

**REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD ON AUGUST 13, 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 Leighton  
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. Performing Arts Moment, Lori Hickey, Executive Director of the Florida Arts & Dance Company to showcase their talent with a couple of small introductory performances, including Ballet and Irish Step Dance**

The Florida Arts & Dance Company showcased 3 small introductory performances.

- 2. PROCLAMATION: Proclaiming August, 2012 as Firefighter Appreciation Month.**

Stephanie Glavin of the MDA and David Harrell of Stuart Fire Rescue Local 2411, came forward and graciously accepted the Proclamation, and thanked Commission.

- 3. PROCLAMATION: Proclaiming the week of August 13, 2012 through August 17, 2012 as Florida Water Professionals Week**

Dave Peters, Assistant Public Works Director came forward and graciously accepted the proclamation.

- 4. PROCLAMATION: Proclaiming August 25, 2012 for the Re-Dedication ceremony at the Love Temple Church of God by Faith.**

Elder David Lewis, Sr. came forward and graciously accepted the proclamation.

- 5. Employee Service Recognitions**

**Marc Rogolino, Public Works, 10 Years**

Marc Rogolino came forward and graciously accepted the award and thanked the Commission.

## **COMMENTS BY CITY COMMISSIONERS**

Commissioner McDonald reminded everyone to get out and vote tomorrow.

Commissioner Krauskopf reminded everyone school would soon be opening and to drive carefully

Vice Mayor Clarke expressed gratitude and pride that her son has graduated from University of North Florida, she also acknowledged the civility between the Treasure Coast Martin County cities at the recent joint meeting. She also noted the following upcoming events of interest: Start of Colorado Avenue construction project and a discussion will be held with Martin County to discuss the new Fertilizer Ordinance.

Mayor Christie also reminded everyone to get out and vote and congratulated the City Police Department for its recent successful "Crime Night Out" events.

## **COMMENTS BY CITY MANAGER**

Item #14 a letter has been substituted and changed and provided at the dias.

Item #18 update to the procurement policy, added a provision.

Construction to Colorado Avenue will begin on Wednesday evening.

City Manager is authorizing a purchase in the amount of \$93,000.00 to rehabilitate a monitoring well that is blocked, and is a monitoring well for DEP. The expenditure will come from the Sewer retained earnings fund, and has hired a company contracted with Martin County named Aquifer Maintenance and Performance Systems, Inc using the County's bid prices.

He asked Linda Toppi to present drinking cups to the City Commission as part of the WOW Employee Wellness program.

Linda Toppi also provided the Commission with baseline data of the employee health since beginning the new program and wellness clinic.

## **APPROVAL OF AGENDA**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF AGENDA AS AMENDED.

SECOND: COMMISSIONER MCDONALD

MOTION APPROVED UNANIMOUSLY

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

### **CONSENT CALENDAR**

- 6. Request to approve the minutes of the Regular Commission Meeting of June 25, 2012 and July 23, 2012 and the July 23, 2012 Special Budget Workshop #2 of the CRA**
- 7. RESOLUTION 60-2012 Authorization for the execution of a Lease Amendment between City of Stuart and SDG Group, LLC and FDG Flagler Station II LLC as Successor in Interest to Florida East Coast**

Railway, LLC for Lease of additional property North of the Old Roosevelt Bridge.

8. **RESOLUTION 63-2012 Authorization for the Execution of a Sewer Utility Service Agreement with Volunteers in Medicine.**
9. **RESOLUTION 64-2012 Authorization for the Execution of an Interlocal Agreement with the Stuart Housing Authority for the transfer of the property known as the 10<sup>th</sup> Street Recreation Center.**
10. **RESOLUTION 65-2012 Authorization for an Early Retirement and Early Separation Incentive Program for those City Employees that meet Eligibility Criteria.**
11. **RESOLUTION 66-2012 Authorization to allow a Revocable Permit for Ollie C. Harvey of Building Bridges to Youth, Inc. for property located at 716 and 720 SE Church Street and SE Nassau Avenue; Permitting the use of Public Right-of-Way for On-Street Parking Spaces and Driveway along SE Church Street and SE Nassau Avenue.**
12. **RESOLUTION 68-2012 Authorization to accept a Deed from Martin County for a portion of East Ocean Boulevard and Colorado Avenue at Confusion Corner.**
13. **RESOLUTION 69-2012 Authorization for the Execution of an Extension of Time to Cancel the Management Agreement between the City of Stuart and the Friends of the Lyric, Inc. to October 22, 2012.**

**END OF CONSENT CALENDAR**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF CONSENT CALENDAR

SECOND: COMMISSIONER GLASS LEIGHTON

ROLL CALL

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

**COMMISSION ACTION**

14. **RESOLUTION 73-2012 Authorization to Execute an Interlocal Agreement between the City of Stuart and Martin County allowing for the distribution of Fuel Taxes.**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF CONSENT CALENDAR

SECOND: VICE MAYOR CLARKE

ROLL CALL

City Manager Nicoletti acknowledged City Manager Bob Kellogg of Sewall's Point Town Hall and a representative from Jupiter Island and Town manager Terry O'Neil from the Town of Ocean Breeze Park in attendance.

