

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JULY 13, 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

COMMENTS BY CITY COMMISSIONERS

Commissioner Krauskopf requested the City Manager find out what the date is of the County Commission Meetings so the City may attend.

Mayor Christie expressed gratitude to those involved in this year's 4th of July celebration in the downtown. He would like to keep the fireworks in the downtown for the future.

COMMENTS BY CITY MANAGER

City Manager Hudson announced that the CRA is sponsoring Coffee with the Manager to recognize some of the accomplishments within the CRA. This is going to be a quarterly event beginning July 29, 2009 at 8:00 A.M. The public is invited. He also announced the Finance Department received a message regarding an error to the property tax rolls and should be resolved by this Friday.

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

APPROVAL OF AGENDA

**MOTION: VICE MAYOR MORTELL; MOVED APPROVAL OF THE TENTATIVE AGENDA
SECOND: COMMISSIONER KRAUSKOPF
MOTION APPROVED UNANIMOUSLY**

CONSENT CALENDAR

1. **Nomination by Mayor Christie of Mr. Johnnie Bell to fill the vacancy on the Community Redevelopment Board**
2. **RESOLUTION 71-09 Authorization to execute a water main easement with the Martin County School Board**
3. **RESOLUTION 77-09 Authorization to adopt a schedule of fees and charges for emergency services under sections 2-246, 18-1, 3401, and 42-91 of the City Code .**
4. **RESOLUTION 78-09 Authorization to make proper application to the United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$10,411.00 and if successful to execute grant and subsequently approve the expenditure of grant to fund Web based crime mapping tools**
5. **RESOLUTION 79-09 Authorization for a budget amendment to the 2008-2009 annual stormwater fund budget of the City of Stuart; authorizing the appropriation and expenditure of \$110,000.00 to fund construction of the Memorial Park drainage improvement project; authorizing receipt of Fema Region IV Grant funds in the amount of \$80,727.00 to be used to offset the costs of the Memorial Park drainage improvement project**
6. **REQUEST TO CONTINUE TO THE MEETING OF JULY 27, 2009 ORDINANCE 2187-09 (First Reading) Approving a Major Amendment to the Commercial Planned Unit Development (CPUD) located on the Southeast side of SE Federal Highway (US 1) and SE Market Place; providing for approval of a change in the boundary of the Commercial Planned Unit Development (CPUD) district and a revision to the originally approved final site plan and development conditions allowing for an increase in signage to amend the established "Shoppes at Market Place" Commercial Planned Unit Development consisting of retail and restaurant uses (Quasi-Judicial)**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CONSENT AGENDA ITEMS 1-6

SECOND: COMMISSIONER WAXLER

Commissioner Hutchinson requested staff look at the Fire Fees for item 3. She said it seems like there is a disproportion amount where smaller buildings pay versus larger buildings.

ROLL CALL

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

END OF CONSENT CALENDAR

COMMISSION ACTION

ORDINANCE FIRST READING

- 7. 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: VICE MAYOR MORTELL; MOVED APPROVAL OF ORDINANCE 2185-09 ON FIRST READING

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

ROLL CALL

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

- 8. ORDINANCE 2186-09 (First Reading) Amending the Comprehensive Land Use Plan of the City thereby assigning an "Industrial" 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 WAXLER; MOVED APPROVAL OF ORDINANCE 2186-09 ON FIRST READING

SECOND: VICE MAYOR MORTELL

ROLL CALL

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

- 9. ORDINANCE 2188-09 (First Reading) Major Amendment to the Sunbelt Partners Commercial Planned Unit Development (CPUD) located on the West side of US Highway 1 and South of SE Fischer Street; providing for approval of a final site plan; providing conditions for compliance with site design qualitative development standards; declaring the development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial)**
- 10. ORDINANCE 2189-09 (First Reading) Major amendment to the SK Partners II (Advantage Ford) Commercial Planned Unit Development (CPUD) located on the West side of US Highway 1 and North of SE Pomeroy Street; providing for approval of a final site plan, conditions for compliance with site design qualitative development standards; development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial)**
- 11. ORDINANCE 2190-09 (First Reading) Major amendment to the SK Partners II CPUD and the Sunbelt Partners CPUD to form a new Commercial Planned Unit Development to be known as "Market Place of Stuart CPUD" located on the West side of S.E. Federal Highway and North of Advantage Ford and South of Lowes; providing for approval of a final site plan; providing conditions for compliance with site design qualitative development standards; development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial)**

