

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON MAY 14, 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, Cory Jeacoma, 2012 Outstanding Student Performing Arts Recipient and Fellow Vocalists of JB4 and the mARTies will be performing. Arts Council Board Chairman, Jim Simoneau, will introduce the group**

Arts Council Board Chairman, Jim Simoneau introduced JB4 , Cody, Ryan, Chris and Daniel who sang two acapella songs to the Commission and public.

- 2. PROCLAMATION: Proclaiming May 19 – 25, 2012 as National Safe Boating Week**

Dianne Riggan, PIO of Stuart Coast Guard Auxiliary Flotilla 59, came forward and graciously accepted the proclamation. She announced that on May 19, 2012 they will be kicking off safe boating week at the Coast Guard station in Ft. Pierce, open house with a free community event from 10:00 a.m. to 2:00 P.M.

- 3. PROCLAMATION: Proclaiming May 2012 as Civility Month**

City Manager Nicoletti graciously accepted the proclamation on behalf of Civility Month.

- 4. PROCLAMATION: Proclaiming May 5 – 13, 2012 as Stuart Tourism Week**

Rozeta Mahboubi, Executive Director of the Martin County Convention and Visitors Bureau, came forward and graciously accepted the Proclamation in Celebration of National Tourism Week May 5-13. She presented to the Commission and public a new video made to promote tourism in Martin County.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass-Leighton congratulated Vice Mayor Clarke on winning the Women of Distinction Award.

Commissioner Krauskopf commented on the great City Employee Picnic this past weekend.

Vice Mayor Clarke gave one of her now famous "shout outs" to all employees who worked to put on the picnic especially noting the one who served beverages. She stated she saw Kim Delaney escorting a group from the Center for new Urbanism, who were visiting Stuart looking at how we do things and hopefully they will be providing some comments through the regional planning council as to future urban development. She noted that something came up at the MPO meeting with regards to Transportation Issues, Public Transit Center and traffic patterns in the Flagler Avenue area, and other things. There were some questions whether or not the City would be making considerations for roadway issues along Martin Luther King, Georgia Avenue, and the ingress and egress matters in those areas.

She asked the City Manager to look into highlighting projects that affect the City of Stuart that are on the UPWP, and add a transportation segment on the City's web site for citizens to see what maybe affecting the City of Stuart. She gave an example of the County will be adding a diversion diamond at I-95 and State Road 76 coming into Stuart. She noted the new Veterans Memorial Bridge currently being constructed will also affect the entrance to the City. She also noted bike paths with regards to the roadways and hopes the City can keep updated, current and friendly for its citizens.

She announced she attended the Colorado Planning Workshop at City Hall last week. She felt it was good and enlightening meeting for those who were there. She felt it was a good project and will go a long way for the future of the City. She stated that another thing that came to her was the idea of making things ready to help foster economic development, and was approached by a developer to do a public-private partnership, with some type of revenue bond conduit financing. She asked if the City could hold a workshop to discuss the matter.

City Manager Nicoletti said he had a preliminary conversation with the City's bond counsel, Duane Draper, and what was discussed was the need for the City to develop it's own criteria for conduit bond funding. The City has never engaged in that type of bonding and has no policy in place. Other Cities and Counties have done it, and it can be successful means of providing funding for private entities. He stated the Bond Council suggested that they develop a draft criteria, and then present it to the City Commission.

Commissioner Krauskopf asked if a 1 ½ hour workshop would suffice to discuss the matter.

City Manager, Nicoletti said he would look into the cost and timeframe for the discussion and do a followup with the Commission to schedule the meeting.

**MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CITY
MANAGER SPEAK WITH OUR BOND COUNCIL AND SET A WORKSHOP FOR US
TO EDUCATE OURSELVES AS TO WHAT IS INVOLVED, AND ANY
SUBSEQUENT REQUEST SO THE WE CAN MAKE A DECISION BASED ON
INFORMATION, AND GO AHEAD AND CHECK WITH US AND SCHEDULE IT.
SECOND: COMMISSIONER MCDONALD
MOTION APPROVED UNANIMOUSLY**

Vice Mayor Clarke also suggested scheduling a workshop to discuss the airport noise. She stated residents are asking for an Ordinance from the City, so she wants to assure the City is working on a schedule to allow people to take advantage of anything that is available from the County with regard to relief from airport noise, and the impact on their property.

