

**CITY OF PORT ST. LUCIE  
CITY COUNCIL REGULAR MEETING MINUTES  
FEBRUARY 27, 2012**

A Regular Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Mayor Faiella on February 27, 2012, at 7:00 p.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

**1. MEETING CALLED TO ORDER**

**2. ROLL CALL**

Council Members

Present:

Mayor JoAnn M. Faiella  
Vice Mayor Linda Bartz  
Councilman Jack Kelly  
Councilwoman Shannon M. Martin

Council Members

Not Present:

Councilwoman Michelle Lee Berger

Others Present:

Jerry A. Bentrrott, City Manager  
Gregory J. Oravec, Assistant City Manager/  
CRA Director  
Roger G. Orr, City Attorney  
Stefanie Beskovoyne, Assistant City Attorney  
Sherman A. Conrad, Parks & Recreation  
Director  
Edward Cunningham, Communications Director  
Marcia Dedert, Finance Director/Treasurer  
Joel Dramis, Building Official  
Kim Graham, Assistant City Engineer  
Pam E. Booker, Senior Assistant City  
Attorney  
Daniel Holbrook, Planning & Zoning Director  
Jesus A. Merejo, Utilities Director  
Karen A. Phillips, City Clerk  
David K. Pollard, OMB Director  
Brian E. Reuther, Police Chief  
Tricia Swift-Pollard, Community Services  
Director  
Gabrielle Taylor, Assistant City Attorney  
Susan Williams, Human Resources Director  
Margie L. Wilson, Deputy City Clerk

**3. INVOCATION & PLEDGE OF ALLEGIANCE**

The City Clerk gave the Invocation, and Mayor Faiella led the assembly in the Pledge of Allegiance.

**4. PUBLIC TO BE HEARD**

Mayor Faiella advised, "There are rules on conducting Council meetings in everyone's packets. I do expect people who come to the podium to address the meeting with respect, as I expect Council to respect the public. If anyone is out of order, I will have the officer escort that person out."

**JANICE DI IANNI - SIGN SPINNERS**

Ms. Di Ianni said that business owners should make sure their sign spinners wear shirts and act appropriately, because they are a distraction to drivers. She said that she thinks the store owners should take responsibility for them. Mayor Faiella noted, "I've received numerous calls on that, and I have placed calls to the business owners. There is no ordinance for it, because it is a First Amendment right."

**HAROLD TAYLOR - CAR DAMAGE CLAIM**

Mr. Taylor stated, "My address is 13 Chapel Court, Tequesta, Florida, 33469. I have been trying to resolve an issue with this City's administration since the beginning of November. The whole incident began on Monday morning, October 24, when a friend of mine was driving my car northbound on Southbend Boulevard, a little bit north of Eagle Road. A car approaching her had crowded the double yellow line, so she moved to the right. Unfortunately, as shown in the photographs, there is a pothole seven or eight feet long and maybe six to eight inches wide, and about four to five inches deep at that location. There is a sharp break at the north end of it where her wheel hit. It blew out the tire and bent the rim. She called me and explained what happened. The next day I called the City and was connected to Risk Management. A call was put in to Jeff Power, but he was absent, and I talked to another gentleman. He explained that if the pothole didn't extend into the white line at the side of the road, the City would not be responsible. The next day Mr. Power called me and asked if I would meet the Public Works Department and show them where the pothole was. I told them I couldn't; I wasn't in the car at the time, but I would have the driver talk to them. That happened the next day, and I guess a Mr. Joe Velardo met the driver out there. They both took photographs and

we went from there. I developed the film from the person who drove the car, and on November 3 I wrote the letter you have. I left it alone for three or four weeks, figuring that your Risk Management Department would take a while to review the documentation, talk to your people, and we'd go from there. On December 7 I called Jeff Power and we played phone tag for a week. On December 14 I finally talked to Mr. Power. He said that you guys had a third party administrator called EMI that would handle the claim. The next day I got a call from Danielle Wymer, tried to discuss the incident with her, and had not much luck at all. She wouldn't understand why people would have to pull off to the side of the road. I explained that if you have a flat tire or you have a coughing spell, you want to pull off to the side of the road. Of course, we have Florida Statute 316.126, better known as the Move Over Law, which requires us to clear the way for any emergency vehicle. Since then I have talked to Mr. Mr. Bentrrott and to Renee Major, and I still haven't gotten a resolution. The last word I got from the City's management was on January 20. I was told by somebody named Yvette that the Mayor had reviewed the claim with management and Risk Management and they would stand by what the third-party administrator wanted to do. Her last words to me, and I hope we don't have to do this, were if I don't like your decision, I can always take it to small claims court. That has never been my goal, at all. If it was, I wouldn't be here addressing this Council. What I am requesting you do is to look at the pictures. You decide if that meets the standards that your risk management group and its third party administrator addressed to me. I would like to read into the record the pertinent paragraph from Employers Mutual and Danielle Wymer: 'Per our conversation, EMI is the third party administrator of the self-insured program in which the City of Port St. Lucie participates. We have investigated your claim. The road edge break did not enter the roadway and the standard for the sides of the road are not the same as the road between the lines. In addition the City had no notice of the condition prior to your reporting the area. We therefore find no negligence on the part of the City and must respectfully deny your claim at this time.' She's trying to make two points. I have since talked to the Florida Department of Transportation, asking them how they define the roadway."

Mayor Faiella advised Mr. Taylor that the time is up. Mr. Taylor said, "Then I'm asking you to make a decision. If you can direct your City Manager to issue me a check, fine. If you don't want to do that, you can direct me to take it to court. I don't see that there is any other choice." Mayor Faiella said that she will get with Mr. Bentrrott in the morning, and that most likely

Mr. Taylor will get a call from Mr. Bentrrott.

