

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD September 28, 2020
AT 5:30 PM Commission Chambers & ZOOM
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Michael J. Meier
Vice Mayor Eula R. Clarke
Commissioner Becky Bruner
Commissioner Merritt Matheson
Commissioner Troy McDonald

ADMINISTRATIVE

City Manager, David Dyess
City Attorney, Michael J. Mortell (Paul Nicoletti)
City Clerk, Mary R. Kindel



5:33 PM ROLL CALL

Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson, Commissioner McDonald

Attorney Paul Nicoletti represented the Commission in Attorney Mike Mortell's absence for this meeting.

THIS MEETING IS A HYBRID IN PERSON/REMOTE MEETING.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. 4-H WEEK - OCTOBER 4-10, 2020

Natalie Parkell, UF IFAS Martin County Extension 4-H Agent accepted via Zoom and briefly explained the services and community benefits offered through 4-H.

PRESENTATIONS

2. SERVICE AWARDS - SEPTEMBER 2020

Bruce Beland, Public Works - 15 years

Joseph Margo, Public Works - 10 years

Kenneth Miller, Public Works - 10 years

3. EMPLOYEE OF THE MONTH - SEPTEMBER 2020

Jim Chrulski, Community Services Director presented Julie McHenry, Community Services Division Manager with Employee of the Month award. Julie came forward for a photo and thanked the City and her fellow staff.

4. CHARTER ADVISORY BOARD PRESENTATION

City Manager Dyess briefly presented on the Charter Advisory Board, explaining the board members are appointed and the Charter is reviewed every 10 years. Mayor Meier introduced and invited the board members forward to accept a certificate of appreciation and honorary Stuart pin in gratitude for their service.

Tom Campenni, Chair

Joseph Capra, Vice Chair (unable to attend)

Amelia Fry

Jim Gallegos

Thomas Harmer

Dr. Larry Howell

Helen McBride

Jessica Seymour

Allen Solomon

Donald Cuozzo (unable to attend)

Dr. James Vopal (unable to attend)

5. REVIEW OF CITY INVESTMENT POLICY

Joly Boglioli, Finance Director, presented per Chapter 2 requirements that the City review the Investment Policy every three years, reported there are no substantial changes. Noted the minor edits and included an update pertaining to the City's investments.



5:56 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner

- **Commented that this will be the third year with no discharges and feels we have come together better with the County.**

Commissioner Matheson

- **Participated in the Indian River Keeper Beach Cleanup and was glad to say it was difficult to find trash.**

- Commented that Lake Okeechobee is steadily getting higher and Port Mayaca has recently tested positive for blue green algae.
- Commented on a good presentation at a Rivers Coalition Meeting last week, feels we are already doing a good job.

Commissioner McDonald

- Commented on the Governor's Stage 3, feels it will make it more likely that he will not go to restaurants. Commented that because the Governor changed the rules, reminds all that the virus has not gone away.
- Last week, the City held a Workshop but felt the last one was one of the most collaborative and productive one he has ever been involved in.

Vice Mayor Clarke

- Commented on the bar openings and COVID-19 testing, coordinating with the County and Health Department. Cost and validity of testing, would like the City Manager to report back.
- Pleased with the City Manager and commented on the upcoming evaluation each year.

Mayor Meier

- Echoed Commissioner McDonald's comments on the collaboration during the Workshop and feels the Board works well together. The City continues to lead and noted that Martin County will be presenting their sustainability presentation tomorrow and is looking forward to their meeting.
- Commented on historic buildings in Stuart for a more formalized approach for a Historic District in the City.
- Noted that he has received several comments on the Cube Smart storage facility and would like staff to provide a future presentation on our Code, demonstrating what is and is not allowed in our downtown.

COMMENTS BY CITY MANAGER

City Manager Dyess

- Commented on Sole Smart and the progress being made to achieve the highest level possible.
- Informed the Commission that the City received the FIND Grant so the Shepard Park project will move forward.
- Notified the Commissioners about being approached by an electric scooter company out of Fort Pierce and he would like feedback from the Commissioners before moving forward with a plan and License Agreement.




