

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON AUGUST 22, 2011
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

**Mayor Jeffrey Krauskopf
Vice Mayor James Christie Jr.
Commissioner Eula R. Clarke
Commissioner Troy A. McDonald
Commissioner Michael Mortell**

**Also in attendance were:
City Manager Paul J. Nicoletti
City Attorney Michael D. Durham
City Clerk Cheryl White**

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

PRESENTATIONS

- 1. PROCLAMATION: Proclaiming the month of September as Sickle Cell Awareness Month**

Dr. Yvette Coursey came forward and graciously accepted the proclamation and thanked the City and Commission. She presented a listing of upcoming activities and a bio of who they are. She encouraged participation in the upcoming events in celebration of, "Sickle Cell Awareness Month, September 2011."

- 2. PROCLAMATION: Blood Drive for Commemoration of the Tenth Anniversary of the 9-11 Attacks**

A representative of Cray Buchanan Law Firm came forward and graciously accepted the proclamation.

- 3. Employee of the Month**

**Kathy Martin, Police Department
Robyn Armstrong, Police Department
Flo Goodison, Police Department**

All three employees came forward and graciously accepted the award and thanked the Commission. Flo Goodison spoke on behalf of the employees of the month and also thanked Don Kelly for recommending them.

4. Employee Service Recognition

Richard June, Wastewater Treatment, 15 Years
John Martin Jr., Police Department, 5 Years

Both employees were unable to attend but were recognized for their service to the City of Stuart.

5. Presentation by George Denti and Beth Zsoka on the Indian Street Bridge

George Denti gave a visual presentation to the Commission and public regarding the progress of the Indian Street Bridge.

COMMENTS BY CITY COMMISSIONERS

Vice Mayor Christie announced that he will not be able to attend the meeting of September 26th, 2011.

Commissioner Mortell commented that the Old Roosevelt Bridge was closed this past week and the traffic is now backing up, and felt the arrow timing needed adjustments. will be closed for maintenance and the detour should be used

Commissioner Clarke thanked the law firm of Crary Buchannan for their support and holding a Blood Bank supporting Sickle Cell Awareness Month. She also recognized Dr. David Addison for his work on Sickle Cell Awareness support.

She also thanked the City for allowing her to attend the Florida League of Cities meeting where she decided her theme will be to focus on how art can make the City a much better place and working more closely with the young people and the civics and community groups.

Commissioner McDonald also referenced a letter he received from residents of the Palmetto Harbor HOA regarding hook-up fees to City utilities and asked if the City could respond in writing to residents. Commissioner McDonald also attended the Florida League of Cities Annual Conference and agreed it was “educational and invigorating.” He complimented the City of Stuart and its staff on how fiscally sound the City of Stuart is. He noted the comments he heard from many other cities of the fiscal problems and their budget cuts up to as much as 30%.

Mayor Krauskopf noted a letter from Martin County Board County Commissioners Chair Ed. Ciampi asking for feedback from the City for a meeting with Congressman Tom Rooney regarding what local governments can expect. He asked each Commissioner to give the City Manager one special issue they would like addressed he would express that at the meeting. He requested them be submitted by Friday.

COMMENTS BY CITY MANAGER

City Manager Nicoletti noting corrections to Item # 8, item and #12. He also noted corrections to the Minutes. Also the calendar on the back page of the Agenda August 25, 2011 Board of Adjustment meeting is not cancelled.

He called to their attention the counties "Flash Report on Hurricane Irene,"

City Manager Nicoletti displayed two achievement awards presented to the City Utility Department by the Florida Water and Pollution Control Operators.

Commissioner Mortell requested a short update on the Memorial Park Project,

City Manager Nicoletti said staff has met with the Veterans Group who has started to plan for a re-dedication of the Park on Veterans Day in November.

APPROVAL OF AGENDA

MOTION : VICE MAYOR CHRISTIE MOVED APPROVAL OF THE AGENDA
SECOND: COMMISSIONER CLARKE
MOTION APPROVED UNANIMOUSLY

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

Robert Steinberg came forward and offered assistance to the City regarding Arts in the City of Stuart. He also thanked and complimented the new City Attorney and hopes that the City will get to the point that the Lyric Theatre will produce what has been written into the contract for the operation of the Flagler Center. He expressed concern over the expenses of the Lyric Theatre and its reporting of sales and expenses. He recommended appointing him as a City Representative to review the records and operations.

CONSENT CALENDAR

- 6. Request to approve the Minutes of the Joint City/Jupiter Island Meeting of August 2, 2011, Regular Commission Meeting of August 8, 2011 and Attorney/Client Session of August 8, 2011**
- 7. RESOLUTION 65-2011 Authorization to adopt the Non-Ad Valorem Assessment Roll for the fifth year (2011-2012) of the ten year "Business Improvement District (2)" Special Assessment; Directing the Mayor to certify the Assessment Roll to the Martin County Tax Collector as required by law**
- 8. RESOLUTION 68-2011 Authorization to Execute a Medical Services Agreement with Employee Wellness, Inc. allowing City**

Group Health Insurance Members to participate in the Martin County Employee Health Center