**STEVEN CARROLL - SOUTHERN GROVE CRA**

Mr. Carroll said, "I'm here about the CRA Southern Grove. On March 6 there will be a Planning and Zoning Board meeting where this and the sign ordinance will be brought up. They are asking for 7 million square feet more of non-residential developable space. I urge business owners and taxpayers to turn out for that. I want to bring up some things about what the CRA would like to do. They want help in paying developers' fees, including impact, connection, and application fees, and a portion of the Southwest SAD assessment. The CRA wants the taxpayers to partner in the cost of development by constructing water, sewer, stormwater, landscaping, and road improvements. The CRA wants the taxpayers to purchase and/or develop property. This is at taxpayers' expense, since they have no money. The CRA wants the taxpayer to provide cash grants, which is free money. The CRA wants the City to provide loans. I believe that is a bank's responsibility. Port St. Lucie is already \$1 billion in the hole, according to the Finance Department. We're Number 1 in the top 20 cities in aggregate tax rate. Our county is Number 2. The CRA will encumber the City and taxpayers for 30 years. We need to have a vote on that issue. If you're going to encumber me for 30 years, I want a say in it. The density setup is going to be a bad precedent for the other developments. At the same Planning and Zoning Board meeting the Kennedy/Riverland development is up for approval. All they have to do is say they want the same density; there is nothing we can do to stop that. There is a low estimate of 250,000 car trips a day from Southern Grove. The infrastructure surrounding Southern Grove is going to have to be improved to handle that. That will fall on the taxpayers, too. CRA's are supposed to provide low and moderate income housing. This one states that a fee of \$500 per unit or less could be paid to the City by the developers, and the City could use it to find housing or assist with housing for seniors, disabled vets, you name it. All the safeguards from Development Order 1 were removed. Development Order 2 does not have those safeguards as far as making the developer perform. The process itself seems to be patently erroneous. There is a conflict of interest with the engineering firm. There is no data or analysis. The engineering report doesn't say it is deteriorating; it says it's underutilized. That's a big difference. The author of the CRA proposal also says we need what I call a czar for the CRA's. I don't believe we need that at all. This looks like bigger government and another position for the person who is pushing this. Finance told me that our City Center is being paid for by

the money out of the second parking garage that was supposed to be built. In a couple years when that money runs out, it's coming out of the taxpayers' pockets. We can't afford this. We need to plan better. What started this was the statement that all the owner developers, the banks, and the certificate buyers are going to walk away. Mann Research purchased an additional 20 acres after we gave them a lot of freebies. That doesn't sound like somebody who is going to walk away. We need to look at this more. I noticed that things are turning around in America. They're not good yet. People need to have a voice in this. The county is going to encumber us for ten years, asking us to give businesses tax breaks. They're going to put it on the ballot. That's what we should do with this. If this doesn't work we'll still be paying for it. This is not for the benefit of the taxpayers."

**CARL IKEN - RECENT INCIDENT WITH ASSISTANT CITY ATTORNEY TAYLOR**

Mr. Iken said, "I'm a very concerned resident of Port St. Lucie. I'm here to address the recent incident involving Assistant City Attorney Taylor. I'm appalled that it took almost four days for this incident to come out, and it only came out because a concerned citizen tipped off the media. Over the years here I have seen many things that I would call corruption and cronyism. This one takes the prize. The City Council was elected to protect the safety of residents and visitors to our great City. Your Number 1 job is to ensure residents are able to move throughout the City feeling safe. Every chance each of you gets you talk about Port St. Lucie as being one of the safest cities. I am here to tell you we are no longer safe. When an Assistant City Attorney, Gaby Taylor, and her drinking buddy, a Port St. Lucie police officer, are allowed to drive our streets after drinking alcohol without any consequences, no investigation, nothing, how can people rest easy, knowing that at any moment a drunk employee of the City could be driving our streets? The answers given to the questions raised in this case are absurd. Gaby Taylor was pulled over for erratic driving. The police officer smelled alcohol. The officer felt strongly enough that she may have been intoxicated that he called for a supervisor. Ms. Taylor then called a major, and all of a sudden she gets a free ride home at my expense and the taxpayers' expense. Is she going to reimburse us for that? There was no field sobriety test, no breathalyzer, no arrest, no ticket, no dashcam video, and no report. Yet for an incident that was considered minor, it led to a phone call to the Chief to inform him. Why notify the Chief if it was minor? How does this look for the City? There was probable cause to pull her over. Combine that with the smell

of alcohol and the fact that the officer felt he had to call a supervisor to the scene. Yet she got off without a slap on the wrist. Her boss, Mr. Orr, has done nothing in regard to this. In fact, he went as far as to verbally accost a citizen on Friday because they posted something on a blog that related to this. What kind of people are in charge in the City? Where is the accountability? This type of behavior puts the children and families in Port St. Lucie at great risk. By dismissing this incident the City administration and Council are opening the taxpayers to a huge liability. If Ms. Taylor decides to drink and drive again and kills someone, I and the taxpayers will be held liable. You have willingly allowed an employee to drink and drive with no consequences. I know you may try to dismiss this as a one-time event. That brings me to Part 2. How in the world was Ms. Taylor hired in the first place? Mr. Orr, did you ever do a background check on Ms. Taylor? If you did, you should be fired for knowing her history and still hiring her. If you didn't, you should be fired for your incompetence. You either knowingly put the citizens of Port St. Lucie at risk, or you were too lazy to actually care. Either way, I suggest you resign immediately, or I hope the Council will do a vote of no confidence. Ms. Taylor was fired from two previous government positions due to her inability to control her drinking. This information was readily available to you and your office, if you would have taken the time to look. In my hand are several news articles telling the story of Ms. Taylor and her drunken escapades. Ms. Taylor has a pattern of alcohol-related behavior, and here in the City of Port St. Lucie her behavior is known. I am here to put on record the history of Ms. Taylor and her actions. Besides being fired from two previous jobs for her drinking, Ms. Taylor has already been given preferential treatment in the past by the City. If you pull the police reports for Ms. Taylor, you will find that there was an incident where Ms. Taylor filed what I believe to be a false report. She filed that her car was stolen. It turns out she had been drinking at a bar, couldn't find her car, filed a report that the car was stolen, and guess where the car was found. At the bar where she was drinking. I guess she was too drunk to find her own car. Was she charged with filing a false police report? Was she asked to reimburse the taxpayers for wasting police resources? No. Nothing was done. Madame Mayor, members of the City Council, I'm here to demand that you call for an independent investigation into the handling of this incident. Not one done by Mr. Orr or Mr. Bentrrott, but by an outside independent agency. Ms. Taylor should be suspended without pay until it is resolved. Mr. Orr and Mr. Bentrrott should also be suspended for their recklessness and complacency in the cover-up