6:15 PM MOTION: Move to add it as a D & D as the last item on the Agenda.

MOVED BY: Commissioner McDonald

SECONDED BY: Commissioner Matheson

Motion passed unanimously.

APPROVAL OF AGENDA

 **6:15 PM MOTION:** Move for approval with the initial item.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

COMMENTS FROM THE PUBLIC

- 1) **Helen McBride – Flamingo Ave.;** Congratulated Julie McHenry on Employee of the Month. Commented on how she and others in her neighborhood are upset to see that the trees on Monterey that have been cut down near the Walgreens.

Mayor Meier asked Ms. McBride some questions to get further information.

- 2) **Gwendolyn Hall Brinkley – Zoom;** Commented that she wanted to review the Minutes from the last meeting but does not see them online, asked when they are available.

City Clerk responded that the Minutes of the 9/14 Commission Meeting are not yet available, but the recording is available online for the public.

CONSENT CALENDAR:

6. APPROVAL OF 09/14/2020 SCM-TENTATIVE MILLAGE AND TENTATIVE BUDGET MINUTES


7. GRANT AGREEMENT AMENDMENT 1 - ALTERNATIVE WATER SUPPLY STATE APPROPRIATION:

RESOLUTION No. 115-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING AMENDMENT 1 TO THE STATE OF FLORIDA APPROPRIATION OF \$250,000.00 FOR THE DESIGN OF THE ALTERNATIVE WATER SUPPLY PROJECT; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 1; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

8. FDEP RESILIENCE PLANNING GRANT APPLICATION:

RESOLUTION No. 116-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO SUBMIT A GRANT APPLICATION FOR A RESILIENCE PLANNING GRANT THROUGH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO PROVIDE FUNDING FOR A CITYWIDE RESILIENCE STUDY; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

 **6:28 PM MOTION: Motion to approve the Consent Calendar.**
MOVED BY: Commissioner Matheson
SECONDED BY: Commissioner McDonald
Motion passed unanimously.

COMMISSION ACTION

9. EXTENSION OF THE DECLARATION OF THE STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19:

RESOLUTION No. 111-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Dyess reviewed the Resolution, identifying the changes and his recommendations to discontinue Zoom for Advisory Boards and recall all Board members to attend in person, the continuation of Zoom for Commission Meetings, and whether to move forward with the annual Christmas Parade as the VNA has announced that they will not be hosting it this year.

Commission discussed the options of keeping Zoom, its financial cost, and the availability/safety to the board members and public.

Ben Hogarth, Communications Liaison, came forward and briefly explain the Executive Order.

Kevin Freeman, Development Director, reported that it is difficult when the board members are not present, and they do not seem to be as active on the board.

Commissioners reviewed the Zoom option for the Advisory Boards and the decision of board members returning in person and will no longer be able to vote via Zoom will depend on whether Governor DeSantis extends or sunsets Phase 3 of his Executive Order on October 1st. Commissioner consensus on continuing with Zoom for public meetings.

Jim Chrulski, Community Services Director, requested clarification of large event clearance.

Ms. Candace Callahan, Stuart Main Street Executive Director, came forward stating they are prepared to move forward with their events at the direction of the Commission.

Commissioners agreed to revisit this topic at a later date and on a per event basis as the effects of the recent Governors Order surfaces.

 **7:10 PM MOTION:** To approve Resolution 111-2020 extending the State of Emergency to October 28th.

MOVED BY: Commissioner Matheson

SECONDED BY: Commissioner McDonald

Motion passed unanimously.

ORDINANCE FIRST READING

ORDINANCE SECOND READING

10. CHARTER AMENDMENTS:

ORDINANCE No. 2451-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CITY CHARTER, PART 1, ARTICLE VII, TO AMEND SECTION 7.03, QUALIFICATION FOR OFFICE; SECTION 7.05, SCHEDULE; AND CHAPTER 14, ELECTIONS, ARTICLE II, CANDIDATES, AMENDING SECTION 14-25, COMMENCEMENT OF TERMS OF OFFICE OF ELECTED CANDIDATES OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

 **7:12 PM MOTION:** Move approval.

MOVED BY: Commissioner McDonald

SECONDED BY: Vice Mayor Clarke

Motion passed unanimously.

