

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON August 14, 2017
AT 5:30 PM
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy A. McDonald
Vice Mayor Kelli Glass Leighton
Commissioner Jeffrey A. Krauskopf
Commissioner Eula R. Clarke
Commissioner Tom Campenni

ADMINISTRATIVE

Interim City Manager, Sam Amerson
City Attorney, Michael J. Mortell
City Clerk, Cheryl White

ROLL CALL

 **5:21 PM Roll Call.**

Present: Mayor McDonald, Vice Mayor Glass Leighton, Commissioner Clarke, Commissioner Krauskopf, Commissioner Campenni.

 **5:30 PM PLEDGE OF ALLEGIANCE**

 **5:31 PM 1. Arts Moment - Aerial Elite**

Aerial Elite performed a small dance in honor of the upcoming Dancing in the Streets Event.

PROCLAMATIONS

 **5:36 PM 2. Constitution Week - September 17-23, 2017**

Portia Scott came forward and graciously accepted the Proclamation and thanked the City.

Mayor McDonald asked that a Proclamation be read but was already presented at the 105 Anniversary of St. Paul African Methodist Episcopal Church.

PRESENTATIONS

 **5:42 PM 3. The Marathon of the Treasure Coast**

Frank Bender came forward and presented a presentation to the public and Commission of the survey results from the past Marathon of the Treasure Coast.

 **5:51 PM COMMENTS BY CITY COMMISSIONERS**

Commissioner Krauskopf has been asked when the painting for the memorial Park Restrooms would be completed. He also asked for a list with recommendations on Interlocal Agreements and to bring back to the Commission for their consideration.

Commissioner Clarke congratulated the Police Department for their Back to School Event. She also thanked the City for recognizing historical events and buildings. She also asked the Commission to consider a Resolution to embrace that the City wants to be against certain things including upholding of the Constitution. She will get back with the Commission after she works on the wording.


Vice Mayor Glass Leighton announced she needs to leave at 7:30 pm.

Mayor McDonald asked about the construction completion of the fishing pier. He also stated that Mulligans would like to extend their lease and work toward a Referendum. He also stated that the short list of 10 candidates and asked that the process be slowed down and look at adding additional time to review the candidates list.

 **6:00 PM COMMENTS BY CITY MANAGER**

Sam Amerson anticipates having the Fire Rescue Interlocal Agreement update at a later date. He stated that seven structures have been removed from the Taylor property and the remaining structures will begin on the 17th per FDEP instructions following sodding of the site. The City also received a blanket trespass warning authorization from Bernice Simpson, who has Power of Attorney for the owners, that will allow us to post the site for no trespassing and enforce that for any loitering. 7-11 site has been cleared, fuel tanks have been removed. He said the City is awaiting a no further action letter FDEP. He said the Water Reclamation Facility received an award from Treatment Plant Operator Magazine feature the City's facility.
http://www.tpomag.com/editorial/2017/08/see_how_this_wwtp_hides_in_its_city_surr_oundings

 **6:02 PM APPROVAL OF AGENDA**

 **6:02 PM Motion: , Action: Approve, Moved by Vice Mayor Glass Leighton, Seconded by Commissioner Campenni.**
Motion passed unanimously.

