

**SPECIAL MEETING OF THE STUART CITY COMMISSION
COMMUNITY REDEVELOPMENT AGENCY AND
COMMUNITY REDEVELOPMENT BOARD
HELD ON MARCH 21, 2011
AT 9:00 A.M. IN THE CITY COMMISSION CHAMBERS
121 SW FLAGLER AVENUE
STUART, FLORIDA 34994**

CITY COMMISSION

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

COMMUNITY REDEVELOPMENT AGENCY

**Chairperson Jeffrey A. Krauskopf
Vice Chairperson James A. Christie, Jr.
Board Member Eula R. Clarke
Board Member Troy A. McDonald
Board Member Michael J. Mortell
Board Member Johnnie Bell
Board Member Samia Ferraro**

COMMUNITY REDEVELOPMENT BOARD

**Chairman Frank Wacha
Vice Chairman David Collier (Absent)
Board Member Johnnie Bell
Board Member Samia Ferraro
Board Member Sharon Fitzke
Board Member Jean Laws Scott
Board Member Pete Walson (Absent)**

Also in attendance were:

**City Manager, Dan Hudson
City Attorney, Paul J. Nicoletti
City Clerk, Cheryl White
Interim Development Director, Terry O'Neil
CRA Administrator Theresa Lamar-Sarno**

1. CRA Basics Presentation

CRA Administrator Theresa Lamar-Sarno gave a brief PowerPoint presentation to the Boards and public regarding the CRA Vision and the operations of the organization.

City Attorney Paul Nicoletti gave a brief overview to the Boards, regarding their duties and responsibilities, and the Florida Sunshine Law.

2. CRA 2010 Annual Report

CRA Division Assistant Robin Lemay gave a brief presentation of the 2010 CRA Annual Report to the Boards.

Chairman Krauskopf asked the City Manager to provide insight to the Board Members as to how the funds are derived, and in a general overview what the trend has been over the last few years.

City Manager Hudson explained the funding sources of the CRA. He stated that the general trend is the same as the Citywide and County budget. He explained that the CRA has also experienced a decline in the last few years.

Chairman Krauskopf asked the Board for a motion to file the 2010 CRA Annual Report.

MOTION: EULA CLARKE. : MOTION TO APPROVE FILING OF THE 2010 CRA ANNUAL REPORT.

SECOND: TROY MCDONALD

MOTION APPROVED UNANIMOUSLY

3. CITY COMMISSION RESOLUTION 27-2011 Authorization to execute an Interlocal Agreement between the City of Stuart and Martin County for the development of a County Office Building

City Attorney Nicoletti explained that the final language for the interlocal agreement is not complete. He asked that the Commission allow latitude to amend the Interlocal Agreement from its draft form to final form so long as it doesn't change the intent or any of the business terms contained therein. He said that will be added into the minutes of this meeting, and he would bring back the document for another look upon completion. He asked for approval of Resolution 27-2011 with that understanding.

Dina Freeman, Special Projects Coordinator, Senior Planner gave a visual presentation to the Boards regarding the proposed County Office Building. She stated the City identified nine parcels ranking from highest to lowest.

Terry O'Neil, Interim Development Director advised the City Commission that he had received a call from Attorney Terry McCarthy representing the Salvation Army, and that their Board is aware of the proposal by the City for the relocation of County Office Buildings. They stated that they have an updated appraisal of their property on Martin Luther King Jr. Blvd and are very interested possibly discussing the sale of their property.

CRB Chairman Frank Wacha complimented staff on their work to compile the information. He was happy to have discussed the matter with staff, and felt they did a great job.

The Board members all agreed with Mr. Wacha.

Commissioner Mortell stated he felt that when this is presented to the County we need to say, "Will you accept any of these not pick one of these."

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF RESOLUTION 27-2011 AND WE TRANSMIT TO THE COUNTY THE FOUR HIGHEST RANKED SITES AS DISCUSSED TODAY WITH THE REQUEST FROM THE COUNTY TO AUTHORIZE US TO CHOOSE ANY OF THE SITES AS BEING SUITABLE FOR THE PROPERTY APPRAISER AND OTHER COUNTY OFFICES AS WE DISCUSSED UP TO 25,000 SQUARE FEET.

Jeff Dougherty of Martin County came forward and requested clarification on the paragraph timetable for development. He stated that it really needs 36 months time frame not a 24 month.

City Attorney Nicoletti explained that it is 24 month construction time frame.

Mr. Dougherty stated there is 12 months before the construction time so the finished product would be 36 month time frame.

City Attorney Nicoletti stated that is correct.

SECOND: COMMISSIONER CLARKE

ROLL CALL

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

MOTION: BOARD MEMBER MCDONALD: MOVED APPROVAL TO CONCUR WITH THE CITY COMMISSION

SECOND: BOARD MEMBER FERRARO

ROLL CALL

CHAIRMAN KRAUSKOPF	YES	BOARD MEMBER MORTELL	YES
VICE CHAIR CHRISTIE	YES	BOARD MEMBER CLARKE	YES
BOARD MEMBER MCDONALD	YES	BOARD MEMBER FERRARO	YES

MOTION: BOARD MEMBER FERRARO: MOVED APPROVAL TO CONCUR WITH THE CITY COMMISSION

SECOND: BOARD MEMBER FITZKE

ROLL CALL

CHAIRMAN WACHA	YES	BOARD MEMBER FITZKE	YES
BOARD MEMBER BELL	YES	BOARD MEMBER LAWS-SCOTT	YES
BOARD MEMBER FERRARO	YES		

Board Member Ferraro thanked staff for their efforts in working with the Board Members one on one.

