

**REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD ON OCTOBER 17, 2011  
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS  
121 S.W. FLAGLER AVE.  
STUART, FLORIDA 34994**

**CITY COMMISSION**

Mayor Jeffrey A. Krauskopf (Absent)  
Vice Mayor James A. Christie, Jr.  
Commissioner Eula R. Clarke  
Commissioner Troy A. McDonald  
Commissioner Michael J. Mortell

**Stuart Middle School National Jr. Honor Society**

Grayson Campo, President  
Scot Kilbride, Vice President  
Kai Seymour, Treasurer  
Shea Dailey, Secretary  
Miss. Flood, Teacher

**Also in attendance were:**

City Manager, Paul J. Nicoletti  
City Attorney, Michael D. Durham  
City Clerk, Cheryl White

In recognition of Florida City Government Week, the following officers of Stuart Middle School National Jr. Honor Society were seated on the dais along with the Stuart City Commissioners: President Grayson Campo, Vice President Scott Kilbride, Secretary Shea Dailey, and Treasurer Kai Seymour.

**Vice Mayor Christie delivered the Invocation, followed by the Pledge of Allegiance led by the Commission.**

**PRESENTATIONS**

- 1. PROCLAMATION: Proclaiming October 16 - 22, 2011 as Florida City Government Week.**

President Grayson Campo, read the Proclamation to the Boards and public.

City Clerk Cherie White came forward and graciously accepted the Proclamation and thanked the City.

- 2. PROCLAMATION: Proclaiming October 28, 2011 as Leukemia & Lymphoma Light the Night Walk**

Ken Coe came forward and graciously accepted the proclamation and thanked the Commission.

**3. David Heaton, Executive Director, Children’s Services Council of Martin County will present a video illustrating “Tax Dollars at Work”**

Mr. Heaton of the Children’s Services Council presented a video to the City and Public regarding their supporting programs for “the kids” such as the After School Program, Tykes & Teens, Healthy Start, Helping People Succeed, Gertrude Walden Child Care Center, East Stuart Youth Initiative, Special Needs, etc.

**PUBLIC COMMENTS WERE HEARD AT THIS TIME:**

Sewall’s Point Mayor Jacqui Thurlow Lippish on behalf of the River Cohalition and the River Kidz whos mission is to speak out get involved and raise awareness because they believe kids should have a voice in the future of our rivers. The presented a poster to the City Commission that read: “Dear City of Stuart Commission, thank you for passing a fertilizer Ordinance and purchasing land. These deeds help our Rivers, the River Kidz.”

Vice Mayor Christie noted that Mayor Lippish is Chairperson of the Treasure Coast League of Elected Officials, and one of her passion is environment.

**COMMENTS BY CITY COMMISSIONERS**

Commissioner Clarke showed the public the education postcard the City is distributing to voters, to get out and vote. She encouraged everyone to get out and vote. She also commended staff for their support to a recent family in East Stuart who lost their home to a fire. She said they are working with the family with them.

She also stated she has received positive calls from residents who have visited the new Memorial Park. She announced that the City was working to assure the funds are in place and coordinated to install bike lanes along A1A for the least amount of disruption. Also she commended Mr. Heaton for their service and leadership to the Community; especially to those children in the community in need.

**COMMENTS BY CITY MANAGER**

City Manager Nicoletti noted the following:

1. Commissioner McDonald standing next to Governor Scott in the cover photo of *Quality Cities*, the monthly magazine of the Florida League of Cities.
2. Showed photos of McDonald, BCC Commissioner Smith and other notables sporting red high-heeled shoes for the “*Walk a Mile in Her Shoes*” event to raise funds for Breast Cancer research.

