

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JANUARY 9, 2012
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor James A. Christie, Jr.
Vice Mayor Eula R. Clarke
Commissioner Troy A. McDonald
Commissioner Kelli Glass
Commissioner Jeffrey A. Krauskopf**

Also in attendance were:

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

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

PRESENTATIONS

1. PROCLAMATION: Proclaiming January 20, 2012 as Stuart Arbor Day

Barbara Wade and Jane Mills of the Stuart Garden Club came forward and graciously accepted the proclamation and thanked the Commission.

2. Presentation by Doug Coward on Clean Energy Loan Program

Doug Coward Clean Energy Loan Program came forward and gave a visual presentation to the City Commission regarding a clean energy loan program currently under way in St. Lucie County. He hoped to see the loan pool grow and expand the program to be able to extend to other counties in the Treasure Coast region. He stated the mission of the program is to enhance consumer access to clean energy solutions in addition to providing that favorable financing.

3. GFOA Presentation of Certificate of Achievement for Excellence in Financial Reporting

Ed Fry, OMB Manager of the City of Lake Worth presented the City of Stuart with the National Award of Certificate of Achievement Excellence in Financial Reporting.

Added #4 Martin Luther King Jr. Day.

Philip Harvey came forward and graciously accepted the Proclamation and thanked the City. He invited everyone to come and participate in the upcoming Martin Luther King Jr. celebration to be held on January 16, 2012.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass was glad to be back after the holidays.

Commissioner McDonald is looking forward to an exciting year and letter he received praising the Public Works Department, Milton Leggett by a former official from Cooper City, FL.

Commissioner Krauskopf said he had received a number of calls regarding the boat and RV parking issue, and had reassured “folks” that the City intends to take a “velvet glove approach to reach solutions rather than a hammer.

Vice Mayor Clarke wished everyone a Happy New Year and followed up on Commissioner Krauskopf’s comments regarding the boat and RV parking implementation and enforcement. She also listed all of the planned activities for the MLK, Jr. Celebration.

Thursday Evening at City hall the Stuart’s Middle School Students Orotoracle contest
Friday: Free Reception at the Cultural Courthouse.

Saturday: MLK Celebration at the 10th Street Recreation Center.

Sunday Evening Interfaith service at the United Methodist Church, Kanner Highway.

Monday : MLK Parade beginning at Memorial Park at 1:00 p.m. with many activities at the Park.

She also noted that Stuart Heritage will be meeting on January 10, 2012 at the City Hall Commission Chambers with guest speaker Mr. Anderson speaking on Bahamians coming from the Bahamas and participating in the life of Stuart.

Mayor Christie also extended Happy New Year greetings and said he is looking forward to working with citizens, staff and fellow Commissioners when addressing issues or the new year and working on the financial challenges of the City.

COMMENTS BY CITY MANAGER

City Manager Nicoletti address the Parking Ordinance issues by saying he had asked Sr. Staff members Terry O’Neil and Dan Bogan to review the Parking Ordinance to see how the City could accommodate boat and trailer and RV parking on driveways. He shared statistics provided by staff noting over 200+ residents would be adversely affected by the new ordinance and said it appears the ordinance could be amended to allow for parking of boats and trailer and RVs on driveways so long as it does not cause people to park other vehicles on the grass. He noted that the City has suspended enforcement of the Ordinance at this time.

Mr. Nicoletti also noted the City Commission Visioning Retreat will be held on January 13th 2012 at the Flagler Center starting at 8:30 AM. The retreat is open to the public but no public comment will be taken.

Coffee with the City Manager originally scheduled for Wednesday January 11th is being moved to February and a new date will be provided.

Regarding the Agenda - Item 6 is a 3-year contract and Item 7 is a one year contract and on the agenda it is incorrect and should read the lease goes to 2013.

Culpepper and Terpening asked that he present a framed excerpt from the most recent copy of *Water and Wastes Digest*, a national monthly publication that featured the City of Stuart and its Wastewater Plant Structural and Air Quality Project as one of their Top 10 Projects for 2011.

APPROVAL OF AGENDA

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF THE AGENDA AS AMENDED ITEM 6-7 CLARIFICATIONS
SECOND: VICE MAYOR CLARKE
MOTION APPROVED UNANIMOUSLY

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

Ric Pauly, Keith Wilson, Louann Flaute, Mary Rollins, Linda Skoglund, all voiced concern about the negative impact of the new parking ordinance on residents who park their boats and trailers, RVs and work related trailers in their driveways. Comments ranged from having a grandfather clause, and case by case issue to having public meetings to address residents' concerns and revision of the ordinance.

Helen McBride clarified there had been prolonged discussions on the proposed ordinance and the issue of cars being parked on grass because boats, RVs and trailers were parked on many driveways.

Michael Kaiser 1065 SE Dolphin Drive came forward and stated that if the residents would have received notification of the adopted Ordinance they would have been here at the public hearing to object.

