

**REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD ON JANUARY 22, 2007  
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS  
121 S.W. FLAGLER AVE.  
STUART, FLORIDA 34994**

**Roll call was answered by:**

**Mayor Mary L. Hutchinson  
Vice Mayor Jeffrey A. Krauskopf  
Commissioner Carol S. Waxler  
Commissioner Michael J. Mortell  
Commissioner James A. Christie, Jr.**

**Also present were:**

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

0:00 ~ 1/22/2007 5:30:10 PM ~ Start Recording

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

**Employee Service Recognition, Mark Champion, Fire Rescue,  
10 years**

Mark Champion came forward and graciously accepted his award.

**Employee Service Recognition, Elise Farrell, Fire Rescue, 10 years**

Elise Farrell was unable to attend.

**Employee Service Recognition, Jay Fleming, Public Works, 5 years**

Jay Fleming came forward and graciously accepted his award.

**Employee Service Recognition, Robin Prichard, Public Works, 5 years.**

Robin Prichard came forward and graciously accepted his award.

2:55 ~ 1/22/2007 5:33:05 PM

**A. Employee of the Year Award**

Employee runner up was named, Jeffrey Montpetit.

Jeffrey Montpetit graciously accepted his award and thanked Albie Scoggins for being his boss.

Employee of the year was named, Barbara Sullenger.

Barbara Sullenger came forward and graciously accepted her award and thanked the City Commission and Dorothy Zaharako as well as Terry Iverson.

**B. Employee of the Month  
Douglas Crawford – Fire Rescue Department.**

Doug Crawford came forward and graciously accepted his award and thanked the City Commission and staff for his years of service with the City.

**C. PROCLAMATION: Celebrating Mt. Calvary Missionary Baptist Church of Stuart, Inc. for the Ninety Years of Christian Service to the Treasure Coast Community.**

A representative from Mt. Calvary Baptist Church came forward and graciously accepted the proclamation and thanked the City Commission. She extended an open invitation to anyone who would like to attend the church this Sunday in celebration of the anniversary.

**A Proclamation was added for the Susan G Komen Breast Cancer Foundation, 25<sup>th</sup> Anniversary.**

Commissioner Waxler said she participated in the walk for cure last Saturday and in attendance was 23,000 people.

Rosemarie came forward and graciously accepted the proclamation and thanked the Commission.

**PRESENTATIONS**

**E. Review of Public Safety Building Funding Status**

Sam Amerson gave a brief overview and update on the progress of the Public Safety Complex construction.

Mr. Hudson reiterated the Commissions direction to reallocate the impact fees between Fire and Police. He stated that Mr. Iverson did go back and look at the square footage for each department and then reallocated the needed fees.

**COMMENTS BY CITY COMMISSION**

22:34 ~ 1/22/2007 5:52:44 PM

Carol Waxler stated the downtown looks great and she thanked the City employees for their efforts to keep the City so great.

Commissioner Christie was happy to see the demolition progress of Tarpon Commons and looks forward to seeing new plans for workforce housing. He also stated he would be attending the Florida Mainstreet meeting in Ft. Pierce on January 30-31<sup>st</sup>. He stated the City's interest is if Mainstreet can be some sort of assistance to the East Stuart Community.

Vice Mayor Krauskopf requested the City Manager look into new chairs for the dias.

He also stated he had received several calls regarding the DUI arrest. He asked if the City pays for SO backup, why didn't we call for an SO backup? I will just leave that out there for you, thank you.

Commissioner Mortell stated he had received calls from residents of the Camden Avenue area who had requested to know where the trees were that they were promised.

Mr. Amerson stated he would look into the matter.

Commissioner Mortell asked Albie Scoggins to look into the FRDP grant for the Russell Holloway Track and felt the County was onboard with the idea. He also asked Albie to look into the number of residents who visit the Recreation Center daily.

Mayor Hutchinson requested staff draft a letter to Martin County stating the City's concern on the increased fix based operators at the Airport.

#### **COMMENTS BY CITY MANAGER AND REVIEW OF TENTATIVE AGENDA**

29:41 ~ 1/22/2007 5:59:51 PM ~

Mr. Hudson requested the Commission delete "Exhibit B" of item 4 on the agenda. He requested that item 14 be moved to the end of the agenda for discussion. He also stated that Mr. O'Neil has provided a revised recommendation that has been provided to the Commission this evening. He also stated there was a request to continue the item relating to voluntary annexation to February 26, 2007.

