

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JUNE 14 2010
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

**Roll call was answered by:
Mayor Michael Mortell
Vice Mayor Carol Waxler
Commissioner James A. Christie
Commissioner Jeffrey A. Krauskopf
Commissioner Mary Hutchinson**

**Also present were:
City Manager: Dan Hudson
City Attorney: Paul J. Nicoletti
City Clerk: Cherie White**

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

PRESENTATIONS

1. Presentation by Florida Department of Transportation project team on the Indian Street Bridge

George Denti, Project Administrator, for the Indian Street Bridge project. He introduced Kim Holland, of Reynold Smith & Hill. He also introduced the key organizations to the project, Target Engineering, AE Com, Betsey Lindsey Survey, Quest, Beth Zsoka, who is the Public Information Officer for the project.

Mr. Denti gave a brief overview of the proposed project. Kim Holland gave a powerpoint presentation to the public and Commission on the proposed Indian Street bridge project. Mr. Denti invited the public to visit their office at 3552 SW Corporate Parkway, Palm City.

City Commissioner Hutchinson requested introducing a "Welcome to Stuart" sign on the Stuart side of the bridge. The Commission agreed. Mr. Denti also agreed and suggested adding that to a discussion with Martin County for signage approval to the project.

2. Presentation by Kim DeLaney, Growth Management Coordinator for Treasure Coast Regional Planning Council on the Amtrak/FEC Corridor

Kim Delaney Treasure Coast Regional Planning Council gave a brief powerpoint presentation to the Commission and public for proposed rail station locations in the City of Stuart, Delaney said the Stypmann Blvd. location east of the FEC was the preferred location of the people who attended the workshops.

Mayor Mortell note a significant number of sewer pipes that would be "difficult to remove on the West side of the tracks."

Vice Mayor Waxler asked about the "likelihood of success,"

Kim Delaney said she is optimistic because new documents are being created and there is a whole lot of interest up and down the proposed corridor, but it depends on FDOT submission. She also noted funding would be an 80/20 split with the Feds paying 80% and State and local government picking up the other 20% which she called "a small investment to create 2100 jobs."

3. Presentation by Atty. James Stuckey on the Crary House Restoration

Attorney Stuckey came forward and requested the City consider entering into an agreement with Stuart Heritage in a joint venture for the Crary House restoration and operate it into the future, in a way the City can recoup the money spent, and earn a return on their investment. He stated that Stuart Heritage wishes to live up to it's commitments on this project. He requested the City and Stuart Heritage work together on a plan for the structure and then if the City does not like the plan they can pull the contract and do with the house whatever you want, and if the plan is acceptable to the City then Stuart Heritage will take the burden off the City's shoulders and go forward with it.

Commissioner Krauskopf stated he would like to put the project out to bid once Brownie has completed putting it back together and stated that Stuart Heritage would be welcome to bid on it.

Commissioner Hutchinson requested the City Attorney review the contract before them tonight. She stated she did not have a problem moving forward with Stuart Heritage because, the City agreed in a partnership early on to make this project happen.

Mayor Mortell commented on the contract before the Commission. He said that he did not know if legally the City could enter into a contract for the project without doing a request for proposal or some type of bid process.

Commissioner Hutchinson said that the original agreement was the City was going to enter into a partnership with Stuart Heritage and the City was going to pay to move it and then Stuart Heritage was going to pick it up and deal with the renovations and managing it from that point forward.

Attorney Stuckey agreed as to the original agreement stated by Commissioner Hutchinson but the only thing that Stuart Heritage is asking for is a plan approved by the City before Stuart Heritage spends any money on restoration. He was concerned that the City did not have a plan in place.

Commissioner Hutchinson stated the City did have a plan to move the structure next to the Stuart Feed Store, renovate it, and then rent it out or partner with Stuart Heritage.

Attorney Stuckey stated there was no plan by the City for its actual use.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO TAKE THE PROJECT OUT TO BID.

No further action was taken by the City.

4. Presentation by Tammy Simoneau, Executive Director, Economic Council of Martin County for an update on Martin County Consortium for Life Science and Research and Technology Advancement

Item 4 will be heard at the June 28th, 2010 Commission Meeting.

COMMENTS BY CITY COMMISSIONERS

Commissioner Christie reminded the Commission of their invitation to the upcoming Treasure Coast Council of Local Governments BBQ to be held in Okeechobee on July 7th, 2010.

Commissioner Hutchinson wanted to re-address the issue of the “stage shade structure” that failed for a motion at the last Commission meeting. She would like to allow staff to explore other options that would not block the view of the River year round.

MOTION: COMMISSIONER HUTCHINSON: MOVED APPROVAL THAT STAFF IS DIRECTED TO CONTINUE TO PERSUE POSSIBLE SHADE STRUCTURES ON THE RIVERWALK STAGE IN THE FORM OF A MORE TEMPORARY MOVABLE RETRACTABLE TYPE OF AWNING SYSTEM AND USE OF THE FIND GRANTS FOR THE FUNDING OF THAT.

SECOND: COMMISSIONER WAXLER

Commissioner Christie asked if the City can find a cost that is lower than the one we have now?

Commissioner Hutchinson clarified that her motion was to have a more movable shade structure that would not block the view of the river.

Mayor Mortell was not sure the rendering that had been presented was a true depiction of how much of the River view would be blocked. He said we already know that a portable structure would be too expensive.

MOTION APPROVED UNANIMOUSLY

Commissioner Hutchinson encouraged the public to attend the annual Memorial Day celebration because it was a great event and thanked the many volunteers involved.

Vice Mayor Waxler informed the Commission that she will not be able to attend the next regular meeting scheduled for 6/28.

