

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON OCTOBER 28, 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 J. Mortell
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 OCTOBER 2013

George McLain

George McLain came forward and graciously accepted his award.

2. EMPLOYEE SERVICE RECOGNITION OCTOBER 2013

Steven Graff	25 yrs	Police
Tim Landis	25 yrs	Public Works
David Ford	15 yrs	Public Works
Derek Ortado	10 yrs	Police

All employees came forward and accepted their awards.

3. PROCLAMATION: Proclaiming October 2013 as, "National Disability Employment Awareness Month"

Suzie Hutchinson came forward and graciously accepted the Proclamation.

4. PROCLAMATION: Proclaiming October 28, 2013 as, "Countess Tatania Kurbatov Day".

Countess Tatania Kurbatov came forward a graciously accepted her Proclamation.

5. Present Key to the City to Dr. W. Jay Thompson for his contributions to the City of Stuart.

Dr. Thompson came forward and graciously accepted the Key to the City.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton thanked Vice Mayor McDonald for kicking of the Hobgoblin Parade this past weekend

Commissioner Christie recognized residents of his community in the audience and thanked them for coming.

Mayor Clarke announced the December 7, 2013 Gala Event for the Centennial Celebration East Stuart. She also thanked Kylee Kittredge and Roz Johnson for coordinating the Lunch and Learn. She also thanked Alice and Greg Luckhardt for their work in putting Historical Stuart on the map.

Mayor wanted to make sure the Comp Plan is taking care of and the strategic plan is completed.

COMMENTS BY CITY MANAGER

City Manager Nicoletti called to the Commissions attention that the City will be auctioning off City owned lots. He stated that at the corner of Church and Nassau the property could be expanded to include an additional 10-feet, that would allow for two homes to be built. He asked permission from the Commission to auction the property, and include the west 10 feet of the adjacent property.

MOTION: VICE MAYOR MCDONALD : MOVED APPROVAL TO ALLOW FOR THE AUCTION OF THE PROPERTY AT THE CORNER OF CHURCH AND NASSAU AVENUE TO INCLUDE 10 FEET OF THE ADJACENT PROPERTY TO THE WEST.

SECOND: COMMISSIONER GLASS LEIGHTON

ROLL CALL

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

Vice Mayor McDonald asked for an update on sewer expansion program.

Commissioner Krauskopf said a full presentation will be done in December.

Sam Amerson gave a brief update to the Commission.

APPROVAL OF AGENDA

MOTION: COMMISSIONER GLASS LEIGHTON: MOVED APPROVAL OF THE AGENDA
SECOND: VICE MAYOR MCDONALD
MOTION APPROVED UNANIMOUSLY

COMMENTS FROM THE PUBLIC (5 min. max)

Virginia Jones came forward and complained over the past concrete plant off Dixie Hwy near her home. She asked the Commission to not permit another concrete bashing plant, or anything near that to open at that site.

Dennis McKenna came forward and thanked the City for allowing him to hold his event in Flagler Park.

CONSENT CALENDAR

- 6. **RESOLUTION 125-2013: Authorizing the Third Amendment to the agreement with Felix Associates of Florida, Inc., to extend the agreement for one year, to include the next phase of construction to include the Hibiscus Sewer basin.**
- 7. **RESOLUTION 128-2013: Authorizing the application, acceptance and execution of Florida Department of Transportation Service Development Grant, and approving the Joint Participation Agreement in the amount of \$49,730 for the operation and capital cost of the CRA Sailfish Tram.**

MOTION: VICE MAYOR MCDONALD : MOVED APPROVAL OF THE CONSENT CALENDAR
SECOND: COMMISSIONER GLASS LEIGHTON
ROLL CALL

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

END OF CONSENT CALENDAR

COMMISSION ACTION

- 8. **Approve appointment of a City Commissioner to the Treasure Coast Regional Planning Council for 2014.**

MOTION: COMMISSIONER CHRISTIE: MOVED APPROVAL OF COMMISSIONER KRAUSKOPF BE APPOINTED.
SECOND: VICE MAYOR MCDONALD
MOTION APPROVED UNANIMOUSLY

9. **RESOLUTION 115-2013: CONTINUE ITEM TO NOVEMBER 25, 2013 (Quasi-Judicial) Granting a Major Urban Code Exception to Coronado Properties, LLC to permit the construction of an eight unit apartment building at 421 Akron Avenue, Stuart; thereby permitting a density of 28 units per acre where 15 units per acre is allowed by right. (QJ) .**

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL TO CONTINUE ITEM 9 RESOLUTION 115-2013 TO NOVEMBER 9, 2013.
SECOND: VICE MAYOR MCDONALD
MOTION APPROVED UNANIMOUSLY

10. **RESOLUTION 121-2013: Granting a distance waiver to Carey Reddick Enterprise, thereby permitting the sale of package beer and wine within 500 feet of a School. Subject property is located at, Harvey Plaza, 504 Martin Luther King Jr. Blvd.**

Tom Reetz gave a brief presentation to the Commission and public.

