

**REGULAR MEETING OF THE STUART CITY COMMISSION
AND
FINAL BUDGET AND PROPOSED MILLAGE RATE PUBLIC HEARING
TO BE HELD SEPTEMBER 23, 2013
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Eula R. Clarke
Vice Mayor Troy A. McDonald
Commissioner Kelli Glass Leighton
Commissioner Jeffrey A. Krauskopf
Commissioner James A. Christie, Jr.**

ADMINISTRATIVE

**City Manager, Paul J. Nicoletti
Interim City Attorney, Robert Kilbride
City Clerk, Cheryl White**

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

PRESENTATIONS

1. EMPLOYEE OF THE MONTH SEPTEMBER 2013

Paul Hitchcock

Paul Hitchcock came forward and graciously accepted his award and thanked the Commission.

2. EMPLOYEE SERVICE RECOGNITION SEPTEMBER 2013

Teresa Lamar-Sarno	CRA	5-Years
Carlton O'Brian	Public Works	5-Years
Amy Lindgren	Police	5-Years
Gloria Fike	Code Enforcement	10- Years

All awards were received by the employees. Amy Lindgren was unable to attend.

3. PROCLAMATION: Proclaiming October 2013 as the celebration of the "100th Anniversary of the Women's Club of Stuart"

Accepted by the Women's Club of Stuart. It was announced that they will be having an Open House on Saturday October 12th, 2013 from 12-4 pm.

4. PROCLAMATION: Proclaiming October 2013 as "Historic Preservation Month"

Accepted by Martin County Historic Preservation Board representative.

5. PROCLAMATION: Proclaiming October 10, 2013 as "Firearms Safety Day"

Accepted by Vice Chairperson of the Martin County Friends of the NRA.

6. PRESENTATION: Waters Worth It Bootcamp.

Dave Peters announced the upcoming "Waters Worth It Bootcamp" which will introduce those elected officials and staff members to the operations of the Utilities of the City. He invited those who are interested in attending to participate in 4 2 hour sessions beginning on November 7, 2013.

7. PRESENTATION: National Night Out Participation Award.

Chief Dyess came forward and accepted the award and thanked those who participated in the recent National Night Out, and especially Commissioner Christie for his event in his neighborhood.

8. PRESENTATION: Stuart Air Show.

Mike Roberts of the Stuart Air Show came forward and asked for the City's help in providing support with assets such as trash cans, cones, generators.

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL TO SUPPORT THE STUART AIR SHOW IN THE MANNER THE CITY HAS IN THE PAST.

SECOND: COMMISSIONER CHRISTIE

ROLL CALL

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

9. PRESENTATION: Treasure Coast Regional Planning Council Rail Update.

Kim Delaney of the Treasure Coast Regional Planning Council came forward and gave a brief update to the Commission and public regarding the addition of a new Amtrak service interconnecting in West Palm Beach with a possible station in Stuart.

She explained that the city will have to look at and approve new grade crossing agreements, which needs legal and commission action. Quiet zones were addressed and would need to be looked at for federal law and would have to be requested by the City.

City Manager Nicoletti explained the City is preparing to pitch to the need for a station in the downtown.

CITY OF STUART FINAL BUDGET AND PROPOSED MILLAGE PUBLIC HEARING

10. City Manager – Explanation of the proposed millage necessary to fund the FY 2013-2014 City's General Fund Budget, as required by The Florida Legislature.

City Manager Nicoletti explained the proposed millage needed is 4.6836 and is sufficient to fund the City's general Fund Budget.

11. City Manager – Explanation of the proposed millage rate equal to the rolled back rate, and is set at 4.6836.

He further explained the rollback rate set at 4.6836 generates the same amount of tax dollars in FY14 as the rate in FY 13.

12. General Public – Comments and questions from the general public regarding the proposed final budget and proposed millage rate.

Troy Bowser representing Local 2411 came forward and said "I am coming here tonight to formally notify you that we will be meeting with the City and Management regarding the reorg plan that is in the budget, and to work with them to develop a reorg plan that is going to suit the needs of the Department. We also ask that no reorg plan goes into place until we have an opportunity to meet with them."

City Manager Nicoletti said he plans on meeting with them on Wednesday and plans on until we have actually had an opportunity to impact bargain, the money will be allocated but was not planning on making any personal changes.

