

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD November 23, 2020
AT 5:30 PM Commission Chambers
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
City Clerk, Mary R. Kindel**

THIS MEETING WAS AVAILABLE LIVE VIA ZOOM:

Zoom links and ID information can be found at www.cityofstuart.us/meetings



5:40 PM ROLL CALL

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

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner

- **Commented on the river being so dirty.**

Commissioner Matheson

- **Agreed with Commissioner Bruner and reported on the status of Lake Okeechobee and his engagement with a PDT Meeting last week stating they are working with models to add in the effects of the discharges. Reported on the Army Corps position and will keep the commission updated. Announced a possible round-table discussion at the Flagler Center on December 17th to include some non-profits, Congressman Mast, Representatives Overdorf and**

Harrell, and some state representatives. Commissioners can attend but due to Sunshine Law, will not be speaking.

- Thanked all for serving at the Thanksgiving Feed at Gertrude Walden, especially the many Police Officers that participated.
- Announced he partook in a ride-along with Officer Jacobson last week and thanked Officer Ruediger and Officer Jacobson for setting it up, appreciated the perspective.
- Per COVID-19, in a day or two, Florida will hit a million cases milestone, stressed the importance of wearing masks.

Commissioner McDonald

- Wished all a Happy Thanksgiving and commented that it will be different than ones in the past but hopes it will be different from ones in our future. Noted on the Gertrude Walden Thanksgiving event and thanked especially the members of the Police Department.
- Martin County Realtors Association is hosting a Christmas Tree Event in Memorial Park beginning on December 12th and the City's Police Department is hosting an event in Flagler Park on December 22nd, excited to see the nice things the Police Department is doing for our community.
- Noted that he received a call from a business owner about commercial stormwater rates and the amount of increases over the past year, stated that they need to take these businesses into consideration when setting these rates in the future.

Vice Mayor Clarke

- Echoes fellow Commissioner's comments about the river and masks and commented on the ribbon cutting ceremony of the Harbor Grove affordable housing project, glad to see the project moving forward.
- Commented with a suggestion that a City campaign to "mask up" as a reminder for our residents.
- Wishes all a Happy Thanksgiving, thankful for Thelma Washington, Sergeant Brian Bossio and all who helped in the Community.
- Likes the idea of the tree event in Memorial Park but wants to be careful to not encourage too large of crowds to gather.

Jim Chrulski, Community Services Director came forward to explain the event, that it will start on December 12th and end on the 26th so that people can come at their leisure and walk through the open area, not all on one night, allowing for thinner crowds. Asked if the Commissioners were interested in participating with a Commissioners Tree, they agreed.

- Requested information on vaccine availability in Stuart.

David Dyess, City Manager replied that he has a Vaccination Implementation Plan conference call scheduled for the next morning.

Mayor Meier

- Wished all a Happy Thanksgiving.
- Encouraged by news out of the legislature by closing the online sales tax loophole which would benefit our local retailers, as Florida and Missouri are

the only states that have not updated to online sales tax collection and will be pushing for legislature to fight for that.

- Commented on the County's vote to increase the age for purchasing tobacco product from 18 to 21 and would like the City to address that.

City Attorney will bring back language in January. City Manager Dyess noted he is opposed to the licensing requirement of that and will speak with the Commissioners about that.

- Commented that he spoke with Candace Callahan and Rachel Snyder of Stuart Main Street and the Downtown Bucks was a success and he would like to further discuss the encouragement of this program, either with a D&D item or working with Stuart Main Street or using public sign boards.
- Masks encouragement, as numbers are increasing and commented on orders being given without enforcement.
- Announced that the Florida League of Cities ratified its Legislative Action Agenda and they are working on a draft Resolution that affirms the City's commitment to the FLC policy priorities.

Commissioner McDonald announced that he just received a message from Sue Hershey that her husband and former Mayor and Judge Hershey passed away and asked that they keep Ms. Hershey in their prayers.

Commissioner Bruner

Announced that she would like to add a comment and requested that Tyler Headway no longer works with the Stuart News but would like to send a thank you letter for his work on the St. Lucie River. Commissioners agreed.



6:11 PM COMMENTS BY CITY MANAGER

City Manager Dyes

- Commented on a question received during the last CRA Meeting pertaining to drainage on the Seminole Street Project. The response from the consultant explained that the drainage grates will be in place and flow to baffle boxes and there will be additional storage capacity under the pavers to store water.
- Commented on upcoming events for Commissioners to note; Advisory Board Appreciation Luncheon and Treasure Coast Regional League of Cities Annual Luncheon.

APPROVAL OF AGENDA



6:12 PM MOTION: Move approval.

MOVED BY: Commissioner McDonald

SECONDED BY: Vice Mayor Clarke

Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

- 1) Tom Campenni – St. Lucie Crescent; Thanked the Commission and City staff for volunteering at the Thanksgiving Feed event at Gertrude Walden and

provided the following details; 106 turkeys, 26 pans of stuffing, 23 pans of green beans, 65 sweet potato pies, 10 pound cakes, 4 banana puddings, 28 pans of mashed potatoes and a total of 3,800 plates provided to the community.


