

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON NOVEMBER 8, 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.

COMMENTS BY CITY COMMISSIONERS

Comments by Commissioners were heard at this time.

Commissioner Christie invited everyone to support Veterans during the holiday.

Commissioner Krauskopf stated he had received a call regarding the Kanner Highway and US 1, Eastbound, Kanner Highway, left turns, Northbound, and they had to sit through four cycles of the light to get through. He requested staff look into the matter.

COMMENTS BY CITY MANAGER

Comments by City Manager were heard at this time.

Mr. Hudson reminded everyone that City Hall offices will be closed on Thursday November 11, 2011, Veterans Day, and the Veterans Day Parade will be held on East Ocean Blvd. Item #6 Johnson Honda is Quasi Judicial on the Consent Calendar unless pulled for discussion and all Quasi Judicial procedures must be followed. He also added an additional supplemental memo to item #9.

PRESENTATIONS

1. PROCLAMATION: Proclaiming the week of November 17-21, 2010 as Bible Reading Week

On behalf of all the pastors in martin County Pastor Heaton came forward and graciously accepted the proclamation. He thanked the City for their support and invited everyone to come and volunteer to read.

2. Employee of the Month - October

Thondra Lanese, CRA

Thondra Lanese came forward and graciously accepted here award and thanked the City for their support.

Heard earlier.

COMMENTS BY CITY COMMISSIONERS

Heard earlier

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

MOTION: VICE MAYOR WAXLER: MOVED APPROVAL OF THE AGENDA
SECOND: COMMISSIONER KRAUSKOPF
MOTION APPROVED UNANIMOUSLY

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

Caryn Yost Rudge came forward and stated she understands the need for parking enforcement but expressed concern over \$25.00 parking citations without issuing a warning first.

CONSENT CALENDAR

3. **Request to approve the minutes of the Regular Commission Meeting of October 18, and October 25, 2010**
4. **REQUEST TO CONTINUE TO THE REGULAR COMMISSION MEETING OF MAY 9, 2011
RESOLUTION 53-2010 Authorization to amend and re-approve an East Stuart Overlay District Special Exception, with reasonable conditions, for the Macedonia Community Outreach Ministries Veterans Home allowing a group home for homeless Veterans with 17 residents, including staff within the East Stuart single family duplex zoning district (SFD) located at 828 Nassau Avenue**
5. **RESOLUTION 113-2010 Authorization for the execution of two lease agreements between the City of Stuart and Congressman Thomas J. Rooney for the Crary House located at 171 SW Flagler Avenue**
6. **RESOLUTION 114-2010 Authorization to approve a Minor Amendment to the “Johnson Honda Commercial Planned Unit Development (CPUD)” Development Condition No. 17 regarding the placement of underground electric utilities**
7. **RESOLUTION 115-2010 Authorization for a budget amendment to the 2010-2011 annual general fund, Machinery and Equipment; Authorizing the appropriation and expenditure of funds for Police software upgrades**

- 8. RESOLUTION 116-2010 Authorization for a budget amendment to the 2010-2011 annual general fund, operating budget; approving the application for and receipt of 2010 Edward Byrne Memorial Justice Grant Funds; Authorizing the appropriation and expenditure of funds to pay for Police Ballistic Shields and Protective Gear**

END OF CONSENT CALENDAR

MOTION: VICE MAYOR WAXLER; MOVED APPROVAL OF THE CONSENT CALENDAR ITEMS 3-8

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

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

COMMISSION ACTION

- 9. DISCUSSION ON TRANSPORATION DEPOT “OUT OF POCKET” COSTS
RESOLUTION 117-2010 Authorization for a budget amendment to the 2010-2011 annual general fund, infrastructure sales tax fund and property management fund operating budgets, approving receipt of American Recovery and Reinvestment Act of 2009 (ARRA) Federal Grant Funds and transfers of funds; Authorizing the appropriation and expenditure of funds for total costs to be incurred regarding construction of a Transit Depot Building**

City Manager Hudson noted the supplemental memo dated 11/8/10. Martin County has identified out of pocket costs which the City of Stuart must bear in order to keep the grant funded.

