

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON APRIL 23, 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. PROCLAMATION: Proclaiming May 6-12, 2012 as Arson Awareness Week

Frank Lasaga, Community Safety Instructor, came forward and graciously accepted the proclamation, and thanked the Commission.

2. PROCLAMATION: Proclaiming May 12, 2012 as Surfers for Autism Day

Don Ryan, President of Surfers for Autism came forward and graciously accepted the Proclamation.

3. Employees of the Month

**Richard Shine, Police Department
Vincent Felicione, Fire Rescue**

Richard Shine and Vincent Felicione came forward and graciously accepted their awards and thanked the City.

City Manager Nicoletti noted that both men also received the 2012 Rotary Award.

4. Employee Service Recognitions

Arlee Coleman, Public Works/Streets Team, 15 Years
Nicholas Testa, Fire Rescue, 10 Years
Michael Gerwan, Jr. Police Department, 10 Years
William Ritacco, III, Police Department, 5 Years

Arlee Coleman came forward and graciously accepted his award and thanked the Commission.

Nicholas Testa, Michael Gerwan, and William Ritacco, III, were unable to attend.

5. Presentation by Anne-Louise Seabury, Florida Power & Light Electric Vehicle Program Manager.

Anne-Louis Seabury gave a brief PowerPoint presentation to the Commission and public regarding Electric Vehicles (EV) charging and community readiness as well as a Department of Energy Grant awarded to this region for (EV) readiness. She noted two EVs were in the parking lot awaiting inspection by the public and Commission.

6. Mr. Ron Conrad, Audit Partner, Cherry Bekaert & Holland, LLP will present the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2011

Dan Dougherty gave the report referencing financial documents already in the hands of Commissioners. He explained the City is in good financial condition.

COMMENTS BY CITY COMMISSIONERS

Commissioner McDonald noted the Business Development Board is sponsoring a Veterans' Job Fair from 9 AM-1PM on Thursday, April 26th at the Flagler/Lyric Center. He also noted the celebration of the first anniversary of the Bark Park and marveled at the number of people who use the park on a daily basis. McDonald said he had received some complaints from some downtown businesses that felt the Friday night musical performances on the Riverwalk Stage were having a negative effect on business. It was suggested the musical performances should perhaps be moved to Wednesday night.

Vice Mayor Clarke had received a complaint about lights at the 10th Street Community Center. She asked staff to check on the issue as well as activities going on there. She also stated she had been asked when the splash park and restrooms would be added to Memorial Park. She also noted she attended a meeting at the County on April 19th, and the County with regards to airport noise, and the County is

now saying the City needs to look at adopting a 60 DNL, as opposed to the 65 DNL in order for residents to take advantage of noise mitigation for the airport.

Commissioner Krauskopf recalled the County Administrator as saying she would get back to the City.

Mayor Christie referenced a memo regarding a ¼ page “Quality Cities” ad for the League of Cities magazine.

City Manager Nicoletti noted he would take care of it the ad.

COMMENTS BY CITY MANAGER

City Manager Nicoletti said he had not heard back from the County regarding the \$250,000 for the Transit Center and requested that Consent Item 12 be removed from the agenda. He also noted that Consent Item 14 had been pulled for discussion.

He also announced that Vice Mayor Clarke had been nominated as one of the nominees for this year’s Soroptimists’ Women of Distinction award to be announced at an April 26 luncheon taking place at the Marriott Hotel.

APPROVAL OF AGENDA

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

SECOND: VICE MAYOR CLARKE

MOTION APPROVED UNANIMOUSLY

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

CONSENT CALENDAR

- 7. Request to approve the Minutes of the Regular Commission Meeting of March 26, 2012**
- 8. Request to approve the Minutes of the Special Commission Meeting of April 9, 2012**
- 9. Request to approve the Minutes of the Regular Commission Meeting of April 9, 2012**
- 10. RESOLUTION 36-2012 Authorization to approve a Plat titled “Marketplace Stuart Center, A CPUD”; Prepared by Peter Andersen, Florida Surveyor and Mapper**

