

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JUNE 25, 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 (absent)
Commissioner Carol S. Waxler
Commissioner Michael J. Mortell
Commissioner James A. Christie, Jr. (absent)**

Also present were:

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

0:00 ~ 6/25/2007 5:29:03 PM ~ Start Recording

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

PRESENTATIONS

2:01 ~ 6/25/2007 5:31:03 PM

A. Employee Service Recognition, Deborah Gordon, Human Resources Department 30 years.

Deborah Gordon came forward and graciously accepted her award and thanked the Commission.

Employee Service Recognition, Cheryl White, City Clerk Office 20 years.

City Clerk Cherie White came forward and graciously accepted her award and thanked the Commission.

Employee Service Recognition, Paul Moyer, Stuart Fire Rescue Department 5 years.

Paul Moyer came forward and graciously accepted his award and thanked the Commission.

Employee Service Recognition, Michael Jacobson, Information Services Department 5 years.

Mickie Jacobson was unable to attend, he was on vacation. Kevin Edwards graciously accepted Mr. Jacobson's award.

5:00 ~ 6/25/2007 5:34:03 PM

B. Employee of the Month, Mary Kindel, Public Works Department

Mary Kindel came forward and graciously accepted her award and thanked the Mr. Peters as well as the Commission.

6:37 ~ 6/25/2007 5:35:39 PM

COMMENTS BY CITY COMMISSIONERS

Mayor Hutchinson announced the 4th of July Fireworks celebration event to be held in Downtown Stuart at Flagler Park on July 4, 2007 beginning at 4 pm, sponsored by Stuart Main Street.

7:07 ~ 6/25/2007 5:36:10 PM

COMMENTS BY CITY MANAGER AND REVIEW OF TENTATIVE AGENDA

Mr. Hudson notified the Commission that the Pelican Café has requested a Special permit for the 4th of July event, in order to serve alcoholic beverages. He advised the Commission he would be approving that administratively. He also gave an update to the Commission regarding the property tax reform. He requested the Mayor sign a letter to the Department of Revenue regarding the varacity of the annual tax growth rate for the previous five years. We are expecting to see information in the mail, which we will have to confirm.

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL TO HAVE THE MAYOR EXECUTE A LETTER TO VARIFY THE VARACITY OF 2007 TAX RATE.

**SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY**

He also noted the following items on the tentative agenda;
Item 13, Publix PUD at Baker Road. He wanted to notify the Commission that the City is seeking to have the applicant donate the necessary right of way for the future expansion of Baker Road in accordance with Martin County standards.

9:26 ~ 6/25/2007 5:38:29 PM

City Attorney Nicoletti mentioned the following;
Agenda item #9 the language has been modified to one of the agreements. He stated the Bank Attorney has asked for some additional time to cure. The City does not have any problem with that. He also mentioned a substitute for Ordinance 2112-07, basically this is the language that will put the fluoridation item on the ballot. He also noted that the City received notice today that Florida DEP has issued their consolidated and environmental resource permit in the intent to grant Soveim Submerged Land authorization for both the Huizinga project and the SDG project. This has a 30 day period where people can appeal if they so choose and there is no indication that this will occur. He also added a Resolution to execute an application for revenue sharing. He

6. **RESOLUTION 87-07 Authorization to execute Amendment No. 1 to the DEP Agreement No. G0083 a Florida Department of Environmental Protection 319 Grant partially funding construction of seven baffle boxes in the City's stormwater outfall system**
7. **RESOLUTION 88-07 Authorization to award ITB #2007-214 in the amount of \$39,880.38 to Alpha-Zeta Enterprises, Inc. for the median landscaping project, Mango Place, US Highway 1**
8. **RESOLUTION 89-07 Authorization to approve a budget amendment for the appropriation and expenditure of \$306,396 to refund overbilling for water and sewer services for the fiscal years 2006 and 2007**
9. **RESOLUTION 90-07 Authorization to approve the execution of three (3) amendments to a long term lease with Harbor Walk Preserve, LLC for the City-owned "Flag Lot" contiguous to the Harbor Walk property**

ITEM 9A ADDED BY CITY ATTORNEY

- 9a. **RESOLUTION 91-07 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN APPLICATION FOR REVENUE SHARING 2007-2008 STATE FISCAL YEAR FORM**

Paul Bullwinkle resident of North River Shores came forward and expressed concern over the proposed Lamar Billboards. He stated he was opposed to them, and challenged the City to eliminate billboards all together.

Mayor Hutchinson stated she would not be discussing the Billboard issue tonight due to the absence of two Commissioners.

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF THE CONSENT CALENDAR 1-9A

SECOND: COMMISSIONER WAXLER

Commissioner Mortell noted that the City of Stuart is adopting the State of Florida population numbers and that Stuart has grown by 206 people from 2005-2006, and 2006-2007 it grew by 300 people. He noted the traffic issues on US 1 is not caused by the population growth in Stuart but from Port St Lucie growth.