MOTION: VICE MAYOR MCDONALD : MOVED APPROVAL OF RESOLUTION 121-2013 WITH A REVIEW AFTER 1 YEAR FROM TODAYS DATE.
SECOND: COMMISSIONER CHRISTIE
ROLL CALL
VICE MAYOR MCDONALD YES COMMISSIONER KRAUSKOPF YES
MAYOR CLARKE YES COMMISSIONER GLASS LEIGHTON YES
COMMISSIONER CHRISTIE YES

Dr. J. Thompson came forward to endorse the proposed project.

11. **RESOLUTION 124-2013: Granting a distance waiver to McHardy Investments LLC , (“Property Owner”), thereby permitting the sale of beer and wine (Consumption on Premises) within 500 foot of a school. Subject property is located at, 432 Martin Luther King Jr. Blvd.**

MOTION: COMMISSIONER CHRISTIE : MOVED APPROVAL OF RESOLUTION 124-2013

SECOND: VICE MAYOR MCDONALD WITH THE CONDITION THAT IT BE REVIEWED AFTER 1 YEAR.

The motion maker did not agree to a 1 year review.

MOTION: COMMISSIONER KRAUSKOPF : MOVED APPROVAL OF RESOLUTION 124-2013 WITH A REVIEW AFTER 1 YEAR FROM CO DATE. A CORRECTION TO THE RESOLUTION IS TO INCLUDE IN THE 3RD WHEREAS REGARDING THE REFERENCE TO SALE OF PACKAGE BEER AND WINE WILL BE CLEANED UP.
SECOND: VICE MAYOR MCDONALD
ROLL CALL

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

Susan O'Rourke came forward to commend the applicant for their proposed project. She encourages re-development of these types of businesses in the East Stuart Community.

Dr. J. Thompson also came forward and supported the proposed project.

12. RESOLUTION 126-2013: Awarding of RFP No 2013-133 to the highest ranking firm: Island Party Rentals of South Florida, Stuart, Florida, and authorizing the negotiation of a Lease Agreement for the lease of the Flagler Center for three years, with options for renewal.

Purchasing Director Terry Iverson gave a brief overview to the Commission and public. He asked that RFP 2013-133

Jane Blatt stated she was opposed to the award.

Michael Penn stated he was opposed to the award.

Robert Steinberg asked that the Commission look at the recommendation of the Committee.

Dr Helen Kagan was opposed to the award.

Dennis McKenna came forward and was opposed to the award.

Rebecca Bruner came forward and stated that she supports the award.

Rachel Goldberg came forward and stated she was opposed to the award and asked for consideration of her proposal.

Stephen Leighton came forward and objected to comments specifically made by Dennis McKenna regarding his business relationship to this proposer.

Michael Green came forward and opposed the award.

Amber Ducote' came forward and wanted to clarify the proposed project and noted the list of proposed activities. She said she encouraged the other proposer's to work together in the future to achieve the same goals.

Dennis McKenna came forward again and stated that the City gave out double event permits for the past St. Patrick's Day Parade.

City Manager Nicoletti stated that special event permits are approved if they are proper and to form. No special privileges' are given to anyone.

Suzanne Connors came forward and supports the Arts.

Commissioner Glass Leighton and stated that she stands by staff recommendation.

Commissioner Christie stated he supports staff recommendation.

Vice Mayor McDonald stated he too supports staff recommendation.

MOTION: VICE MAYOR MCDONALD : MOVED APPROVAL OF RESOLUTION 126-2013
STAFF RECOMMENDATION
SECOND: COMMISSIONER KRAUSKOPF

Commissioner Krauskopf asked if the 3 year term is mutual and asked about triple net leases, he also public private calendar merged calendar.

Mayor Clarke asked many questions regarding the Center and the use. She agreed with the other Commissioners and staff's recommendation. She thanked those who came to the meeting and expressed their views.

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

13. RESOLUTION 127-2013: Electing to use the Uniform Method of Collecting Non-Ad Valorem Assessments for more than one year levied in Stuart, Florida; stating a need for such levy.

MOTION: COMMISSIONER KRAUSKOPF : MOVED APPROVAL OF RESOLUTION 127-2013
SECOND: VICE MAYOR MCDONALD

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

ORDINANCE FIRST READING NONE

ORDINANCE SECOND READING NONE

DISCUSSION & DELIBERATION

Mark Vicini Leasee of the City Owned Property came forward and gave a brief history of the proposed project he planned on building North of the Roosevelt Bridge under the Company Name SDG. He asked for an extension to the next City Commission Meeting so that his lease is not in default. He is working toward a funding mechanism for the project but asked if that funding does not come through if he could assign this to a 3rd Party if the Commission agrees.

The City Manager stated he would be comfortable staffing and reviewing the lease for clarity as to who is responsible to assign it, either the CRA or the Commission. He said the lease is still in default and the City has the assignment letter signed by Mr. Vicini, and the City could also assign the lease to a third party if they choose.

Mr. Vicini asked for the discussion be held on November 4, 2013 regular Commission Meeting.

Commissioner Krauskopf stated he was sad that we were at this point and asked staff to brief the Commission as to what the City's options are. He thanked Mr. Vicini for his comments.

ADJOURNMENT: 8:10 p.m.

Cheryl White, CMC, City Clerk

Troy McDonald, Mayor

Minutes to be approved at the Regular Commission Meeting This 27th Day January, 2014