Mr. Hudson reminded the Commission about the scheduled workshop to be held Monday morning at 9:00 a.m.

Commissioner Mortell stated he was approached by two people regarding the counties plan to build an Aquatic Center. He stated that nearby residents of the YMCA expressed concerns over the traffic lights and noise that may come with this type of facility. He stated the City should be involved with the placement so the City can provide input to the plan.

Terry O'Neil stated that several years ago that site was approved by Special Exception and as a result it would be the Counties responsibility to come forward and bring their site plan for the City's approval.

Commissioner Mortell stated he would like to participate from the front end. He stated it would be a great idea to discuss this before the site plan is drawn for the City's feedback.

#### **STAFF REPORT ON CITIZEN COMMENTS FROM PREVIOUS COMMISSION MEETING**

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

#### **APPROVAL OF AGENDA**

33:54 ~ 1/22/2007 6:04:03 PM

MOTION: VICE MAYOR KRAUSKOPF: MOVED APPROVAL OF THE AGENDA AS AMENDED  
WITH MOVING ITEM 14 TO THE END AND 19  
CONTINUED TO 2/26/07

SECOND: COMMISSIONER WAXLER  
MOTION APPROVED UNANIMOUSLY

**CONSENT CALENDAR**

34:54 ~ 1/22/2007 6:05:03 PM ~

1. Request to approve MINUTES from REGULAR COMMISSION MEETING AND SPECIAL MEETINGS from December 11, 2006, Executive Labor Session December 11, 2006 Regular Meeting and Attorney-Client Session December 18, 2006
2. Request to set a public hearing date of February 12, 2007 to consider a rezoning to Residential Planned Unit Development for East Ocean Gardens, 600 SE Ocean Blvd.
3. Request to set a public hearing date of February 12, 2007 to consider Rezoning to Commercial Planned Unit Development Towne Park Professional Center, 751 SE Central Parkway
4. RESOLUTION 09-07 Approve a contract with Terrance W. O'Neil in the amount of \$81,700.00 for professional management services for the Parkside Village Workforce Housing Project
5. RESOLUTION 10-07 Requesting the Florida Legislature to support the Florida League of Cities priority issues during the 2007 Legislative Session
6. RESOLUTION 11-07 Requesting authorization for the City Manager to apply for and if successful execute a grant application in the amount of \$15,000 sponsored by General Mills Sales, Inc. and Hamburger Helper to fund the cost of two additional weeks of summer Camp at the 10<sup>th</sup> Street and Flagler Recreation Centers
7. RESOLUTION 12-07 Requesting authorization to award an ITB #2206-196 in the amount of \$360,068.40 funded by CDBG Disaster Relief funds for flood and drainage improvements to service areas 1 and 4 in the City to Sunshine Land Design, Inc.
8. RESOLUTION 13-07 Requesting approval to adopt a Citation/Notice to Appear form and authorizing a Fine Schedule and Administrative Costs for certain City Code violations
9. RESOLUTION 14-07 Request approval to Award ITB #2007-199, Water Treatment Security Fence, to the lowest most responsive bidder, Martin Fence Company, Inc. of Lake Park for the total base bid amount of \$126,242.15

10. **RESOLUTION 15-07 Requesting approval to submit a Grant Application to the Children's Services Council County 2007-2008 Neighborhood Grant East Stuart Youth Initiative program and if successful authorizing the Mayor and City Clerk to execute a contract between Children's Services Council of Martin County and the City of Stuart for Recreation Program Services related to the East Stuart Youth Initiative Program**
11. **RESOLUTION 16-07 Requesting approval of the first of two additional renewals of the contract between the City and Northstar Geomatics for Geographical Information System services and approval of the revised personnel and rate schedules**
12. **RESOLUTION 18-07 Requesting approval to terminate the contract with Superior Cleaning, Inc. and simultaneously awarding a contract to Cleaning Concepts, Inc. for the annual cost of \$14,112.00 for Janitorial Services**
13. **RESOLUTION 19-07 Awarding a contract to Cape Canaveral Scientific Inc. for post award Grant Writing Services related to management of the FDEP 319 Grant for Poppleton Creek Stormwater Park in the amount of \$29,000**

**\* Clerk's Note Item 14 was heard at the end of the agenda.**

14. **Request approval of draft "Request for Lease Proposal" (RFP) package for a City-owned parcel at the northeast corner of Kanner Highway and Monterey Road (Property is currently the site of a 7-Eleven convenience store) (Tabled from January 8, 2007)**

ITEM 1-14:

Vice Mayor Krauskopf commented about item 8. He asked Attorney Nicoletti if anything prevents us in the area of graffiti from making that a situation where it is mandatory restitution.

