MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD May 20, 2019
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Rebecca S. Bruner
Vice Mayor Eula R. Clarke
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson
Commissioner Mike Meier

ADMINISTRATIVE
City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

ROLL CALL

5:43 PM Roll Call; Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.

PLEDGE OF ALLEGIANCE

5:44 PM PROCLAMATIONS

1. GARDEN WEEK - JUNE 2-8, 2019

Members of the Garden Club accepted the Proclamation and Deborah Reeves, President announced some of the activities and events the Garden Club participates in and provided the City with a beautiful flower arrangement.

2. PTSD AWARENESS MONTH (JUNE 2019)

Police Chief Joe Tumminelli and Fire Chief Vince Felicione came forward to accept the Proclamation and both chief's commented on the recent PTSD awareness training and the importance of the cultural awareness and thanked Human Resources Director, Roz Johnson for offering the training.

3. FLORIDA WATER REUSE WEEK - MAY 19-25, 2019

Mike Goldberg, Water Reclamation Facility Team Leader came forward to accept the Proclamation and thanked the Commission.

PRESENTATIONS

5:59 PM 4. MAY SERVICE AWARDS

Eileen Finley, Police Department – 5 Years
Tyler Bovee, Police Department – 5 Years

6:01 PM 5. EMPLOYEE OF THE MONTH - MAY, 2019

Willie Hatcher, Utility Senior Maintenance Mechanic graciously came forward to accept the award.

6:05 PM 6. LEGISLATIVE UPDATE REGARDING IMPACTS ON CITIES.

Ms. Patricia Christensen of the Treasure Coast Regional League of Cities was scheduled to present the Legislative Update but she had a family emergency and could not make it. The presentation will be rescheduled.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **No comments**

Commissioner Matheson

- **No comments**

Commissioner Meier

- **Commented on the fence issue and would like the Commission to revisit regulating fences with a more narrow scope; discussing regulating fences in R2 duplexes only.**

Public Comment:

1) **Christia Li Roberts- Pine Lake Drive; Questioned whether the issue would be brought before the Local Planning Agency. When it was before the LPA, it was just for input, not discussion and no opportunity to provide the City more information on the matter.**

Attorney Mortell responded that if after the D & D, they were instructed to do an Ordinance, that would go back to the LPA for review as a zoning type regulation but if there is no direction, it would not.

Kevin Freeman briefly reviewed the purpose of the upcoming discussion.

6:08 PM Motion: I would make a motion that we have staff bring to us draft language regarding six foot closed fences in the front yard of R2 zone duplexes. [I'm talking about 6 foot closed or opaque fences in R2 zone.][As a D & D]
Moved by: Commissioner Meier
Seconded by: Commissioner Matheson
Motion passed unanimously.

Meier – comments continued

- **Commented that he attended the Hands Across the Sand and beach clean-up event hosted by the Surfrider Foundation on Saturday at Stuart Beach.**
- **Attended a benefit show for our local Stuart Chapter of PFLAG, Parents and Friends of Lesbian and Gay Children, they meet on the 2nd Wednesday of every month at Starstruck.**

Vice Mayor Clarke

- **Commented that she attended the ribbon cutting ceremony at the new Dog Stop Dog Training Facility.**
- **Attended the event, Hands Across the Sand.**

Mayor Bruner

- **Commented that she also attended the Hands Across the Sand, complimenting Mark Perry and Jacqui Thurlow Lippish, and feels that a lot of the work came from Martin County.**

6:19 PM COMMENTS BY CITY MANAGER

City Manager Dyess

- **Announced clarification on some comments about Flagler Center being given to Stuart Mainstreet. He clarified that the current tenant was at the end of their lease term with an option to renew. The City decided not to renew due to some financial lease violations. Mainstreet's proposal went before the Commission, it was not taken from the current tenant to be given to Mainstreet.**
- **Announced the upcoming Special Commission Meeting – Plastics Workshop on June 6th at 4:00 p.m.**

Vice Mayor Clarke commented that she is interested in attending the National League of Cities Conference, Black Caucus Committee in Jackson, Mississippi instead of the Florida League of Cities Conference this year.

City Manager Dyess will review the two conferences and get back to her.

APPROVAL OF AGENDA

6:21 PM Motion: Move approval of the Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke

Motion passed unanimously.

6:22 PM COMMENTS FROM THE PUBLIC (5 min. max)

1) **Lisa Beagle – Ridge Avenue; Commented on behalf of Surfrider Foundation, read various environmental impacts of oil drilling.**

2) **Mark Perry – Ocean Blvd.; Commenting on Item #8 in support, banning together to stop the oil and gas expiration.**

Commissioner Matheson requested to pull Item #8 from the Consent calendar.

