

**REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD ON APRIL 27, 2009  
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS  
121 S.W. FLAGLER AVE.  
STUART, FLORIDA 34994**

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

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

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

**PRESENTATIONS**

**1. Employee of the Month**

**Marty Jacobson**

Marty Jacobson came forward and graciously accepted his award and thanked the City Commission.

**2. Employee Service Recognition**

**Glenn Bush, Sr., Water Treatment Plant, 25 Years  
Mark Smith, Fire Rescue, 10 Years  
Bobby Bolden, Turf & Grounds Team, 5 Years  
Allen Schommer II, Comm. Collection Team, 5 Years  
Andrew Croke, Fire Rescue, 5 Years**

All the employees, with the exception of Glenn Bush came forward and graciously accepted their awards, and thanked the City Commission. Mr. Bush was unable to attend, and his award was accepted by Dave Peters, on his behalf.

### **3. Presentation by Tammy Simoneau, Economic Council, Update on Agreement Life Sciences Accord**

Shawn McKenzie, Kimley Horn & Associates, and a Member of Martin County Life Science Initiatives. He thanked the City of Stuart for their participation in the Martin County Life Science Initiatives. He said the program is a regional vision for technology education and innovation to enhance productivity and economic sustainability for a superior quality of life for all of its citizens. This program will promote and support the growth of existing key and emerging economic sectors. Provide legislative governmental policies to support economic development.

Tammy Simoneau came forward and gave a brief presentation regarding the Life Science programs.

#### **COMMENTS BY CITY COMMISSIONERS**

Commissioner Waxler updated the City Commission on the most recent Airport Noise Advisory Committee (ANAC) meeting and the proposed uses of the 18<sup>th</sup> Street buyout area. The Committee addressed what could not go there (namely no congregation of people in the RPZ). The dog park is out the park is out. They also discussed what useful purpose could go there but will have to find out what uses the FAA has approved. She stated that the County will have to come to the City for site plan approval. She stated the FAA is pushing the County to come up with a plan for the report in October. It is not just the City pushing it is also the FAA>

Vice Mayor Mortell asked if the County simply put in the report that it will remain vacant.

Commissioner Waxler said she could not get a straight answer on that question but we all know that the FAA wants that property to be sold and the money to go back to the grant program. That keeps the grant program going. The County kind of acknowledges that.

Vice Mayor Mortell expressed concern that the airport is enterprise funded and the airport could ultimately use its own revenue to buy that property from the grants funds and pay the FAA back. Then the airport could effectively acquire that land.

Commissioner Waxler stated the County is not in a position to do that.

Commissioner Hutchinson found it “disheartening” that the City was originally told the land could stay vacant and now FAA wants a plan. We owe it to the citizens to not change the zoning on that property because we told the residents there we would not do that.

City Manager Hudson said the City controls the land use and zoning.

Commissioner Hutchinson said we need to make it clear that the City does not want more homes taken for the airport and the more the FAA controls the airport the worse it is going to be for the City.

Commissioner Hutchinson mentioned that she had the opportunity to look at the organization management report from School Superintendent Kline and quoted part of the report on the feasibility of relocating the School District Office.

**MOTION: COMMISSIONER HUTCHINSON: MOVED APPROVAL TO HAVE THE CITY COMMISSION SEND A LETTER TO THE MARTIN COUNTY SCHOOL BOARD AND SUPERINTENDENT KLINE THAT THE CITY IS ON RECORD AS STATING HOW IMPORTANT IT IS TO KEEP THE SCHOOL BOARD DISTRICT OFFICES IN THE CORE OF THE DOWNTOWN AREA AND THAT THE JD PARKER SITE CANNOT HANDLE INCREASED TRAFFIC ON THAT STREET TO THE DETRIMENT OF THE RESIDENTS IN THE NEIGHBORHOOD.**

**SECOND: VICE MAYOR MORTELL  
MOTION APPROVED UNANIMOUSLY**

Commissioner Krauskopf said he had been getting regular updates from Tallahassee and was upset at the State's mass "pre-emption" of local government by mandates. He said, "You know who your friends are when money runs short, and it is an affront on local government." He requested a report back to the Commission once the dust settles in Tallahassee.

