

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON SEPTEMBER 26, 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
Vice Mayor James A. Christie, Jr.
Commissioner Eula R. Clarke
Commissioner Troy A. McDonald
Commissioner Michael J. 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.

City Manager Nicoletti surprised Commissioner Mortell and the audience with a video showing Commissioner Mortell dancing on stage at the Lyric Theatre. The Dancing with the Martin Stars was a fundraising event for Martin County healthy Start, which raised over \$40,000.00 in the event.

**1. PROCLAMATION: Proclaiming the month of October 2011 as
Historic Preservation Month**

Janel Hendricks came forward and graciously accepted the proclamation and thanked the Commission, she announced they would be having several events in the month of October. She also announced Pioneer America Society would be holding their National Conference here in the City of Stuart this year. She invited the public to attend the Kick Off beginning October 3, 2011 from 5:00 p.m.- 6:00 p.m. at the Captain Sewall House at Indian Riverside Park in Jensen Beach.

**2. PROCLAMATION: Proclaiming October 6, 2011 as Firearm
Safety Day**

Jeff Kirsh , Friends of the NRA came forward and graciously accepted the proclamation and thanked the City Commission.

3. Employee of the Month

Jack Bradigan, Streets and Building Maintenance

Jack Bradigan came forward and graciously accepted his award and thanked the City Commission.

4. Employee Service Recognition

Angel DeLeon, Commercial Collection, Ten Years

Angel DeLeon came forward and graciously accepted his award.

COMMENTS BY CITY COMMISSIONERS

Commissioner McDonald took pride in noting an award to the City for “*Wastewater Treatment Facility of the Year*” by Water and Waste Digest Magazine. He also noted an email he received praising the City for the Sailfish Park as a wonderful facility.

Commissioner Clarke echoed Commissioner McDonald’s sentiment regarding good facilities. She expressed equal pride noting improvements made at the 10th Street Center. She said it is great to sit back and hear the positive comments made by the public regarding the City.

Mayor Krauskopf asked to add an additional item to the agenda to discuss the upcoming Legislative Delegation meeting.

City Manager Nicoletti agreed to add additional item 16 under Discussion and Deliberation.

Mayor Krauskopf noted that he had driven by the very popular Dog Park at Poppleton Creek and was surprised to see several citizens having a “Regatta” on the lake with battery operated remote control sailboats. He showed the public a postcard he received from those residents stating how happy there were to be a part of the community.

He was pleased to see the dog park has become a “multi-use facility.” He thanked Sam Amerson for his work at the park. He also addressed the issue of the Mooring Pilot Program and encouraged every one with any interest in boating to be sure to attend the public meetings scheduled on October 4th, 2011 at

COMMENTS BY CITY MANAGER

City Manager Nicoletti noted the following:

1. Customs Office issue being heard by County Commission at preset time of 1:30 pm 9/27/11.
2. Miss Florida Kristina Janolo will be visiting downtown Stuart around noon 9/27/11.
3. Commissioner Clarke completed the “Cities 101” Course at the recent Florida League of Cities Conference and has been awarded a Completion Certificate by the League.

Mayor Krauskopf presented the certificate to Commissioner Clarke.

4. Staff asked that Items 13 and 15 be continued to October 17, 2011 due to a glitch in advertising.
5. Suggested rescheduling of City Commission meetings and approved as follows:
October 17 and 24, 2011 (back to back)

November 14 and 28, 2011 (back to back)

December 12th, 2011 and the 19th but probably if appropriate only have one City Commission meeting in December being December 12, 2011.

6. Public hearings for Anchoring and Mooring Field Pilot Program will be held on October 4th throughout the County. The City's will be at The Flagler Center from 1-3 PM and another one at the Blake Library from 6-8 PM.

7. The Legislative Delegation will meet at City Hall on September 30th from 9 AM-1PM.

APPROVAL OF AGENDA

The City Commission agreed to add additional item #17 to discuss the promotion of the referendum language regarding the Haney Creek Parcel.

MOTION: COMMISSIONER MCDONALD: MOVED APPROVAL OF THE AGENDA WITH ADDED ITEMS 16, 17.

SECOND: COMMISSIONER CLARKE
MOTION APPROVED UNANIMOUSLY

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

Virginia Jones came forward and reiterated complaints about the cement company located on A-1-A across from her residential neighborhood noting that they are doing clean-up work on weekends creating even more air-bourn pollutants that float across the road infiltrating into the homes.

She said the City is ignoring citizens' complaints about the health hazards being caused.

Mayor Krauskopf said the property had been found in compliance by the EPA.

