

**REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD ON July 22, 2013  
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS  
121 SW FLAGLER AVENUE  
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.**

**ADMINISTRATION**

**City Manager, Paul J. Nicoletti  
Interim 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. EMPLOYEE OF THE MONTH JULY :**

**Louis J. Boglioli**

Louis Boglioli came forward and graciously accepted the award and thanked the City Commission and staff for his award.

**2. EMPLOYEE SERVICE RECOGNITIONS JULY :**

<b>James Billings</b>	<b>5- Years</b>
<b>Michael Hazelton</b>	<b>10- Years</b>
<b>Richard Serra</b>	<b>10- Years</b>
<b>Dorothy B. Zaharako</b>	<b>10- Years</b>

All those employees who were honored came forward and thanked the Commission.

**3. PROCLAMATION: Proclaiming August as “Leukemia & Lymphoma Awareness Month.”**

Ken Cole and Dick Hall came forward and graciously accepted the Proclamation on behalf of the Leukemia & Lymphoma Society.

The announced two upcoming events, August 17, 2013 at 6:00 p.m. at the Mansion of Tuckaho will be a Wine Tasting and Chef Cookoff Dinner event.

**4. PROCLAMATION: Proclaiming August 6, 2013 as “Stuart’s National Night Out.”**

Officer Brian Bossio and Chief Dyess came forward to accept the proclamation.

**5. PROCLAMATION: Proclaiming July 27, 2013 as “6<sup>th</sup> Annual Treasure Coast Waterway Cleanup.”**

Marine Industries Association Gail Byrd came forward and accepted the Proclamation.

**COMMENTS FROM THE PUBLIC (5 min. max)**

Mary Hutchinson, Chair of the Centennial Task Force, introduced Paula Nicoletti who talked about the art projects planned for the Stuart Centennial Celebration including a statute being donated by sculptor Geoffrey Smith in honor of the service of Fire Department Dogs. A sponsor is being sought for the statue valued at \$48,000. Hutchinson noted the Centennial Celebration will run from September 2013 through May 2014 and there are other sponsorships available. More information can be found at [celebratestuart.org](http://celebratestuart.org) website.

Rex Cheskaty, Chris Master, Andrew Jones came forward and expressed concern over the impact of a drainage project intended to solve the problem of flooding on South Carolina Drive will have on the privately owned canal.

Joseph Smith, a resident of South Carolina Drive explained his flooding predicament and said staff had come up with the least expensive plan to solve the problem.

The Commission agreed to look into the matter and asked the City Manager to bring back all possible solutions.

**COMMENTS BY CITY COMMISSIONERS NONE**

**COMMENTS BY CITY MANAGER**

City Manager Nicoletti stated that the Florida Water and Pollution Control Operators Association awarded a safety award. He also announced under item 11 on the agenda will be continued until August 1, 2013.

**APPROVAL OF THE AGENDA**

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF THE AGENDA AS AMENDED  
SECOND: COMMISSIONER GLASS LEIGHTON  
MOTION APPROVED UNANIMOUSLY

**CONSENT CALENDAR**

- 6. **RESOLUTION 74-2013: Approving Budget Amendment #9 for the authorization of public funds in the amount of \$2,900.00 for the restoration and relocation of a bronze sculpture, “Three Wise Monkeys” to be relocated at Kiwanis Park.**
- 7. **RESOLUTION 76-2013 Approving the issuance of RFP No. 2013-131 for Economic Development Consulting Services not to exceed \$30,000.00 for consulting services for in-house training and technical assistance in developing an economic strategic plan.**
- 8. **RESOLUTION 78-2013: Authorization to approve Budget Amendment #10 to the transfer of funds within the STORMWATER fund in the amount of \$24,984.00 to utilize the consulting services of Applied Sciences Consulting, Inc. to assist with further analysis and modeling of existing projects and identify areas that do not discharge into the St. Lucie River. This information is to be used to achieve pollutant reduction goals as established by the Florida Department of Environmental Protection Basin Management Action Plan (BMAP)..**

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF THE CONSENT CALENDAR.  
SECOND: COMMISSIONER GLASS LEIGHTON  
ROLL CALL

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

**Item 13-14 were moved here.**

**ORDINANCE FIRST READING / QUASI-JUDICIAL HEARINGS**

- 13. **ORDINANCE 2259-2013: (Q.J., First Reading) Annexing two parcels of Land, consisting of 3.02 acres, located at 1440 NW Federal Highway, in unincorporated Martin County, owned by Wynne Building Corporation a Florida corporation.**