of this incident. Mr. Orr should be required to publicly apologize to the resident he verbally accosted last Friday during a break at the Retreat. Failure by this Council to act swiftly will be a sign that you too are complacent. The safety of the people of Port St. Lucie is in your hands. Do your sworn duty to help protect them. Remove the liability that rests with the taxpayers of this City."

**5. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

**a) PROCLAMATION - INTERNATIONAL WALK TO SCHOOL DAY**

The City Clerk read the proclamation and Mayor Faiella presented the proclamation to Teresa Lane, Treasure Coast Outreach Coordinator, and Jennifer Gent, Engineering Department. Ms. Lane said, "We want to thank you for making this proclamation. We have three school events this Thursday and Friday. We hope that you will make one of the events. I don't think Walk to School Day would have been possible in the City ten years ago. We all know the wonderful work that Jennifer and the Engineering Department have done in extending the sidewalks around the schools in Port St. Lucie and throughout St. Lucie County. This is a pilot project. We invited eleven schools in the county to participate. Next year in October we hope to open this up to all schools in the county. We sought advice from the School District on the most walkable schools, and a lot of those are in Port St. Lucie, because you have done a great job of extending sidewalks."

**b) PROCLAMATION - PORT ST. LUCIE ORCHID SOCIETY DAYS**

The City Clerk read the proclamation and Mayor Faiella presented the proclamation to Bill Manning, Port St. Lucie Orchid Society President, who said, "Thank you for the proclamation. This year the Society is celebrating its 30 year anniversary. We are staging our 20<sup>th</sup> orchid show on March 9 through 11. We stage the largest orchid show on the Treasure Coast this year; it promises to be our best. The theme is Orchid Treasures. It will be at the Community Center. You can get a dollar off the entrance fee at our website. Our society is a non-profit that participates in community affairs through scholarships to high school seniors. We open our meetings to interested people, and we run classes that are free to the public and hold at least one auction per year for orchid growers. We hope everyone can come to our event."

**6. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Mayor Faiella noted that Item 13 d) is being moved to Item 9 e) so that it can have a Public Hearing. Councilman Kelly **moved** to approve the Agenda. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of the Agenda with Item 13 d) moved to Item 9 e). The **motion passed unanimously** by roll call vote.

**7. APPROVAL OF CONSENT AGENDA**

**a) APPROVAL OF MINUTES**

**b) NATURAL RESOURCES CONSERVATION SERVICE (NRCS) EMERGENCY WATERSHED PROTECTION PROGRAM, AMENDMENT #4, E-8 CANAL REPAIRS, INCREASE SPONSOR REIMBURSEMENT FROM 9% TO 12.5%, PROJECT AGREEMENT #69-4209-11-1768, ENGINEERING**

**c) HONEYWELL INTERNATIONAL, INC., AMENDMENT #1, ENERGY AUDIT, #20110058, ADD 183 ADDITIONAL CALENDAR DAYS FOR UTILITY SYSTEM REVIEWS FOR A NEW CONTRACT ENDING DATE OF JULY 31, 2012, COMPENSATION IS UNCHANGED, OMB**

**d) REJECT BIDS FOR #20110053, DRAINAGE SWALE LINER MAINTENANCE, TO ALLOW A REVIEW OF THE CURRENT PROGRAM, OMB**

**e) MINOR SITE PLAN, CITY OF PORT ST. LUCIE TRANSIT FACILITY, TRACT D, BLOCK 690, PORT ST. LUCIE SECTION 18, LOCAL BUS TRANSFER FACILITY CONSISTING OF FOUR OPEN BUS BAYS, A 20' X 148' OPEN PLATFORM FOR PASSENGERS TO EMBARK AND DISEMBARK, A PARKING LOT WITH 24 PARKING SPACES, AND AN EXISTING 1,250 SQ FT OPEN PAVILION TO BE USED AS A BUS SHELTER, CITY OF PORT ST. LUCIE, P11-106, PLANNING AND ZONING**

**f) ALLAPATTAH FLATS K-8 SCHOOL, REQUEST FOR CITY SPONSORSHIP FOR THE SOLE PURPOSE OF LOCATING TEMPORARY SIGNAGE WITHIN CITY RIGHTS-OF-WAY FOR THEIR 3<sup>RD</sup> ANNUAL GATOR FEST CARNIVAL TO BE HELD MARCH 31, 2012, ASSISTANT CITY MANAGER**

**g) PEACOCK AND LEWIS ARCHITECTS AND PLANNERS, LLC, AMENDMENT #1, #20070049, MASTER ARCHITECTURAL SERVICES, CORPORATE NAME CHANGE, OMB**

**h) FLORIDA INDIAN HOBBYIST ASSOCIATION, REQUEST FOR CITY SPONSORSHIP FOR THE SOLE PURPOSE OF LOCATING TEMPORARY SIGNAGE WITHIN CITY RIGHTS-OF-WAY FOR THEIR 47<sup>TH</sup> ANNUAL POWWOW TO BE HELD MARCH 23-25, 2012, ASSISTANT CITY MANAGER**