CONSENT CALENDAR

- 4. Request to approve the Minutes of the Regular Commission Meeting of November 28, 2011 and Special Commission/CRA/CRB Meeting of December 5, 2011**
- 5. Re-appoint and Appoint Board Members to the Stuart Independent Review Board**

6. **RESOLUTION 01-2012 Authorization to execute an extension to the Lease Agreement between City of Stuart and the Martin County Convention and Visitors Bureau to January 26, 2015**
7. **RESOLUTION 03-2012 Authorization to extend the Lease Agreement between the City of Stuart and Culpepper and Terpening to January 31, 2012**
8. **RESOLUTION 02-2012 Authorization for the use of Facsimile Signatures on checks issued by the City of Stuart**
9. **RESOLUTION 04-2012 Authorization to approve a Minor Amendment to the "Race Trac PUD" Commercial Planned Unit Development (CPUD) thereby amending development condition numbers 1, 2 and 30 to extend the project's time table of development to December 31, 2012; Approving a revised Site Plan, Paving Grading and Drainage Plan, a Landscape Plan, and Building Elevations (Quasi-Judicial)**
10. **RESOLUTION 05-2012 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**
11. **RESOLUTION 06-2012 Authorization for the procurement of Professional Utility Rate Consulting Services from Professional Resources Management Group, Inc.; Authorize the execution of a Master Agreement with Professional Management Group, Inc.**
12. **RESOLUTION 07-2012 Authorization for a Budget Amendment to the 2011-2012 General Fund, Park Facilities, Capital Outlay; Approving and Authorizing the Transfer of funds from Infrastructures Sales Tax, Fund Balance, to General Fund, Park Facilities, Capital Outlay (1243-563) for the purpose of replacing Grant Proceeds returned to Florida Inland Navigation District related to the Shepard Park Boat Ramp**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CONSENT CALENDAR

SECOND: COMMISSIONER MCDONALD

ROLL CALL

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

COMMISSIONER MCDONALD YES

END OF CONSENT CALENDAR

COMMISSION ACTION

**13. Approval of Relocation of Approved Billboard Sign to New Site
At North River Shores Boulevard**

City Manager Nicoletti reviewed the settlement with LAMAR Sign Company and noted that LAMAR would be willing to pay an additional \$500 more to re-locate the sign to the new 2-acre commercial site across from North River Shores Blvd.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE
RELOCATION OF APPROVED BILLBOARD SIGN TO NEW SITE.
SECOND: COMMISSIONER MCDONALD

Vice Mayor Clarke questioned the signs location and effects of future leases of the property.

Commissioner McDonald wanted to address the issue of where the additional funds would go derived from the rental income.

City manager Nicoletti noted they would be discussing the financial matter with the County but wanted City Commissions permission to move forward by motion or an agreement.

Commissioner Glass asked if Lamar has a time line?

City Manager Nicoletti said LAMAR would like some assurance.

Vice Mayor Clarke asked about a time-line on a commercial lease,

City Manager Nicoletti said he would like to see the site leased in the next 6 months.

Mayor Christie asked about FDOT issues.

City Manager Nicoletti noted that DOT does have to do the permitting.

Vice Mayor Clarke requested an update from Nicoletti in 6 months.

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

ORDINANCE FIRST READING

ORDINANCE SECOND READING

14. ORDINANCE 2239-2012 (Second Reading) Request to amend the '600 Building RPUD' (Ordinance No. 2100-07) Providing for the Removal of Parcel B and it's Rezoning to R-2 and a Corresponding Amendment of the City's Official Zoning Map; Providing for a New Timetable of Development for the Remaining Parcel (Quasi-Judicial)

Commissioner Glass announced she would be filing a form 8b on Ordinance 2239-2012.

MOTION: VICE MAYOR CLARKE; MOVED APPROVAL OF ORDINANCE 2239-2012 ON SECOND READING

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

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

DISCUSSION & DELIBERATION

15. Discussion of the Palmetto Harbor Sewer Assessment

City Manager Nicoletti reviewed the background of the subject sewer assessment and the issues brought forth in a letter he had received from Laura Todzia, a resident of South Carolina Drive who questioned why residents of one area had to pay twice as much as residents only two blocks away.

City Manager Nicoletti stated that he would recommend not disturbing the past assessment program.

Laura Todzia expressed concern over the answer she received. She said they hooked up and felt that they deserve the same best deal that everyone else is getting.

Dave Peters, Assistant Public Works Director explained that the scope of the project size and time has an effect on the cost per unit and stated the project has not yet been bid. He noted that the City had paid for the infrastructure and the residents' costs were to bring the service to them. The project in the North/South Carolina Drive had been competitively bid, and the City did everything the residents had asked it to do.

Commissioner Glass asked about an “out of the box” process, perhaps the establishment of a reserve fund, to make it more fair and equitable for all going forward.

City Manager Nicoletti said this is equitable but it is not equal. He said we could make it equal and for example everyone pays \$10,000.00. But that is not equitable because the actual cost could be lower or higher.

Commissioner Krauskopf had questions on the change in philosophy on the incentive approach.

Sam Amerson, Public Works Director explained Palmetto Harbor was a smaller program and suggested staff come back with options.

Commissioner Krauskopf thought incentives should be the same for everybody.

Mayor Christie wanted to know what happens with future “basin projects.”

Commissioner Glass said there has to be some checks and balances.

Michael Kissane 506 SW South Carolina Drive came forward and expressed concern over the assessment he had to pay.

Bill Mac Dowell stated he had sold his house and had to resolve the assessment issue before closing. He had to take \$10,000 from his retirement account to do so and said if a refund is going to be given he would expect to receive his because he paid the assessment in full.

Dr. Edward Geary a resident of the North and South Carolina neighborhood and stated he did not need the sewer system because he had a new house and septic system. He stated he was forced to take the assessment.

It was agreed this issue will be brought back at the next City Commission meeting on January 23rd, 2012.

16. Volunteer Board Committee and Task Force Agreement

MOTION: COMMISSIONER MCDONALD; MOVED APPROVAL OF THE IMPLEMENTATION OF A VOLUNTEER BOARD COMMITTEE AND TASK FORCE AGREEMENT.

SECOND: COMMISSIONER CLARK
MOTION APPROVED UNANIMOUSLY

ADJOURNMENT:7:28 pm

ATTEST:

Cheryl White, CMC, City Clerk

James A. Christie Jr., Mayor

**Minutes to be approved at the Regular Commission
Meeting This 23rd Day January, 2012**