Cheryl White**

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

**PRESENTATIONS**

- 1. PERFORMING ARTS MOMENT JULY 2013  
“StarStruck Performing Arts Center” will give a Sneak Peak  
of their upcoming “Aladdin Jr. Show.”**

Mayor Clarke recognized President Lisa Young from the Martin County Arts Council.

The young talented cast performed a small portion of the upcoming show Aladdin Jr. Show .

- 2. PROCLAMATION: July is Bladder Cancer Awareness Month.**

Mr. Maxwell came forward and graciously accepted the Proclamation.

- 3. PRESENTATION: Cancer Prevention Study.**

Tracy Henkes, Unit Executive Director Martin County American Cancer Society and came forward and presented their upcoming campaign to sign up participants for the Cancer prevention Study. They are seeking over 200 participants between the ages of 30-65 who are willing to commit to the study for 20-30 years.

They are looking to the City Commission to recruit 10 people each, to sign up and become community champions.

#### **4. PRESENTATION: Citizen Commendation.**

Jim Hill was awarded a citizens Commendation for his role in reporting suspicious activity which led to the arrest of suspects who may have been victimizing and burglarizing vehicles at Shepard Park.

#### **COMMENTS BY CITY COMMISSIONERS**

Commissioner Glass Leighton asked for clarification regarding the recent article in the newspaper referring to City Hall being moved to the Flagler Center.

City Manager Nicoletti stated he would bring something to the City Commission for discussion and the article was very premature.

Commissioner Christie thanked the community for their support to the family of Army Sgt. Justin Johnson Sr. during a solemn ceremony at Witham Field, where his remains were received after he was killed in the line of duty during an attack at Bagram air base in Afghanistan.

He also thanked those who put together the 4<sup>th</sup> of July Fireworks in Stuart.

Commissioner Krauskopf said the 4<sup>th</sup> of July Fireworks were outstanding and the crowds were enormous. He personally thanked Milton Leggett and the crews for their cleanup efforts after the event. He also noted a picture in the newspaper of Armond and Veronica Pasquale at the event. He requested that he be able to meet individually with each Commissioner to discuss Budget matters.

The meetings were scheduled and advertised as follows:

Thursday July 11, 2013 beginning at 8:30 a.m.-1:00 p.m. separate meetings will be held in the Commission Chambers and open to the public.

Vice Mayor McDonald commended and congratulated Mark Brechbill, Stuart Main Street and Star Spangled Stuart, for a fine event. He also showed pictures of dramatic change in the water color and St Lucie River and Indian River Lagoon from the discharges of Lake Okeechobee. He encouraged everyone to present this urgent matter to Washington and Tallahassee.

Mayor Clarke asked the City to send a letter to Mark Brechbill and group who put together the recent 4th of July events thanking them.

She also suggested begin dialog with Martin County regarding the coordination of Martin County and a Government Center and begin discussions of the relocation of City Hall.

City Manager Nicoletti said he was working with Jim Karas who is putting together a draft of the Strategic Planning Session effort. He also stated the City Attorney Position hunt is ongoing at this time.

Mayor Clarke asked if staff has been working with the residents and businesses about assembling a public meeting for Palm City Road and Willoughby extension.

She suggested putting together a joint meeting with the City Commission CRA, CRB and LPA to have the CRA Administrator present the CRA Plan and what is in the plan to help them understand the timeline of events and the plan itself.

A future joint meeting will be scheduled with all the Boards and staff will notify the Commission of the date and time.

Mayor Clarke stated she received an email regarding a complaint for the Food Trucks.

City Manager Nicoletti asked that the email be directed to him for follow-up with staff and the vendor.

### **COMMENTS BY CITY MANAGER**

City Manager Nicoletti requested that the Amerigo Drainage item be pulled from the consent calendar and heard later. Item 10 should have been numbered as item 8a, and also pulled from Consent. He noted that on Thursday July 18, at 10a.m. on the Festival Deck behind City Hall, a Commemoration Ceremony will be held to adopt the St Lucie River Estuary Basin Management Plan. Commissioner Krauskopf has been asked to speak at the ceremony.

He inquired as to which City Commissioner will be attending the annual upcoming conference of the Florida League of Cities to be held on August 15-17, 2013 in Orlando.

Mayor Clarke noted she will be attending on Friday because she is on the nominating committee. Vice Mayor McDonald stated he would attend if he is needed.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL FOR MAYOR CLARKE AS VOTING DELEGATE AND VICE MAYOR MCDONALD AS THE ALTERNATE.  
SECOND: COMMISSIONER GLASS LEIGHTON  
MOTION APPROVED UNANIMOUSLY

City Manager Nicoletti noted that the City has a deadline to submit a request to the Florida League of Cities to consider a proposal for Legislative Amendment to allow Cities to adopt either a ½ cent or 1 cent Infrastructure Sales Tax without County participation. The proposed amendment would require a referendum by City Voters for implementation.

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL TO SEND THE LETTER TO THE FLORIDA LEAGUE OF CITIES IN SUPPORT OF THE PROPOSED LEGISLATIVE AMENDEMENT.

SECOND: COMMISSIONER KRAUSKOPF

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

### **APPROVAL OF AGENDA**

MOTION: COMMISSIONER CHRISTIE: MOVED APPROVAL OF THE AGENDA REMOVING ITEMS 8 AND 8A.

SECOND: VICE MAYOR MCDONALD

MOTION APPROVED UNANIMOUSLY

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

Andrew Jones, 513 North Carolina Drive came forward and expressed concern over the stormwater control project that is draining water from the homes along South Carolina Drive into the canal. He stated they received no notice of this project and was very concerned. He asked that the project be stopped.