- 11. RESOLUTION 37-2012 Authorization for the City of Stuart to execute an agreement to continue the Banking Services Contract with Seacoast National Bank for one year from April 24, 2012**
- 12. RESOLUTION 38-2012 Authorization for the execution of a Memorandum of Agreement with Martin County regarding the allocation and transfer of funds not to exceed \$225,000 for the budget shortfall for construction of the Transit Depot**
- 13. RESOLUTION 39-2012 Authorization for a Budget Amendment to the 2011-2012 General Fund, Park Facilities Capital Outlay; Approving and authorizing the transfer of funds from General Fund, Tree Fund, to General Fund, Streets Team for the purpose of planting Medjool Palm Trees along SE Ocean Boulevard**
- 14. RESOLUTION 40-2012 Authorization for Budget Amendment #13 and to Authorize the execution of the First Amendment to the Interlocal Agreement with Martin County for the Willoughby Boulevard Extension**
- 15. RESOLUTION 41-2012 Authorization for Budget Amendment #12 to the 2011-2012 Annual Community Redevelopment Agency and Sanitation Fund Budgets; Authorizing the Appropriation and Expenditure of \$158,000 to fund Colorado Avenue Business District improvements**

END OF CONSENT CALENDAR

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF CONSENT CALENDAR 7,8,9,10,11,13 ITEM 12 WAS WITHDRAWN AND ITEM 14 WAS HEARD SEPARATE.

SECOND: COMMISSIONER MCDONALD

ROLL CALL

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

- 14. RESOLUTION 40-2012 Authorization for Budget Amendment #13 and to Authorize the execution of the First Amendment to the Interlocal Agreement with Martin County for the Willoughby Boulevard Extension**

Commissioner McDonald asked that this item be heard and voted separately.

MOTION: COMMISSIONER MCDONALD; MOVED APPROVAL OF ITEM 14

RESOLUTION 40-2012

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

COMMISSIONER GLASS LEIGHTON YES COMMISSIONER MCDONALD YES

VICE MAYOR CLARKE YES COMMISSIONER KRAUSKOPF YES

MAYOR CHRISTIE YES

COMMISSION ACTION

ORDINANCE FIRST READING

ORDINANCE SECOND READING

16. ORDINANCE 2244-2012 (Second Reading) An Ordinance to approve the First Amendment to the “Marketplace of Stuart CPUD” located on the West side of SE Federal Highway and North of Advantage Ford and South of Lowes; Providing for approval of a revised Site Plan; Providing for approval of the reduction of the size of the CPUD from 35.07 Acres to 22.76 Acres; Providing conditions for compliance with site design qualitative development standards; Providing for conveyance of off-site preservation land upon approval of the Ordinance; Declaring the development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial)

ORDINANCE 2243-2012 (Second Reading) Request to Approve the “Mar-Stuart CPUD” located on the West side of SE Federal Highway and North of Advantage Ford and South of Lowes; Providing for approval of a Site Plan; Providing conditions for compliance with site design qualitative development standard; Declaring the development to be consistent with the Comprehensive Plan of the City (Quasi-Judicial)

City Manager Nicoletti noted the 2 CPUDs had been heard in detail simultaneously at first reading and all parties had now come to agreement on the three remaining issues.

City Planner Tom Reetz reviewed staff report noting the following: In light of Commission comments at first reading, staff added conditions to Mar-Stuart. He added three remaining issues from the first meeting of, Native plantings **required** in the dry retention area. Timing of conveyance of the vista parcel, and a lump sum amount to the city at the time of conveyance.

The first item the applicant submitted a Landscape Enlargement Plan by HJA Studio project #11052 Attachment B – Exhibit 3 Commission Resubmittal revised March 29, 2012. He noted the Vista conveyance needed to be clarified as to the

timing with the parcel being cleared of all exotics, and a lump sum of \$25,000.00 for future maintenance of the Vista Parcel.

Reetz continued his review by addressing Market Place of Stuart (Ordinance 2244-2012) noting #45 added the same native landscaping conditions to the project's stormwater facilities.

Attorney Bob Raynes representing the Marketplace project advised that his client agreed with staffs recommendations with revised language. He also thanked the Willoughby residents and their council.

Attorney Terry McCarthy representing Mars-Stuart stated they were in agreement with staffs comments and offered no rebuttle.

Attorney Michele Riley from Willoughby thanked the City Commission for "continuity" and praised working with both developers.

Vice mayor Clarked asked how far would the one- time payment of \$25,000.00 for the preservation of the wetlands area go.

Tom Reetz explained the Public Works director estimated to be around 5-years.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL ORDINANCE 2244-2012 WITH ADDED CONDITIONS

SECOND: VICE MAYOR CLARKE

ROLL CALL

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

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL ORDINANCE 2243-2012 WITH ADDED CONDITIONS

SECOND: COMMISSIONER MCDONALD

ROLL CALL

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

DISCUSSION & DELIBERATION

ADJOURNMENT: 6:44 P.M.

ATTEST:

Cheryl White, MMC, City Clerk

James A. Christie Jr., Mayor

Minutes to be approved at the Regular Commission
Meeting This 28th Day May, 2012