- 9. RESOLUTION 69-2011 Authorization to extend the contract for Municipal Audit Services with Cherry, Bekaert & Holland, LLP through the completion of the Fiscal 2010/2011 Year Audit**
- 10. RESOLUTION 70-2011 Authorization to execute a Professional Services Contract with Culpepper & Terpening, Inc. to design a City- Wide Wastewater Treatment System**
- 11. RESOLUTION 71-2011 Authorization to execute the first work order pursuant to the Contract for Professional Engineering Services to design a City-Wide Wastewater Treatment System with Culpepper & Terpening, Inc. through December 31, 2011**

END OF CONSENT CALENDAR

MOTION: COMMISSIONER MCDONALD: MOVED APPROVAL OF CONSENT CALENDAR 6-11

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

COMMISSION ACTION

ORDINANCE FIRST READING

- 12. ORDINANCE 2226-2011 (First Reading) Amending the Property Maintenance Code regarding the parking and storage of Aircraft, Vessels, and Vehicles for severability; Providing for repeal of a Ordinances in conflict; Providing for Codification (Quasi-Judicial)**

Robert Steinberg came forward and said he had no comment regarding RV's or Boats but strictly the parking situation. He reviewed the changes made to the ordinance and addressed the parking issues. He asked for a sensible solution to allow people in the City to have the same rights as the residents in the CRA.

Mayor Krauskopf questioned the acceptable surface material type for parking.

Terry O'Neil stated that the materials that can be used for parking must be acceptable to the Public Works Director.

Commissioner Mortell questioned Section 4 noting “vehicle” covers everything and questioning the time frame for enforcement of the ordinance. He felt a “drop dead date” is needed.

City Manager Nicoletti said the ordinance will be effective immediately upon adoption but a “period of time” – possibly 6 months - will be given for compliance, proper notice will be given on the web site, utility bills, door hangers ect.

Commissioner McDonald agreed with the drop dead date and felt 6 months was a good time frame. He asked Terry O’Neil about the hardship variance procedure, and fee schedule?

Mr. O’Neil said it would not be automatic and the standard is there needs to be some unique circumstance for approval of the variances, and will be done on a case by case basis. He said the administrative variance fee currently may be a higher fee then what we want to establish for this type of variance. He said he would meet with the City Manager to discuss it further.

Commissioner McDonald replying to comments made by Mr. Steinberg earlier that, over the past several meetings there was an overwhelmingly response by the “general public” objecting to parking on grass.

Mayor Krauskopf suggested “triangular lots” would be an example of a need for a hardship variance.

Commissioner Clarke agreed with the other Commissioners’ comments.

The Commission agreed to amend the Ordinance between first and second reading to include a 6-foot high fence and compliance 6 months from adoption, to be in compliance.

MOTION: COMMISSIONER MCDONALD: MOVED APPROVAL OF ORDINANCE 2226-2011 ON FIRST READING WITH AMENDMENTS TO COME BACK AT SECOND READING

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

ORDINANCE SECOND READING

13. ORDINANCE 2232-2011 (Second Reading) Amending Chapter 42 Utilities Article VI, Wastewater Utility Extension and Connection Policy

Mayor Krauskopf stated he received an email and two letters on this matter, he said there was concern from the residents of North and South Carolina Drive and their assessment. He asked if there was an equity issue?

City Manager Nicoletti stated the two situations are completely different, and requested the Commission adopt the Ordinance presented. He said if there is another issue as to how they were treated he would address it separately.

Assistant Public Works Director Dave Peters said that when the North and South Carolina Drive Sewer assessment was issued that was the best the City had at that time. The serviced was petitioned by the residents.

Mayor Krauskopf said he would support this Ordinance but he believes we should at least go through the process of economically quantifying the issues and not let their comments fall on deaf ears. He asked that staff bring this Ordinance back in 60 days or sooner.

Mr. Peters said at a minimum the sewer service to the first property owner under this program is at a minimum of nine months, from today.

City Manager Nicoletti stated he would respond to the letters from residents of the Palmetto Park area and keep them advised of the Commission's decision and this proposed Ordinance.

MOTION: VICE MAYOR CHRISTIE: MOVED APPROVAL OF ORDINANCE 2232-2011 ON SECOND READING.

SECOND: COMMISSIONER MORTELL

ROLL CALL

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

DISCUSSION & DELIBERATION

14. Community Services Advisory Division Board Recommendations

City Manager Nicoletti gave a brief overview of the recommendations for the appointment to the Community Services Advisory Division Board.

Jim Chrulski of the Community Services Department gave an overview of the proposed appointments.

The Commission expressed concern over the number of appointees who are not residents of the City. They suggested allowing the City Commission to make recommendations for appointments like they do for other Advisory Boards or just have the majority of the Board Members be City residents.

Sam Amerson Public Works Director stated that their goal for membership was to have members who are qualified individuals as well as fund raising goal oriented.

City Manager Nicoletti suggested we just flip the numbers to make a majority of member's residents and would bring it back to the Commission for their consideration at the end of September.

MOTION : COMMISSIONER MORTELL MOVED APPROVAL TO ADJOURN
SECOND: COMMISSIONER MCDONALD
MOTION APPROVED UNANIMOUSLY

ADJOURNMENT 7:06 p.m.

ATTEST:

Cheryl White, CMC, City Clerk

Jeffrey A. Krauskopf, Mayor

**Minutes to be approved at the Regular Commission
Meeting This 12th Day September 2011.**