

**CITY OF PORT ST. LUCIE
CITY COUNCIL SPECIAL MEETING MINUTES
NOVEMBER 21, 2011**

A Special Meeting of the CITY COUNCIL of the City of Port St. Lucie was called to order by Mayor Faiella on November 21, 2011, at 2:00 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
Councilwoman Michelle Lee Berger
Councilman Jack Kelly
Councilwoman Shannon M. Martin

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 Conrad, Parks and Recreation Director
Edward Cunningham, Communications Director
Joel Dramis, Building Official
Kim Graham, Assistant City Engineer
Karen A. Phillips, City Clerk
David K. Pollard, OMB Director
Brian E. Reuther, Police Chief
Tricia Swift-Polard, Community Services
Director
Patricia Roebbling, City Engineer
Gabrielle Taylor, Assistant City Attorney
Sally Walsh, Records Analyst

3. INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Faiella led the Assembly in the Pledge of Allegiance.

4. PROCLAMATIONS

There was nothing scheduled for this item.

5. SPECIAL PRESENTATIONS

a) 2011 ADVANCED INSTITUTE FOR ELECTED MUNICIPAL OFFICIALS CERTIFICATES OF COMPLETION FOR MAYOR FAIELLA AND COUNCILWOMAN MARTIN

Vice Mayor Bartz presented the Certificates of Completion for the 2011 Advanced Institute for Elected Municipal Officials that was held in Altamonte Springs on October 28 and 29 to Mayor Faiella and Councilwoman Martin.

6. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Councilwoman Martin **moved** to approve the Agenda. Councilwoman Berger **seconded** the motion. The City Clerk restated the motion as follows: for approval of the Agenda with the addition of Item 13 b). The **motion passed unanimously** by roll call vote.

7. APPROVAL OF CONSENT AGENDA

a) **APPROVAL OF MINUTES - OCTOBER 17, 2011**

b) **PURCHASE OF FORECLOSED PROPERTY, NEIGHBORHOOD STABILIZATION PROGRAM 3 (NSP3), 230 SW CHELSEA TERRACE, PORT ST. LUCIE, FLORIDA, \$93,555, COMMUNITY SERVICES**

Councilwoman Berger **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

There was nothing scheduled for this item.

9. OTHER PUBLIC HEARINGS

There was nothing scheduled for this item.

10. FIRST READING OF ORDINANCES

a) **ORDINANCE 11-86, AUTHORIZING THE CITY MANAGER OF THE CITY OF PORT ST. LUCIE TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF PORT ST. LUCIE AND THE PORT ST. LUCIE SKI CLUB; PROVIDING AN EFFECTIVE DATE**

The City Clerk read Ordinance 11-86 aloud by title only.

Councilman Kelly **moved** to approve Ordinance 11-86. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: for approval of Ordinance 11-86. The **motion passed unanimously** by roll call vote.

11. RESOLUTIONS

a) **RESOLUTION 11-R82**, AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF THE CITY'S TRAFFIC SIGNAL SYSTEM BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF PORT ST. LUCIE; PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R82 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 11-R82. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R82. The **motion passed unanimously** by roll call vote.

b) **RESOLUTION 11-R83**, 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 11-R83 aloud by title only. Ms. Beskovoyne said, "We ask that you find that conditions exist so that a hearing can be held to determine whether a nuisance exists on these properties." Councilwoman Berger **moved** to approve Resolution 11-R83. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R83. The **motion passed unanimously** by roll call vote.

c) **RESOLUTION 11-R84**, DECLARING A PUBLIC NUISANCE AT 2633 SE GOWIN DRIVE, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R84 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 11-R84. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion

as follows: for approval of Resolution 11-R84, with the abatement date set for not later than thirty days. The **motion passed unanimously** by roll call vote.

d) RESOLUTION 11-R85, DECLARING A PUBLIC NUISANCE AT 1841 SE OXMOOR COURT BOULEVARD, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R85 aloud by title only. Mayor Faiella asked, "Are we using thirty days for all of these properties or do you want to do them individually?" Ms. Taylor replied, "We have left it up to Council. Typically you have been setting things for thirty days and the date would get filled in. However, with some of them you have only wanted to give two weeks for them to come into abatement." Vice Mayor Bartz asked, "Have all of these homeowners or banks been notified?" Ms. Taylor replied in the affirmative. It was the **consensus** of the Council to proceed with the time period of thirty days.

Councilwoman Martin **moved** to approve Resolution 11-R85. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R85, with the abatement date set for not later than thirty days. The **motion passed unanimously** by roll call vote.

e) RESOLUTION 11-R86, DECLARING A PUBLIC NUISANCE AT 4061 SW ALICE STREET, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R86 aloud by title only. Councilwoman Martin **moved** to approve Resolution 11-R86. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R86, with the abatement date set for not later than thirty days. The **motion passed unanimously** by roll call vote.

f) RESOLUTION 11-R87, DECLARING A PUBLIC NUISANCE AT 1758 SW PENROSE AVENUE, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R87 aloud by title only. Councilwoman Berger **moved** to approve Resolution 11-R87. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R87, with the abatement date set for thirty days. The **motion passed unanimously** by roll call vote.

g) RESOLUTION 11-R88, DECLARING A PUBLIC NUISANCE AT 1238 SW BRIARWOOD DRIVE, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R88 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 11-R88. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R88, with the abatement date set for thirty days. The **motion passed unanimously** by roll call vote.

h) RESOLUTION 11-R89, DECLARING A PUBLIC NUISANCE AT 2163 SE SHELTER DRIVE, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R89 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 11-R89. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R89, with the abatement date set for thirty days. The **motion passed unanimously** by roll call vote.