City Attorney Nicoletti announced items 9,10 and 11 can all be heard together, but 11 must be voted on first in order for items 9 and 10 to be approved.

Doug James Development Director reviewed the proceedings of June 22 noting that there have been no changes to the Sun Belt Partners (Item 9) revised site plan or to SK Partners (Item 10) site plan. There are a number of documents on Market Place that the Board did not see on June 22. It was last revised on July 2nd and a number of modifications have been made.

Mark Mathes of Lucido & Associates noted negotiations with Willoughby and reviewed the many site plan changes that have been made since June 22, 2009 public hearing. He gave a visual presentation regarding the proposed project.

Michele Riley Willoughby General Manager said significant progress has been made but there are some additional items for negotiation. She also expressed concern over the timing of the clearing of the site and some development conditions discussed and agreed to by both parties but are not added to the Development Conditions. She stated the neighborhoods biggest concern is the preserve area and the effects of a significant storm, which may leave the border unprotected.

She was "grateful" that there has been "institutional memory" on why Lowes was developed as it was and said there is concern if this project moves to another ownership things could change. Willoughby is not trying to "kill the project" but would like to maintain the preserve area as is. Riley said Willoughby also realizes the need for compromise.

Armond Pasquale came forward and expressed concern over the big box structures.

Richard Burgen came forward and agreed with Mr. Pasquale. He said the environmental concerns are also significant.

Vice Mayor Mortell totally agreed that the preserve area is a concern of the Willoughby residents, but felt compromise is a good thing. He questioned how much the preserve provides for wildlife. He felt that it may provide more privacy then being a true preserve.

Commissioner Waxler questioned the \$275,000 contribution to Willoughby.

Mark Mathes explained the contributions to Willoughby and the mitigation.

Commissioner Hutchinson felt the tree mitigation should be over and above the requirement.

Commissioner Krauskopf asked if there was a plan with the original preserve area that operated with presumption of the (insit) ? to preserve area.

Mark Mathes explained that was not part of the requested PUD process.

Commissioner Hutchinson expressed additional concerns relating to what is being proposed by the applicant relating to the tree mitigation. She said the applicant is getting a benefit by moving the two preserves offsite and she does not feel in return the project in a whole is not that good of a project because of that.

Mark Mathes said only exotics are being taken down and the contribution to the tree berm will be at time of civil engineering approval.

Commissioner Krauskopf brought up the issue of performance bonds and said "we could have a dust bowl there".

The City Attorney said conditions have been included to address that issue.

Attorney Linda Hake said we have increased the amount of money to go to Willoughby and we could plant all of the trees on our property. She also noted a lot of concessions have been made to Willoughby for this project.

Commissioner Waxler said she knew Willoughby was "trying to walk a fine line" on the preserve area but that was not the issue last time.

Michele Riley said the applicant has done an admirable job to the residents however she said the biggest concern to the residents is the preserve area.

Mayor Christie complimented both parties on their efforts to work together to come to a mutual agreement.

Commissioner Hutchinson questioned time lines noting they are double normal.

Mr. Mathes said that gives the opportunity to not have to implement the surety requirements.

Vice Mayor Mortell questioned when the Vista parcel would be transferred to the City.

Mr. Mathes had no issue accelerating to final, but if the project fails the owner gets nothing for a very expensive piece of property.

City Attorney said staff will see if they can come up with a time certain.