Transit Depot project moving and we feel like we can manage the additional cost to some degree, like City permit fees we may be able to waive or mitigate to reduce the overall impact. The City may be called upon for an additional \$185,000. In essence the \$1.2 million project has become a \$1.4 million project for this 4,000 square foot building. He also learned recent facts the City learned within the past week that the hoped for Amtrak/Florida East Coast passenger rail service was denied funding in the current year. There is a recurring opportunity to apply for that funding but it has been turned down in the current year. The MPO has separately committed just under \$190,000.00 for additional station enhancement in FY14 budget to include things like covered walkways, train ramps and possibly other improvements. The grant timetable calls for construction to begin in September 2011 with completion by March of 2012. The City has also been working with Martin County on a lease for the use of the site near the courthouse, it is County owned property.

City Manager Hudson offered the Commission three options including:

- A. Fund the \$185,000 in order to preserve the grant.
- B. Reduce the scope of the project to fit within available funding. This would involve sending a letter to Martin County recommending restructuring the project parameters so that it can be completed with the grant budget of \$1.2 million
- C. Reinvent the project as a train station only. This would entail returning the grant; finalizing the lease for the site; and establishing a future CIP project budget to build a train station.

City Manager Hudson recommended the Commission consider Option C.

Mayor Mortell suggested this be sent back to the County telling them the City wants the original Florida style train station without all the bells and whistles. He wants to ask the County to redesign and stay within the budget. He also addressed the City becoming LAP Certified. He did not want the City to walk away from the grant.

Vice Mayor Waxler expressed concern over some of the noted expenses associated with the grant.

Mayor Mortell wanted to “hold the County’s feet to the fire” and bring back what they can do within the budget.

Commissioner Krauskopf said there is “room for value engineering” and he would like “to keep the ball rolling.”

Commissioner Christie said the City has spent allot of time to get to this point and felt it was worth working toward.

Mayor Mortell asked the City could persue it’s own LAP certification.

Mayor Mortell said we should at least explore it again.

Sam Amerson said he would look into the LAP certification.

City Manager Hudson agreed.

Vice Mayor Waxler wants very much to see this happen. She felt the train will be coming and wants to work within the budget.

MOTION: VICE MAYOR WAXLER; MOVED APPROVAL TO ADOPT OPTION B AND REQUEST THE COUNTY REDUCE THE PROJECT SO THAT IT COMES IN AT BUDGET. SHE ALSO SAID THE COMMISSION IS ALL IN AGREEMENT TO HAVE A TRAIN STATION AND PLANNING FOR THE FUTURE.

SECOND: COMMISSIONER KRAUSKOPF

ROLL CALL

COMMISSIONER CHRISTIE	YES	MAYOR MORTELL	YES
-----------------------	-----	---------------	-----

VICE MAYOR WAXLER	YES	COMMISSIONER HUTCHINSON	YES
-------------------	-----	-------------------------	-----

COMMISSIONER KRAUSKOPF	YES		
------------------------	-----	--	--

MOTION: COMMISSIONER KRAUSKOPF; MOVED APPROVAL TO HAVE SAM AMERSON BRING BACK TO THE COMMISSION PERSUE LAP CERTIFICATION BY THE CITY.

SECOND: COMMISSIONER CHRISTIE

ROLL CALL

COMMISSIONER CHRISTIE	YES	MAYOR MORTELL	YES
-----------------------	-----	---------------	-----

VICE MAYOR WAXLER	YES	COMMISSIONER HUTCHINSON	YES
-------------------	-----	-------------------------	-----

COMMISSIONER KRAUSKOPF	YES		
------------------------	-----	--	--

Armond Pasquale expressed concern over Amtrak coming to Stuart and suggested the City look at Tri Rail instead.

Paul Bangs Martin County Engineering Department said if the County reduces the scope of the project and try to get it within budget we may have to revisit the grant with the FTA people. He also wanted to point out that the current grant is not for a train station but for transit.

Commissioner Christie asked what we do at this point without the funding.

Mayor Mortell said the current Governor Elect is against High Speed train and will be interesting to see what happens He also stated that Kim Delaney of the Treasure Coast Regional Planning Council is on the forefront of the project.

City Attorney Nicoletti said one of the reasons for the delay is that Amtrak and the Florida Legislature and Amtrak have not resolved how they are going to handle "indemnification on part of the rail". He said they have a tentative agreement and it cannot be voted on until the spring legislative session. He did feel we stand a good chance in the future, just not this year.

ORDINANCE FIRST READING

ORDINANCE SECOND READING

DISCUSSION & DELIBERATION

ADJOURNMENT 6:04 pm

ATTEST:

Cheryl White, CMC, City Clerk

, Mayor

**Minutes to be approved at the Regular Commission
Meeting This 13th Day December, 2010**