Attorney Nicoletti stated there was a way in the context of the way we are doing this.

Vice Mayor Krauskopf he requested the City, before siting people that they look at the telephone poles on Seminole Street and Osceola.

He also asked about trucks parking in residential areas and he presumes that means 18 wheeler but he asked if that means something less then that?

Attorney Nicoletti stated that would mean any truck, like a box truck or some other truck such as a commercial truck that is not allowed. We picked up what the existing code provides.

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF THE CONSENT  
AGENDA 1-13

SECOND: COMMISSIONER CHRISTIE

Mayor Hutchinson inquired about item 7 and asked if Sunshine Land Design was doing better?

Sam Amerson stated they have been fine and the City has not had any more difficulty with the contractor.

ROLL CALL

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

41:25 ~ 1/22/2007 6:11:35 PM ~ ITEM 16: KEV FREEMAN GAVE A BRIEF PRESENTATION REGARDING THE PR

44:12 ~ 1/22/2007 6:14:22 PM ~ ITEM 17: MORTELL HAD CONCERN OVER THE NOTICE OF APPEAR AND 10 DAYS WAIVE THE RIGHT TO APPEAR AND HAD CONCERN OVER THE RIGHT TO APPEAR. NICOLETTI STATED HE TRIED TO KEEP IT AS CLOSE TO THE VEHICLE PROCESS AS POSSIBLE. MORTELL HAD CONCERN OVER THE TIME FRAME OF 10 DAYS

**QUASI-JUDICIAL HEARINGS**

**FIRST READING OF ORDINANCES**

41:16 ~ 1/22/2007 6:11:25 PM ~ ITEM 15

**ORD. 2094-06 REQUEST TO CONTINUE FIRST READING TO THE FEBRUARY 12, 2007 COMMISSION MEETING**

**15. ORDINANCE 2094-07 (First Reading) Requesting to approve a Master/File Site Plan for Avonlea Residential Planned Unit Development (Avonlea Point and West Village and to amend and extend the development schedule. Intersection of Cardinal Way and SR 707, Avonlea Development Corporation (QUASI-JUDICIAL)**

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL TO MOVE ITEM 15 TO 2/12/07

SECOND: COMMISSIONER MORTELL  
MOTION APPROVED UNANIMOUSLY

**16. ORDINANCE 2098-07 (First Reading) Requesting to approve the proposal to abandon a portion of SE Fisher Street east of SE Commerce Ave. to the FEC Railroad in order to facilitate the development of Thies Beer (QUASI-JUDICIAL)**

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE 2098-07 ON FIRST READING

SECOND: COMMISSIONER CHRISTIE  
ROLL CALL

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

44:12 ~ 1/22/2007 6:14:22 PM ~ ITEM 17

**17. ORDINANCE 2099-07 (First Reading) Requesting approval to amend the Code of Ordinance to implement additional regulations regarding definitions, Magistrate Powers, duties of the City Attorney, Fines and Costs, Summary and other Procedures (QUASI-JUDICIAL)**

Commissioner Mortell expressed concern over the MORTELL notice to appear is considered constitutional. He also stated item 4-B should be re-numbered to 3-B, he expressed concern over the fine not being paid within 10 days and the waiver of rights. He stated it should be a due process issue. He felt the time frame was to tight as far as the due process.

Attorney Nicoletti stated he tried to keep it as close to the traffic rules as we possibly could.