**i) PURCHASE OF FORECLOSED PROPERTY, NEIGHBORHOOD**

STABILIZATION PROGRAM 3 (NSP3), 549 SW GROVE AVENUE, PORT ST. LUCIE, FLORIDA, \$94,900, COMMUNITY SERVICES

**j) PURCHASE OF FORECLOSED PROPERTY,** NEIGHBORHOOD STABILIZATION PROGRAM 3 (NSP3), 1632 SW BURLINGTON STREET, PORT ST. LUCIE, FLORIDA, \$48,500, COMMUNITY SERVICES

**k) PROPERTY ACQUISITION FOR ENGINEERING'S CANAL ACCESS MAINTENANCE PROGRAM,** 2589 SW WESTFIELD STREET, PORT ST. LUCIE, FLORIDA, \$20,000, TANNER, LEGAL DEPARTMENT

**l) PURCHASE OF FORECLOSED PROPERTY,** NEIGHBORHOOD STABILIZATION PROGRAM 3 (NSP3), 332 SW MAJESTIC TERRACE, PORT ST. LUCIE, FLORIDA, \$70,000, COMMUNITY SERVICES

**m) PALM BEACH GARDEN BAPTIST CHURCH CONSENT DECREE/PARKING AGREEMENT,** REQUEST APPROVAL OF THE CONSENT DECREE AND ORDER AND PARKING AGREEMENT CONSISTENT WITH DISCUSSIONS HELD DURING THE ATTORNEY-CLIENT SESSION, LEGAL DEPARTMENT

Vice Mayor Bartz **moved** to approve the Consent Agenda. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of the Consent Agenda. The **motion passed unanimously** by roll call vote.

#### 8. SECOND READING, PUBLIC HEARING OF ORDINANCES

**a) ORDINANCE 12-04,** PROVIDING FOR THE AMENDMENT OF SECTION 10.99, GENERAL PENALTY; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-04 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Martin **moved** to approve Ordinance 12-04. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-04. The **motion passed unanimously** by roll call vote.

**b) ORDINANCE 12-05,** PROVIDING FOR THE ABANDONMENT OF A NON EXCLUSIVE UTILITY EASEMENT DEDICATED TO THE CITY OF PORT ST. LUCIE ON THE PLAT FOR RIVER PARK-UNIT FIVE; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-05 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Ordinance 12-05. Councilwoman Martin **seconded** the

motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-05. The **motion passed unanimously** by roll call vote.

**c) ORDINANCE 12-07, CREATING CHAPTER 117 OF THE PORT ST. LUCIE CITY CODE RELATING TO SECONDARY METALS RECYCLERS; CREATING SECTION 117.01, TITLE; CREATING SECTION 117.02, DEFINITIONS; CREATING SECTION 117.03, LIMITATIONS ON CASH TRANSACTIONS; CREATING SECTION 117.04, RESTRICTED REGULATED METAL PROPERTY; EXEMPTIONS; CREATING SECTION 117.05, ELECTRONIC TRANSACTION RECORDS REQUIRED; CREATING SECTION 117.06, FACSIMILE, TELECOPIER, OR SIMILAR EQUIPMENT REQUIRED; CREATING SECTION 117.07, PENALTY; CREATING SECTION 117.08, SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

The City Clerk read Ordinance 12-07 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Vice Mayor Bartz **moved** to approve Ordinance 12-07. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-07. The **motion passed unanimously** by roll call vote.

#### 9. OTHER PUBLIC HEARINGS

**a) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #284, NW WEST LANETT CIRCLE**

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Vice Mayor Bartz **moved** to approve Boundary #284, NW West Lanett Circle. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Street Lighting Boundary #284, NW West Lanett Circle. The **motion passed unanimously** by roll call vote.

**b) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #285, SW PRINCE ROAD**

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Boundary #285. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Street Lighting Boundary #285, SW Prince Road. The **motion passed unanimously** by roll call vote.

**c) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT**

**AREA, BOUNDARY #286, NW ESKIMO CIRCLE**

Mayor Faiella opened the Public Hearing.

**ADAM DOBRIN** said, "I'm happy the way things are. I don't want lights. We selected this street because it's quiet and peaceful and dark. We don't need streetlights. I have a feeling someone new has moved in and wants to change things. The light would shine right into my children's bedrooms. We go outside and look at the stars and the moon, and streetlights would ruin that. We don't have a crime problem. We don't need them, and we don't want them. The City Clerk talked to me about this earlier. I do know the process." Vice Mayor Bartz said, "That means you need to go out and talk to your neighbors." Mr. Dobrin said, "I got this scary letter that said if I don't like this I should talk to the City Council. The person who applied isn't here, so maybe we should just strike this."

There being no further comments, Mayor Faiella closed the Public Hearing. Vice Mayor Bartz **moved** to approve Boundary #286, NW Eskimo Circle. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Street Lighting Boundary #286, NW Eskimo Circle. The **motion passed unanimously** by roll call vote. Vice Mayor Bartz added, "Can we get with the gentleman and see how that light is affecting his home and the children's bedroom?" The City Clerk answered, "There is a shade. He and I did look at the maps and the distribution on the lot."

**d) PORT ST. LUCIE RESIDENTIAL STREET LIGHTING ASSESSMENT AREA, BOUNDARY #287, SW KADLIC STREET**

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Boundary #287. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Street Lighting Boundary #287, SW Kadlic Street. The **motion passed unanimously** by roll call vote.

**CLERK'S NOTE:** Item 13 d) was moved to Item 9 e) to have a Public Hearing.

**e) AMENDMENTS TO NEIGHBORHOOD STABILIZATION PROGRAMS 1 AND 3 (NSP1 AND NSP3), COMMUNITY SERVICES**

Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman

Martin **moved** to approve Item 9 e). Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 9 e). The **motion passed unanimously** by roll call vote.

