

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON FEBRUARY 8, 2010
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

Roll call was answered by:
Mayor Michael Mortell
Vice Mayor Carol Waxler
Commissioner James A. Christie
Commissioner Jeffrey A. Krauskopf
Commissioner Mary Hutchinson

Also present were:
City Manager: Dan Hudson
City Attorney: Paul J. Nicoletti
City Clerk: Cherie White

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

PRESENTATIONS

1. **PROCLAMATION; Proclaim February 14-20, 2010 as ENGINEERS WEEK**

A representative of the Florida Engineering Society of the Treasure Coast came forward and graciously accepted the proclamation and thanked the Commission.

2. **PROCLAMATION; Proclaim the month of February, 2010 as INDIAN RIVER STATE COLLEGE MONTH**

A representative from IRSC came forward and graciously accepted the proclamation and thanked the City and Commission.

COMMENTS BY CITY COMMISSIONERS

Commissioner Hutchinson said she attended the Keep Martin Beautiful Awards, and the Boy Scout Troup from East Stuart won the President's award for their work in the community.

COMMENTS BY CITY MANAGER

City Manager Hudson stated he had one request to pull item 5 from the consent calendar.

APPROVAL OF AGENDA

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO APPROVE AGENDA.

SECOND: VICE MAYOR WAXLER
MOTION APPROVED UNANIMOUSLY

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

CONSENT CALENDAR

3. Request to approve the minutes of the Regular Commission Meeting of January 25, 2010
4. RESOLUTION 14-2010 A Joint Resolution between the City of Fort Pierce, the City of Port St. Lucie, the City of Stuart, the City of Fellsmere, the City of Vero Beach, the City of Sebastian, the City of Okeechobee, the Town of Sewall's Point, the Town of Indian River Shores, the Town of Jupiter Island, the Town of St. Lucie Village, Florida Municipal Corporations; Indian River County, Martin County, Okeechobee County and St. Lucie County, Political Subdivisions of the State of Florida; The School Board of Indian River County, the School Board of Martin County, the School Board of Okeechobee County and the School Board of St. Lucie County, amending Resolution 03-126; amending the Articles of Incorporation for the Treasure Coast Council of Local Governments, Inc.
 - Clerk's Note Item 5 was heard later.
5. RESOLUTION 15-2010 Authorization to approve the Minor Amendment to the Windemere Point Commercial Planned Unit Development (CPUD) Development Conditions; (Quasi-Judicial)
6. RESOLUTION 16-2010 Authorization to execute a Grant from the Florida Inland Navigation District Waterways Assistance Program to be used to replace the Boat Ramp and provide for dredging of the Seven City Boat Slips in Shepard Park that the City Manager previously authorized to apply for by Resolution 27-09 at the City Commission Meeting of March 23, 2009 and also authorized a match by the City
7. RESOLUTION 17-2010 Authorization to execute a subordination of utility interests to Martin County and the State of Florida Department of Transportation, its interest claimed in a water main easement along the interior of SR 707 curve

8. RESOLUTION 18-2010 Authorization to award and execute a sole source contract between Brownie Moving and Heavy Hauling, Inc. and the City of Stuart to relocate the Evans Crary House from the Dorney Property to site "B" next to the Stuart Feed Store on Flagler Avenue, in an amount not to exceed \$75,000.00

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL RESOLUTION 09-2010

SECOND: COMMISSIONER CHRISTIE
ROLL CALL

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

5. RESOLUTION 15-2010 Authorization to approve the Minor Amendment to the Windemere Point Commercial Planned Unit Development (CPUD) Development Conditions; (Quasi-Judicial).

Commissioner Krauskopf asked all of the items were resolved.

Interim Development Director stated the City is requiring all items be complete.

Robert Sherman assured the City he would comply with the City's request to remove all signs.

Craig Mancuso 869 NW Waterlilly Place came forward and requested the Traffic Light be fully operational before the CO is issued.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL RESOLUTION 15-2010

SECOND: VICE MAYOR WAXLER
ROLL CALL

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

END OF CONSENT CALENDAR

Mayor Mortell welcomed Martin County Commissioners, Valliere and Hayes.

COMMISSION ACTION

9. County Offices Update, consideration of Purchase and Sale Agreement for Sailfish Park

City Manager Hudson gave a powerpoint presentation regarding the proposed contract with Martin County to utilize the Sailfish Ball Park property for County Building space. He said there have been proposal and counterproposals between the City and the County to work out a plan that is reasonable and acceptable to everyone. He stated the City's goal is to work out an outcome to everyone. The City has always welcomed participation in its decision making. He outlined the basic components of the transition plan to the Commission and public.