### **COMMENTS BY CITY MANAGER AND REVIEW OF TENTATIVE AGENDA**

City Manager Hudson mentioned the City was in the process of appointments to the Advisory Boards. He also mentioned that on Item #11 and that he provided the Commission with an additional memo.

Attorney Nicoletti told the Commission that he has been working on the Lamar and Continental Concrete litigation and requested an Attorney Client meeting to discuss the two cases.

The Commission agreed to hold a Attorney Client Session on April 29, 2009 at 5:01 p.m. and the City Commission, City Attorney and City Manager would be present.

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

### **APPROVAL OF AGENDA**

**MOTION: COMMISSIONER MORTELL; MOVED APPROVAL OF THE TENTATIVE AGENDA PULLING ITEM #1 FOR SEPARATE DISCUSSION AND ADDING ITEM 10A AS AMENDED  
SECOND: COMMISSIONER HUTCHINSON  
MOTION APPROVED UNANIMOUSLY**

## CONSENT CALENDAR

4. Request to approve the minutes of the Special Commission Meetings of April 9 and April 13, 2009
5. **RESOLUTION 43-09** Authorization to approve the first of two (2), one (1) year optional renewal periods with Brown & Caldwell, Captec Engineering, Culpepper & Terpening, Engineering Design & Construction, Hazen & Sawyer, and MWH Americas to provide professional Civil Engineering as needed by the City per the hourly rates in each agreement
6. **RESOLUTION 44-09** Authorization for a budget amendment to the 2008-2009 annual water sewer fund operating budget of the City of Stuart for appropriation and expenditure of \$200,000 to fund emergency repairs to the gravity sewer system on Monterey Road not anticipated at the time the original budget was adopted
7. **RESOLUTION 45-09** Authorization to execute a Transportation Service Agreement between the School Board of Martin County and the City of Stuart dated from July 1, 2009 through June 30, 2010 for the use of School Board buses by the City Recreation Department to provide transportation in conjunction with field trips from time to time
8. **RESOLUTION 46-09** Authorization to execute an Interlocal Agreement between the City of Stuart and Martin County to provide for landscape beautification of a portion of South Dixie Highway between SE Decker Avenue and SR 707 bridge

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CONSENT AGENDA

SECOND: COMMISSIONER WAXLER

ROLL CALL

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

## END OF CONSENT CALENDAR

## COMMISSION ACTION

9. **REQUEST** by Diane Cicarelli to waive building permit fees, property located at 501 Riverview Ave.

Diane Cicarelli came forward and requested the City waive her permit fees. She explained that the initial contractor did \$6,000 worth of work after she paid him \$21,500 and he abandoned the project. She has hired an attorney regarding the contractor. She needs to complete the project as owner builder.

The City Commission agreed not to waive the permit fees.

### **10. Request to appoint a Commissioner Representative for Fire Rescue matters relating to Martin County**

City Manager Hudson gave a brief overview of the appointment and stated that Commissioner Krauskopf had expressed an interest in serving as a representative.

MOTION: VICE MAYOR MORTELL MOVED APPROVAL TO APPOINT COMMISSIONER KRAUSKOPF AS THE LIASION FOR THE FIRE RESCUE DISCUSSIONS.

SECOND: COMMISSIONER HUTCHINSON

MOTION APPROVED UNANIMOUSLY

### **ORDINANCE FIRST READING**

### **ORDINANCE SECOND READING**

### **DISCUSSION & DELIBERATION**

#### **11. Fire Rescue Expansion Plan**

City Manager Hudson addressed the recent workshop on what the City wants to be doing regarding the Stuart Fire Rescue since consolidation discussions are finished. He stated he walked away from that discussion with the feeling that the Commission supports a plan that would include, adding two employees to Station 2 to eliminate flexing, and add 8 new employees for a future station#3, in April 2010. He said staff has identified “newly emerging grant opportunities” and suggested dispatching be deferred to a later date. Addressing the expense side of the proposal, Hudson noted that staff has been in communication with the Town of Sewall’s Point but has not received a reply from the latest proposal. When addressing the SAFER grant (the same grant the County approved for hiring additional fire rescue) Hudson said this would guarantee staffing for 5 years.