#### 10. FIRST READING OF ORDINANCES

**a) ORDINANCE 12-08**, AMENDING CHAPTER 158, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE, FLORIDA TO ADD TWO NEW SECTIONS ALLOWING FOR CERTAIN EXEMPTIONS TO THE SITE PLAN APPROVAL AND REVISION PROCESSES; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-08 aloud by title only. Councilwoman Martin **moved** to approve Ordinance 12-08. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-08. The **motion passed unanimously** by roll call vote. Councilwoman Martin commented, "I would like to compliment staff on this ordinance. This is part of our regulatory rethink that Assistant City Manager Oravec brought to us at the Summer Retreat. It shows how we are being efficient and working with the public to streamline our processes. Thank you very much, staff."

**b) ORDINANCE 12-09**, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE, FLORIDA: AMENDING CHAPTER 158.122 (C) - PROFESSIONAL ZONING DISTRICT, OF THE ZONING CODE; PROVIDING FOR AN EFFECTIVE DATE EFFECTIVE DATE

The City Clerk read Ordinance 12-09 aloud by title only. Councilwoman Martin **moved** to approve Ordinance 12-09. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 12-09. The **motion passed unanimously** by roll call vote.

**c) ORDINANCE 12-10**, PROVIDING FOR THE THIRD AMENDMENT OF THE PLANNED UNIT DEVELOPMENT DOCUMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR FOUNTAINVIEW PLAZA PUD AT ST. LUCIE WEST LOCATED IN A PLANNED UNIT DEVELOPMENT DISTRICT; PROVIDING AN EFFECTIVE DATE

The City Clerk read Ordinance 12-10 aloud by title only. Mayor Faiella advised that someone has signed up to speak on the item.

**LARRY GLICKMAN** said, "I own and live in a unit at The Belmont condominiums, which is right next door to this development. I'm here to speak in favor of the proposed amendment. I know some of my neighbors may not feel the same way, but I would like to

point out to the Council why approving this amendment is a good idea. There is some concern that this amendment calls for residential use in this PUD where it wasn't before. The Belmont also has residential and a number of rental units. There are some positive changes in the economy. We need to be able to ride the wave and take advantage of the situation. We can't all predict everything that is going to happen everywhere, but here we have property ripe for development. We have a responsible developer with a track record who is willing to put his company's money on the table to build something. There will be jobs for the people who build it and maintain it. The people who live there will help provide jobs for people in St. Lucie West. Let's not second guess what an entrepreneur is willing to do with a responsible plan. If this person and this company are willing to put their money on the line, that is a very important indication that this is a good idea. I know there is a slight risk that this will have a negative impact, but this is a different product than what is in The Belmont. My point is that a rising tide lifts all boats. When this area continues to develop and we have a beautiful project there, the end result will help everybody, including me, an investor in the unit who owns and lives in The Belmont. For those reasons I would like the Council to approve the proposed amendment to the PUD." Councilman Kelly noted, "I watched the Planning and Zoning Board meeting. The gentleman who spoke before you who was against this was as eloquent and professional as it could be. I watched you two speak and I said there is hope that we will have good candidates for office. I will support this ordinance. I just wanted to give a pat on the back to both of you." Mr. Glickman commented, "I think I can speak for all of us when I say you all have been elected to do a tough job."

**STEVEN LEVENHERZ** said, "I think Mr. Glickman is a resident of The Belmont, and I am President of the Board of Directors of that association. Our community is directly affected by this development. Eleven of our 36 buildings abut the development, and we are directly to the east of it. Many owners have asked me to explain our view. I think Mr. Glickman is alone amongst the residents in being in favor of this project. We spoke with the landscape people for the developer, not the developer. We met with the landscape architect twice. It is an absolutely gorgeous product. We love the project; we love the materials; we love the way it looks. But there are certain elements that we do not like. We do not like the size of the buildings. Our townhouses abut this project. Residential zoning there has a maximum height of 35 feet. Right on the border of our property the developer is proposing an amendment to the zoning to construct four-story

apartment buildings. There would be three four-story 50-foot apartment buildings right adjacent to our 35-foot townhouse community. That creates a lot of problems for us. I am in the St. Lucie West Presidents Association, and all of them are involved in this issue, some of whom have e-mailed Council members. We have a huge inventory of condos, housing, and available space in St. Lucie West. All of the owners who have communicated to me have asked me to make that clear. They are concerned that this would exacerbate an existing problem. This is our major issue: amending a PUD to build housing which was not proposed in the original PUD. Our vision of that land would be to have a corporate campus contributing to access to that site from I-95. Right now access from I-95 onto St. Lucie West Boulevard is a nightmare. There are three lanes, two of which are totally clogged with traffic trying to make a left turn going north on Peacock. The problem will be exacerbated by an additional 215 residential housing units. In fact, the Planning and Zoning Board approved another 240 residence multi-family housing element in P11-139. That is 455 units adding to an existing over-capacity. I think the developers have done a beautiful job. Their construction materials and plans are wonderful. Their willingness to cooperate with some of our issues about fencing and Dumpsters, the wall, the opaque plantings, is all very well and good. However, the size of the buildings and the timing are of great concern to all of us. That is the issue I would suggest that Council ponder in terms of approving this plan amendment."

Councilwoman Martin **moved** to approve Ordinance 12-10. Vice Mayor Bartz **seconded** the motion and said, "I had a chance to meet with the owner of this property and look at the development. I understand that there is a lot of housing out there, but this is unique in the people they are targeting. I don't see them targeting the same people as The Belmont would. I think there is a need for different types of housing. I think it's a great idea." Councilwoman Martin said, "As do I. it's a beautiful project. I'm looking forward to it, and to the developer working with us." The City Clerk restated the motion as follows: for approval of Ordinance 12-10. The **motion passed unanimously** by roll call vote.