COMMENTS BY CITY MANAGER

None

APPROVAL OF AGENDA

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE AGENDA AS AMENDED

SECOND: COMMISSIONER WAXLER

MOTION APPROVED UNANIMOUSLY

COMMENTS FROM THE PUBLIC (Non-Agenda Matters Only – 5 min. max)

William Rudge came forward and stated he was having a difficult time tracking down the initial contract from an abatement that was done in December on his property. He also expressed concern that the minutes of the commission meetings do not reflect verbatim of what he has said.

Mayor Mortell stated the minutes are not transcribed verbatim, and directed him to obtain a copy of the tape from the City Clerk.

Mr. Rudge asked where he could obtain a copy of the contract.

Attorney Nicoletti stated a public records request was made by Mr. Rudge's Attorney, who was provided a copy of the contract.

Caryn Yost-Rudge came forward and expressed concern that they were getting the run around. She said that she would return in two weeks.

Mayor Mortell stated that the City is working on the cleanliness of the community and

CONSENT CALENDAR

- 5. Request to approve the minutes of the special Commission Meeting of May 24, 2010**
- 6. Request to approve the minutes of the regular Commission Meeting of May 24, 2010**
- 7. RESOLUTION 59-2010 Authorization to express support for the State of Florida's Amtrak/FEC Corridor Project Application; Identifying a locally preferred alternative for a station location; Acknowledging the City's commitment to the project**
- 8. RESOLUTION 62-2010 Authorization to approve a modification to subgrant agreement project number 1545-118R between the Division of Emergency Management and City of Stuart to reinstate the original federally funded subgrant agreement executed by the Mayor on July 14, 2009 providing for drainage improvements in Memorial Park by extending the termination date in paragraph 3 from May 15, 2010 to November 15, 2010**
- 8a. RESOLUTION 60-2010 Authorization to declare an extension of "Zoning in Progress" under Sec. 1.02.04, Stuart Land Development Code, for the granting of development permits, local business tax receipts or other approvals for pain management clinics**

END OF CONSENT CALENDAR

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF THE CONSENT CALENDAR

SECOND: COMMISSIONER CHRISTIE
ROLL CALL

COMMISSIONER CHRISTIE	YES	COMMISSIONER KRAUSKOPF	YES
VICE MAYOR WAXLER	YES	COMMISSIONER HUTCHINSON	YES
MAYOR MORTELL	YES		

COMMISSION ACTION

ORDINANCE FIRST READING

9. ORDINANCE 2206-2010 (First Reading) Adopting a Comprehensive Sign Code for the City, by amending the general sign provisions; Amending the definitions; providing for conflicting provisions; providing for codification.

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL OF ORDINANCE 2206-10 ON FIRST READING AS AMENDED

SECOND: COMMISSIONER CHRISTIE

Commissioner Hutchinson expressed concerns over special event banners and felt it was not clearly addressed. She said the document does not address special event banners for nonprofit events, and what where the guidelines and restrictions. She also questioned the size of the banners, and felt that issue was not addressed in the proposed sign code. Also noted the change to the code regarding murals. She asked that section be more specific regarding location and restrictions for murals, and requested the mural not be allowed to include the business name, and be specified in the code.

Attorney Nicoletti stated he would assure these changes be included between now and second reading.

Susan O’Roarke came forward and expressed concern over the private versus non-profit and governmental banners restrictions.

ROLL CALL

COMMISSIONER CHRISTIE	YES	COMMISSIONER KRAUSKOPF	YES
VICE MAYOR WAXLER	YES	COMMISSIONER HUTCHINSON	YES
MAYOR MORTELL	YES		

10. ORDINANCE 2207-2010 (First Reading) Providing a further amendment to the Country Inn & Suites Commercial Planned Unit Development Agreement adopted in Ordinance No. 2075-06, approve June 26, 2006 as amended by Resolution No. 113-07, approved August 7, 2007; providing for a new timetable for obtaining building permit for construction and issuance of Certificate of Occupancy for a hotel consisting of 13,270 square feet consisting of one (1) primary building on 2.75 acres (119,790

SF) on the East side of SE Fisher Street; amending the conditions of development (Quasi-Judicial)

Pinal Gandhi-Savdas gave a brief summary of the proposed project request for a timetable extension.

The applicants attorney Terry McCarthy came forward and explained the reason for the timetable. He stated it was due to the current economic times.

MOTION: COMMISSIONER HUTCHINSON; MOVED APPROVAL OF ORDINANCE 2207-10 ON FIRST READING

SECOND: VICE MAYOR WAXLER

ROLL CALL

COMMISSIONER CHRISTIE YES COMMISSIONER KRAUSKOPF YES

VICE MAYOR WAXLER YES COMMISSIONER HUTCHINSON YES

MAYOR MORTELL YES

ORDINANCE SECOND READING

DISCUSSION & DELIBERATION

11. Discussion on providing restrooms for Martin Luther King, Jr. Park

Commissioner Hutchinson requested this project be considered and requested City staff look at the ½ cent sales tax money. She presented a graphic and asked the City to consider using its design.

City Manager Hudson stated a budget amendment could come forward at a later meeting for the Commissions approval.

MOTION: COMMISSIONER HUTCHINSON; MOVED APPROVAL TO DIRECT STAFF TO MOVE FORWARD WITH PROCEEDING ON A CONSTRUCTION OF A BATHROOM IN THE EAST STUART AREA AT THE MLK PARK AND TO COME BACK WITH A PROPOSAL ON THE APPROPRIATE FUNDING.

SECOND: COMMISSIONER CHRISTIE

MOTION APPROVED UNANIMOUSLY

ADJOURNMENT 7:11 PM

ATTEST:

Cheryl White, CMC, City Clerk

Michael Mortell, Mayor

Minutes to be approved at the Regular Commission Meeting This 28th Day June, 2010