

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JUNE 9, 2008
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

Roll call was answered by:

Mayor Jeffrey A. Krauskopf
Vice Mayor James A. Christie
Commissioner Carol S. Waxler
Commissioner Michael J. Mortell
Commissioner Mary Hutchinson

Also present were:

City Manager: Dan Hudson
City Attorney: Paul J. Nicoletti (ABSENT)
Acting City Attorney Robert Kilbride
City Clerk: Cherie White

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

PRESENTATIONS

A. PROCLAMATION; PROCLAIM June 9, 2008 as Mr. Diabetes Day

Andy Mandell was present after public comments in this meeting.

COMMENTS BY CITY COMMISSIONERS

Commissioner Waxler stated she and Commissioner Hutchinson attended the recent Bike Race in the downtown. She stated it was well attended and was won by Mr. Garcia from Mexico.

Commissioner Hutchinson requested an update on the status of the dog friendly Ordinance proposed.

City Manager Hudson stated that it was in process and would be presented to the Commission soon.

Commissioner Hutchinson also expressed concern over the recent land clearing along the US 1 corridor near Windemere.

City Manager Hudson gave a factual overview of what has happened. He stated the original application was presented to the City in May 2006. In June 2006 the site clearing permit was issued. April 2007 the site clearing permit was renewed with on going activity on the site. In December 2007 the site clearing permit was renewed for

a second time, which was the maximum allowed for renewal. In January 3, 2008 there was a notice of violation issued, one was construction without a permit and second, duty to keep the property free from trash and solid waste. In the end of May we began receiving complaints in which we are investigating into that. June 2, 2008 we met with complaints from residents and compliance to the City's Land Development Code. The note from that meeting the developer will expedite the removal of debris and stabilization. The follow-up meeting with the developer is scheduled for next week to discuss plans for buffer planting and his report from the environmentalist.

Commissioner Hutchinson asked if there was construction plans for the site.

Commissioner Mortell chimed in and stated he spoke with the Developer Mr. Giacobbe, and asked him what his plan was. Mr. Giacobbe stated he did not have a plan but also did not want the permit to expire.

Commissioner Hutchinson asked if a tree survey is taken when someone is allowed to clear a site ?. She said something has to be done to protect resident and to create a buffer.

Mayor Krauskopf asked if the site is part of a PUD.

Commissioner Mortell stated that it is a PUD and is also zoned residential.

City Manager Hudson said there is a procedure to identify trees and they can be identified on an aerial.

Mayor Krauskopf directed each of the Commissioners to give their comments to the City Manager who will look at them and bring it back to the Commission.

Commissioner Christie said he had attended the first East Stuart Heritage Festival on May 30, 2008. He thanked all who gave assistance which helped make the event a success.

Commissioner Hutchinson asked that in the future that all Commissioners are notified of the event, so they can all attend.

COMMENTS BY CITY MANAGER AND REVIEW OF TENTATIVE AGENDA

Mr. Hudson noted the discussion from last Summer and the CRA. He stated one of the items was to investigate alternative enhancements including community policing within the CRA. It is being reviewed and the CRB recommended moving forward with the concept. He stated the CRA would be meeting on June 23, 2008 to discuss the matter. A joint Martin County School Board and the City will be meeting on June 18, 2008 to discuss Intergovernmental issues. He also stated that Mr. Bob Kilbride would be acting City Attorney this evening. Item #5 is being requested to be withdrawn.

STAFF REPORT ON COMMENTS FROM PREVIOUS COMMISSION MEETING

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

Armond Pasquale came forward and expressed over the parking lot behind Duffy's has been blocked off and the employees have been parking along Seminole Street. He said the business should be required to provide parking for their employees. He requested the City enforce the employee parking be moved to the satellite parking lot. He also stated the fluoridated water is not good. He also mentioned an article regarding the Mayor's push for more green space. He encouraged this and said he would be willing to help. Also the walkway near the Anchorage is blocked off .

The Commission stated that area is blocked off because there is construction being done on the seawall and this is a safety issue.

Clerks Note:

PROCLAMATION; PROCLAIM June 9, 2008 as Mr. Diabetes Day was heard at this time.

Andy Mandell came forward and graciously accepted the proclamation and thanked the City Commission.