 **6:02 PM COMMENTS FROM THE PUBLIC (5 min. max)**



6:02 PM CONSENT CALENDAR

4. Minutes 07/24/2017 CCM, 07/10/2017 CCM, and 07/10/2017 SCM for approval.

5. RESOLUTION No. 82-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA STATING THE CITY'S INTENTION TO USE THE UNIFORM METHOD OF COLLECTING THE SPECIAL ASSESSMENTS TO BE LEVIED BY THE CITY FOR THE "BUSINESS IMPROVEMENT DISTRICT (3)" PURSUANT TO SEC. 197.3632 FLORIDA STATUTES BY COLLECTING THE ANNUAL SPECIAL ASSESSMENTS FOR THE DISTRICT THROUGH THE ANNUAL TAX BILL OF THE MARTIN COUNTY TAX COLLECTOR; STATING THE NEED FOR THE LEVY OF THE SPECIAL ASSESSMENT; PROVIDING A LEGAL DESCRIPTION OF THE BOUNDARIES OF THE REAL PROPERTY SUBJECT TO THE LEVY; PROVIDING FOR MAILING A COPY OF THIS RESOLUTION TO THE MARTIN COUNTY PROPERTY APPRAISER, THE MARTIN COUNTY TAX COLLECTOR, AND THE STATE OF FLORIDA DEPARTMENT OF REVENUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. RESOLUTION No. 86-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2017-167, DEBRIS REMOVAL SERVICES TO THE TWO TOP RANKED FIRMS, CROW DER GULF OF THEODORE, ALABAMA AS THE PRIMARY CONTRACTOR, AND DRC EMERGENCY SERVICES OF WEST PALM BEACH, FLORIDA AS THE SECONDARY CONTRACTOR, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. RESOLUTION No. 87-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2017-168, ANNUAL CONTRACT FOR DEBRIS MONITORING SERVICES TO THE TWO TOP RANKED FIRMS, THOMPSON CONSULTING SERVICES OF LAKE MARY, FLORIDA AS THE PRIMARY CONTRACTOR, AND LANDFALL STRATEGIES, LLC OF SARASOTA, FLORIDA AS THE SECONDARY CONTRACTOR, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. RESOLUTION No. 89-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF STUART AND RIDING THE WAVES TREASURE COAST, LLC; GRANTING A NON-EXCLUSIVE LICENSE TO UTILIZE THE BOAT RAMP AT SHEPARD PARK FOR COMMERCIAL PURPOSES LIMITED TO THE EMBARKATION AND DISEMBARKATION OF PASSENGERS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. RESOLUTION No. 90-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF STUART AND ZEKE'S SURF AND PADDLE, LLC; GRANTING A NONEXCLUSIVE LICENSE TO UTILIZE THE BOAT RAMP AND OTHER CITY-DESIGNATED LAUNCHING POINTS AT SHEPARD PARK FOR COMMERCIAL ACCESS ALONG THE LOCAL WATERWAY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. RESOLUTION No. 91-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT #12-2017 TRANSFERRING FUNDS FROM WATER SEWER FUND BALANCE TO WATER TREATMENT TEAM, PROFESSIONAL SERVICES, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR ENGINEERING SERVICES RELATED TO A TREATMENT SYSTEM FOR THE REMOVAL OF PERFLUORINATED COMPOUNDS FROM THE CITY'S RAW WATER SUPPLY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.


11. RESOLUTION No. 92-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING WORK AUTHORIZATION #12 TO REI NO. 2014-146 FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE REMOVAL OF EMERGING CONTAMINANTS FROM THE CITY'S RAW WATER SUPPLY WITH KIMLEY-HORN AND ASSOCIATES, INC.; PROVIDING FOR CONFLICTS; FOR SEVERABILITY, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

12. RESOLUTION No. 93-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AWARD REI# 2017-170, PROFESSIONAL ENGINEERING SERVICES, ASSESSMENT OF SUSTAINABLE ALTERNATIVE WATER SUPPLY TO THE TOP RANKED FIRM, HAZEN AND SAWYER OF BOCA RATON, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

13. RESOLUTION No. 95-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT NO. 13-2017 THEREBY TRANSFERRING \$179,227.52 FROM THE BUILDING PERMIT FUND TO THE BUILDING DIVISION'S PROFESSIONAL SERVICES ACCOUNT TO PAY FOR THE DEMOLITION OF (20) TWEENTY STRUCTURES DEEMED UNSAFE FOR OCCUPANCY LOCATED ON THE TAYLOR PROPERTY ON EAST 10TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

14. RESOLUTION No. 96-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO RATIFY THE RE-OPENERS FOR THE THIRD FISCAL YEAR OF THE CURRENT THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. EFFECTIVE FISCAL YEAR 2016 THROUGH FISCAL YEAR 2018; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR


 **6:02 PM Motion: Consent Calendar , Action: Approve, Moved by Vice Mayor Glass Leighton, Seconded by Commissioner Krauskopf. Motion passed unanimously.**


Helen McBride came forward and expressed concern over the tax money spent on the Taylor property.


City Attorney Mortell explained that any redevelopment or sale of the property would prompt the reimbursement to the City.

Commissioner Campenni suggested adding the Mulligans Lease and referendum and the Pelican Café lease and referendum at the same time.