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF ORDINANCE 2099-07 ON FIRST READING

SECOND: VICE MAYOR KRAUSKOPF  
ROLL CALL

MAYOR HUTCHINSON	YES	COMMISSIONER CHRISTIE	YES
VICE MAYOR KRAUSKOPF	YES	COMMISSIONER WAXLER	YES
COMMISSIONER MORTELL	NO		

**SECOND READING OF ORDINANCES**

**ORD. 2087-07 SECOND READING REQUEST TO CONTINUE TO THE FEBRUARY 12, 2007 MEETING**

**18. ORDINANCE 2087-07 (Second Reading) to consider a Major PUD Amendment to Ord. 1527-97, to approve a Master Site Plan consisting of 121,672 square feet of warehouse/office space, Master/Final Site Plan approval, and compliance with the Site Design Qualitative Development Design Standards. Property located on the east side of SE Commerce Ave. Thies Beer Distributorship CPUD (QUASI-JUDICIAL) (RC)**

MOTION: VICE MAYOR KRAUSKOPF: MOVED APPROVAL TO MOVE ITEM 18 TO 2/12/07

SECOND: COMMISSIONER MORTELL  
MOTION APPROVED UNANIMOUSLY

\*Clerk's Note Item 19 was continued to February 26, 2007 under the approval of the agenda.

**19. ORDINANCE 2088-07 (Second Reading) Requesting approval to Annex 3.8 acres owned by Baker Shoppes, LLC and Baker Shoppes 2 LLC, 1400 NW Federal Highway. Amending the Comprehensive Land Use Plan to Commercial pursuant to the Small Scale Comprehensive Land Use Amendment( QUASI- JUDICIAL)**

52:45 ~ 1/22/2007 6:23:12 PM ~ ITEM 20 & 22

**20. ORDINANCE 2095-07 (Second Reading) Requesting to consider a Rezoning to Commercial Planned Unit Development of +/- 53 acres and to approve a Master/Final Site Plan, a Development Schedule and compliance with the Site Design Qualitative Development Standards. NE side of NE Wright Boulevard and NE Federal Hwy, includes City owned Flag lot. Harbour Walk Preserve (QUASI-JUDICIAL)**

Kevin Freeman stated that staff has recommended additional funding of \$150,000.00 added to the conditions shown as exhibit H, for the Haney Creek Project. He stated the applicant has amended the site plan to reflect the comments that were made by the City Commission on December 18, 2006. The removed the eco center proposal and replaced it with a trailhead which would connect to a walking path that would be a combination of wood and mulch. A contribution of \$200,000.00 is committed.

Jack Carmody came forward and gave a brief presentation regarding the City owned flag lot he requested that item 22 be heard at the same time because if item 22 does not happen the PUD cannot happen.

Ken Tuma, Urban Design Studio came forward and introduced the planned changes to the flag lot as well as, the removal of any structures on the property.

Commissioner Waxler asked if any additional parking would be needed to accommodate the added building in the plan.

Mr. Tuma stated there were no changes to the parking needed.

Mr. Cliff Stoddard, E.H. Building Group came forward and stated the developer would be providing approximately 1 mile at around 8 feet wide.

Commissioner Waxler: "From the trailhead to the Baker Road site"?

Mr. Stoddard: "Yes more then that."

Commissioner Waxler asked if the applicant had any problem with signage for the site. She also requested that a reserve of some area so that at a future date, possibly the City at it's expense could build restrooms.

Mr. Stoddard: " Yes, I have already agreed with Mr. Nicoletti regarding the signage. We have no problem with assigned parking or (inaudible).

Commissioner Waxler: "I asked the City Attorney today about having some language in the lease agreement with regards to public use. I would suggest that we add language in the lease agreement that the public will be using this for ingress and egress for access to the trailhead. She stated the City has the ingress and egress over the wetland and preserve area to our satisfaction that will allow us to build the boardwalk, who is going to maintain the boardwalk?"

Waxler Cont: "It is my understanding that after the applicant cleans the preserve area, it is going to remain in the applicants title, and the obligation to maintain the preserve area will run with the land, with the applicant."

Attorney Nicoletti stated that the ingress and egress public access as well as language regarding the reservation of space for a future restroom facility, has been added to the lease agreement.

Commissioner Mortell suggested including connectivity from the boardwalk from the trailhead to the hotel and conference center.

Attorney Nicoletti stated he would be adding language for an easement of approximately 28.24 +/- acres preserve wetland area acres over the boardwalk to be given to the City as a condition of the planning.

Attorney Nicoletti: "The applicant shall provide an exclusive environmental preservation easement over the entire 28 +/- acres of preserve wetland."

Commissioner Waxler stated she had concern over the liability issue of the easement.

Mayor Hutchinson asked about page 24 and the outdoor noise. She stated the timelines do not coincide with the new Noise Ordinance.

Attorney Carmody stated they would agree to the noise ordinance regulations.