Commissioner Krauskopf stated the last time the City was approached on this subject was by the County Administrator and asked the City if they would keep an open mind, and the Commission responded that yes they would and look forward to you coming back and reporting to us what is involved in that so the City could make a decision. To date he noted the City has not received that benefit.

City Manager Nicoletti stated that Mr. Stokus, Airport Manager will be here on June 11, 2012 to make a presentation. He stated he was not aware of the timeframe they are working with but heard they need a decision by June as to which way the City was going with the 60 DNL.

Commissioner McDonald, who represents the City on the Airport Noise Advisory Committee, said the committee is working with Terry O'Neil and trying to work with the County on coming up with a resolution to the 60 DNL. He stated that one of the problems is they have not gotten back to the City, and they have not seen the surveys presented at the public meetings, which by the way the City was not invited to. In fact the City did not know about them until after the meetings. He stated staff is working very hard on this matter and the City should have some solid information prior to Mr. Stokus coming before the Commission on June 11, 2012.

Vice Mayor Clarke would like special notice of the meeting sent to the people who "live in that zone" affected by the airport, and she would like to meet personally with the County Administrator to know exactly what is going on.

Commissioner Krauskopf said it would be wise for the City Commission to hear an answer from the City's request from the County and an education as to what is involved of the City prior to any public hearing that is held here for us. That is really unfair to the City Commission into a, use it or lose it, one meeting decision making process.

City Manager Nicoletti will talk to the County Administrator and find out from her what the time frame is she is working with.

Commissioner Krauskopf noted that if the City has to hold a special meeting for a couple of hours, in the morning it would be in the best interest of the City to know what is going on.

Mayor Christie stated that he was pleased with the past weekend City Picnic event and especially thanked all those who helped to make that happen. He said the City is like a big family. He singled out Mary Kindel, Recycling Coordinator of the City who recently coordinated the Water Fest held at Memorial Park, He praised her for doing a good job.

COMMENTS BY CITY MANAGER

City Manager Nicoletti agreed the City has many special employees and thanked Linda Toppi and Sam Amerson for doing the logistic part of putting the picnic together and of course their staff as well.

He noted the following items for tonight's agenda:

A minor revision to the City Clerk's minutes.

Under City Code the City Manager is required to advise the Commission that he made an emergency purchase on Friday, May 4, 2012, when the City discovered a leak in one of three 2000 gallon sodium hypochlorite tanks at the Water Treatment Facility. On further inspection another tank was leaking, so emergency repairs were done on one and two other takes were replaced and re-piped the hypochlorite feeding system. The total cost was \$16,400.00.

Requested item 8 be removed from the Consent due to withdrawal of their property lease offer from Pusser's West Indies Limited Restaurant due to "perceived parking constraints and challenges."

He noted he had the pleasure of attending District X Spring Meeting of Florida Federation of Garden Clubs in Boca Raton. Unbeknownst to the City, our local Garden Club of Stuart had nominated the City for "Unsolicited Landscape Design Award for Plantings at a Public Park" for the design and planting of the Stuart Memorial Park. As a result the City won an unsolicited award for the achievement.

He said he spoke with the Garden Club and thanked them for their nomination.

He reminded the Commission of the Joint City/County/Schol Board meeting on Tuesday June 12, 2012 at 9:00 a.m. at the Blake Library.

Mr. Nicoletti noted that Jeff Dougherty from Martin County had planned to attend to speak about the County's search for office space in downtown Stuart but Mr. Dougherty was unable to attend.

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)

Robert Hall, Civil Rights Activist for the State of Florida and President of Voice of the People Coalition, reminded the Commission of an incident 11 years ago when a black man had been "shot by a police officer, who chose to put his own life on the line by putting himself on the young man's vehicle, and he himself selected to put 8 to 9 shots into an unarmed young man" These are the same kind of things that have happened earlier and compared it to the Trayvon Martin situation. He noted that there were other incidents of shooting of black men by the Stuart Police Department. He said justice has not been served, and the police officer responsible for a shooting 11 years ago is still serving on the Stuart Police Force. He introduced the parents of the shooting victim of 11 years ago and they gave a heart rending description of what it has been like since losing their son.

Mayor Christie offered his sympathy to the bereaved parents.