Commissioner Hutchinson wanted to know the plan during the interim to run North of the Bridge without the interlocal.

City Fire Chief Sunderman stated they have a few options in mind.

City Manager Hudson said we have no statistical breakdown on calls the County makes north of the Bridge that they have been running on our behalf, but temporary operations could begin by staffing with overtime.

Vice Mayor Mortell said we use “interchangeable terms” that confuse the public when they are reading about the County’s comments in the paper.

Chief Sunderman said part of the issue is dispatch and if we used our own protocol it would be different. She proposed the City would call for help when needed and explained the difference between mutual aid and an Interlocal Agreement.

Vice Mayor Mortell asked to develop protocol for dispatch. He felt the Interlocal could benefit the City to show that there are more calls from us to them than from them to us.

Chief Sunderman agreed and stated the City will always need the County and the County will always need the City. This is just a fact of life. We are the hub and they have to come through the City and we have to go out and help them. We really need to get more statistics regarding what the City needs to do to cover North of the bridge.

Commissioner Hutchinson said two County Commissioners have told her the County can handle its needs and does not need the City. To me that is saying they do not want to work together.

Mortell stated the City needs a better protocol so we can have a better understanding of when someone calls 911 and say's my chest hurts, what is the standard protocol for dispatch.

Commissioner Krauskopf said even in the out year we need to look at impact of millage. He noted that the City did annex areas, and is receiving ad valorem funding from them. He said for at least the first three years we are ahead of the curve. He clarified that staff wants the Commission to proceed with a plan and add two new employees for Station 2. He also noted that with 500 applicants the City should take a "hard look" at the rate of pay for new hires and we may need to get into renegotiating with the union.

Chief Sunderman said the contract has not been changed in 2 years, and we are at a lower rate of pay than other areas. It takes a lot of money to train new hires and expressed deep concern that we could lose them to a higher paying department.

City Manager Hudson said he understands the idea but other factors are involved. Noting that 5 of the City's fire rescue employees have been hired by the County, he said the City's entry level step is (\$6,000) lower than the surrounding areas. He stated we should begin by using the current pay plan

Mortell fundamentally agreed with Krauskopf but said it would be very complicated for the pay scales.

Chief Sunderman agreed that by having staggered pay scales would be confusing and feels the pay scales should be consistent.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF STAFFS RECOMMENDATION AS EXPRESSED HERE TODAY ON ITEM #2 AT THE EXISTING \$6,000 PAY DIFFERENTIAL AND THEN RECOMMEND YOU COME BACK TO US ON THE BALANCE OF THE ITEMS WITH THE ECONOMICS COME TO US.

SECOND: COMMISSIONER HUTCHINSON

Commissioner Hutchinson stated that wanted to be assured that the response times for the citizens North of the Bridge are not being jeopardized.

ROLL CALL

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

Don Lesko, Vice President of the 2411 Union came forward and thanked the Commission for their support to the Fire Rescue Department. He thanked Commissioner Krauskopf for his comment and suggestions and further added that the union would like to be invited to the table for further discussions labor discussion.

City Manager Hudson said we will have to fill 6 vacancies.

Fire Chief Sunderman said that out of the 500 applicants there are 110 who are qualified at this point.

ROLL CALL

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

**ADJOURNMENT 6:42 p.m.**

**ATTEST:**

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**Cheryl White, CMC, City Clerk**

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**James A. Christie, Mayor**

**Amended Minutes approved at the Regular Commission  
Meeting This 11<sup>th</sup> Day May 2009**