## 11. RESOLUTIONS

a) **RESOLUTION 12-R19, PUBLIC HEARING, MAKING FINDINGS OF FACT AND DETERMINING CONCLUSIONS OF LAW PERTAINING TO THE ST. LUCIE WEST APPLICATION FOR DEVELOPMENT APPROVAL, A DEVELOPMENT OF REGIONAL IMPACT, AND CONSTITUTING THIS RESOLUTION AS A**

DEVELOPMENT ORDER BY THE CITY OF PORT ST. LUCIE IN COMPLIANCE WITH LAW INCLUDING MODIFICATIONS TO CERTAIN CONDITIONS OF SAID DEVELOPMENT ORDER; AND PROVIDING FOR AN EFFECTIVE DATE

The City Clerk read Resolution 12-R19 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilwoman Martin **moved** to approve Resolution 12-R19. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 12-R19. The **motion passed unanimously** by roll call vote.

**b) RESOLUTION 12-R20, PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.120 (C) (5) TO ALLOW A SERVICE STATION IN THE CN (NEIGHBORHOOD CONVENIENCE COMMERCIAL) ZONING DISTRICT FOR PETRO WALTON, LLC, PORT ST. LUCIE SECTION 52, BLOCK 3461, LOT 1, P11-171; PROVIDING AN EFFECTIVE DATE**

The City Clerk read Resolution 12-R20 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Resolution 12-R20. Councilwoman Martin **seconded** the motion. Councilman Kelly observed that it is great to see things getting built. The City Clerk restated the motion as follows: for approval of Resolution 12-R20. The **motion passed unanimously** by roll call vote.

**c) RESOLUTION 12-R21, PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.120 (C) (7) TO ALLOW A RETAIL CONVENIENCE STORE IN THE CN (NEIGHBORHOOD CONVENIENCE COMMERCIAL) ZONING DISTRICT FOR PETRO WALTON, LLC, PORT ST. LUCIE SECTION 52, BLOCK 3461, LOT 1, P11-172; PROVIDING AN EFFECTIVE DATE**

The City Clerk read Resolution 12-R21 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly **moved** to approve Resolution 12-R21. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 12-R21. The **motion passed unanimously** by roll call vote.

**d) RESOLUTION 12-R22, PUBLIC HEARING, GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.071 (c) (1) TO ALLOW A GUEST HOUSE IN AN RE (ESTATE RESIDENTIAL) ZONING DISTRICT (P11-166); PROVIDING AN EFFECTIVE DATE**

The City Clerk read Resolution 12-R22 aloud by title only. Mayor Faiella opened the Public Hearing. There being no comments, Mayor Faiella closed the Public Hearing. Councilman Kelly asked if this is the property that changed zoning. The City Attorney replied in the affirmative. Councilman Kelly **moved** to approve Resolution 12-R22. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 12-R22. The **motion passed unanimously** by roll call vote.

**e) RESOLUTION 12-R23, RECOGNIZING THE ST. LUCIE COUNTY MOBILITY PLAN AND ITS RECOMMENDATIONS; PROVIDING AN EFFECTIVE DATE**

The City Clerk read Resolution 12-R23 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 12-R23. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 12-R23. The **motion passed unanimously** by roll call vote.

**f) RESOLUTION 12-R24, IDENTIFYING CERTAIN PROPERTY WITHIN THE CITY OF PORT ST. LUCIE A THREAT TO THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE COMMUNITY PURSUANT TO CHAPTER 40 OF THE PORT ST. LUCIE CITY CODE; PROVIDING FOR A HEARING DATE TO DETERMINE WHETHER THE AFFECTED PROPERTIES SHOULD BE FOUND A PUBLIC NUISANCE; PROVIDING NOTICE TO THE OWNERS AND MORTGAGEE(S) OF THE PROPERTIES OF SAID HEARING DATE, PROVIDING AN EFFECTIVE DATE**

The City Clerk read Resolution 12-R24 aloud by title only. Councilwoman Martin **moved** to approve Resolution 12-R24. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 12-R24. The **motion passed unanimously** by roll call vote.

**g) RESOLUTION 12-R25, DECLARING A PUBLIC NUISANCE AT 2273 SW PHYLLIS LANE, PORT ST. LUCIE, FLORIDA AFTER A SHOW CAUSE HEARING; REQUIRING ABATEMENT OF THE NUISANCE WITHIN A CERTAIN TIME; AUTHORIZING ABATEMENT BY CITY FORCES; PROVIDING FOR THE RECOVERY OF ABATEMENT COSTS AS A SPECIAL ASSESSMENT AGAINST THE PROPERTY; PROVIDING AN EFFECTIVE DATE**

The City Clerk read Resolution 12-R25 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 12-R25. Councilman Kelly **seconded** the motion. Vice Mayor Bartz asked if the pool is covered. Ms. Beskovoyne replied, "It is unmaintained and unsecured, but there is orange mesh around it as a warning.

