

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON FEBRUARY 28, 2011
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

**Mayor Jeffrey Krauskopf
Vice Mayor James Christie Jr.
Commissioner Michael Mortell
Commissioner Eula R. Clarke
Commissioner Troy A. McDonald**

**Also in attendance were:
City Manager Dan Hudson
City Attorney Paul J. Nicoletti
City Clerk Cheryl White**

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

PRESENTATIONS

1. PROCLAMATION: Proclaiming the Month of March as American Red Cross Month.

Mary Sawyer, Executive Director of the Martin County Chapter of Red Cross, came forward and graciously accepted the proclamation and thanked the Commission. She thanked the City for allowing them to fly Red Cross Banners in the downtown. She also announced three upcoming events sponsored by Red Cross. The events are; 100 mile bike ride from Jensen Beach to Okeechobee and back on March 20th, 2011. Second Annual Designer Showcase House, March 19th, 2011. The House is in South Sewall's Point. Hero's Campaign, 6th year, this is an appeal for donations from the community for the Red Cross.

2. 2035 Regional Long Range Transportation Plan

Michael Busha, Executive Director at Treasure Coast Regional Planning Council, gave a power point presentation to the public and Commission regarding their projection for long range transportation projects. He thanked Beth Beltran, Senior Planner for the Martin County Metropolitan Planning Organization, and St. Lucie Transportation Planning Organization Director, Peter Buchwald for their assistance.

3. Employee of the Month

Mary Kindel, Recycling & Conservation

Mary Kindel came forward and graciously accepted her award and thanked the Commission.

4. Employee Service Recognition

**David Tyler, Distribution & Collection, 15 Years
George Stocks, Wastewater Treatment, 5 Years**

COMMENTS BY CITY COMMISSIONERS

Commissioner Clarke complimented the past Town Hall meeting held at the Recreation Center. She stated she has had to opportunity to attend many events held recently, and was pleased to see the community involvement. She was contacted by Ron Rose, who mentioned to her that the City will be celebrating its 100th Anniversary in 2014, and asked that the City start thinking about it. She thanked Joe Capra for lending his laser pointer to Michael Busha for the last agenda item. She said she received an article from the City Clerk about civility and government. She encouraged everyone to help one another and be civil at all times.

Commissioner Mortell stated he attended the past weekend events which were very well attended.

Commissioner Christie thanked Dan and City staff for the past Town Hall meeting. He encouraged the City to continue this in other neighborhoods.

Mayor Krauskopf: Last Wednesday a number of members from the City went to Appalachia Cola regarding the mooring pilot program, it was very well received by the Commission and the City may become one of the two or three East Coast participants in connection with Martin County." He also attended the Arts Show this past weekend, and the open house at the Flagler Center by the Lyric Theatre. "It is very encouraging how this concept is being received."

COMMENTS BY CITY MANAGER

City Manager Hudson noted that copies of a report from Standard and Poor's a firm that gives credit ratings for the debt of public and private corporations, was distributed to the Commission prior to the meeting. He announced that Stuart's Utility Bond rating is now a AA- He also stated the City is working on scheduling the next Town Hall meeting for the Astor Lane and Indian Street neighborhood. He said the date and time is to be announced at a later date. The City will be holding a soft opening for the new "Dog Park" on March 5 or 6th, 2011. Looking at the agenda; Item #6, Minutes of February 14, 2011 ministerial corrections have been made. Item #5 Minutes of December 29, 2009 have been requested to be removed from Consent by a member of the public. The removal of the minutes for separate discussion is typically done only by the Commissioners, and is policy. He deferred to the City Attorney for an update on the Rudge case.

City Attorney Nicoletti noted that it has been a couple of months since the City Commission discussed the case involving the Rudge property. He requested the Commission schedule an Attorney Client meeting to hear updates and provide advice on the case.

The Commission agreed to hold an Attorney Client meeting on March 7, 2011 at 4:00 p.m.

APPROVAL OF AGENDA:

MOTION: VICE MAYOR CHRISTIE: MOVED APPROVAL OF THE AGENDA
SECOND: COMMISSIONER MCDONALD
MOTION APPROVED UNANIMOUSLY

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

Caryn Rudge came forward and stated she was going to request another Attorney Client Meeting, and thanked the City Attorney for requesting one. She thanked Commissioner Clarke for scheduling the upcoming Town Hall meeting for the Astor Lane area. She thought the past Town Hall meeting was great, and she thanked the Commissioners for continuing to do that.

William Rudge came forward and suggested the City adopt a "Truth in Office" Ordinance, so employees, and various Department Office heads deal with the truth in their official capacities, "which is not really what is going on sometimes." He also suggested the City video record the Commission meetings, and streaming the City Commission meetings online. It stated it would ensure accuracy while at the same time lightening the City Clerk's workload, and adding to everyone's security. He stated the equipment and software is inexpensive. "I would be glad to host an account, and see about helping make it happen." He said he had two questions for the Commission, and asked for the answers.

Mayor Krauskopf stated this was for public comments only, and they do not do that.