MOTION: COMMISSIONER GLASS LEIGHTON: MOVED APPROVAL TO REJECT ORDINANCE 2259-2013

SECOND: VICE MAYOR MCDONALD

ROLL CALL

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

**Item 14 will automatically by the motion made for item 13 rejected.**

**14. ORDINANCE 2260-2013: (Q.J. First Reading) Amending the Future Land Use Map of the City’s Comprehensive Plan, pursuant to the Comprehensive Land Use amendment laws of the State of Florida, thereby assigning a land use designation of “Commercial”, to two parcels of annexed land, consisting of 3.02 acres, located at 1440 NW Federal Highway, owned by Wynne Building Corporation, A Florida Corporation, said land being more fully described in Exhibit “A” attached hereto; and further providing that said lands be concurrently assigned a zoning map; Approving a conceptual site plan.**

**END OF CONSENT CALENDAR**

**CITY COMMISSION ACTION**

**9. RESOLUTION 79-2013 Authorization to execute a Management Agreement with NAI Southcoast, Inc. for the property and lease management of the property known as the “Triangle property” on the west side of Dixie Highway with a management fee in the amount of \$500.00 per month.**

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF RESOLUTION 79-2013

SECOND: VICE MAYOR MCDONALD

ROLL CALL

COMMISSIONER GLASS LEIGHTON	NO	COMMISSIONER CHRISTIE	YES
VICE MAYOR MCDONALD	YES	COMMISSIONER KRAUSKOPF	YES
MAYOR CLARKE	YES		

**10. Consider applicant to serve as the City's representative on the MPO Bicycle/Pedestrian Advisory Committee, currently vacant. .**

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL OF APPOINTMENT OF THE APPLICANT TOM DETTLOFF TO THE BPAC.

SECOND: COMMISSIONER GLASS LEIGHTON

MOTION APPROVED UNANIMOUSLY

Item 11 was continued to 8/1/2013

11. **RESOLUTION 77-2013: Approving the execution of the Second Amended and Restated Lease between the City of Stuart, the Stuart Community Redevelopment Agency and SDG Group, LLC. Providing for the termination of early rent credits, the implementation of construction rent payments, and a new construction schedule and an assignment of lease to be held in escrow.**

### **ORDINANCE FIRST READING**

12. **ORDINANCE 2257-2013: (First Reading) Amending Chapter IX of the City's Land Development Code (LDC) revising code provisions pertaining to A-Frame Signs.**

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL TO CONTINUE ORDINANCE 2257-2013 TO AUGUST 12, 2013

SECOND: COMMISSIONER GLASS LEIGHTON

MOTION APPROVED UNANIMOUSLY

### **ORDINANCE FIRST READING / QUASI-JUDICIAL HEARINGS**

**Items 13 and 14 were heard earlier.**

13. **ORDINANCE 2259-2013: (Q.J., First Reading) Annexing two parcels of Land, consisting of 3.02 acres, located at 1440 NW Federal Highway, in unincorporated Martin County, owned by Wynne Building Corporation a Florida corporation.**
14. **ORDINANCE 2260-2013: (Q.J. First Reading) Amending the Future Land Use Map of the City's Comprehensive Plan, pursuant to the Comprehensive Land Use amendment laws of the State of Florida, thereby assigning a land use designation of "Commercial", to two parcels of annexed land, consisting of 3.02 acres, located at 1440 NW Federal Highway, owned by Wynne Building Corporation, A Florida Corporation, said land being more fully described in Exhibit "A" attached hereto; and further providing that said lands be concurrently assigned a zoning map; Approving a conceptual site plan.**

**ORDINANCE SECOND READING**

- 15. **ORDINANCE 2262-2013: Amending the City’s Code of Ordinances, Section 12, BUSINESSES, ARTICLE II, PEDDLERS AND SOLICITORS, Section 12-19, Replacing “Solicitors, Peddlers, Etc., Going uninvited upon residences” with “Definitions” added as SECTION 12-19; and adding Sections 12-20, “NO SOLICITATION OR PEDDLING, LIMITED EXCEPTION”; SECTION 12-21, “NO HANDBILLING; 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, SECTIONS 28-57, 28-58, 28-59 and 28-60.”**

MOTION: COMMISSIONER CHRISTIE: MOVED APPROVAL OF ORDINANCE 2262-2013

SECOND: VICE MAYOR MCDONALD

ROLL CALL

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

**DISCUSSION & DELIBERATION**

**ADJOURNMENT: 9:43 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 23rd Day September, 2013