Commissioner Waxler noted the prior wetland dedicated preserve is very critical portion of this property. She noted the money being paid to Willoughby for landscaping, that money may be used to go into the site for development. She noted that it also has to include the Willoughby

Attorney Hake appreciated the comments made by Willoughby. She then explained the agreement with Willoughby regarding the trees and where they would be planted.

Commissioner Waxler explained that Willoughby had an expectation that the buffer would run I shaped.

Attorney Hake expressed concern that the Willoughby residents only expect this big of a buffer on this site and not Lowes or Advantage Ford.

Commissioner Waxler stated this serves as a buffer because it is a wetland preserve area.

Vice Mayor Mortell asked if the developer was willing to bond removal of exotics on the Vista.

Attorney Hake asked if she could come back with an answer at the second reading.

Helen McBride said if 50% of the tree mitigation was being given to Willoughby it would be taking trees away from US 1 and we have to protect all residents of Stuart.

Pat Tera 4738 SE Waterford came forward and expressed concern that the wetland area was never shared with the residents until just recently.

Mr. Mathes stated the two parcels on the site are upland preserves. He further explained the project is giving a 2-1 upland credit.

MOTION: VICE MAYOR MORTELL; MOVED APPROVAL OF ORDINANCE 2190-09 ON FIRST READING TO INCLUDE THE CONDITIONS SET FORTH IN THE PACKET INCLUDING THE PRESENTATION MADE BY MARK MATHES WITH REGARDS TO THE SITE PLAN PRESENTATION AND WITH THE CONSIDERATION THAT WE WILL READDRESS THE BONDING OF THE EXOTICS ON THE VISTA SITE AS WELL.

Attorney Hake stated for the record she would make the changes to the conditions noted by Michele Riley because we agree to those items.

VICE MAYOR MORTELL AGREED TO INCLUDE THAT IN HIS MOTION.

Attorney Nicoletti stated he would follow up on those items and include the modifications.

SECOND: COMMISSIONER WAXLER INCLUDED IN HER MOTION THAT THE APPLICANT NEEDS TO DIG DEEPER INTO THEIR POCKETS AND COME UP WITH SOME MORE MONEY.

Commissioner Krauskopf stated he would not support the project because it is still lacking over and above what we are trying to accomplish.

ROLL CALL

ROLL CALL

MAYOR CHRISTIE	YES	COMMISSIONER HUTCHINSON	NO
VICE MAYOR MORTELL	YES	COMMISSIONER WAXLER	YES
COMMISSIONER KRAUSKOPF	NO		

Item #9 Ordinance 2188-09

MOTION: COMMISSIONER WAXLER; MOVED APPROVAL OF ORDINANCE 2188-09 ON FIRST READING.

SECOND: VICE MAYOR MORTELL

ROLL CALL

ROLL CALL

MAYOR CHRISTIE	YES	COMMISSIONER HUTCHINSON	NO
VICE MAYOR MORTELL	YES	COMMISSIONER WAXLER	YES
COMMISSIONER KRAUSKOPF	YES		

Item #10 Ordinance 2189-09

MOTION: VICE MAYOR MORTELL; MOVED APPROVAL OF ORDINANCE 2189-09 ON FIRST READING.

SECOND: COMMISSIONER WAXLER

ROLL CALL

ROLL CALL

MAYOR CHRISTIE

YES

COMMISSIONER HUTCHINSON

NO

VICE MAYOR MORTELL

YES

COMMISSIONER WAXLER

YES

COMMISSIONER KRAUSKOPF YES

12. ORDINANCE 2191-09 (First Reading) Major amendment to the Commercial Planned Unit Development (CPUD) located at the corner of SE Commerce Avenue and SE Fischer Street; providing for approval of a final site plan; providing conditions for compliance with site design qualitative development standards to establish GSA-Stuart a Commercial Planned Unit Development, a Governmental Office Building; declaring the CPUD Development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial)

City Planner Tom Reetz reviewed the item noting that the site plan encompassed 3.2 acres and the 12,000 square foot government office building would have "green features" and attached covered parking. Environmental aspects include a .61 acre retention/wetland area and upland preserve and there is mitigation on site around the wetlands. The exterior elevations will vary in height. Staff recommends approval with 34 conditions.

