MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD September 9, 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

5:30 PM ROLL CALL

Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.

Mayor Bruner requested a moment of silence for those suffering in the Bahamas as a result of Hurricane Dorian.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT

Martin County resident, Mr. Miles McGrath read a poem he wrote titled "Blossom Breezes from Indiantown".

5:34 PM PROCLAMATIONS

2. STUART ROTARY CLUB, INC.'S 90TH ANNIVERSARY

Stuart Rotary Club President, John Hosler came forward to accept the Proclamation and announced the past presidents of the Rotary over the past 90 years. He also proudly presented the City with a check for $1,518.00 for 6 bike racks.
The City thanked the Rotary Club for there donation and for all they do in the community.

3. HUNGER ACTION MONTH - SEPTEMBER 2019

Mr. David Vaina, Sr., Director of Strategic Initiatives at the Treasure Coast Food Bank and Angela Retaco, an IRSC intern, accepted the Proclamation and made announcements about their organization.

Vice Mayor Clarke requested that the City once again change the lights in the Sailfish Circle fountain to orange in honor of Hunger Action Month.

4. SUICIDE AWARENESS MONTH - SEPTEMBER 2019

Mr. George Shopland, CEO at New Horizons of the Treasure Coast and Okeechobee, accepted the Proclamation, thanked the commission, commenting on bringing awareness to the issue and how it also affects veterans and first responders.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **No comments.**

Commissioner Matheson

- **Thanked the residents of Martin County and City of Stuart for their relief efforts to help those in need in the Bahamas through the various organizations. Specifically, Chief Tumminelli, City Manager Dyess, and the Police Department employees, Sergeant Brian Bossio, Tammy Farnham, Lisa Scott, and Kathleen Lannon, who worked hard to coordinate the items donated to the Police Department.**
- **Commented on a request for staff to look into non-profit organizations that can assist local families to become host families for people from the Bahamas.**
- **Commented that per his request, the City Clerk sent all Commissioners a copy of a letter from the Treasure Coast Council of Local Governments (TCCLG) about filling the last seat on the South Florida Water Management District Board. Disagrees with the letter and would like to further discuss this with the commissioners.**

5:50 PM Motion: Set this discussion of this letter from the Treasure Coast Council of Local Governments on the agenda for the 23rd.
Moved by: Commissioner Matheson
Seconded by: Commissioner Clarke
Motion passed unanimously.

Commissioner Meier

- **Thanked Commissioner Matheson for leading a local effort with the Abaco relief project using our Public Safety Building as a collection site.**
- **Announced hurricane statistics from 2016 to present and its relation to climate change. Would like to talk about local renewable energy, partner with FPL, and the feasibility of a manager's retreat. Interested in having staff organize a resiliency workshop to include staff presentations on the newest FEMA flood maps, NOAA sea level rise maps, review our infrastructure, public assets for risk for storm surge, building codes and wind load ratings, connectivity, storm surge, mitigation, and bringing in more solar canopies. Feels we are facing a climate catastrophe. Hoping to have a workshop on that topic.**

Vice Mayor Clarke

- **Commented that this is a good time to do an assessment.**
- **Thanked the staff, the Fire Dept., and Police staff for participating in a barbeque in honor and support of someone related to the shooting in Philadelphia.**
- **Announced the following upcoming events:**
  - **September 12th at 9 a.m. at IRSC is a Legislating Meeting**
  - **September 16th at an MPO Meeting**
  - **September 16th is the 1928 Storm Remembrance Event in Port Mayaca**
  - **September 17th at 6 p.m., City staff will hold a public hearing on planning and development for East 10th Street Recreation Complex**
  - **September 18th on Bahama Ave, Habitat or Humanities will celebrate a ribbon-cutting ceremony for a new home.**
  - **September 19th at 4 p.m., the Reading of the Constitution at the 10th Street Community Center.**

Mayor Bruner

- **No comments.**

COMMENTS BY CITY MANAGER

- **No comments.**

APPROVAL OF AGENDA

6:02 PM Motion: Move approval of the Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Matheson
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

No comments.

