

**REGULAR MEETING OF THE STUART CITY COMMISSION
HELD ON JANUARY 10, 2011
AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS
121 S.W. FLAGLER AVE.
STUART, FLORIDA 34994**

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

**Also in attendance were:
City Manager Dan Hudson
City Attorney Paul J. Nicoletti
City Clerk Cheryl White**

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

PRESENTATIONS

1. PROCLAMATION: Proclaiming January 14-17, 2011 as Martin Luther King Jr. Celebration

Vice Mayor Christie graciously accepted the proclamation on behalf of East Stuart Main Street Association.

COMMENTS BY CITY COMMISSIONERS

Vice Mayor Christie encouraged everyone of tomorrow's (Tuesday, January 11th) runoff City Commission election.

Mayor Krauskopf referenced the Federal Government's decision to lower fluoride levels and asked the City Manager would be following those guidelines.

City Manager Hudson stated the City would certainly comply with the new guidelines.

COMMENTS BY CITY MANAGER

Mr. Hudson said the City will be tallying and publishing the unofficial results of the Runoff City Election at the Flagler Recreation Center on Tuesday and will be posted to the City web during the evening. The current City Commission will convene the start of the January 24th Commission meeting and certify the election results. Following that, the newly elected City

Commissioners will be administered the oath of office. There will be an orientation for newly elected City Commissioners on January 31st at 9 AM.

Review of tentative agenda:

Item 3 – The Lily Schooner– Updated license agreement. The applicants are leases the boat, not the owner; the boat is registered in Maine not in Florida. A number of positive comments have been received.

Item 9 – Fertilizer Ordinance second reading is withdrawn due to comments received from DEP after the agenda was released. Staff will resubmit as first reading in the near future.

APPROVAL OF AGENDA

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF THE AGENDA WITH THE REMOVAL OF ITEM 9.
SECOND: COMMISSIONER WAXLER
MOTION APPROVED UNANIMOUSLY

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

Norris Hawk came forward and expressed concern over a code violation he received. He presented pictures to the Commission of the alleged violation concerning a trailer parked in his driveway and stated he does not have a backyard.

Commissioner Krauskopf questioned the City Manager on the current status of the “hiatus” after we heard from the residents of Dolphin or Madison Ave?

City Manager Hudson said staff is reviewing the codes as they relate to recreational vehicles and trailers and it will be a month or two before staff will have anything to bring to the Commission in workshop form.

He noted that “typically” the Commission does not get involved in code enforcement and is handled by a Magistrate.

Mr. Hawk complained that the fence he was required to install is an eye sore.

Commissioner Krauskopf suggested that Hawkins make an appointment with the City Manager to address the issues.

CONSENT CALENDAR

- 2. Request to approve the minutes of the Regular Commission Meeting of December 20, 2010**
- 3. RESOLUTION 01-2011 Authorization to execute an agreement between the City of Stuart and Treasure Coast Sailing Adventures, LLC; Granting a non-exclusive license to berth “The**

Lily” a 42 foot sailing vessel at the City Dock located on the St. Lucie River behind City Hall

4. **RESOLUTION 02-2011 Authorization for the use of Facsimile Signatures on checks issued by the City**
5. **RESOLUTION 03-2011 Authorization to adopt the 2010 revised Martin County Unified Local Mitigation Strategy Plan as the official document for inclusion in the State-wide Hazard Mitigation Strategy**
6. **RESOLUTION 04-2011 Authorization to approve the award of a bid to Landscape Products of Stuart, LLC, the lowest, most responsive and responsible bidder for a total bid amount of \$28,750.00 for Brown Egg Rock; 1”-3” delivered**

MOTION: COMMISSIONER WAXLER: MOVED APPROVAL OF THE CONSENT CALENDAR ITEMS 2-6 WITH AMENDMENTS TO ITEM 3.

SECOND: COMMISSIONER HUTCHINSON

ROLL CALL

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

END OF CONSENT CALENDAR

COMMISSION ACTION

ORDINANCE FIRST READING

ORDINANCE SECOND READING

7. **ORDINANCE 2214-2011 (Second Reading) Amending the Stuart Land Development Regulation relating to Solid Waste Collection Devices for Residential and Non-Residential uses and Service Function Areas within the City.**

MOTION: VICE MAYOR CHRISTIE: MOVED APPROVAL OF ORDINANCE 2214-2011 ON SECOND READING.

SECOND: COMMISSIONER MORTELL

ROLL CALL

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

8. **ORDINANCE 2218-2011 (Second Reading) Amending the text of Element X, Public School Facilities Element and Element VIII, Capital Improvement Element and Concurrency Management System, City of Stuart Comprehensive Plan to reflect the current Capital Improvement Plan**

MOTION: COMMISSIONER MORTELL: MOVED APPROVAL OF ORDINANCE
2218-2011 ON SECOND READING.

SECOND: COMMISSIONER WAXLER

ROLL CALL

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

Item 9 was withdrawn earlier in the meeting.

- 9. ORDINANCE 2219-2011 (Second Reading) Providing for
regulations regarding the application and use of Soil Fertilizers
by certain applicators**

DISCUSSION & DELIBERATION

ADJOURNMENT 5:51 P.M.

ATTEST:

Cheryl White, CMC, City Clerk

Jeffrey A. Krauskopf, Mayor

**Minutes to be approved at the Regular Commission
Meeting This 24th Day January 2011.**