Attorney Nicoletti stated it would be best to reference the Ordinance because it may change from time to time.

Mayor Hutchinson asked about the safety of pedestrians and the traffic patter of the project.

Mr. Tuma came forward and gave a brief visual presentation to the Commission and explained the Department of Transportation and how it is calculated.

Mayor Hutchinson expressed concern over the intersection traffic off Wright Blvd and US1. She suggested barring left hand turns.

Mr. Tuma stated he would certainly look at this during the permitting process and leave it up to someone who has more skill in traffic flow.

City Manager Hudson suggested that the applicant summarize all the transportation improvements associated with this project.

Erica Kubia : "All of the traffic improvements have been submitted and approved by MTP Group." She stated the project only requires improvements at the North River Shores entrance. "The applicant has also included; Wright Blvd improvements; and proposing 707 improvements as well with dual left turn lanes onto 707; widening of the 707 area at the intersection so you can have a Southbound right turn lane onto 707, and because of the distance between the intersection of US 1 and Wright Blvd and our entrance you can't get a decell lane of the entrance because we cannot move the entrance any further West because it would interfere with US1 travel."

Mayor Hutchinson expressed concern over the environmental lands being used for this project as well as using the same land for mitigation to Martin County for the Green River Parkway project.

Mr. Stoddard stated the company own's the land and the company pays the taxes on the land. We have excess land for mitigation.

Attorney Nicoletti stated he just wanted to be assured there is no double dipping on mitigation credits and can be included in the PUD so that anyone other then the developer without our approval.

Attorney Carmody stated the applicant has given the City what they have asked for as far as mitigation.

Fred Ebner, came forward and expressed concern over the traffic near the intersection of Wright Blvd and US1.

Sandra Hawkin came forward and expressed concern over the high impact of traffic to the area of this project.

Attorney Nicoletti stated the applicant has requested the rent commencement date begin on September 30, 2008 and not March 1, 2008. Staff has no objection to this request. He stated that at the time the first vertical permit on the entire site is issued that would trigger the rent payment.

Commissioner Krasukopf: "I now there are a number of Commissioner's up here that would prefer nothing happen on that property. That was evidenced by; we went out of our way and tried everything we could to purchase this property, from the then owner. Unfortunately that was not successful. Since then we have tried to take every consideration into account and tried to lessen the impact on this property realizing that it just did not happen. Here we are today trying to make the best decision we can with what is in front of us."

Attorney Nicoletti stated he would be making additional changes to the Resolution language but would read the changes during the vote.

Mayor Hutchinson: For the record, she wanted to clarify that; "Though her name was not specifically mentioned by Mr. Carmody she felt like it was insinuated that she was trying to grandstand this issue with the mitigation on behalf of the Green River Parkway, and that is not the case. My purpose of bring this issue up is that I want to make sure it is done properly and by the books and there is no double dipping, and is in the best interest of the City."

Attorney Carmody: "My response Madam Mayor, I had no one in mind at all."

2:09:12 ~ 1/22/2007 7:39:38 PM ~ ITEM 21

Item 22 was heard Here:

**22. RESOLUTION 17-07 Requesting authorization for a long term lease with Harbor Walk Preserve, LLC for the City-owned "Flag Lot" contiguous to the Harbor Walk property and now incorporated into the Commercial Planned Unit Development and authorizing the City Manager and City Clerk to execute said lease subsequent to review and approval by the City Attorney**

MOTION: VICE MAYOR KRAUSKOPF: MOVED APPROVAL OF RESOLUTION 17-07  
SECOND: COMMISSIONER CHRISTIE

Armond Pasquale came forward and asked when community rights supersede private property rights?

ROLL CALL

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

**20. ORDINANCE 2095-07 (Second Reading) Requesting to consider a Rezoning to Commercial Planned Unit Development of +/- 53 acres and to approve a Master/Final Site Plan, a Development Schedule and compliance with the Site Design Qualitative Development Standards. NE side of NE Wright Boulevard and NE Federal Hwy, includes City owned Flag lot. Harbour Walk Preserve (QUASI-JUDICIAL)**

MOTION: COMMISSIONER CHRISTIE: MOVED APPROVAL OF ORDINANCE 2095-07 ON SECOND READING WITH ADDED CONDITION 12A AND MODIFIED CONDITION 18.