Commissioner Glass-Leighton asked that the Commission be updated to the outcome of that meeting.

City Manager Nicoletti stated he will probably ask for an executive session following his meeting with Local 2411.

Commissioner Krauskopf wanted to focus on productive suggestions made by employees, and wants those suggestions to be heard, and understood. He stated that in the end the heart of the focus has been productive suggestions by employees.

13. City Commission – Discussion by the City Commission and the City Manager of any questions or amendments to the proposed final budget.

14. City Commission – Adoption of final millage rate resolution for FY 2013-2014 recomputed in light of any changes to the proposed budget.

a. RESOLUTION 108-2013 Adopting the Final Millage Rate for Fiscal Year beginning October 1, 2013, and ending September 30, 2014.

MOTION: COMMISSIONER CHRISTIE: MOVED APPROVAL OF RESOLUTION 108-2013

SECOND: VICE MAYOR MCDONALD

ROLL CALL

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

15. City Commission – Adoption of final budget resolution for FY 2013-2014, including any changes made to the proposed City budget.

a. RESOLUTION 109-2013 Adopting the Final Budget for Fiscal Year beginning October 1, 2013, and ending September 30, 2014.

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF RESOLUTION 109-2013

SECOND: VICE MAYOR MCDONALD

ROLL CALL

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

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton asked what the status of the leaky roof at the Wine Crush Bar.

Sam Amerson stated they are currently reviewing quotes, and would discuss the matter with the City Manager tomorrow.

Vice Mayor McDonald announced the legislative Delegation and stated he brought forward to them the idea of allowing Municipalities to do the Local Option Sales Tax. He is working toward meeting with the local legislative delegation to discuss the matter further. He also stated he would be attending the meetings in Washington DC alongside Patrick Murphy regarding the St Lucie River problem. He said he would bring back a full report back to the City.

He asked the City staff to look at the funding available in the Property Management Fund and come back to a future meeting at the possibility of taking down the buildings not being used on the Triangle property and turn it into parking.

Mayor Clarke thanked those who are participating in the Centennial as well as Milton Leggett and his staff. She also asked to pull item 17.

COMMENTS BY CITY MANAGER

City Manager Nicoletti noted the following:

The Calendar of events Joint City County School Board Meeting is incorrect and should be removed. Also the Meeting listed on 10/24 is actually 10/28.

He noted that item 17 is to move the October meeting to October 14, 2013, due to the removal of the Furlough Days. He noted that the City had a request for the use of the Flagler Center and would like to discuss it tonight as added item # 25.

The Commission agreed.

He also announced that one of the City's employees, Jody Davenport has obtained her certification from the National Rural Water Association.

She was congratulated.

APPROVAL OF AGENDA

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF THE AGENDA ADDING ITEM 25

SECOND: COMMISSIONER GLASS LEIGHTON

MOTION APPROVED UNANIMOUSLY

COMMENTS FROM THE PUBLIC (5 min. max)

Robert Steinberg came forward and expressed concern over the Terra Fermata, and the loud music, and the licensed permitted use of the property.

Mr. Samuel McHardy Centennial Task Force Member came forward to announced many upcoming Centennial Events.

CONSENT CALENDAR

16. Minutes of Regular Commission Meetings: 7/8-7/22/2013, Joint Commission Meetings: 8/1/2013, and Special Commission Meetings: 7/11,7/15,7/22-8/1,8/12.

17. **Revised City Calendar for October 1, 2013 - December 31, 2013.**
18. **RESOLUTION 102-2013: Approving Nuisance Abatement Liens and administrative charges and costs incurred by the City to abate nuisances on (4) private properties, within the City of Stuart totaling \$733.62, including an Administrative Charge, and providing the assessments shall bear interest at a rate of 12% until paid.**
19. **RESOLUTION 112-2013: A Resolution of the City Commission of the City of Stuart, Florida adopting a schedule of fees, charges and deposits for Water, Wastewater, Sanitation and Stormwater services in accordance with the Water, Wastewater, Sanitation rate study dated August 29, 2012, and the Florida Public Service Commission Price Index, published March 11, 2013, under Chapter 34 for Sanitation and Chapter 42, Utilities of the City Code; Providing for codification; and for providing an effective date.**
20. **RESOLUTION 113-2013: A Resolution approving the award of RFQ No 2013-135, Exotic Vegetation Removal and Stacking Services to the highest rank firm, Aquatic Vegetation Control, Inc. Riviera Beach, Florida.**

