



A G E N D A

**REGULAR MEETING OF THE STUART CITY COMMISSION
TO BE HELD October 8, 2018
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Kelli Glass Leighton
Vice Mayor Becky Bruner
Commissioner Eula R. Clarke
Commissioner Merritt Matheson
Commissioner Mike Meier**

ADMINISTRATIVE

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

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306 . Fax: (772) 288-5305 . E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. Arts Moment - Bruce and Brabara Osborn Portrayal of Captain Henry & Abbie Sewall

PROCLAMATIONS

PRESENTATIONS

2. Stuart Downtown Future Parking Needs Analysis and Recommendations.

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (5 min. max)

WHAT IS CIVILITY?: *Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.*

PUBLIC COMMENT: *If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.*

QUASI-JUDICIAL HEARINGS: *Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.*

CONSENT CALENDAR: *Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.*

CONSENT CALENDAR

3. Approval of Minutes; 9/11/18 SCM, 9/17/18 SCM, 9/24/18 CCM, 9/24/18 SCM, & 9/26/18 SCM (RC)
4. RESOLUTION No. 96-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF ITB #2018-109, PER-FLUORINATED

CHEMICAL TREATMENT SYSTEM PROJECT TO THE LOWEST, MOST RESPONSIVE RESPONSIBLE BIDDER AT THE UNIT PRICE TOTAL OF \$2,136,930.00 TO LAWRENCE LEE CONSTRUCTION OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)

5. RESOLUTION No. 97-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATED TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE FINANCIAL SERVICES DIRECTOR TO SUBMIT THE LOAN APPLICATION AGREEMENT FOR A \$2,403,385.00 PER-FLUORINATED PRE-TREATMENT SYSTEM; AUTHORIZING THE MAYOR TO EXECUTE THE LOAN AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; ESTABLISHING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE. (RC)
6. RESOLUTION No. 98-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATED TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE FINANCIAL SERVICES DIRECTOR TO SUBMIT THE LOAN APPLICATION AGREEMENT FOR THE \$768,375.00 DESIGN OF PHASES I & II OF THE 1.0 MGD RO WTP PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE LOAN AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; ESTABLISHING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE. (RC)
7. RESOLUTION No. 100-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE REOPENERS FOR THE SECOND FISCAL YEAR OF THE CURRENT THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PROFESSIONAL FIREFIGHTERS OF STUART LOCAL #2411 ("IAFF") EFFECTIVE OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)
8. RESOLUTION No. 101-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AWARD RFQL# 2018-301, PROFESSIONAL ARCHITECTURAL ENGINEERING AND HYDROGEOLOGICAL SERVICES TO THE TOP RANKED FIRM, CAPTEC ENGINEERING INC. OF STUART, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)

END OF CONSENT CALENDAR

COMMISSION ACTION

9. RESOLUTION No. 99-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OPPOSING THE DRAFT CONCEPT FOR DEEP INJECTION WELLS IN THE NORTHERN EVERGLADES AS WAS PRESENTED TO SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S GOVERNING BOARD ON OCTOBER 12, 2017. (RC)
10. RESOLUTION No. 102-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONCERNING AMENDMENT 1 TO THE FLORIDA CONSTITUTION, WHICH, IF ADOPTED, WOULD CREATE ADDITIONAL INEQUITIES IN FLORIDA'S TAX SYSTEM BY GRANTING CERTAIN TAX BREAKS TO SOME TAXPAYERS AT THE EXPENSE OF OTHER TAXPAYERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)

ORDINANCE FIRST READING

11. ORDINANCE No. 2388-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT ARTICLE III, SEC. 12-46; PROVIDING FOR A FINE FOR UNPERMITTED ACTIVITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCE IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)
12. ORDINANCE No. 2381-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT ARTICLE III, SEC. 36, 61-74 SPECIAL EVENTS AND PUBLIC ASSEMBLY; PROVIDING FOR A SPECIFIC READING FOR SPECIAL EVENTS AND PUBLIC ASSEMBLY ACTIVITIES PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCE IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (RC)
13. ORDINANCE No. 2390-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING CHAPTER 2, ARTICLE V, FINANCIAL MATTERS OF THE STUART CODE OF ORDINANCE, DIVISION 4, PROCUREMENT PROCEDURES FOR THE CITY OF STUART; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (RC)
14. ORDINANCE No. 2373-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "INSTITUTIONAL" FOR A 5.01 ACRE PORTION OF A 10.33 ACRE PARCEL, OWNED BY STUART COMMONS 76, LLC FORMERLY KNOWN AS CENTER POINTE, LLC, LOCATED ON THE EAST SIDE OF KANNER HIGHWAY (SR 76), NORTH OF INDIAN STREET; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM "CPUD" TO "RPUD" ON THE CITY'S OFFICIAL ZONING MAP; ESTABLISHING THE "KANNER HIGHWAY ASSISTED LIVING FACILITY" RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF A 64 UNIT/BED ASSISTED LIVING FACILITY WITH MEMORY CARE; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES. (QJ)(RC)
15. ORDINANCE No. 2383-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF CPUD "COMMERCIAL PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 1.85 +/- ACRES, OWNED BY DELICETO, LLC., LOCATED AT 700 SW FEDERAL HIGHWAY, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SAFE AND SECURE SELF-STORAGE AT STUART" COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) CONSISTING OF 115,332 SQUARE FOOT WAREHOUSE FOR MINI STORAGE; PROVIDING FOR APPROVAL OF A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, DECLARING THE PROJECT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES. (QJ)(RC)

16. ORDINANCE No. 2385-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MAJOR AMENDMENT TO THE WINDEMERE POINT COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF NW FEDERAL HIGHWAY AND NW WINDEMERE DRIVE THEREBY AMENDING THE PROJECT'S SITE PLAN TO INCLUDE MEDICAL AND OTHER SERVICE RELATED USES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING DIRECTIONS TO THE CITY CLERK AND FOR OTHER PURPOSES. (QJ)(RC)
17. (REQUEST TO CONTINUE) ORDINANCE No. 2386-2018; Staff is recommending to continue the item requesting a minor PUD amendment to the Stuart Centre PUD until November 22, 2018, in order to negotiate the design of the site plan, in respect to the drive thru location, location and amount of parking, and provision of landscaping.

ORDINANCE SECOND READING

18. ORDINANCE No. 2381-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING N.W. FEDERAL HIGHWAY (U.S. HIGHWAY 1) AND SOUTH OF 14TH STREET, OWNED BY BAKER ROAD, LLC;, CONSISTING OF 0.80 ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (RC)
19. ORDINANCE No. 2382-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE COMPREHENSIVE PLAN USE PLAN OF THE CITY OF STUART TO "COMMERCIAL," PURSUANT TO THE COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA FOR PARCEL OF LAND FRONTING N.W. FEDERAL HIGHWAY (U.S. HIGHWAY 1), CONSISTING OF 0.80 ACRES OWNED BY BAKER ROAD, LLC.; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; SAID LAND TO BE CONCURRENTLY DESIGNATED AS A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DISTRICT ON THE CITY OF STUART OFFICIAL ZONING MAP; ADOPTING A FINAL SITE PLAN; PROVIDING FOR A TIMETABLE FOR DEVELOPMENT; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (QJ)(RC)

DISCUSSION AND DELIBERATION

ADJOURNMENT