3. In accordance with Sec. 40-4(b), Stuart City Code, he advised that No Parking Signs are being erected on both sides of SE Luckhardt Street from SE Martin Square Corporate Parkway to US1 at the request of police and code enforcement.
4. On Item #7, regarding the nuisance abatement liens, one of the respondents has paid the amount owed today and so Attachment "I" is being removed from the list of needed Claims of Liens.
5. If there is no objection, the Vice Mayor will sign a letter to FDOT District 4 Secretary Jim Wolfe thanking him for including the funding for Amtrak's use of FEC Railway including a station in Stuart, and requesting FDOT to identify and advance funding for the project.
6. It appears the Macedonia Veteran's Home will finally open on Saturday, October 29<sup>th</sup> with an Open House from 10 AM to Noon. The address is 828 SE Nassau Avenue.
7. The National Weather Service is predicting a severe weather event for the next few days including 3 inches of rain and 30 mph winds beginning in the early hours of Tuesday continuing into Wednesday. This hybrid storm is off the Yucatan Peninsula and coming into Florida from the SW Coast.
8. Coffee with the City manager is scheduled for October 26, 2011 at the Flager Lyric Center beginning at 8:00 a.m.
9. He presented a night photo that was taken a week ago by Culpepper & Terperning of the newly re-constructed Memorial Park.

### **APPROVAL OF AGENDA**

MOTION: COMMISSIONER MCDONALD: MOVED APPROVAL OF THE AGENDA WITH AMENDMENTS.

SECOND: COMMISSIONER CLARKE  
MOTION APPROVED UNANIMOUSLY

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

### **CONSENT CALENDAR**

4. **Request support for Road to Victory Military Museum Stuart Air Show to be held at Witham Field scheduled for November 11, 12, and 13, 2011, and allowing certain equipment to be used during the event**
5. **RESOLUTION 87-2011 Authorization to execute the First Amendment to the Amended and Restated Lease between the City of Stuart, Florida and the Stuart Community Redevelopment Agency with SDG Group, LLC**

- 6. RESOLUTION 90-2011 Authorization for a Budget Amendment from the 2011-2012 General Fund; Authorizing the transfer of funds from the General Fund, Building Permit Fund to the General Fund, Development, in the amount of \$4,866.32; Authorizing appropriation and expenditure of funds for reimbursement to Martin County for costs associated with the Building Permit Fees for Restoration of the Bahama Square Affordable Housing Project**
- 7. RESOLUTION 91-2011 Authorization to assess the costs incurred by the City pursuant to Chapter 20, "Environment" of the City of Stuart Code of Ordinances (2010), as amended, to abate nuisances on non-public real properties within the City and including an administrative charge of \$100 per property; and providing that the assessments shall bear interest at the rate of twelve percent (12%) until paid; Providing that this resolution shall be recorded in the Public Records of Martin County**
- 8. RESOLUTION 92-2011 Authorization for a Budget Amendment to the 2011-2012 Annual Water Sewer Fund Operating Budget; Authorizing the appropriation of \$2,000,000.00 to fund Sewer Expansion Projects**
- 9. RESOLUTION 93-2011 Authorization for the Renewal of Contracts for the second and final renewal period with three current contractors pursuant to RFP #2009-83 for Landscape Maintenance**
- 10. RESOLUTION 94-2011 Authorization for amendment #2 to the agreements for Disaster Debris Removal and Disposal Services with Ash-Britt Environmental as Primary Provider and Grubbs Emergency Services as Secondary Provider**
- 11. RESOLUTION 95-2011 Authorization for Staff to negotiate a Professional Services Contract for Temporary Employee Services with Emerald Labor Source, LLC and Manpower and to Execute Final Agreements following review and approval by the City Attorney**
- 12. RESOLUTION 96-2011 Authorization to appoint the City Attorney as the Americans with Disabilities Act (ADA) Compliance Officer for the City of Stuart**

**13. RESOLUTION 99-2011 Authorization to Designate the Downtown Stuart Historic District Boundaries**

**14. RESOLUTION 100-2011 Authorization for the Mayor to Execute an Amendment to the Lease Agreement between the City of Stuart and The Pelican Café, LLC for that certain property known as the “Coast Guard Auxiliary Building”, 351 SW Flagler Avenue**

MOTION: COMMISSIONER MCDONALD: MOVED APPROVAL OF THE AGENDA WITH AMENDMENTS TO ITEM 7 REMOVING ATTACHMENTS I.