6:02 PM CONSENT CALENDAR

5. APPROVAL OF 08/19/2019 SCM AND 08/26/2019 CCM MINUTES

END OF CONSENT CALENDAR

6:02 PM Motion: Move approval of the Consent.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMISSION ACTION

6. RFP FOR VALET SERVICE OPERATOR:

RESOLUTION No. 83-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO ADVERTISE A REQUEST FOR PROPOSAL (RFP) FOR VALET OPERATOR TO PROVIDE VALET PARKING SERVICES IN THE DOWNTOWN AREA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Public Comment:

1) **Helen McBride – Flamingo Ave.; Last year while volunteering for a board, the valet parking attendant told her that she had to pay to park while at City Hall for business.**

6:10 PM Motion: Move approval of Resolution No. 83-2019 pending the valet company agrees to work with the City on parking arrangements for the volunteers for our advisory boards, whatever the decided arrangements might be.
Moved by: Commissioner Matheson
Seconded by: Commissioner Meier
Motion passed unanimously.

7. EXTENSION OF TIME OF THE COMMUNITY REDEVELOPMENT AGENCY (RC):

RESOLUTION No. 68-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTING AN AMENDMENT TO THE 2016 COMMUNITY REDEVELOPMENT PLAN PURSUANT TO SECTION 163.361 (1), FLORIDA STATUTES TO EXTEND THE TIME CERTAIN OF THE CITY OF STUART COMMUNITY REDEVELOPMENT AGENCY.

6:13 PM Motion: Move approval of Resolution No. 68-2019.
Moved by: Commissioner Meier
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE FIRST READING

8. REZONING TO URBAN PLANNED UNIT DEVELOPMENT (QUASI-JUDICIAL):

ORDINANCE No. 2412-2019: 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 UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.29 ACRES, OWNED BY STUART HILLS PROPERTIES, LLC, LOCATED AT 801 S.E. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SADA INTERNATIONAL SALON" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A TWO-STORY COMMERCIAL BUILDING TOTALING 3,485 SQUARE FEET, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF AN EXISTING SITE AND BUILDING; PROVIDING FOR DEVELOPMENT CONDITIONS; 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.

Three (3) people sworn; Kevin Freeman and Stephen Mayer of the City of Stuart Development Department and Mike McCarty of McCarty and Associates.

Stephen Mayer gave a brief presentation on the SADA International Salon Urban Planned Unit Development. Noted from the LPA Meeting at a Special Hearing on Sept. 5th, requests for consistency in the address within the Ordinance and a request that staff consider a condition limiting outdoor music.

Commissioner Meier disagreed with the request of the LPA Board request for the outdoor music as not to put such limitations in place at this time.

Public Comment:

1) **Armond Pasquale – Seminole Street; opposes not excluding the outdoor music. Feels the noise from local establishments is a nuisance to residents.**

2) **Helen McBride – Flamingo Ave.; Would like to see downtown extended and look to the future, in favor of the music being an option.**

6:22 PM Motion: Move approval.

6:27 PM AMENDED MOTION: I will amend my motion to approve Ordinance 2412-2019 directing staff to not exclude the outdoor music.
Moved by: Commissioner Meier
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

9. ROW ABANDONMENT REAR OF MOLLY'S HOUSE:

ORDINANCE No. 2414-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHT-OF-WAY WITHIN THE CITY BEING THAT CERTAIN 12-FOOT PORTION OF RIGHT-OF-WAY, AS SET FORTH ON THE PLAT OF STYPMANN'S SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 82, MARTIN COUNTY, FLORIDA PUBLIC RECORDS RUNNING EAST TO WEST 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.