 **7:14 PM 11. AMENDMENTS TO CITY CODE CHAPTER 2, ADMINISTRATION:**

ORDINANCE No. 2450-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CITY CODE, CHAPTER 2, ADMINISTRATION, ARTICLE I, IN GENERAL, TO CREATE SECTION 2-2, ADMINISTRATIVE LIEN SEARCH AND REPORT FEE, AMENDING ARTICLE II THROUGH ARTICLE IV; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Dyess noted a change to Section 2-87(d) to reflect term limits are for At Large Board members and not the board as a whole.

Commissioner McDonald commented on Section 2.84(b), which reviews that no elected official may serve on the board; he requested that LPA Board Member Christi Li Roberts remain on the board until the reorganization/year end, allowing him time to find a replacement and respectfully allowing her the time to finish out the year.

 **7:15 PM MOTION:** Move for approval.

MOVED BY: Commissioner McDonald

SECONDED BY: Vice Mayor Clarke

Motion passed unanimously.

12. AMENDMENT TO THE LAND DEVELOPMENT CODE - PUD AMENITY CRITERIA:

ORDINANCE No. 2446-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ADDING A NEW SECTION 2.07.00.J ENTITLED "PLANNED UNIT DEVELOPMENT (PUD) AMENITY CRITERIA" TO CHAPTER II ENTITLED "ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY" TO PROVIDE GUIDANCE FOR APPROPRIATE DEVELOPMENT AMENITIES IN RESPECT OF CONSIDERATION OF APPLICATIONS FOR PLANNED UNIT DEVELOPMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Kevin Freeman, Development Director, presented the PUD Amenity Criteria as requested by Commissioner McDonald as he was not in office for First Reading, reviewing the application process.

Commissioner McDonald expressed his thoughts on the PUD process vs. straight zoning.

Commission and Attorney Nicoletti discussed the City's criteria and language for Public Open Space, amending the Code to "additional 10%" or "10% increase" and Renewable Energy is 50% of the "total".



7:40 PM MOTION: To approve Ordinance as recommended by staff with the following changes, one is make sure we use the word encourage if it's not already there, second, to change the open space to 50% greater than the amount open space required by code, and add the word total.

MOVED BY: Commissioner McDonald

SECONDED BY: Commissioner Matheson

Motion passed 4/1.

Bruner – YES

Clarke – YES

McDonald – YES

Matheson – YES

Meier - NO

DISCUSSION AND DELIBERATION

Discussion on electric scooters added per a motion made during City Manager comments.

City Manager Dyess reviewed that a scooter organization out of Fort Pierce approached the City and offered a demonstration. This program offers no revenue to the City. Stuart Main Street has been asked to do a survey but before staff spends time on a License Agreement, would like to know the Commissioners thoughts.

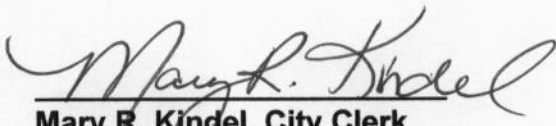
Commissioners reviewed the area the scooters would be used in, discussed the liability, cost to the City, benefits to the City, etc.

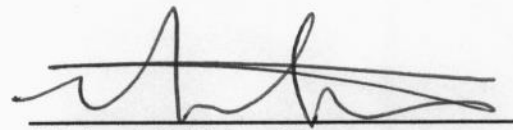
City will work with Stuart Main Street on a survey for the public and local businesses and return with the results to the Commission for review.

Public Comment:

- 1) Helen McBride – Encouraged the Commissioners to think about the safety of the citizens.

 8:00 PM ADJOURNMENT


Mary R. Kindel, City Clerk


Michael J. Meier, Mayor

Minutes to be approved at the Regular Commission Meeting this 12th day of October, 2020.



MRK