END OF CONSENT CALENDAR

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF THE CONSENT AGENDA
 SECOND: COMMISSIONER GLASS LEIGHTON
 ROLL CALL
 COMMISSIONER GLASS LEIGHTON YES COMMISSIONER CHRISTIE YES
 VICE MAYOR MCDONALD YES COMMISSIONER KRAUSKOPF YES
 MAYOR CLARKE YES

COMMISSION ACTION

21. **RESOLUTION 107- 2013: Authorizing the execution of an employment contract with Michael J. Mortell for the position of City Attorney.**

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL OF THE EXECUTION OF AN EMPLOYMENT CONTRACT WITH MICHAEL J. MORTELL FOR THE POSITION OF CITY ATTORNEY
 SECOND: COMMISSIONER GLASS LEIGHTON
 ROLL CALL
 COMMISSIONER GLASS LEIGHTON YES COMMISSIONER CHRISTIE YES
 VICE MAYOR MCDONALD YES COMMISSIONER KRAUSKOPF YES
 MAYOR CLARKE YES

ORDINANCE FIRST READING

ORDINANCE SECOND READING

- 22. ORDINANCE 2270-2013: Requesting the City of Stuart exempt itself from the provisions of Section 101.657 of the Florida Statutes; specifically relating to “Early Voting” Specifically for the 2013-2014 General Election and Run Off if necessary.**

MOTION: COMMISSIONER KRAUSKOPF: MOVED APPROVAL OF ORDINANCE 2270-2013 ON SECOND READING

SECOND: COMMISSIONER GLASS LEIGHTON

ROLL CALL

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

- 23. ORDINANCE 2271-2013 Relating to the Funding of Capital Improvements and Essential services through the imposition of Special Assessments; providing the procedure for the imposition of such Special Assessments to fund the cost of Capital Improvements and Essential Services: Providing a special benefit to real property within the City; Authorizing the creation of assessment areas; Providing for the optional and mandatory prepayment of assessments; Establishing procedures for notice and adoption of assessment rolls, and for correction of errors and omissions: Providing that assessments constitute a lien on assessed property upon adoption of the assessment rolls; Establishing procedures and methods for collection of assessments including assessments imposed on government property; Authorizing the issuance of obligations secured by assessments; Providing for various rights and remedies of the holders of such obligations; Providing that such obligations will not create a general debt or obligation of the City.**

Armond Pasquale came forward and expressed concern over the proposed Ordinance relating to the Special Assessments.

Helen McBride came forward and stated she felt the assessment was a fair one.

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL OF ORDINANCE 2270-2013 ON SECOND READING

SECOND: COMMISSIONER CHRISTIE

ROLL CALL

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

DISCUSSION & DELIBERATION

24. Departmental Reorganizations.

Mr. Nicoletti stated this item has been addressed and staff will go forward.

Added item #25 use of the Flagler Center and fees.

Mr. Nicoletti presented a proposal for use of the Flagler Center for use of the Flagler center from the Historic preservation Board.

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL OF FEE STRUCTURE FOR THE USE OF THE FLAGLER CENTER AND TO BE IN PLACE UNTIL DECEMBER 31, 2013 OR UNTIL WE EVALUATE THE RFP AND AT THAT POINT, WHATEVER COMES FIRST.

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

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

Mr. Nicoletti clarified the request of the Stuart historic preservation Board for use of the Flagler center and wish to use it September 30, 2013 from 5-6 p.m. and October 24, 2013 Awards Dinner as a donation to our effort.

MOTION: VICE MAYOR MCDONALD: MOVED APPROVAL OF THE USE OF THE FLAGLER CENTER FOR BOTH DATES BUT WITH THE CAVIET THAT THEY PAY FOR THE CLEANUP COST AND FOR BOTH DATES.

SECOND: COMMISSIONER CHRISTIE

ROLL CALL

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

ADJOURNMENT: 7:39 p.m.

Cheryl White, CMC, City Clerk

Troy McDonald , Mayor

Minutes to be approved at the Regular Commission Meeting This 13th Day January 2014