APPROVAL OF AGENDA

MOTION: COMMISSIONER WAXLER; MOVED APPROVAL OF THE AGENDA WITH THE WITHDRAW OF ITEM #5

SECOND: VICE MAYOR CHRISTIE

MOTION APPROVED UNANIMOUSLY

CONSENT CALENDAR

- 1. RESOLUTION 63-08 Authorization to execute a Special Event Contract between the City of Stuart and the ARC of Martin County to hold an event entitled 2008 Toyota of Stuart Treasure Coast Bike Fest on June 13 and 14, 2008 at Flagler Park from the Stuart Feed Store to the St. Lucie River**
- 2. RESOLUTION 64-08 Authorization for a budget amendment to the 2007-2008 annual general fund capital budget for the appropriation and expenditure of \$16,498.03 to fund the construction costs of a cover on the bicycle and large evidence outside storage location at the Public Safety Building**
- 3. RESOLUTION 67-08 Authorizing a budget amendment to the 2007-2008 annual general fund capital budget for the appropriation and expenditure of \$281,415.00 to fund budget variances identified in the mid-year**

financial analysis including the costs for a reinstated fire rescue position net of frozen position, \$168,112.00 fund of Police Chief 401(A) retirement plan, \$46,000 and termination payouts for two retiring Police employees \$67,303.00

- 4. RESOLUTION 68-08 Approving a road closure for the 2008 Heart Walk on September 27, 2008 along Dixie Highway from Albany Avenue South of the old Roosevelt Bridge to Fern Street at the FEC RR Crossing North of the Draw Bridge**

Item # 5 was withdrawn

- 5. RESOLUTION 62-08 Authorizing the Mayor and City Clerk to execute a consent agreement between the City of Stuart and the South Florida Water Management District providing for industrial grade water to be furnished at no cost to Continental Concrete Material Inc.**

Commissioner Hutchinson suggested the City be prepared for the number of people at the weekend event in downtown .

END OF CONSENT CALENDAR

MOTION: COMMISSIONER HUTCHINSON: MOVED APPROVAL OF THE CONSENT CALENDAR ITEMS 1-4

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

COMMISSION ACTION

- 6. RESOLUTION 65-08 Authorization for a budget amendment to the 2007-2008 annual general fund capital budget for the appropriation and expenditure of \$425,000.00 to fund the design and construction of the recently warranted traffic signal at Central Parkway and US-1**

Mr. Hudson gave a brief overview of the proposed Resolution and the need for the budget amendment.

MOTION: COMMISSIONER WAXLER MOVED APPROVAL OF RESOLUTION 65-08

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

7. Appointments to several Advisory Boards submitted for the City Commission's ratification.

MOTION: COMMISSIONER HUTCHINSON MOVED APPROVAL OF REAPPOINTMENT OF DON KOMARA TO THE COMMUNITY REDEVELOPMENT BOARD AND MICHAEL HERBACH TO THE LOCAL PLANNING AGENCY AND DR. EDWARD GEARY TO THE LOCAL PLANNING AGENCY

SECOND: COMMISSIONER MORTELL
MOTION APPROVED UNANIMOUSLY

MOTION: COMMISSIONER MORTELL MOVED APPROVAL OF APPOINTMENT OF LARRY MASSING TO THE LOCAL PLANNING AGENCY AND APPOINTMENT SAMIA FERRARO TO THE CRA

SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

8. Authorization to set a Special Meeting on June 23, 2008 at 4:00 PM for an Attorney/Client Session pursuant to Sec. 286.011, Florida Statutes

MOTION: COMMISSIONER MORTELL MOVED APPROVAL OF SPECIAL MEETING/ATTORNEY CLIENT SESSION

SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

DISCUSSION & DELIBERATION

9. Discuss Horse Drawn Carriage

Mayor Krauskopf stated he had received a negative comment regarding the horse carriage.

Melissa Smith owner of horse draw dreams came forward and stated that this was the first complaint ever of her company.

The Commission agreed to allow the Horse Drawn Carriage rides to continue.

10. Business Development Board Discussion as to how the City might best encourage sustainable economic development

Ron Bunch, Executive Director of the BDB, thanked the Commission for inviting him to give a presentation. During a power point presentation, Bunch reviewed Economic Data from a 2006 Study and its relationship to Martin County and City of Stuart.

Commissioner Mortell stated it would be very helpful to him if they would provide explicit request of things that we can do for you. For example I have been to a lot of

meetings were municipalities can help attract business by creating some type of impact fee exception.

Mr. Bunch stated he would provide specific recommendations to the City Manager to help meet goals.

Commissioner Hutchinson stated that the City has many old, small buildings and feels the plan should be to fill those empty spaces.

Vice Mayor Christie expressed concern over those residents who have left and gone off to college and come back with no jobs and no housing.

Mr. Bunch stated they have met with the School Board as well as IRCC and workforce board about doing a labor study.

Commissioner Waxler suggested looking at alternative energy sources and nurturing new companies.

Mayor Krauskopf requested small steps and used one example on filling up a small space, then build on that success.

The Commission agreed that they need more detailed information, which would help them focus on the short term goals.

ADJOURNMENT: 6:55 pm

Cheryl White, CMC, City Clerk

Jeffrey A. Krauskopf, Mayor

Minutes approved at the Regular Commission
Meeting this 23 Day June 2008