Stephen Gaydosh, project engineer, reviewed the site plan and GSA's S.F.O. for office building 1. He addressed remedies to minimize on-site environmental impacts and said the SFWMD permit for retaining all water on site is expected to be in hand this week. Gaydosh thanked staff for their helpful assistance in the design of this project.

City Manager Hudson clarified that the drainage would be held entirely on site.

Commissioner Krauskopf said this is another example of a big area being sliced off from drainage on environmental standard.

Mr. Gaydosh said plans have been submitted to the County on drainage.

Commissioner Krauskopf asked what the purpose of the building was for.

Tobe Tricky noted he was the owner of the building and will firm lease the building for 10 years, to the GSA.

Commissioner Krauskopf asked if there would be a large demand for Police and Fire services from the City.

Mr. Gaydosh stated he was not aware of any additional demand that would be needed for Police and Fire.

He stated the purpose of the building was to process detainees with no overnight stay.

Commissioner Hutchinson wanted to know what plans the City has in place to track the PUD and environmental preservation.

Douglas James, Development Director said there is no sure guarantee, and what remains is a 12 acre parcel after you remove this parcel.

Vice Mayor Mortell wanted to know if it is possible for them to maintain the wetland area, but to also transfer the title to the City.

Mr. Gaydosh said it is absorbed into our site plan approval and we would have to come up with an amendment to the PUD.

MOTION: VICE MAYOR MORTELL; MOVED APPROVAL OF ORDINANCE 2191-09 ON FIRST READING WITH THE CONDITION OF SOME KIND OF UNITY OF TITLE BY SECOND READING.

Commissioner Hutchinson said she did not want to see in the future use of the mitigation area.

Attorney Nicoletti said it would be a development issue not a legal issue.

Commissioner Hutchinson said there should be a record of mitigation so this is not used again for another project.

SECOND: COMMISSIONER WAXLER
ROLL CALL

ROLL CALL

MAYOR CHRISTIE	YES	COMMISSIONER HUTCHINSON	YES
VICE MAYOR MORTELL	YES	COMMISSIONER WAXLER	YES
COMMISSIONER KRAUSKOPF	NO		

Commissioner Waxler requested a letter from accounting about a letter that is attached to the package.

13. ORDINANCE 2192-09 (First Reading) Major amendment to the Commercial Planned Unit Development (CPUD) located on the East side of SE Federal Highway (US 1); providing for approval of a site plan; providing conditions for compliance with site design qualitative development standards to establish the "SPS Center" Commercial Planned Unit Development, a commercial development consisting of retail and bank uses; declaring the CPUD development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial).

Tom Reetz City Planner noted the subject site is located between Monroe and Gay Streets and the area is undeveloped at this time. In reviewing the site plan, Reetz noted a bank building and retail will front US-1 and there will be more retail to the south and on the west side of the site. Staff recommends approval of this major amendment to the CPUD based on 24 conditions.

Terry McCarthy noted that this is one of the parcels the came into the City as part of the 2007 annexation. He agreed with staff presentation and the 24 conditions and noted a unanimous recommendation of approval by the LPA.

Commissioner Hutchinson questioned pervious

Scott Montgomery noted the applicant does not want to exceed what is already there.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF ORDINANCE 2192-09 ON FIRST READING.

SECOND: COMMISSIONER WAXLER

ROLL CALL

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

ORDINANCE SECOND READING

14. ORDINANCE 2182-09 (Second Reading) Amending sections 2-246, 18-1 (a), 34-1, and 42-91, of the City Code regarding Fire-Rescue related fees, and providing for codifications

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF ORDINANCE 2182-09 ON SECOND READING.