He stated that he is in communication with the Acting County Administrator to implement a workable solution and he believes all of the ingredients are in place to implement a smooth and lasting transition plan for the best benefit of the whole. He stated that in reviewing the support of the City of Stuart in Little league and felt it did not make sense for the City to fully support the program within the County. He stated the City Commission up front offered to donate land at Guy Davis Park for the relocation of ball fields and would cover the fair share for City residents. He then presented a graphic of the proposed land that could meet the needs of Martin County for office space. He then presented a graphic of the proposed Master Plan of Guy Davis Park, 10th Street, and could be used to meet the needs of the Little League. He stated the City could sponsor at least two baseball diamonds initially. He also pointed out the soccer field that could be converted to a baseball diamond, and the Football field could double as a soccer field. He stated that preliminary cost show that to relocate the two fields from Sailfish Ball Park to Guy Davis would be about \$180,000.00. He also stated that Martin County North Little League primarily serves Palm City residents so this will better meet its needs. Short term funding will need to be obtained and the goal would be to have the fields available in time for the season beginning January 2011.

Albie Scoggins, Community Services Director came forward and gave a cost estimate for the relocation of the Sailfish Ball Fields with the relocation of the existing lights from Sailfish for all four fields are approximately \$312,000.00. He stated that it may be less expensive for new lighting. He explained that they are rough estimates only. He said that the retrofits could be made without delays to the 2011 little league season.

City Manager Hudson stated he is recommending that the City move forward of a commitment of \$150,000.00 for two fields. He stated the third field would be sometime in the future. He indicated it would also depend on a mutual agreement between the parties involved. He stated the plan has moved quickly but he feels that all the parties can work together to satisfies everyone's needs.

Commissioner Hutchinson asked about the relocation of lighting to the Guy Davis Park.

Albie Scoggins stated there would have to be a slight re-design of the lights on the soccer field to address the home plate of the large baseball field. He stated the only thing that staff is unsure of at this point is exact numbers.

City Manager Hudson stated the City has different funding sources and is independent bodies, and when we look at the utilization of the little league from the City of Stuart, it varies from year to year but the league makeup is approximately 60-70-80% of non City residents.

Mayor Mortell said the County will be addressing the issues at its meeting tomorrow (2/9). He felt the County Commissioners should know what happens if they vote yes, and what happens if they vote no. We need to address in the event the County decides to vote no, and not move the constitutional offices downtown, are we going to continue to subsidize that percentage, and whether we can look the residents of Stuart that we are using your tax dollars to pay non residents.

Commissioner Christie said he felt the transition plan is workable.

Public Comment

Mark Rogers, Vice President of the Martin County North Little League said although he is a Palm City resident the City is part of his family life especially Sailfish Park. He stated the league has been using Sailfish Park for about 30 years. He expressed concern about what is happening and listed the ways the league has helped to pay for things needed at the Park. He also addressed the Challenger program to get kids from East Stuart involved and said the little league will "dissolve" if it does not have Sailfish Park or 4 alternate fields to play on.

Robert Chapman 2999 SW Mariposa Circle, Palm City came forward and expressed concern over the plan to sell the Sailfish Ball Park to Martin County. He asked what the league will do while the land is under construction. He said there needs to be more planning done.

Greg Wilfong, 85 SW Lakerush Ct. Palm City came forward and expressed concern over the City's plan and feels there should be additional time spent on the relocation of the existing fields, and the financial cost. He stated there was plenty of vacant land that the County could use for the Martin County office space. He felt the City was selling the property for \$100.00 when it may be worth \$3-4 million dollars. He also stated that this does not make sense at this time with the way the economy is and will hurt all of us.

Xavier Blatch, 906 SE Madison Ave came forward and stated he grew up playing ball at Sailfish Park and now his high school son still plays there. He said he felt that the citizens always suffer when it comes to the City needing money. He stated the Martin County League has one of the best programs in

the nation, and felt that they would fail if they lose 4 playing fields. He asked the City to take their time and look at the entire situation.

Laura Husnander said this is not just baseball it is “a community centered around Sailfish Park.” The Challenger Program coordinator said we need to find a viable the mentally and physically disabled can be included.

Jill Marasa requested the City wait to make a decision and look at other viable solutions to the situation the little league is in. She said the proposed solution will not work. She said they have not had an opportunity to talk with anyone and ask the City to wait.

James Anaston-Kara came forward and appealed to the Commission to keep the government center plan alive, and to work constructively and look at viable alternatives to satisfy all of the basic land use needs in this area. He felt there were very important opportunities that would give benefits to the East Stuart and downtown. He also felt the City has underutilized properties that could be used for recreation. He asked that the City continue working on the redevelopment plan of the downtown which is so direly needed.

Helen McBride said her kids grew up playing ball at Sailfish Park but we have a great opportunity to support downtown government and should continue to work with the County. She said she would assure that the City follow through on what they have promised. She said it was a great opportunity for all City of Stuart taxpayers and felt the City should continue work on a plan with Martin County.

Armond Pasquale came forward and said people fought the City when they tried to sell City Hall property. He stated the City should not get rid of recreational property. He asked that the City keep the ball fields, and ask the County to build somewhere else.

Claudius Taylor came forward and felt there was enough land on 10th Street to relocate all four ball fields. Instead of taking away the soccer field, he suggested starting from the 13th Street area and felt the City has enough room on that land. He agreed that bring the Martin County offices back downtown was a plus, but felt the city should build the new fields first before anything else.