4. Workshop Discussion of Code Enforcement Issues

Mayor Krauskopf stated the City adopted an Ordinance some time ago with regards to code enforcement issues.

Terry O'Neil, Interim Development Director, stated that the City was asked to look into some of the matters as it relates to the property maintenance code in residential areas, particularly parking on grass, commercial vehicles, motor homes, and boats and alike. Residents came forward and expressed concern over the code and that it was too restrictive. Staff revisited the code and crafted some proposed language that may provide for more options to the residents.

Dan Bogan, Code Enforcement Supervisor gave a visual presentation to the Boards of various pictures depicting categorized parking code violations in the City.

City Attorney Nicoletti gave several examples of categories for trucks, trailers, and recreational vehicles. He presented a draft section of the code, that would make a distinction,

so that you could park primarily automobiles and light trucks, and set up a preference as to where you are suppose to park them.

Commissioner McDonald asked if a provision could be added for a special exception to be granted.

City Attorney Nicoletti stated the City may have to make a provision to those people who have had their motor home in their yard for 20 years, and now what do they do.

Commissioner McDonald stated he met with a resident who before he purchased his motor home and called the City regarding code. He poured a driveway specifically for the motor home, so he was not parking it on the grass, however he does not have room on the side of his home for it, and that is one of my concerns.

City Attorney Nicoletti said there are not many of those situations. He noted additional language on pages 2.

Commissioner Mortell asked if anyone could request an Administrative Variance.

City Attorney Nicoletti stated it would have to be granted prior to any code enforcement action or violations. He added that the proposed action amending the code would be put out there to those who will be affected.

Interim Development Director Terry O'Neil explained why this issue has come forward. He stated he supports the idea of a variance but would like to discuss the matter with the City Attorney.

Commissioner McDonald asked if there would be a fee associated with an Administrative Variance.

Interim Development Director Terry O'Neil explained the process and fees to the Boards.

Vice Mayor Christie stated that the codes are there for a reason, and because of this issue people have felt that it brings their property value down. I think hat by backing off some of this, it gives them some relief. and asked for some direction from the City Commission.

City Attorney Nicoletti explained that the way this is written is if you have a vehicle and it is your work truck and you want to park it at home you can as long as it is in your driveway.

Interim Development Director Terry O'Neil explained the City has always been responsive to exhaust all resources and efforts for notification before code violation is issued.

Mayor Krauskopf suggested having an option for people to screen what they store. I think it is an education process, and once we define what we want we should be able to put it on the front and back of a graphic flyer, friendly and informative. He stated people want to live in nice places, and sometimes you get tenants in who don't care. I think you can have it there but should be properly screened, but we have to take the friendly education approach up front rather than ticket them.

Commissioner McDonald suggested getting as much public feedback as we can before we make all of these changes.

Chairman Wacha suggested making the people designate where they're going to do it.

Board Member Johnnie Bell stated that in East Stuart they do different things and all areas of the City need to be considered with the simplest solution. But there definitely needs to be something done.

Board Member Ferraro asked for clarification of the zoning districts.

Interim Development Director Terry O'Neil explained the different zoning difference and their definition.

Commissioner Clarke asked Dan Bogan what the responses were from the citizens on code violations. She asked if these adjustments to the code would generally address the major amount of the problems currently going on.

Code Enforcement Supervisor Dan Bogan, explained that the majority of problems that the City has encountered in the past have been in the categories shown in the power point presentation this morning. He added that with the proposed code the City is trying to be more understanding with the economy as it is today, and work with these people who have these larger vehicles, so they can keep them on their property. It is important to the residents to keep their vehicles on the property because it is important for safety concerns and they can see them, however it is intrusive to some and not to others. We have tried to work with them and given them plenty of time to comply. He stated he felt this was a good fix, and gives people options.

Board Member Jean Law Scott asked if you have a duplex and parking is permitted on the grass with one additional automobile. She asked how the City would make the distinction, per unit.

Interim Development Director Terry O'Neil stated they do distinguish them, and allows a certain package of rights for each unit. He also wanted to speak on behalf of the Code Enforcement Officers and that it is a very difficult job. He wanted to give the officers credit because they many times solve the problem with a phone call. I have committed to them to keep track of those records because in some ways if it doesn't show up on the magistrate list, then someone say's "It doesn't look like Code Enforcement is doing anything.

Commissioner McDonald noted a particular case this was the approach and the homeowners got most of the problems resolved, and it is on its way of being completely resolved with that soft approach.

Mayor Krauskopf suggested reducing it to the simplest bracket in a hand out or mailer , I think it is the education aspect of it that is needed.

Commissioner Clarke asked about enforcement about mechanics doing work on vehicles in their yard.

Dan Bogan stated that yes they do enforce anyone who is repairing cars for others in their yard.

Commissioner McDonald expressed concern over the rights of property owners to park their work truck on their property. This could be a burden to those trying to make a living.

Commissioner Mortell noted a case where people were parking on the driveway but were blocking the sidewalk as well, or on the easement.

City Attorney Nicoletti stated that this was addressed in the proposed code.

The Board agreed to no tolerance on parking on grass and that the revised code include language that stored materials or vehicles must be screened on the side or back yard of the property. Commercial Vehicles will be enforced by GVWR weight.

Interim Development Director Terry O'Neil and City Attorney Nicoletti stated they had clear direction on proposed Ordinance language to bring back for adoption.

ADJOURNMENT :10:46 am

ATTEST:

Cheryl White, CMC, City Clerk

Jeffrey A. Krauskopf, Mayor

**Minutes to be approved at the Regular Commission
Meeting This 11th Day April 2011.**