SECOND: COMMISSIONER WAXLER

ROLL CALL

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

DISCUSSION & DELIBERATION

15. Discussion on potential Amtrak Station sites.

Terry O'Neil noted the following potential sites noting that no one site is without some issues:

- 1 – FEC ROW across from Stuart Feed Store
- 2 – Park & Ride/Kiwanis Park near Colorado Avenue and Confusion Corner
- 3 – East Coast Lumber site on Flagler
- 4 – FEC ROW east side of Dixie Hwy, between East 5th Street and Martin Luther Kind Blvd.
- 5 – County Courthouse parking lot on Flagler east of East Coast Lumber.

Kim Delaney Treasure Coast Regional Planning Council gave a brief history on the proposed Amtrak Station project and the applicants who have requested funding. She stated that the criteria for stations should be located in historic downtowns.

Commissioner Krauskopf suggested using the Kiwanis Park site.

Commissioner Hutchinson expressed concern over using the Kiwanis Park Site

Commissioner Waxler felt this was a good opportunity for the City and County. If I had to choose between a park and a transit cent and train station and having it locally within walking distance to our urban areas, I am sorry but I would sacrifice the park for this location in the center. I prefer to do this with or without the park.

MOTION: COMMISSIONER WAXLER; MOVED APPROVAL TO PICK THE NUMBER 1 SITE AS KIWANIS PARK. AND
SECOND: COMMISSIONER KRAUSKOPF

Vice Mayor Mortell said the park makes sense and would have dual use.

Armond Pasquale came forward and stated that he would like to see just the train station located across from where it was years ago.

Vice Mayor Mortell said one criterion is the train has to stop and not block any intersection and that could not be done at the original location.

Commissioner Hutchison said ideally the alternate site abuts that area of that track, whether it is the courthouse area, is the best place to put it.

Vice Mayor Mortell said no matter where it is we are going to have to come up with the money to buy property or lease a site from the FEC.

Kim Delaney stated she was not sure how much money would be available for land acquisitions.

AMENDED MOTION: COMMISSIONER WAXLER; MOVED APPROVAL TO PICK THE NUMBER 1 SITE AS KIWANIS PARK AND THE EAST COAST SITE AS AN ALTERNATIVE SITE.
SECOND: COMMISSIONER KRAUSKOPF

Vice Mayor Mortell stated the he understands that congressman Rooney who has agreed to write a letter on behalf of the City to endorse the support and movement of this. He said if the City is going to change course of the transit building we need to submit additional applications.

John Leighton encouraged the City to look a little farther south to the Woodland Park area. He also wanted to make sure connectivity is included in the process to include streetscapes, lighting.

ADDITIONAL MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL THAT THE TRANSIT FACILITY RUN ON A CONCURRENT TRACK WITH THE DESIGNATED LOCATION TO BE AT THE KIWANIS PARK LOCATION.
SECOND: COMMISSIONER WAXLER: THAT THE FIRST LOCATION FOR THE AMTRAK STATION BE THE KIWANIS PARK AND AN ALTERNATIVE SITE BE ACROSS AT THE LUMBER YARD.

The roll call was made on the motion(s)

ALL MOTION(S) APPROVED UNANIMOUSLY

16. Discussion on Site Selection for Fire Rescue Station 3

Commissioner Krauskopf stated he was in support of a facility, North of the bridge however he does have reservations about the Wright Blvd site. He felt there were additional alternatives that

would serve a better response time. He recommended exploring other sites particularly around the Green River Parkway, and looking at an immediate temporary location.

Commissioner Waxler expressed concern over use of the flag lot.

City Manager stated the City will look at an alternative site.

Fire Chief Sunderman said that she had applied for a stimulus grant and many points were based on, do you already own the property, is it zoned property, is it ready to be permitted so they looked at the Flag Lot.