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

**15. Henry Thomas will present the findings of the Water, Sewer and Sanitation Rate Study.**

Henry Thomas presented the report included a technical review resulting in the determination that the current utility rates are not adequate and recommended small monthly increases for sanitation services as well as water and wastewater bills. For more information contact Assistant Utilities Director Dave Peters.

Commissioner Krauskopf asked that the City notify the condominiums and public regarding the City's intent, and also notice in the utility bills.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO AUTHORIZE STAFF TO CONDUCT A PUBLIC HEARING ON SEPTEMBER 10, 2012

SECOND: VICE MAYOR CLARKE

ROLL CALL

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

City Manager Nicoletti asked that this item be continued to September 10, 2012, at the request of the applicant.

MOTION: COMMISSIONER MCDONALD; MOVED APPROVAL TO CONTINUE ITEM 16 RESOLUTION 67-2012 TO SEPTEMBER 10, 2012.

SECOND: COMMISSIONER KRAUSKOPF

**16. RESOLUTION 67-2012 Authorization to grant a Special Exception to Krueger Property Management LLC "Property Owner" and East Ocean Tower, LLC "Co-Applicant" for the Construction of a 120 foot tall Stealth Telecommunications Tower within a B-2 Zoning District and located at 2160 SE Ocean Boulevard (Quasi-Judicial).**

**17. RESOLUTION 53-2012 Authorization for the execution of a Lease Agreement between City of Stuart and MacDonald Properties of Martin County, LLC for Lease of City property for an Outdoor Storage Business for a period of Five Years.**

City Manager Nicoletti addressed the applicant's documents and said we have been working on this outdoor storage facility for several months. He noted the applicant's Attorney Terry McCarthy who was in attendance to answer any questions the Commission may have.

City Attorney Durham noted the lease is for a 5-year term and improvements are capped at \$250,000.00.

MOTION: COMMISSIONER MCDONALD; MOVED APPROVAL OF RESOLUTION 53-2012.

SECOND: VICE MAYOR CLARKE

ROLL CALL

COMMISSIONER GLASS LEIGHTON YES      COMMISSIONER MCDONALD YES

VICE MAYOR CLARKE YES COMMISSIONER KRAUSKOPF YES  
MAYOR CHRISTIE YES

**18. RESOLUTION 71-2012 Authorization to approve the Procurement Policy for the City and to Adopt a Procurement Manual.**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF RESOLUTION 71-2012 INCORPORATING THE CORRECTION PROVIDED TONIGHT.

SECOND: VICE MAYOR CLARKE

ROLL CALL

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

**ORDINANCE FIRST READING**

**ORDINANCE SECOND READING**

**19. ORDINANCE 2247-2012 (Second Reading) Request to amend Chapter 3 of the City's Land Development Code (LDC) granting properties within the Woodlawn Park Section of the Stuart Community Redevelopment Area (CRA) a credit for on-street parking spaces in meeting the LDC's off-site parking requirements.**

MOTION: COMMISSIONER MCDONALD; MOVED APPROVAL OF ORDINANCE 2247-2012 ON SECOND READING

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

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

**20. ORDINANCE 2248-2012 (Second Reading) Request to amend Chapter 2, Article V, Financial Matters of the Stuart Code of Ordinance, Division 4, Procurement Procedures for the City of Stuart.**

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF ORDINANCE 2248-2012 ON SECOND READING

SECOND: COMMISSIONER MCDONALD

ROLL CALL

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

**DISCUSSION & DELIBERATION**

City Manager Nicoletti announced the Tefra Hearing for the Stuart Lodge Property to be held on August 14, 2012 at the Hampton Inn in Stuart at 11:00 a.m. and will see an agreement at the September 10, 2012 City Commission Hearing, with no liability to the City of Stuart.

Also, August 21, 2012 the County will be discussing the gas tax matter at their regular meeting.

**ADJOURNMENT 6:35 p.m.**

**ATTEST:**

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**Cheryl White, MMC, City Clerk**

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**James A. Christie Jr., Mayor**

**Minutes to be approved at the Regular Commission  
Meeting This 10th Day September , 2012**