SECOND: COMMISSIONER MORTELL

ROLL CALL

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

**21.ORDINANCE 2097-07 (Second Reading) Requesting to amend the Code of Ordinances at Chapter 38, Environment, by adding Comprehensive Noise Regulations; Amending various provisions of the Land Development Code to implement said noise regulations (QUASI-JUDICIAL)**

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF ORDINANCE 2097-07  
ON SECOND READING

SECOND: VICE MAYOR KRAUSKOPF

Attorney David Golden representing the ownership of Wahoo's came forward and expressed concern over the Ordinance and the impact it would have on the noise generated by Wahoo's and the close proximity of the new Residential units being built next to them. He requested the City consider extending the time for approval of this Ordinance until everyone fully understands the impact it will have on property owners.

Helen McBride came forward and stated that aircraft noise was included in the Ordinance. She asked how this Ordinance would control.

Attorney Nicoletti stated the FAA regulates noise from Aircraft and the City has exempted noise from aircraft from normal ground and aerial operations.

ROLL CALL

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

**RESOLUTIONS**

**\* Clerks Note Item 21 was heard earlier.**

**21. RESOLUTION 17-07 Requesting authorization for a long term lease with Harbor Walk Preserve, LLC for the City-owned "Flag Lot" contiguous to the Harbor Walk property and now incorporated into the Commercial Planned Unit Development and authorizing the City Manager and City Clerk to execute said lease subsequent to review and approval by the City Attorney**

**14. Request approval of draft "Request for Lease Proposal" (RFP) package for a City-owned parcel at the northeast corner of Kanner Highway and Monterey Road (Property is currently the site of a 7-Eleven convenience store) (Tabled from January 8, 2007)**



Vice Mayor Krauskopf asked for a date certain to move forward as soon as possible and asked for a recast lease as soon as March 1, 2007. "If there is a debate on moving the new rent forward verses the October 1<sup>st</sup> date, then maybe we can reach a balance on splitting it in the middle. I think for our purposes on bring the new standard lease we have and incorporating that recasting it for the March 1, 2007 date, and then we can pick the date where the rent actually changes. If you're willing to split that, I think that is an excellent way of moving forward."

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF MOVING FORWARD WITH 7-11 RATHER THEN DOING AN RFP IN LIGHT OF THEIR CURRENT PROPOSAL USING A STANDARD LEASE AND TRYING TO COMPLY WITH THE TERMS SET FORTH BY VICE MAYOR KRAUSKOPF.

SECOND: COMMISSIONER WAXLER

ROLL CALL

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

Vice Mayor Krauskopf asked if this would come forward on the agenda for the 2<sup>nd</sup> meeting in February.

Terry O'Neil stated that would be reasonable. He also stated he would be rapping up the license agreement with Lamar at the same meeting.

Mayor Hutchinson noted a revised upcoming meeting list to the Commission and Public.

Affordable Housing Workshop January 24, 2007 and February 7, 2007 will not take place.

The new meeting is scheduled for February 8, 2007.

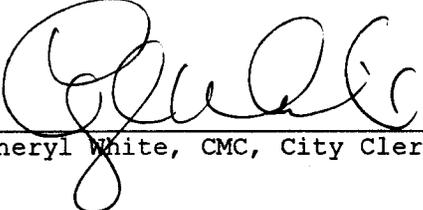
Community Redevelopment Board is scheduled for February 6<sup>th</sup> not February 11<sup>th</sup> 2007.

Commissioner Mortell: "I just wanted to go on the record by saying; as it relates to the Billboard, I don't want the company to be under the impression that we simply just gave them cart blanch for that billboard to be in that location. I will change my mind very quickly if the financial terms aren't satisfactory to benefit us for going through the aggravation for being there. Just so they know. It is not just now they get to have it whatever the deal is."

Attorney Nicoletti: "Don't forget, they have to go through site plan approval too."

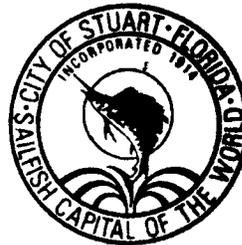
2:44:31 ~ 1/22/2007 8:14:49 PM ~ Stop Recording

ADJOURNMENT:8:14 p.m.

  
Cheryl White, CMC, City Clerk

  
Mary L. Hutchinson, Mayor

Minutes approved at the Regular Commission  
Meeting This 12th Day March 2007



**Cheryl A. White**  
City Clerk