Commissioner Mortell addressed the "flag piece" and felt the City should not rule out the flag lot as a potential site.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO LOOK AT OTHER OPTIONS FOR THE PROPOSED FIRE STATION 3.
SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

17. Discussion on 2009 Legislation passed this year.

City Manager Hudson noted that Commissioner Krauskopf had requested a discussion on the impact of SB 360 on the City and staff is still trying to figure out what it all means.

Commissioner Krauskopf had "heartburn" SB 2282.

City Manager Hudson explained the proposed SB 2282 regarding fees for first responders to incidents.

Attorney Nicoletti said he thought it was a "consumer driven" bill.

Mayor Christie noted that other communities have decided to sue the state regarding SB 360.

Attorney Nicoletti said so far 14 municipalities have joined in the suit and there is a different interpretation every day.

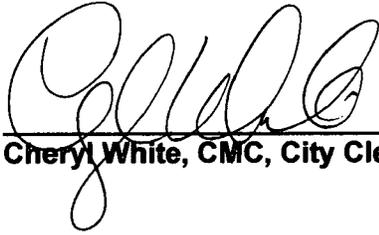
City Manager Hudson recommended that the Commission not put any funding into it.

Commissioner Hutchinson had questions on the impact of some of the other bills concerning anchoring in waterways. She also had questions on the FAA property located where homes were demolished.

It was agreed that staff will look into the Commissioners concerns.

ADJOURNMENT: 9:06 pm

ATTEST:


Cheryl White, CMC, City Clerk


James A. Christie, Mayor

Minutes approved at the Regular Commission Meeting This 10th Day August 2009



CITY COMMISSION MEETING
REQUEST TO SPEAK

SPEAKER# 1

ITEM# 9-11

The City Commission encourages public participation during their meetings.
Please follow instructions, complete the form and present it to the City Clerk

NAME Michèle Reilly DATE 7/13/09
(PLEASE PRINT)
ADDRESS 2570 SW Maywood Way CITY Palm City ZIP 32909
PHONE 219-7625

ADDRESSING THE CITY COMMISSION (ORD# 1279-93)

-) Members of the public who have been called upon to speak should come forward to the microphone, state their name, city in which they reside, and the item number.
-) All remarks shall be addressed to the City Commission as a body and not to a particular City official.
-) **PREPARED STATEMENTS** shall be presented to the City Clerk for the record.
-) To ensure fair and equal treatment of all who appear before the City Commission, speakers will be limited to five-minutes.

DECORUM (ORD 1279-93)

Any person making personal, impertinent, irrelevant or slanderous remarks, or who becomes boisterous while addressing the City

CITY COMMISSION MEETING
REQUEST TO SPEAK

SPEAKER#

ITEM# 11

The City Commission encourages public participation during their meetings.
Please follow instructions, complete the form and present it to the City Clerk

NAME Helen R McBride DATE 7-13-09
(PLEASE PRINT)
ADDRESS 921 SE Fanning St CITY STUART ZIP 34994
PHONE 287-0759

ADDRESSING THE CITY COMMISSION (ORD# 1279-93)

- 1.) Members of the public who have been called upon to speak should come forward to the microphone: state their name, city in which they reside, and the item number.
- 5.) All remarks shall be addressed to the City Commission as a body and not to a particular City official.
- 6.) **PREPARED STATEMENTS** shall be presented to the City Clerk for the record.
- 7.) To ensure fair and equal treatment of all who appear before the City Commission, speakers will be limited to five-minutes.

DECORUM (ORD 1279-93)

Any person making personal, impertinent, irrelevant or slanderous remarks, or who becomes boisterous while addressing the City Commission or while attending the Commission meeting, shall be removed from the City Commission Chambers at the direction of the presiding officer. The sergeant-at-arms shall carry out all orders and instruction given by the Mayor for the purpose of maintaining order and decorum at the Commission meeting.