COMMISSION ACTION

 **6:08 PM 15. RESOLUTION No. 98-2017; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZATING THE MAYOR TO EXECUTE A FEE SIMPLE PURCHASE AGREEMENT BETWEEN THE CITY OF STUART, FLORIDA AND NORTH STUART ACQUISITIONS AND DEVELOPMENT, LLC OR ITS SUBSIDIARY AND FURTHER AUTHORIZING THE CITY MANAGER TO PROCEED WITH REFERENDUM APPROVAL WHICH IS A CONDITION OF THE CONTRACT, FOR THE CITY-OWNED NORTHPOINT PROPERTY, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

 **6:16 PM Motion:** RES 98-2017, **Action:** Approve, **Moved by** Vice Mayor Glass Leighton, **Seconded by** Commissioner Clarke.
Motion passed unanimously.

 **6:17 PM Motion:** ASK STAFF TO WORK WITH MULLIGANS REGARDING THE RENEWAL OF THEIR LEASE AND REFERENDUM LANGUAGE , **Action:** Approve, **Moved by** Vice Mayor Glass Leighton, **Seconded by** Commissioner Campenni.

Motion passed unanimously.

 **6:22 PM 16. RESOLUTION No. 76-2017; (QUASI-JUDICIAL) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN MEMORIAL MEDICAL CENTER, INC. FOR A MASTER FACILITIES PLAN ENCOMPASSING PROPERTIES LOCATED AT 200 SE HOSPITAL AVENUE, 501 SE OSCEOLA STREET, 509 SE RIVERSIDE DRIVE, 707 SE OSCEOLA STREET AND 711 SE OSCEOLA STREET; PROVIDING A LEGAL DESCRIPTION OF SAID PROPERTY; DECLARING SAID MASTER FACILITIES PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (QJ)**

Pinal Gandhi Savdas, Sr. Planner of the City gave a brief presentation regarding the proposed item.

Rob Lord C.E.O. of Martin Memorial Health Systems came forward and asked for support of the proposed Resolution 76-2017.

Steve Garrett, Lucido and Associates gave a brief visual presentation to the Commission and public regarding the proposed project.

Neil Whipkey came forward and asked the City to slow down and review the proposed project.

Ginger Shannon came forward and stated she thinks it is going to be too big and intrusive for the small community.

Roderick Hofer and also asked the Commission to slow down and resolve the unanswered questions.

Marcie Regan strongly objects to the proposal and asked the City deny the project.

Tom Moicros came forward and expressed concern over the proposed project. He asked that the City deny the request.

L Lusarfi also asked that the City take their time to review the project.

Armond Pasquale came forward in opposition of the proposed project. He quoted a newspaper article about the project.

Ann Wilson came forward and expressed concern over the proposed building height.

Scott Konopka representing Mr. Glasrod who said the information provided to the residents did not represent the proposed plan. He asked the City take their time and review this project. He asked that this item be tabled.

Jim Sopko came forward in support of the proposed project but expressed concern over the proposed plan with a large footprint.

Michael Roberts came forward in support of the proposed project and said we need a better hospital and bring it up to today's standards.

Ted Astolpi came forward and said the project is an upgrade and asked that the City consider the project with the right site plan once past the approval of the master plan.

Eric Wickstrom came forward and in opposition of the proposed project.


Merrick Matheson came forward and asked the City to take their time.

Terry O'Neil asked Steve Lucido to come forward and address some of the questions asked.

Steve Lucido came forward and answered the questions raised by the public.

Rob Lord came forward and again asked for approval.


Commissioner Krauskopf noted the following points. He does not want to throw anymore red tape or burden on the process. He encouraged the hospital to begin the process.

 8:12 PM Motion: , Action: Died for lack of a second, Moved by Commissioner Krauskopf, None seconded.


 **8:17 PM Motion: Continue the item to October 23, 2017, Action: Approve, Moved by Commissioner Campenni, Seconded by Commissioner Clarke. Motion passed unanimously. Glass Leighton absent**

ORDINANCE FIRST READING


Item 19 was heard before 17 and 18.


 **8:32 PM 17.** ORDINANCE No. 2349-2017; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING NW FEDERAL HIGHWAY (U.S. HIGHWAY 1) SOUTH OF ABUTTING NORTH STUART BAPTIST CHURCH, CONSISTING OF 2.57 ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Terry McCarthy came forward and asked for support of the project.