There are torn screens, and orange mesh is up all around them. It is not an approved child safety barrier, but it is covered. Vice Mayor Bartz asked, "After this will we cover it?" Ms. Beskovoyne said, "We have to spend the money to fix the screens. That's why we're here." Vice Mayor Bartz said, "I understand. But you may have a kid who walks through the screen and over the orange barrier, and what do we have? There is water in that pool." Councilwoman Martin observed, "I thought we were going to take care of this last time." Vice Mayor Bartz said, "I have that fear. We've had so many children who have fallen into pools. When you're seven years old and your mother tells you not to go to that house, what's the first thing you're going to do? Is there any way we can put plywood or something over it?" Ms. Beskovoyne said, "If you'd rather we can put up plywood." Vice Mayor Bartz asked if it can be put flat on the pool. Councilman Kelly said, "We had a new method of covering these pools that could be used over again. I was told there was a new method that was safer than the mesh. This is the third time Vice Mayor Bartz has brought this up." Vice Mayor Bartz stated, "Every time I see a pool that isn't covered I'm going to bring it up. All it takes is one child." The City Manager said, "Depending upon how big the pool is, you will have to build a framework and supporting structure. You can't just put plywood on. It would be fairly substantial." Vice Mayor Bartz said, "I have seen instances where we have covered the pools." Mr. Dramis advised, "There is a process that most of the banks have used for many years. It's a 2 x 6 structure with welded wire mesh fabric on top. Those were acceptable in some areas. They were temporary. We have some of these that have been out for six months to a year, and the wood rots. It creates an even greater hazard of someone being trapped in the pool. We have bids that just came back on a stretchable reinforced cover that goes over the pool. It's strong enough to support 800 pounds. There are steps in the process before we can let that out to a contractor. It can't be done by the average worker. They need skills and special tools. I imagine it can be re-used, but I'm not familiar enough with the product." Vice Mayor Bartz said, "We've talked. You know how concerned I am. You may have orange screening around a pool, but it's got water in it. You won't see somebody if they fall in. That's my concern." Councilman Kelly noted, "I knew there was a process. Teresa said last year that it's re-usable. Let's get the bid done." Mr. Dramis said, "I think we have nine to twelve nuisance abatement projects that have just come back. These will come through the process a lot faster now."

The City Attorney advised, "This is a show cause hearing. Would you ask if there is anyone here to speak?" Mayor Faiella asked

if there was anyone present in reference to the property. There being no comments, the City Clerk restated the motion as follows: for approval of Resolution 12-R25. The **motion passed unanimously** by roll call vote.

## 12. UNFINISHED BUSINESS

a) **CAPTEC ENGINEERING, INC.**, DESIGN AND PERMITTING FOR SIDEWALKS AT MELALEUCA BOULEVARD, #20120027, \$108,516, CONTRACT PERIOD FOR THIS PROJECT WILL BE THREE YEARS FROM NOTICE TO PROCEED, FUND 304-4105-5630, ENGINEERING

The City Manager said, "At a prior meeting Council selected Captec Engineering for the design and permitting for the sidewalks at Melaleuca Boulevard. This is the contract that has been negotiated with them for \$108,516. We do recommend approval." Councilwoman Martin **moved** to approve Item 12 a). Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 12 a). The **motion passed unanimously** by roll call vote.

## 13. NEW BUSINESS

a) **PLANNING AND ZONING BOARD**, APPOINTMENT OF STEVEN GARRETT AS A DISTRICT 2 MEMBER TO A FOUR-YEAR TERM, EXPIRING FEBRUARY 2016, PLANNING & ZONING DEPARTMENT

The City Manager said, "There is a vacancy on the Planning and Zoning Board for District 2. Council did not appoint a member a few months ago subject to the new districts being formulated. That has occurred. I believe one of the prior candidates was no longer eligible because of the district line changes. Another candidate has withdrawn. Steve Garrett is the recommendation of the Planning and Zoning Board." Councilman Kelly **moved** to appoint Steven Garrett as the District 2 member for a four-year term. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval to appoint Steven Garrett to the Planning and Zoning Board for a four-year term. The **motion passed unanimously** by roll call vote.

b) **CLUB MED ACCESS AND FLOWAGE EASEMENT**, ALLOW CONTINUED CONVEYANCE, LEGAL DEPARTMENT

The City Manager said, "In the attachment for this item you will notice that there are numerous pieces to this. This is a drainage easement from Club Med to the City for drainage across the golf course and their properties. In the past we have not

had this. We will be able to maintain drainage with this easement. We recommend approval." Councilman Kelly said, "We've had a problem in the Treasure Island area. It has been flooding for years, and the neighbors just put up with it. It's ridiculous. We had a meeting over a year ago. We had the Club Med people out there when they were going for their PUD. There were some things they were going to do. I haven't seen anything done. I'd like information on what's being done and what Club Med agreed to." Ms. Graham explained, "My understanding is that City staff was waiting for these easements to be approved. Upon approval staff is already scheduled to go out and further review the drainage and make recommendations." Assistant City Manager Oravec said, "Engineering and Public Works aren't in my chain of command, but as a result of the December storm and coordinating with EWIP, I did have a meeting with City Engineer Patricia Roebing about 45 days ago. We discussed what needed to be done over there. There is flooding in Overbrook Circle. There is a lot of deferred maintenance on the Club Med golf course. This easement plays right into that. It gives us the ability to go on that property, so that if they don't take action, we could. One thing I requested was that we schedule some maintenance right where their outfall meets Morningside Boulevard. During that storm in December, several staff members and I were out there on site, looking at the conditions as the rain was coming down. There was a lot of ponding and failure of actual stormwater facilities right there. Even if we can just get our Swampmeister in there, it will go a long way. We'll coordinate with them to hopefully get a maintenance schedule. It will improve the Overbrook area." Councilman Kelly said, "Everything did drain pretty well, but that area was the last really bad street." Assistant City Manager Oravec noted, "Overbrook was pretty bad. That is not related to EWIP. It's just the destiny of any pond in Florida is eutrofication. It will eventually turn to land due to sedimentation unless it's scooped out. They have some deferred maintenance there, but now we also have the ability to go out there and take care of business." Councilman Kelly said, "Club Med is going to bear part of the cost." Assistant City Manager Oravec commented, "I sure hope so. There are advantageous times to have those discussions." Councilman Kelly **moved** to approve Item 13 b). Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 b). The **motion passed unanimously** by roll call vote.