Louise Crocitto, President of the North County Little League Program and Director of the Challenger Program. She wanted to make aware of the importance of the challenger program to the community. She stated that the park is centrally located and allows joint participation between the league and challenger players.

Scott Massina 3 SW Ridge Road came forward and said he began an online petition and so far has over 500 names to keep Sailfish Park, and don't do anything with it until we have a viable alternative. He requested the City have a dialogue with the league.

City Manager Hudson said he will continue to work with the County on the issues of ball fields. He said that he was aware of the many unanswered questions that need to be addressed

Mayor Mortell said the County will only be voting on acceptance of the City's offer and if accepted it could take years before the buildings are built. The only thing the County will be considering tomorrow is whether or not they want to consider accepting the City's offer.

Scott Massina expressed concern over the funding of the Sailfish Park for next year.

Mayor Mortell emphasized that there is no budget derived for next year City wide, and clarified that no one ever said they were going to terminate the Martin County Little league.

Scott Massina requested the City take a break and come up with a viable plan for everyone. He currently felt the City was moving to fast.

Commissioner Hutchinson reviewed the background of the County's RFP. She said the County was on the verge of making a deal on the Willoughby property and this would be the City's only chance to move the Constitutional offices back downtown, and would bring long term sustainability of the City. She said the City has offered to relocate two of the ball fields and suggested the County take responsibility for relocating the other two fields to Palm City. She hopes the City and the County can work together on this project. She also expressed concern over receiving of "hate mail" and stated it was not the way to get things done.

Commissioner Christie stated his history of Sailfish Park goes back many years ago, but also understands the job he has to do as a Commissioner. He stated that when he saw the opportunity to bring the County offices back to the downtown that it was a great opportunity to do that. He felt it would be a great economic move for the City and the County. He stated he did not want to balance jobs with kids, and we all know we need jobs. He hopes the County moves forward with the plan and the Martin County Little league hear us saying that we as a City can work with the County to make things happen to accommodate the County Little league and also help the City's sustainability. He supports the plan being proposed tonight, but also holes to talk with some of the little league to exchange information and get more acquainted to discuss details about what the City's plan is.

Commissioner Krauskopf said the City Commission, CRA and CRB have all expressed a desire to keep the Constitutional offices downtown. He believes staff's plan is an "excellent transition" and asked for Little League cooperation in accomplishing this transition. He also suggested asking the School Board for involvement with the City and County. He felt the plan allows the continued growth.

Vice Mayor Waxler echoed the sentiments of her fellow commissioners and said she sees this as "access to government." She said given the time constraints, this is the City's "only shot" and the County has 90 days to decide if they want to take the property. She felt that it could bring so much prosperity to the community. She stated that if the City promises to work with little league then we will work together to resolve any issues. The City has a proven track record of promise to follow through on its promises.

Mayor Mortell addressed the evaluation of benefits of Constitutional offices against displacing the ball fields to a new location. The conclusion is if the constitutional offices stay outside of the City Center it will happen forever. If we have two ball fields at Guy Davis and two in Palm City and find it is not working out, then to have all four together is a possibility for the future. Once the constitutional offices get built, it is 50 years from now before the City gets a chance for those jobs and economic stability of Stuart. The City looked at sacrificing the property for the long term stability of Stuart, and also knew of the political pressure of the community to address baseball. We did not have a choice. The economic stability of Stuart required us to make this decision, and what we need to do is find a workable and plausible solution for baseball, that exist. It is not a situation where we can say and economic vitality. At this point the Commission and City Manager indicated that they would all be attending the County Commission Meeting as this is in the best interest of the entire county.

When Krauskopf asked Rogers if the City could count on Little League support, Rogers said there has been no indication that the City is willing to work with Little League and we need to know if we will have fields to play on. The league will work with the City if the City will work with the league. When Krauskopf asked if Rogers felt the need to "wave the petition" in front of the County, Rogers replied, "Absolutely, if we are going to have a thoughtful solution the County needs to know how people feel."

Mayor Mortell said we need to focus on both sides of viability.

Commissioner Hutchinson said this is about long term sustainability of the City of Stuart and the City is offering alternatives for the best interest of all involved. She did not feel the City was getting any indication from the baseball community that they are willing to work with the City

ORDINANCE FIRST READING

ORDINANCE SECOND READING

10. ORDINANCE 2197-10 (Second Reading) Amending the Stuart Comprehensive Plan relating to Capital Improvement Element (CIE) by making annual amendments to the Capital Improvement Schedule

MOTION: COMMISSIONER HUTCHINSON ; MOVED APPROVAL OF ORDINANCE 2197-10

SECOND: COMMISSIONER WAXLER

ROLL CALL

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

DISCUSSION & DELIBERATION

ADJOURNMENT 7:29 P.M.

ATTEST:

Cheryl White, CMC, City Clerk

Michael Mortell, Mayor

Minutes to be approved at the Regular Commission Meeting This 22nd Day February, 2010