ROLL CALL

MAYOR HUTCHINSON	YES
COMMISSIONER WAXLER	YES
COMMISSIONER MORTELL	YES

FIRST READING OF ORDINANCES

17:54 ~ 6/25/2007 5:46:56 PM

- 10. ORDINANCE 2108-07 (First Reading) Request to consider a rezoning from Multi-Family Residential (R-3) to Mixed Use Planned Unit Development, providing for approval of a Master/Final Site Plan, to establish the "Palm Point Mixed Use Planned Unit Development", 1300 SE Palm Beach Road. (QUASI-JUDICIAL)**

Attorney McCarthy representing the applicant came forward and requested this item be continued July 23, 2007.

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL TO CONTINUE ITEM 10
ORDINANCE 2108-07 TO JULY 23, 2007

SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

20:44 ~ 6/25/2007 5:49:46 PM

- 11. ORDINANCE 2110-07 (First Reading) Request to consider a Future Land Use Map (FLUM) amendment and to consider a Zoning designation of (CPUD), Ajax Development Corporation SE Luckhardt Street. (QUASI-JUDICIAL)**

Sworn: Kev Freeman and Tom Reetz Development Department

Kev Freeman gave a brief overview of the proposed project.

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF ORDINANCE 2110-07
ON FIRST READING

SECOND: COMMISSIONER MORTELL

ROLL CALL

MAYOR HUTCHINSON	YES	COMMISSIONER MORTELL	YES
COMMISSIONER WAXLER	YES		

27:05 ~ 6/25/2007 5:56:08 PM

- 12. ORDINANCE 2112 -07 (First Reading) Request approval of the ballot Language and requesting the Supervisor of Elections to place a referendum on the January 29, 2008 Presidential Primary Election regarding adoption of a program to fluoridate the potable water supply for the utility customers of the City of Stuart**

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE
2112-07 ON FIRST READING

SECOND: COMMISSIONER WAXLER

ROLL CALL

MAYOR HUTCHINSON	YES	COMMISSIONER MORTELL	YES
COMMISSIONER WAXLER	YES		

SECOND READING OF ORDINANCES

CONTINUE ORDINANCE 2104-07 (SECOND READING) TO MEETING OF JULY 9, 2007

13. ORDINANCE 2104-07 (Second Reading) to consider a rezoning to Commercial Planned Unit Development, NE corner of NW Federal Highway and Baker Road, Publix (QUASI-JUDICIAL)

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL TO CONTINUE ITEM 13
ORDINANCE 2104-07 TO JULY 9, 2007

SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

14. ORDINANCE 2109-07 (Second Reading) to consider annexing a parcel of land consisting of 10.6 acres owned by Ajax Development Corporation, located East of US 1, West of FEC Railway in unincorporated Martin County (QUASI-JUDICIAL)

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF ORDINANCE
2109-07 ON SECOND READING

SECOND: COMMISSIONER MORTELL
ROLL CALL

MAYOR HUTCHINSON	YES	COMMISSIONER MORTELL	YES
COMMISSIONER WAXLER	YES		

15. ORDINANCE 2111-07 (Second Reading) to consider a voluntary Annexation of 0.178 acres of low density, limited business, a small scale FLUM amendment to the City's Comprehensive Plan and B-4 Limited Business Zoning designation, 702 SE Monterey Road, Jim & Donna Goodman (QUASI-JUDICIAL)

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF ORDINANCE
2111-07 ON SECOND READING

SECOND: COMMISSIONER MORTELL
ROLL CALL

MAYOR HUTCHINSON	YES	COMMISSIONER MORTELL	YES
COMMISSIONER WAXLER	YES		

COMMISSION ACTION

Commissioner Waxler asked who would be attending the Florida League of Cities Conference.

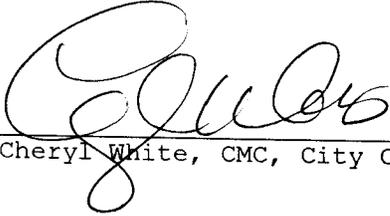
Commissioner Mortell and Commissioner Christie will be attending.

City Manager Hudson stated the league has requested a voting member be designated.

It was unanimously decided that the voting delegate would be Commissioner Mortell.

34:38 ~ 6/25/2007 6:03:14 PM

ADJOURNMENT

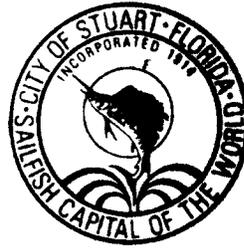


Cheryl White, CMC, City Clerk



Mary L. Hutchinson, Mayor

Minutes approved at the Regular Commission
Meeting this 23rd Day July 2007



Cheryl A. White
City Clerk