City Manager Nicoletti noted the would do further investigation into the matter of possible violations.

Crystal Stiles, co-Executive Director of the Business Development Board , noted that the Construction Journal will remain in the City and has committed to hiring an additional 50 people. She thanked staff and the City Commission for their continued support of recruitment and retention of business in the City.

CONSENT CALENDAR

- 5. Request to approve the Minutes of the Tentative Budget Meeting and regular Commission Meeting of September 12, 2011**
- 6. Re-Appointment of Shaun Plymale to the Business Development Board for the term of October 1, 2011 through September 30, 2013**

7. **RESOLUTION 78-2011 Authorization to renew agreements between the City of Stuart and Odyssey Manufacturing Co., Harcros Chemicals, Inc., Carmeuse Lime & Stone, Inc., Shannon Chemical Corp., Tanner Industries, Inc., Ashland Hercules Water Technologies and Fort Bend Services, Inc. to provide Chemicals as needed by the City**

8. **RESOLUTION 86-2011 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 \$100.00 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**

9. **RESOLUTION 88-2011 Authorization to Execute an Agreement between the City of Stuart and Treasure Coast Sailing Adventures, LLC; Granting a Non-Exclusive License to Berth "The Lily" a 42 foot sailing vessel at the City Dock located on the St. Lucie River behind City Hall**

10. **RESOLUTION 89-2011 Authorization to adopt a schedule of fees, charges and deposits for Utilities, under Chapter 42, of the City Code**

END OF CONSENT CALENDAR

MOTION: COMMISSIONER MCDONALD: MOVED APPROVAL OF CONSENT AGENDA

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

COMMISSION ACTION

11. **Write letter for Mayor's signature to support Indian River State College new Baccalaureate Degree Programs**

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL TO HAVE THE CITY PREPARE A LETTER FOR MAYOR'S SIGNATURE TO SUPPORT INDIAN RIVER STATE COLLEGE NEW BACCALAUREATE DEGREE PROGRAMS.

Mayor Krauskopf asked the City Manager to provide followup feedback on how the City has worked with them in the past in specific areas, and if you could quantify that for them.

City Manager Nicoletti agreed, and stated that Indian River State College has picked four majors that are just critical and great programs to the community.

SECOND: COMMISSIONER MCDONALD

MOTION APPROVED UNANIMOUSLY

ORDINANCE FIRST READING

12. ORDINANCE 2233-2011 (First 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 one elected.

MOTION: COMMISSIONER CLARKE: MOVED APPROVAL OF ORDINANCE 2233-2011 ON FIRST READING

SECOND: COMMISSIONER MORTELL

ROLL CALL

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

Item 13 was continued to October 17, 2011.

13. 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.

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

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE 2236-2011 ON FIRST 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

Item #15 was continued to October 17, 2011

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

DISCUSSION & DELIBERATION

Added Item #16 : Martin County legislative Meeting Items.

Mayor Krauskopf referenced the list of 4 items that had been submitted for consideration and asked if the Commissioners had any comment.

Commissioner McDonald expressed concern over the unfunded mandates issue and trying to keep those to a minimum he felt annexation and small enclave issues were a more important issue to address.

Commissioner Mortell said Senator Negron's has sponsored an annexation to move the Beau Rivage neighborhood into Martin County. He felt this would complicate the annexation topic. He added that redistricting issues could also affect the Board members in both counties and cities. He also felt it would impact the City

Added item # 17. Preparing for Referendum on Haney Creek 2-acre parcel and how to promote the City's point of view.

Mayor Krauskopf and Commissioner McDonald noted they would be working toward promoting the referendum.

Vice Mayor Christie suggested notices be put on the water bill.

Mayor Krauskopf questioned the City's ability to use these sources to promote the referendum.

City Manager Nicolletti said the City is free to take that position, if it is in the best interest of the public.

Mayor Krauskopf suggested Nicoletti get in touch with Sewalls Point Mayor Jackie Thurlow Lippish regarding the use of a post card type notification.

Commissioner Mortell noted the ability to put the information on the City's website and added that 100% of the people want to keep that property in conservation, but we need to make sure they understand the need to lease the 2-acres for revenue to maintain the remaining 50 conservation acres.

Mayor Krauskopf asked the Commissioners to E-mail the City Manager with suggestions of civic groups to be contacted. He also indicated that graphics would be very important.

ADJOURNMENT ;6:22 p.m.
ATTEST:

Cheryl White, CMC, City Clerk,

Jeffrey A. Krauskopf, Mayor,

**Minutes to be approved at the Regular Commission
Meeting This 24th Day October 2011.**