SECOND: COMMISSIONER MORTELL

MOTION APPROVED UNANIMOUSLY

**END OF CONSENT CALENDAR**

**COMMISSION ACTION**

**15. RESOLUTION #R01-2011, Authorization for the Stuart Middle School National Jr. Honor Society to apply for and implement a “Drink Pouch Brigade Recycling Program”, through TerraCycle, Inc.**

MOTION: VICE PRESIDENT KILBRIDE: MOVED APPROVAL OF RESOLUTION R01-2011

SECOND: TREASURER KAI SEYMOUR

ROLL CALL

PRESIDENT CAMPO                      YES                      SECRETARY DAILEY                      YES

VICE PRESIDENT KILBRIDE              YES

TREASURER SEYMOUR                      YES

**ORDINANCE FIRST READING**

**16. ORDINANCE 2235-2011 (First Reading) Amending Ordinance No. 2095-07, which approved the now defunct Harbour Walk Preserve Commercial Planned Unit Development (C-PUD) Project, changing the Zoning and Land use on 50.96 Acres of the 52.93-Acre Site from C-PUD to Public and from Downtown Redevelopment to Conservation: Authorizing changes to the City’s Future Land Use Map (FLUM); Declaring all prior time tables of development and site plan approvals to be void; and retaining C-PUD Zoning and Downtown Redevelopment Land Use on a 1.97-Acre portion of the site, the future development of which shall require a Major Amendment to Ordinance 2095-07; Declaring these changes to be consistent with the City’s Comprehensive Plan**

Interim Development Director Terry O'Neil explained the background of Ordinance 2235-2011, and the ballot language for the referendum noting the application will go to the new Department of Economic Opportunity for approval.

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE 2235-2011 ON FIRST READING

SECOND: COMMISSIONER CLARKE

ROLL CALL

VICE MAYOR CHRISTIE	YES	COMMISSIONER CLARKE	YES
COMMISSIONER MCDONALD	YES	COMMISSIONER MORTELL	YES

### **ORDINANCE SECOND READING**

#### **17. ORDINANCE 2227-2011 (Second Reading) Amending the Stuart Code of Ordinance regarding the paving requirements of off-street parking for Residential Properties.**

MOTION: COMMISSIONER CLARKE: MOVED APPROVAL OF ORDINANCE 2227-2011 ON SECOND READING

SECOND: COMMISSIONER MCDONALD

ROLL CALL

VICE MAYOR CHRISTIE	YES	COMMISSIONER CLARKE	YES
COMMISSIONER MCDONALD	YES	COMMISSIONER MORTELL	YES

#### **18. ORDINANCE 2233-2011 (Second Reading) Providing for a Referendum to consider Proposed Amendments to the City's Charter as recommended by the City's 2011 Charter Advisory Board consisting of: (1) A requirement that the Elector of the City must have maintained continuous residency within the City of Stuart for more than 12 months immediately preceding the election in which he or she seek office and (2) all Elected Commissioners must maintain continuous residency within the City once elected**

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE 2233-2011 ON SECOND READING

SECOND: COMMISSIONER MCDONALD

ROLL CALL

VICE MAYOR CHRISTIE	YES	COMMISSIONER CLARKE	YES
COMMISSIONER MCDONALD	YES	COMMISSIONER MORTELL	YES

#### **19. ORDINANCE 2236-2011(Second Reading) Amending the Stuart Code of Ordinances to reflect a change in the configuration of members of the Community Services Advisory Board**

MOTION: COMMISSIONER CLARKE: MOVED APPROVAL OF ORDINANCE 2236-2011 ON SECOND READING

SECOND: COMMISSIONER MORTELL

ROLL CALL  
VICE MAYOR CHRISTIE            YES    COMMISSIONER CLARKE            YES  
COMMISSIONER MCDONALD    YES    COMMISSIONER MORTELL           YES

**DISCUSSION & DELIBERATION**

**ADJOURNMENT 6:21 p.m.**

**ATTEST:**

\_\_\_\_\_  
Cheryl White, CMC, City Clerk,

\_\_\_\_\_  
Jeffrey A. Krauskopf, Mayor,

**Minutes to be approved at the Regular Commission  
Meeting This 14th Day November 2011.**