CONSENT CALENDAR

1. APPROVAL OF 11/09/2020 CCM MINUTES

2. MULLIGAN'S LEASE APPROVAL:

RESOLUTION No. 139-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN AMENDED LEASE AGREEMENT BETWEEN CITY OF STUART AND MULLIGAN'S STUART ACQUISITION, LLC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

 **6:14 PM MOTION:** Move approval of the Consent agenda as published.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

COMMISSION ACTION

 **6:16 PM 3. LEGISLATIVE PRIORITIES FOR THE 2021 LEGISLATIVE SESSION:**

RESOLUTION No. 140-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE ADOPTION OF LEGISLATIVE PRIORITIES FOR THE 2021 LEGISLATIVE SESSION.

Ben Hogarth, Community Affairs Liaison, came forward to answer any questions from the Commission. The Commission thanked Ben for having the legislative priorities available in November.

 **6:20 PM MOTION:** Move for approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Matheson
Motion passed unanimously.


ORDINANCE SECOND READING

ORDINANCE FIRST READING

4. (REQUEST TO CONTINUE TO DATE CERTAIN OF JANUARY 11, 2021 CCM)
ANNEXATION OF CITY OWNED PROPERTY AT HANEY CREEK (QUASI-JUDICIAL):

ORDINANCE No. 2452-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA,

ANNEXING, ALLOCATING A FUTURE LAND USE OF CONSERVATION AND ALLOCATING A ZONING CATEGORY OF PUBLIC FOR FOUR (4) CITY OWNED PROPERTIES ADJACENT TO HANEY CREEK AND NW BAKER ROAD AND WHICH ARE SUBJECT TO A FLORIDA COMMUNITIES TRUST GRANT AWARD AGREEMENT AND BEING MORE FULLY DESCRIBED IN EXHIBITS A1, A2, A3 and A4 ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

 **6:21 PM MOTION: Move to continue to January 11th according to the agenda request.**

MOVED BY: Commissioner McDonald

SECONDED BY: Commissioner Matheson

Motion passed unanimously.

5. WRECKERS AND VEHICLE / VESSEL TOWING AMENDMENT:


ORDINANCE No. 2456-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING THE STUART CODE OF ORDINANCES, CHAPTER 12 – BUSINESS, ARTICLE VI. WRECKERS AND VEHICLE TOWING, TO BE IN ACCORDANCE WITH FLORIDA STATE STATUTE; FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

 **6:22 PM MOTION: Move for approval.**

MOVED BY: Commissioner McDonald

SECONDED BY: Vice Mayor Clarke

Motion passed unanimously.

 **6:22 PM 6. (REQUEST TO CONTINUE TO DATE CERTAIN OF DECEMBER 14, 2020 CCM) HIDDEN KEY RPUD REZONING (QUASI-JUDICIAL):**

ORDINANCE No. 2457-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTIFAMILY/OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TWENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT 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.

 **6:23 PM MOTION: Move to continue December 14th pursuant to request on the agenda.**

MOVED BY: Commissioner McDonald

SECONDED BY: Vice Mayor Clarke

Motion passed unanimously.

7. UPDATE COMMUNITY INVESTMENT PROGRAM (CIP):

ORDINANCE No. 2458-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Stephen Mayer, Senior Planner of the City Development Department presented on the reason for the CIE update, reviewing the financial feasibility, and level of service standards.

Mayor Meier inquired if what we are expecting to spend over the course of 5 years could be included in the CIP to show under years 2 through 5.

Finance Director, Joly Boglioli came forward and reviewed the project categories, pulled up the budget and noted that some users are still not used to the new system. Some users included future years and others did not, so the data needs to be collected from the various departments. Some issues may be technological, but some may be because they are waiting on grants and those expenditures cannot be planned for.

By Second Reading, Mayor Meier requested conformation that the departments clarify the CIP Plan through the 5 years.

Commission and Mr. Boglioli briefly discussed plan projects such as the Water Plant RO Facility, Seminole Street, and grants. Additional topics reviewed included the Fiscal Policy Document and the Level of Service Table.

Mayor Meier expressed concerns over the traffic and asked what "E" means in LOS E. Stephen Mayer explained that there is a certain capacity of a roadway and the E means the roadway is not past the point that it is failing. Portions of US1 are exempt from LOS E. Martin County does trip counts every year and provides updates to let the City know the numbers.

Commissioner McDonald explained that this level of service is done by the MPO and this support is needed when looking to have changed made with the state as these changes can be challenging.

City Manager Dyess commented from a law enforcement perspective on the level of service and increase in density, in season, backups past Colorado happen regularly.

 6:29 PM MOTION: Move for approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Bruner
Motion passed unanimously.  6:52 PM

DISCUSSION AND DELIBERATION

 6:52 PM ADJOURNMENT

Mary R. Kindel, City Clerk

Eula R. Clarke, Mayor

Minutes to be approved at the Regular Commission
Meeting this 14th day of December, 2020.

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