**c) JETSON TV AND APPLIANCE CENTERS, INSTALL APPLIANCES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM, #20110070, PURCHASE ORDERS WILL BE ISSUED AS NEEDED, INITIAL CONTRACT TERM FOR 24**

MONTHS WITH AUTOMATIC RENEWALS UNTIL PROGRAM COMPLETE, FUND 116/114-5500-5491, COMMUNITY SERVICES

The City Manager said, "This is a bid for appliances for the NSP program. Although this was not the lowest bid, it is the best value. The other bid was about \$80 lower, but Jetson's has a much faster delivery time and they have good experience with the City. Therefore, it is the recommendation to move forward with the Jetson bid as best value." Councilwoman Martin **moved** to approve Item 13 c). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 c). The **motion passed unanimously** by roll call vote.

**d) AMENDMENTS TO NEIGHBORHOOD STABILIZATION PROGRAMS 1 AND 3 (NSP1 AND NSP3), COMMUNITY SERVICES**

**CLERK'S NOTE:** Item 13 d) was heard as Item 9 e).

**e) LYNCH PAVING AND CONSTRUCTION COMPANY, INC., EWIP PAVING REPAIRS/MILLING AND RESURFACING VARIOUS ROADWAYS, #20120020, \$313,460, CONTRACT PERIOD IS 180 CALENDAR DAYS WITH NO OPTION FOR RENEWAL, FUND 403-4126-5688, ENGINEERING**

The City Manager said, "This is paving work to be done in conjunction with the EWIP project. Several of the pond areas were dug out and improved as stormwater treatment areas. That put heavy truck loads on some residential streets; many are already in need of repair. This is to overlay the streets around the stormwater treatment areas. Lynch Paving is the low bid. We recommend approval in the amount of \$313,460. It will come from EWIP funds." Vice Mayor Bartz **moved** to approve Item 13 e). Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 e). The **motion passed unanimously** by roll call vote.

**f) HYDRANAUTICS, REVERSE OSMOSIS MEMBRANE REPLACEMENT, #20110120, \$242,560, WHICH INCLUDES A \$10 INDEMNIFICATION FEE, FUND 438-3310-5630, UTILITY SYSTEMS**

The City Manager said, "This is for major maintenance on the RO water treatment plants. Bids were received from three companies. The low bid was from Hydranautics in the amount of \$242,560. We recommend approval." Councilwoman Martin **moved** to approve Item 13 f). Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 f). The **motion passed unanimously** by roll call vote.

**g) DISCUSSION OF PROPERTY REGISTRATION ORDINANCE,**  
ASSISTANT CITY MANAGER

Assistant City Manager Oravec said, "The City of Port St. Lucie experienced the best of the boom, and it's also experienced the worst of the bust. One of the legacies of the bust is the number of foreclosure homes and properties that populate our community. Often members of that population negatively impact our neighborhoods. In the weeks leading up to the foreclosure and during the foreclosure, which can often take up to two years, you do not have a responsible owner maintaining the property. We know that in our climate it doesn't take long for grass to grow high and for the actual structure of the property to deteriorate. As a result we often have eyesores in the community, and no one to talk to about taking care of it. The property owner has left. They've lost their house. Many times the banks do not want to take responsibility, stating that they haven't completed the foreclosure process. Many times, because the crisis has been so large and so problematic, the bank may not know they have the property. Their system may be overwhelmed. There have been cases where we have gone back and forth for three months between two or three different banks, arguing about who has the paper. The proposed ordinance serves to address that issue by specifically stating that the mortgagee is responsible for the property, and that once they file a foreclosure action, they will have to register the property. They'll have to designate a local agent. They can no longer play the game that it is not their responsibility. Should they fail to adhere to the ordinance, they would be cited. There are no magic bullets, but this is another tool we can use to affect positive change in the neighborhoods." Mayor Faiella said, "I'm really happy to see this. We have so many abandoned homes that no one takes responsibility for." Assistant City Manager Oravec continued, "Councilwoman Martin took leadership on this issue. We didn't re-invent the wheel. We looked at what other counties and cities did. Mr. Orr and I looked at programs about two and a half years ago along this line. But it was almost a cottage industry; it was an operation. Now it's grown and is standing on its own two feet." Councilwoman Martin noted, "When we were first going to the conferences, we had a presentation by the City Manager of Palm Bay about this. I got with Greg about this. We need to hold the owners more accountable. As a local government, there's not a lot we can do to address property values, but this is one way. Are we going to have a Nuisance Abatement Coordinator shortly?" Assistant City Manager Oravec replied in the affirmative. Councilman Kelly **moved** to approve Item 13 g). Councilwoman Martin **seconded** the motion. The City

Clerk restated the motion as follows: for approval of Item 13 g) to be brought forward as first reading of the ordinance at the March 12 meeting. The **motion passed unanimously** by roll call vote.

**h) CO-PRODUCED AGREEMENT, BETWEEN THE CITY OF PORT ST. LUCIE AND THE TREASURE COAST FILM SOCIETY FOR THE 2012 INTERNATIONAL FILM FESTIVAL, ASSISTANT CITY MANAGER**

The City Manager said, "This is an agreement to co-produce a film festival with the Treasure Coast Film Society, very similar to what we have done with Oktoberfest and St. Patrick's Day. After all expenses are paid we would split any profits. We recommend approval." Councilman Kelly **moved** to approve Item 13 h). Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 13 h). The **motion passed unanimously** by roll call vote.

**14. COUNCIL COMMENTS AND COMMITTEE REPORTS**

**MAYOR FAIELLA - ITALIAN FESTIVAL/BOOT DRIVE**

Mayor Faiella said that the Italian Festival was wonderful and crowded, and that the Firefighter Boot Drive collected \$14,000.

**15. ADJOURN**

There being no further business, the meeting adjourned at 8:25 p.m.

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Karen A. Phillips, City Clerk

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Margie L. Wilson, Deputy City Clerk