CITY COMMISSION MEETING
REQUEST TO SPEAK

SPEAKER# _____

ITEM# 12

The City Commission encourages public participation during their meetings.
Please follow instructions, complete the form and present it to the City Clerk

NAME ARMOND PASQUALE DATE 7/13/09
(PLEASE PRINT)
ADDRESS _____ CITY STUART ZIP 34984
PHONE 283-5677

ADDRESSING THE CITY COMMISSION (ORD# 1279-93)

-) Members of the public who have been called upon to speak should come forward to the microphone, state their name, city in which they reside, and the item number.
-) All remarks shall be addressed to the City Commission as a body and not to a particular City official.
-) **PREPARED STATEMENTS** shall be presented to the City Clerk for the record.
-) To ensure fair and equal treatment of all who appear before the City Commission, speakers will be limited to five-minutes.

DECORUM (ORD 1279-93)

Any person making personal, immaterial, irrelevant or slanderous remarks, or who becomes boisterous while addressing the City

QUASI-JUDICIAL

SIGN- IN SHEET

Applicant/Representative; Please return the completed sign-in sheet(s) to the City Clerk prior to the beginning of the public hearing and or item for those individuals below who will be giving sworn testimony.

Name of the Applicant/ Representative: Florida Power & Light

Name of the Project: FPL

Date: 7-13-09 Item # 8

Those persons giving sworn testimony are required to print their name clearly, sign and include company information.

PRINT NAME	SIGNATURE	COMPANY INFORMATION
Nick Blount		

QUASI-JUDICIAL

SIGN- IN SHEET

Applicant/Representative; Please return the completed sign-in sheet(s) to the City Clerk prior to the beginning of the public hearing and or item for those individuals below who will be giving sworn testimony.

Name of the Applicant/ Representative: GSA

Name of the Project: GSA

Date: 7-13-09 Item # 12.

Those persons giving sworn testimony are required to print their name clearly, sign and include company information.

PRINT NAME

SIGNATURE

COMPANY INFORMATION

STEVE GAYDOSKI

[Signature]

CARNAHAN-PROCTOR-CROSS, INC.

Cheryl Carpenter

[Signature]

CEN Environmental Consultants Inc

TOB TRICKEY

[Signature]

VIN # TOND HOVER PROPERTY MGT., LLC

Robert Lohre

[Signature]

Lohre & Chichas, P.A.

QUASI-JUDICIAL

SIGN- IN SHEET

Applicant/Representative; Please return the completed sign-in sheet(s) to the City Clerk prior to the beginning of the public hearing and or item for those individuals below who will be giving sworn testimony.

Name of the Applicant/ Representative: Market Place / SK Partners
Sunbelt.

Name of the Project: _____

Date: 7-13-09 Item # # 9 / # 10 / # 11

Those persons giving sworn testimony are required to print their name clearly, sign and include company information.

PRINT NAME

SIGNATURE

COMPANY INFORMATION

MARK MATHES

[Signature]

Lucido & Assoc

Adam Schildman

[Signature]

Creech Engineers, Inc.

CHLS SORONICK

[Signature]

ECF

Linda Hake

[Signature]

Gunster

Jason Matson

[Signature]

Kimley-Horn

TOM KEADY

[Signature]

BAINBRIDGE / MARKETPLACE STUART



Mayor
City Commission

City of Stuart

121 S.W. Flagler Avenue • Stuart • Florida • 34994

Telephone: (772) 288-5312

July 20, 2009

Florida Public Service Commission
Office of Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Subject: Florida Power & Light Proposed Base Rate Increase
Docket Number 080677-EI

Ladies and Gentlemen:

The City of Stuart wishes to express its objections to the proposed rate increase requested by Florida Power and Light. A permanent increase of this magnitude is exorbitant at any time. It seems exceptionally egregious at a time when many are feeling the effects of an economic recession, loss of property values, and a declining consumer price index. It is true that fuel prices have risen, but there are mechanisms to handle fuel adjustments other than a permanent base rate increase.

Please consider the needs of the citizens, businesses and visitors to the state who will be affected by the increase. Please adjust the increase to a more reasonable rate of return for the investors given the current economy.

Sincerely,

James A. Christie, Jr.
Mayor