CONSENT CALENDAR

7. SUPPORTING U.S. HOUSE RESOLUTION 763 RELATING TO THE ENERGY INNOVATION AND CARBON DIVIDEND ACT OF 2019:

RESOLUTION No. 51-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING UNITED STATES HOUSE RESOLUTION 763, WHICH WILL IMPOSE A FEE ON THE CARBON CONTENTS OF FUEL, INCLUDING CRUDE OIL, NATURAL GAS, COAL, OR ANY OTHER PRODUCT DERIVED FROM THOSE FUELS THAT WILL BE USED SO AS TO EMIT GREENHOUSE GASES INTO THE ATMOSPHERE; AND PROVIDING FOR AN EFFECTIVE DATE.

PULLED 8. OPPOSING PLANS BY THE U.S. BUREAU OF OCEAN ENERGY MANAGEMENT TO OPEN THE ATLANTIC OUTER CONTINENTIAL SHELF TO THE EXPLORATION OF OIL AND GAS PRODUCTION:

RESOLUTION No. 52-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OPPOSING PLANS BY THE U.S. BUREAU OF OCEAN ENERGY MANAGEMENT TO OPEN THE MID AND SOUTH ATLANTIC OCEAN TO OFFSHORE OIL DRILLING AND ASSOCIATED EXPLORATION ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

END OF CONSENT CALENDAR

6:29 PM Motion: Move approval of the Consent Agenda with the Item #8 pulled .
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

8. OPPOSING PLANS BY THE U.S. BUREAU OF OCEAN ENERGY MANAGEMENT TO OPEN THE ATLANTIC OUTER CONTINENTIAL SHELF TO THE EXPLORATION OF OIL AND GAS PRODUCTION:

RESOLUTION No. 52-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OPPOSING PLANS BY THE U.S. BUREAU OF OCEAN ENERGY

MANAGEMENT TO OPEN THE MID AND SOUTH ATLANTIC OCEAN TO OFFSHORE OIL DRILLING AND ASSOCIATED EXPLORATION ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Matheson commented that with the past oil spill, the effects went on for years and wanted to remind all about that.

6:32 PM Motion: Motion to approve Item #8.
Moved by: Commissioner Matheson
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMISSION ACTION

ORDINANCE FIRST READING

6:33 PM 9. STUART NEWS MAJOR PUD AMENDMENT (QUASI-JUDICIAL):

ORDINANCE No. 2408-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MAJOR AMENDMENT TO THE STUART NEWS COMMERCIAL PLANNED UNIT DEVELOPMENT ZONING AGREEMENT; CHANGING THE NAME OF THE CPUD TO MARTIN COUNTY SCHOOL BOARD CPUD; DECLARING THE CPUD DEVELOPMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Two people sworn; Kevin Freeman and Tom Reetz of the Development Department.

Tom Reetz, Senior Planner presented on the Major Amendment to the PUD CPUD to allow government office and change the name to Martin County School Board CPUD.

Tyson Waters, Attorney of Fox McCluskey Bush Robison Law Firm, on behalf of the Martin County School Board, announced that they are under contract to purchase the Stuart News property to operate the School District in one location. Agree with the LPA and staff's recommendation. Asked that City staff have the ability through an administrative action, to address any parking issues.

Commissioners asked various questions to Tyson Waters.

6:47 PM Sworn in: Christi Li Roberts, LPA Board and School Board Member commented that the School Board will often move their meetings to a larger location when a large audience is expected.

6:48 PM Motion: Upon first reading of Ordinance No. (2408-2019), I can't see the number so, the Stuart News Major Amendment PUD, I move approval of staff recommendation.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

ORDINANCE SECOND READING

6:49 PM 10. RIVER RIDGE (PALM BEACH ROAD) ROW ABANDONMENT (QUASI-JUDICIAL):

ORDINANCE No. 2407-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHTOF- WAY WITHIN THE CITY BEING THAT CERTAIN 20-FOOT PORTION OF RIGHT-OF-WAY, AS SET FORTH ON THE PLAT OF RIVER RIDGE, AS RECORDED IN PLAT BOOK 4, PAGE 11, MARTIN COUNTY, FLORIDA PUBLIC RECORDS RUNNING NORTH TO SOUTH THROUGH THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR PAYMENT OF A PRIVILEGE FEE: PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Mortell briefly reviewed the Ordinance and states that there were no changes from First Reading.

6:50 PM Motion: I move approval of Ordinance No. 2407-2019.
Moved by: Commissioner Meier
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

DISCUSSION AND DELIBERATION

ADJOURNMENT

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

Minutes to be approved at the Regular Commission Meeting this 10th day of June, 2019.