6:31 PM Motion: Move approval of Ordinance No. 2414-2019.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

10. AMENDMENT TO KORNBLUH CPUD (QUASI-JUDICIAL):

ORDINANCE No. 2417-2019: AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE KORNBLUH COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR PARCEL OF LAND FRONTING NW FEDERAL HIGHWAY (U.S. HIGHWAY 1) SOUTH OF ABUTTING NORTH STUART BAPTIST CHURCH, CONSISTING OF 2.57 ACRES OWNED BY FLORIDA PATIO PARTNERS LLC; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A FINAL SITE PLAN WITH TWO PHASES OF DEVELOPMENT ALLOWING FOR THE CONSTRUCTION OF TWO BUILDINGS TOTALING 16,620 SQUARE FEET; 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.

Four (4) people sworn; Kevin Freeman and Stephen Mayer of the City of Stuart Development Department, Nicholas Roth of Rooms To Go, Inc., and Tyler Spenser of Carter Associates, Inc.

Stephen Mayer and Tyler Spenser presented on the Kornbluh CPUD.

Commissioner Matheson commented that as stated in the past, it is preferred for the applicant to make the presentation prior to staff's presentation/recommendation.

Attorney Mortell confirmed that the board had once received a memo in reference to this and agreed.

6:43 PM Motion: Motion to approve Ordinance No. 2417-2019 with the condition that the curve that we're speaking of closest to the wetland is planted native vegetation.
Moved by: Commissioner Matheson
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE SECOND READING

11. PLANTATION STORAGE OF STUART CPUD (QUASI-JUDICIAL):

ORDINANCE No. 2411-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO THE COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ADOPTED BY ORDINANCE No. 1527-97 FOR A 7.01 ACRE PARCEL ON THE EAST SIDE OF COMMERCE AVENUE SOUTH OF INDIAN STREET OWNED BY TED GLASRUD ASSOCIATES FL, LLC, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING PLANTATION STORAGE OF STUART, CONSISTING OF A 98,000+/- SQUARE FOOT SELF-STORAGE FACILITY WITH 4,347 SQUARE FEET OF OUTDOOR BOAT AND VEHICULAR STORAGE AREA; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN 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, AND FOR OTHER PURPOSES.

Three (3) sworn; Kevin Freeman and Tom Reetz, City of Stuart Development Dept. and Bill Mathers of Mathers Engineering.

Tom Reetz briefly reviewed the condition that was previously discussed concerning the 8-foot sidewalk. Attorney, Bob Raynes of Gunster Law Firm came forward on behalf of the applicant for clarification on condition #22 that was added about the 8-foot sidewalk on Commerce Ave. Stated that their project is separate from the right-of-way improvements and the conditions are to be determined by Martin County. It is a condition that is not in their control.

Bill Mathers, Mathers Engineering Corporation, came forward and reported on the status of the sidewalks with the County.

Commissioner Matheson commented that he thought at the last meeting that this project included an 8-foot sidewalk.

7:04 PM Motion: Motion to approve on the condition that that it added, that is the recommendation of the LPA Board.
Moved by: Commissioner Matheson
Seconded by: -----
Died for lack of second.

7:16 PM Kevin Freeman recommended the sidewalk condition be removed and the commission direct staff to work with the County on the plans for the improvements on Commerce Avenue and push for 8-foot sidewalks during the stormwater design. Keep it a separate issue from this development and connect the sidewalks to the Commerce Avenue project.

7:16 PM Motion: I'll make that motion of staff's request.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

12. AMENDMENT TO THE LAND DEVELOPMENT CODE:

ORDINANCE No. 2409-~~2010~~2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING SECTION 11.00.00, CHAPTER XI – PROCESSING OF PLAN APPLICATIONS, OF THE LAND DEVELOPMENT CODE TO INCORPORATE REVISED REVIEW AND COMPLIANCE PROCEDURES WITHIN CITY OF STUART. PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICT CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7:18 PM Motion: In regard to Item # 2409-2019, as staff stated it has to do with the state statutes, I don't have any problems with recommending approval of this item.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

DISCUSSION AND DELIBERATION

7:19 PM ADJOURNMENT

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

Minutes to be approved at the Regular Commission Meeting this 23rd day of September, 2019.