Robert Steinberg came forward and expressed concern over the Consent Calendar item regarding the Lease of the Restaurant next to City Hall to Pusser's West Indies Limited. He stated it should have been heard as a public hearing item, and was upset that he was unable to view the property appraisal, and asked for more open government.

Mayor Christie asked the City Manager about the lease process.

City Manager Nicoletti explained the agenda item 8, had been put on Consent awaiting receipt of a contract. The City Attorney addressed "confidentiality issues."

Mr. Steinberg read from the City Code regarding real estate appraisals and complained that an appraisal had not been part of the agenda packet.

City Attorney Durham clarified an appraisal had been done based on three months of value . He explained that you cannot go back 10 years to value the property. He stated there is an appraisal for this lease that would be shared with the Commission prior to entering into a lease agreement. He said the matter was pulled off at the last minute so the appraisal was not made part of this agenda.

John Leighton came forward on behalf of his wife who owns a salon on Kindred Avenue. He expressed concern over Kindred Avenue being excluded from the Colorado Avenue project. He presented the Commission with conceptual drawings showing proposed parking along Kindred.

City Manager Nicoletti explained Kindred Street did not meet the criteria for the CDBG grant and he gave a brief timeline of events as to the entire project. He explained that he would provide information in the future as to when and why Kindred was removed from the project.

Mr. Leighton asked for feedback on when and if and how Kindred can be moved forward.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL THAT AT THE MEETING OF THE CITY COMMISSION OF MAY 21, 2012 THE CITY MANAGER PRESENT THE GRAPHICS AND ECONOMICS AS TO WHAT IT WOULD TAKE TO ACCOMPLISH THE KINDRED IMPROVEMENTS AND WHETHER THE AREA IS IN OR OUT OF THE CRA SO WE KNOW WHERE THE FUNDING WE ARE GOING TO HAVE TO FIND WILL BE/THE TIMELINE FOR FINANCIALLY BENEFITTING WHETHER WE CAN TAG ON WITH THE SAME CONTRACTOR RIGHT AFTER THAT OFFICIAL GRANT THING AN DO IT SEPARATE FROM THE GRANT LOOK INTO THAT, I WOULD LIKE TO SEE THOSE TWO THINGS COME BACK UNDER A D&D.

SECOND: VICE MAYOR CLARKE
MOTION APPROVED UNANIMOUSLY

Forrest Hayden, another property owner on Kindred agreed with Mr. Leighton's comments and showed the same concern.

ROLL CALL

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

Commissioner Glass Leighton asked what the recent improvements cost were of Kindred Street.

City Manager Nicoletti said it "looks like \$225,000." He also stated the City wants to look for a solution to this matter.

CONSENT CALENDAR

- 5. Request to approve the Minutes of the Special and Regular Commission Meetings of April 23, 2012
- 6. RESOLUTION 42-2012 Authorization to execute a Memorandum of Understanding between Martin County Board of County Commissioners, the Sheriff of Martin County, the Martin County School District, Tykes and Teens, Inc. and the City of Stuart regarding formation and implementation of the Narcotics Overdose Prevention & Education Program (NOPE)
- 7. RESOLUTION 44-2012 Authorization for the Renewal of the Agreement for Desktop and Server Computer Equipment with Computer Station Company, Stuart, Florida for the first renewal option period
- 8. RESOLUTION 45-2012 Authorization to Execute a Lease Agreement between the City of Stuart and Pusser's West Indies, Ltd. for Lease of Property at 131 SW Flagler Avenue for a period of Five Years

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF CONSENT CALENDAR WITHDRAWN AND ITEM 8.

SECOND: COMMISSIONER MCDONALD

ROLL CALL

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

END OF CONSENT CALENDAR

COMMISSION ACTION

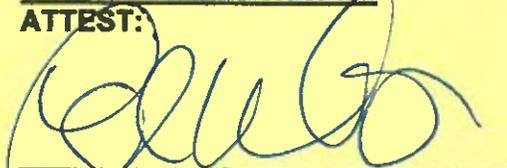
ORDINANCE FIRST READING

ORDINANCE SECOND READING

DISCUSSION & DELIBERATION

ADJOURNMENT 6:53P.M.

ATTEST:


Cheryl White, MMC, City Clerk


James A. Christie Jr., Mayor

Minutes to be approved at the Regular Commission Meeting This 11th Day June, 2012