Sam Amerson, Public Works Director came forward and stated that he would meet with the residents to discuss the project.

Richard Dee, Chris Master, Chris Wells, LEEANNE and Bob Cook agreed to meet with Mr. Amerson to discuss the matter.

Greg Fedele came forward and expressed concern over the runoff into the canal from the street that may create a blockage at the mouth of the canal. He stated that the sand and silt will be increased with this runoff and will close off the end of the canal.

Mayor Clarke said Mr. Amerson would meet with the neighbors and property owners.

### **CONSENT CALENDAR**

- 5. Minutes of 5/20/13 Joint City /CRA , 6/5/2013 Special Commission Meeting,6/10/2013 Joint City /CRA, 06/10/2013 and 06,24,2013 Regular Commission Meetings for approval.**

- 6. **RESOLUTION 69-2013: Approving Nuisance Abatement Liens and administrative charges and costs incurred by the City to abate nuisances on (6) private properties, within the City of Stuart totaling \$1,267.92, including an Administrative Charge, and providing the assessments shall bear interest at a rate of 12% until paid.**
  
- 7. **RESOLUTION 70-2013: Authorization to execute a Non-Exclusive water and sewer easement with Martin County for the operation and maintenance of water and sewer lines at Witham Field Airport.**
  
- 8. **RESOLUTION 72-2013: Authorization to execute a Stormwater and Utility Property Exchange Agreement between the City of Stuart and Martin Memorial Medical Center, Inc. for stormwater improvements on the East end of Amerigo Avenue.**
  
- 8 a **RESOLUTION 73-2013: Approving the acceptance of award of grant of \$150,000.00 from Florida Department of Environment Protection for the Poppleton Creek tidal wetlands creation and restoration program.**

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF CONSENT CALENDAR ITEMS 5,6,7 REMOVING ITEMS 8 AND 8A.

SECOND: VICE MAYOR MCDONALD

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

**END OF CONSENT CALENDAR**

**COMMISSION ACTION**

**Items 8 and 8a were heard at this time**

**8. RESOLUTION 72-2013: Authorization to execute a Stormwater and Utility Property Exchange Agreement between the City of Stuart and Martin Memorial Medical Center, Inc. for stormwater improvements on the East end of Amerigo Avenue.**

Joe Capra, Captec Engineering came forward and gave a brief overview of the proposed project.

City Manager gave a brief overview of the proposed project and funding.

Joe Capra said he anticipates the project coming in at around \$300,000.00, also anticipating grant funding.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL TO APPROVE THE PROJECT ON A 50/50 BASIS WITH A CAP NOT TO EXCEED 350,000.00 FROM THE CITY.  
SECOND: VICE MAYOR MCDONALD

AMENDED MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL TO APPROVE THE PROJECT ON A 50/50 BASIS WITH A CAP NOT TO EXCEED 300,000.00 FROM THE CITY.  
AMENDED SECOND: VICE MAYOR MCDONALD

Neil Whipkey resident of Weir Street complimented staff on cooperation with the neighbors, but after questioning MMHS motives, he listed a number of concerns since his residence is immediately adjacent to the subject site. Capra clarified that no building will go into the subject area.

MOTION: VICE MAYOR MCDONALD : MOVED APPROVAL TO SCHEDULE A SPECIAL MEETING ON MONDAY JULY 15, 2013 AT 4:30 P.M. TO REVIEW THE AGREEMENT  
SECOND: GLASS LEIGHTON  
MOTION APPROVED UNANIMOUSLY

When the vote was called on Commissioner Krauskopf and Vice Mayor McDonald's earlier motion:

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

**8 a. RESOLUTION 73-2013: Approving the acceptance of award of grant of \$150,000.00 from Florida Department of Environment Protection for the Poppleton Creek tidal wetlands creation and restoration program.**

City Engineer Sam Amerson addressed amendment #1 in the Agreement and clarified that staff is requesting authorization to execute the grant agreement.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF RESOLUTION 73-2013  
SECOND: VICE MAYOR MCDONALD

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

**ORDINANCE FIRST READING**

- 9. **ORDINANCE 2262-2013 : Amending the City’s Code of Ordinance, Section 12, Businesses, Article II, Peddlers and Solicitors, 12-19, replacing “Solicitors, Peddlers, etc, going uninvited upon residences” with definitions as sections 12-19; and adding Section 12-20 No Solicitation or Peddling, Limited Exception, Section 12-21 No Handbillings; private premises or vehicle, limited exceptions, Section 12-22 Notice to discontinue, and Section 12-23 Handbilling on public property: exceptions; Eliminating Chapter 28, Offenses, Article III, Distribution of Handbills, Section 28-57, 28-58, 28-59 and 28-60, reserving for future use, and providing for conflicts., severability, providing for codification, effective date and for other purposes.**

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF ORDINANCE 2262-2013 ON FIRST READING

SECOND: COMMISSIONER CHRISTIE

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

Prior to adjournment, McDonald noted a tropical storm is headed this way and asked if the City is making adequate preparations. Nicoletti said the City is already getting prepared.

Commissioner Krauskopf noted the upcoming meeting schedule.

**ORDINANCE SECOND READING (NONE)**

**DISCUSSION & DELIBERATION**

**ADJOURNMENT: 7:57 P.M.**

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Cheryl White, CMC, City Clerk

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Eula R. Clarke, Mayor

**Minutes to be approved at the Regular Commission Meeting This 26th Day August, 2013**