 **8:54 PM Motion:** Approve 2349-2017 , **Action:** Approve, **Moved by** Commissioner Campenni, **Seconded by** Commissioner Clarke. Motion passed unanimously. Glass Leighton absent

18. ORDINANCE No. 2350-2017; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE COMPREHENSIVE PLAN USE OF THE CITY OF STUART TO "COMMERCIAL," PURSUANT TO THE COMPREHENSIVE LAND USE AMENDMENT LAW S OF THE STATE OF FLORIDA FOR PARCEL OF LAND FRONTING NW FEDERAL HIGHWAY (U.S. HIGHWAY 1) SOUTH OF ABUTTING NORTH STUART BAPTIST CHURCH, CONSISTING OF 2.57 ACRES OW NED BY ALAN M. KORNBLUH REVOCABLE TRUST AND SYLVAN H. SARASOHN REVOCABLE TRUST; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; SAID LAND TO BE CONCURRENTLY DESIGNATED AS A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DISTRICT ON THE CITY OF STUART OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

 **8:55 PM Motion:** Ord 2350-2017 , **Action:** Approve, **Moved by** Commissioner Campenni, **Seconded by** Commissioner Clarke. Motion passed unanimously. Glass Leighton absent

 **8:33 PM 19.** ORDINANCE No. 2356-2017; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING CHAPTER V "RESOURCE PROTECTION RELATED DEVELOPMENT STANDARDS" THEREBY ESTABLISHING SECTION 5.09.07 ENTITLED "CITY SPONSORED HISTORIC SIGNS"; AND FURTHER CREATING A NEW SECTION OF CHAPTER V ENTITLED "5.09.00.A. HISTORIC PRESERVATION PROGRAM" THEREBY ESTABLISHING A STUART HISTORIC PRESERVATION BOARD; PROVIDING

THAT THE STUART COMMUNITY REDEVELOPMENT BOARD SHALL ALSO SERVE AS THE STUART HISTORIC PRESERVATION BOARD; PROVIDING FOR THE DESIGNATION AND PROTECTION OF HISTORIC PROPERTIES; PROVIDING FOR THE REVIEW AND REGULATION OF ALTERNATIONS, RELOCATIONS, AND DEMOLITIONS OF DESIGNATED HISTORIC PROPERTIES AND STRUCTURES; PROVIDING A MECHANISM FOR APPEAL OF DECISIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Julie Priest came forward and stated she was available to answer any questions but was in support of the proposed Ordinance.


Saadia TsafTarides came forward and asked for support to the proposed Ordinance.


Joette Rice Historic Preservation Board came forward in support of the proposed Ordinance.

Helen McBride came forward in support of the proposed Ordinance.


Mark Brechbill came forward in support of the proposed Ordinance.

 8:33 PM **Motion:** Ord 2356-2017 on First Reading , **Action:** Approve, **Moved by** Commissioner Campenni, **Seconded by** Commissioner Clarke. Motion passed unanimously. Glass Leighton Absent


 **8:56 PM 20.** ORDINANCE No. 2357-2017; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AMENDING THE STUART COMPREHENSIVE PLAN RELATING TO INFRASTRUCTURE AND CONSERVATION TO SUPPORT AND STRENGTHEN THE AMENDED WATER SUPPLY FACILITIES WORK PLAN ADOPTED BY THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICT CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

 8:56 PM **Motion:** , **Action:** Approve Ord 2357-2017 on First Reading, **Moved by** Commissioner Campenni, **Seconded by** Commissioner Clarke. Motion passed unanimously. Glass Leighton absent

ORDINANCE SECOND READING

 **8:57 PM 21.** ORDINANCE No. 2359-2017; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ABANDONING A 344 SQ. FT. TRIANGULAR-SHAPED PORTION (+/-) OF EAST SEMINOLE STREET AND SIMULTANEOUSLY ACCEPTING THE DEDICATION OF A COMPARABLY SIZED PARCEL BY SEMINOLE STREET STUART, LLC, THEREBY PROVIDING FOR AN IMPROVED PUBLIC SIDEWALK CONFIGURATION AS DEPICTED ON THE HOLLUB INVESTMENTS MAJOR URBAN CODE CONDITIONAL USE APPROVAL "MASTER SITE PLAN"; SAID PROPERTIES BEING MORE FULLY DESCRIBED BY EXHIBITS "A", "B"

AND "C" ATTACHED; PROVIDING WAIVER OF THE PRIVILEGE FEE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

 **8:57 PM Motion: Ord 2359-2017, Action: Approve, Moved by Commissioner Campenni, Seconded by Commissioner Clarke.**
Motion passed unanimously. Glass Leighton absent

DISCUSSION AND DELIBERATION

 **8:58 PM ADJOURNMENT**

Cheryl White, City Clerk

Troy McDonald, Mayor

Minutes to be approved at the Regular Commission Meeting this 28th day of August, 2017.