i) RESOLUTION 11-R90, DECLARING A PUBLIC NUISANCE AT 863 SE CARNIVAL AVENUE, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R90 aloud by title only. Councilman Kelly **moved** to approve Resolution 11-R90. Vice Mayor Bartz **seconded** the motion and asked, "Is the pool at the

property full or dry?" Ms. Beskovoyne replied, "They are never empty. There is always at least some water in them. There is a screen enclosure and a baby fence as well." The City Clerk restated the motion as follows: for approval of Resolution 11-R90, with the abatement date set for thirty days. The **motion passed unanimously** by roll call vote.

j) RESOLUTION 11-R91, DECLARING A PUBLIC NUISANCE AT 2361 SW BLAINE TERRACE, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R91 aloud by title only. Councilwoman Berger **moved** to approve Resolution 11-R91. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R91, with the abatement date set for thirty days. The **motion passed unanimously** by roll call vote.

k) RESOLUTION 11-R92, FINDING CONDITIONS DECLARED A THREAT TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY LOCATED AT CERTAIN PROPERTY WITHIN THE CITY OF PORT ST. LUCIE, FLORIDA HAS BEEN ABATED; CANCELLING THE HEARING TO SHOW CAUSE; DISMISSING THE MATTER; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R92 aloud by title only. Councilman Kelly **moved** to approve Resolution 11-R92. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R92. The **motion passed unanimously** by roll call vote.

l) RESOLUTION 11-R93, DECLARING A PUBLIC NUISANCE AT 3140 SE MORNINGSIDE BOULEVARD, 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; AND PROVIDING AN EFFECTIVE DATE

The City Clerk read Resolution 11-R93 aloud by title only. Vice Mayor Bartz **moved** to approve Resolution 11-R93. Councilwoman Martin **seconded** the motion. The City Clerk restated the motion as follows: for approval of Resolution 11-R93, with the abatement date set for thirty days. The **motion passed unanimously** by roll call vote.

12. UNFINISHED BUSINESS

a) APPROVAL OF DISTRICTING MAP, LEGAL

The City Attorney said, "Council gave permission to move forward at the last Council meeting. We started doing the detail work as part of the process of preparing the legal description, and we found that there was a subdivision that was split. It is an anomaly with the track program. That is the best way to describe it. The GIS staff made a suggestion as to how to realign the edge of that district so it does not divide the subdivision. By doing this, we kept the dividing line on the road. The population was not changed by this adjustment. According to the Census information there was no population within that subdivision. Our recommendation is before you. If this adjustment is okay with the Council, then we will proceed with generating the legal description and hopefully bring it back before the Council next Monday."

Councilwoman Martin **moved** to approve Item 12 a) as modified. Councilman Kelly **seconded** the motion. The City Clerk restated the motion as follows: for approval of Item 12 a), the modified map. The **motion passed unanimously** by roll call vote.

13. NEW BUSINESS

a) DISCUSSION REGARDING CITY FLAG REQUEST BY CLUB MED, CITY MANAGER

The City Manager said, "There was a request from Club Med to fly the City flag. After researching it, we determined that the City does not have a flag. Attached you will see some suggestions of what we can do if the Council wishes to have a City flag. We would also take any suggestions for something different." Councilman Kelly said, "We need a City flag. I like the first one. Not the first one, the one with the green, white, and orange." Councilwoman Berger said, "I like the first two." Vice Mayor Bartz said, "I like #1. It shows our logo and has a nice clean look." Councilman Kelly **moved** to approve #1. Vice Mayor Bartz **seconded** the motion. The City Clerk restated the motion as follows: to approve Flag #1 of Item 13 a). The **motion passed unanimously** by roll call vote.

ADDED ITEM

b) "CO-PRODUCED AGREEMENT" BY AND BETWEEN THE CITY AND

DOMENICK'S CATERING FOR THE 2011, NEW YEARS EVE BASH, CITY MANAGER

The City Manager said, "This is an agreement for a New Year's Eve Bash. The co-sponsors would be the City and Domenick's Catering. This event will be at the Civic Center. The draft agreement attached spells out who would be responsible for what. This is very similar to how we do many of our other events. After all the expenses are paid, any profits would be split 50/50 between Domenick's and the City. This is an emergency item. If we are going to participate we need time to promote the event, get tickets, and prepare. New Years Eve is coming very quickly."

Councilwoman Berger **moved** to approve Item 13 b). Councilwoman Martin **seconded** the motion. Councilman Kelly said, "I would like to mention that Domenick's will be giving a portion of their proceeds to Honor Flights St Lucie County for the Veterans. There will be a raffle with a number of nice prizes." The City Clerk restated the motion as follows: to approve item 13 b). The **motion passed unanimously** by roll call vote.

14. COUNCIL COMMENTS AND COMMITTEE REPORTS**VICE MAYOR BARTZ - FLORIDA LEAGUE OF CITIES**

Vice Mayor Bartz said, "I went to the Florida League of Cities last week. It was a good meeting."

COUNCILWOMAN BERGER

Councilwoman Berger advised that she had no updates.

COUNCILWOMAN MARTIN

Councilwoman Martin advised that she had no updates.

COUNCILMAN KELLY

Councilman Kelly advised that he had no updates.

MAYOR FAIELLA

Mayor Faiella advised that she had no updates.

15. ADJOURN

There being no further business, the meeting adjourned at 2:35 p.m.

Karen A. Phillips, City Clerk

Sally Walsh, Records Analyst