Armond Pasquale came forward and expressed concern over the past weekend event held in the downtown. He stated there were mobs of people downtown and they were disturbing his residence. He stated the traffic was a nightmare. He said there were no police at the event that he could see. He asked for better management to handle the events that are affecting residence. He noted a former resident who moved out of the downtown because of the noise. He said that more and more residence are leaving downtown because of the events. He stated this has been going on for 20 years and even though he has requested the City look into this matter nothing changes.

City Attorney Nicoletti noted a letter and pictures that was received from Veronica Pasquale, which explained the same type of concern over the events in the downtown. The letter was put into the official record of the minutes. She included a suggestion for traffic control during festivals in the downtown.

Mayor Krauskopf suggested referring the letter to the City Manager.

Robert Steinberg came forward and echoed Mr. Rudge's comments regarding streaming the Commission Meetings online. He said he was unable to attend the last Commission meeting, but met with the City Clerk the next day to hear the meeting. He reminded the Commission that while the candidates were campaigning a suggestion was made to better access Commission Meetings. He said his suggestion was to simply make a MP3 recording of the meetings and post it on the web site. He said the time to do that would be less burdensome on the City Clerk, then to have someone come into the office and to look for the section that someone wants to listen to. He also stated that the past weekend event was a good event for his neighborhood. He noted the cost, and was a professional job by an independent business person, The Howard Allen Company. "It comes into town and is very well organized, and leaves money with the sponsoring organization, Mainstreet, very little work for Mainstreet. In comparison we are going to have the Arts Festival coming up, which consumes 1/3 of the

Arts Councils entire annual budget, which is not upwards of \$450,000.00. Arts Festival will cost this community \$150,000.00- \$175,000.00 this year. He noted that the Arts Council Executive Director presented to the Commission a number of attendees for the 2010 event, but the figure kept rising during the discussions for grant funding from the City. He also noted that the plan for the Lyric Theatre. He noted that the rental rates for their new facility, in comparison to the former Recreation Center facility, are far greater. Also in comparison to the Sunrise Theatre in Ft. Pierce, Black Box, and the rental on this Black Box are two to five times more expensive, depending upon how the Recreation Center is configured. He did not feel the rates would inspire the local producers that we are looking to see have access to this theatre. He asked that they look at keeping the spirit of cooperation; he did not want to see those with more money freeze out those who need to afford it.

Jerry Gore, Martin County NAACP came forward and stated they were partnered with several organizations, because of the great benefits that they have. He noted that the NAACP mission is to bridge communities together as one. He stated they are currently working with the Red Cross. He noted that every dollar raised is matched by a donor. He passed out to the Commission, donation cards.

CONSENT CALENDAR

- 5. **Request to approve the minutes of the Special Meeting, Attorney Client Session of December 29, 2010**
- 6. **Request to approve the minutes of the Regular Commission Meeting of February 14, 2011**
- 7. **RESOLUTION 13-2011 Authorization to execute a Utility Easement with Banyan Bay Land, LLC for access and monitoring of the wetland also identified as Conservation Easement Parcel 3**

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF THE CONSENT CALENDAR ITEM 5,6,7

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

END OF CONSENT CALENDAR

COMMISSION ACTION

ORDINANCE FIRST READING

8. ORDINANCE 2217-2011 (First Reading) Amending the Stuart Code of Ordinances relating to Industrial User Wastewater Pretreatment

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE 2217-2011 ON FIRST READING

SECOND: VICE MAYOR CHRISTIE

ROLL CALL

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

9. ORDINANCE 2219-2011 (First Reading) Amending the Stuart Code of Ordinances relating to Backflow Prevention

Dave Peters, Assistant Public Works Director explained that this Ordinance is a requirement of the Florida Department of Environmental Protection Agency.

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE 2219-2011 ON FIRST READING

SECOND: COMMISSIONER CLARKE

ROLL CALL

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

ORDINANCE SECOND READING

10. ORDINANCE 2222-2011 (Second Reading) Providing for regulations regarding the application and use of soil fertilizers by certain applicators

Sam Amerson, Public Works Director stated that this item has the support of River's Coalition, FDEP, and St. Lucie River Issuance Team, Fred Burkey, Florida Yards & Neighborhoods Program, and Chamber of Commerce.

City Attorney Nicoletti noted that the last section of the Ordinance 20-170, has been amended to read: "Any Commercial or Institutional applicator who willfully violates this article shall be guilty of a second degree misdemeanor."

MOTION: VICE MAYOR CHRISTIE: MOVED APPROVAL OF ORDINANCE 2222-2011 ON SECOND READING

SECOND: COMMISSIONER MCDONALD

ROLL CALL

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

DISCUSSION & DELIBERATION

11. Community Services Advisory Board – Code Update

Jim Chrulski, Assistant Community Services Director presented an overview of the proposed Community Services Advisory Board. He explained this would reestablish the current Recreation Advisory Board which has been non active.

There was question by Commissioner Clarke as to the number of proposed members would serve on the Board.

ADJOURNMENT 6:56 P.M.

ATTEST:

Cheryl White, CMC, City Clerk

Jeffrey A. Krauskopf, Mayor

Minutes to be approved at the Regular Commission Meeting This 14th Day March 2011.