MINUTES
SPECIAL MEETING OF THE STUART CITY COMMISSION
HELD April 3, 2020
AT 1:00 PM Commission Chambers - COVID-19
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Michael J. Meier
Vice Mayor Eula R. Clarke
Commissioner Becky Bruner
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson

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

1:00 PM ROLL CALL

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

Mayor Meier requested a moment of silence for all of those have passed away from the Coronavirus.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Matheson

- **Thanked City employees for their adaption to the COVID situation.**
- **Commented on the boat ramp closures announced by the County and encouraged compliance.**
- **The City's website offers information for those in need of financial support and other resources. As a landlord, he asks that other landlords be flexible with their tenants at this time.**
- **Encourages residents to use the 211 Information line or call the County Hotline that was set up for questions about the Governor's Order, call 772-287-1652; information on essential businesses, stimulus checks, etc.**

- Commented on the City's authority and his authority as a Commissioner. They must work with the proper chain of command and they do not have the authority to demand people wear masks.
- Lastly, encourages all to stay home.

Commissioner Bruner

- Commented that she brought in a box of masks for people to take what they needed as she had extra.

Vice Mayor Clarke

- Thanked Mayor Meier for his leadership and all the first responders.
- Echoes Commissioner Matheson's comments, encourages all to stay at home, commented on reducing large gatherings.
- Thanked the governor and City's legal staff for the communication on the COVID-19 virus.
- Commented on Rebuild Florida, in terms of funding to rebuild homes in Florida, noted that after things calm down with this virus, code compliance will get back on track.

Commissioner Glass Leighton

- Commented on the confusion regarding this order, hoping that this meeting will help clarify information for the residents and businesses of Stuart; essential vs. non-essential and the enforcement expectations in the City.

Mayor Meier

- Thanked staff and other government partners, especially City Manager Dyess.
- Recognized Ms. Carol Wegener-Vitani on the telephone from the Martin County Health Department for brief question and answer session.

Question: Clarke – Do they have any definitive numbers of people tested in Martin County?
Answer: Wegener-Vitani - Numbers are trickling in and difficult to give, but as of last evening, there were 460 test results, 34 positive, 422 negative and several pending. Thanked the City and encouraged all to continue with the social distancing, and all those who are 65 and older, to limit exposure by staying home, anyone that has immune or compromised or chronic heath conditions, stay home. Fortunately, about 80% of those who do contract this virus do experience mild to moderate symptoms, so that can be a positive in this. Happy to see all working together and feels we will all get through this. Reminded all to wash hands, cover sneeze and cough, and if you feel ill, contact your physician. Announced the Health Departments Call Center 772-221-4000, Option 9, Monday through Friday, 8 a.m. to 5 p.m. with an on-call over the weekends.

Question – Glass Leighton – Heard on the news that there were two local urgent care facilities, Treasure Coast Urgent Care and Evergreen Care doing local tests, are those tests being driven back to the Health Department and if they are, what is the turn around you are seeing in those results?

Answer: Wegener-Vitani - I currently don't have any information regarding how many tests they've done. If it's positive, it is a reportable disease, they are required to notify the Department of Health. The timeframe is 24-hours to notify the Department.

Question: Meier – According to the CDC, should masks only be worn by those who are sick or those who are caring for somebody who is sick?
Answer: Wegener-Vitani - Yes, the CDC is still reviewing that, and it is still under discussion, but those that are sick should wear the mask for sure.

Mayor Meier commented on the medical field being desperate for PPE and any masks and he feels that they should not be worn by anyone unless they are sick or caring for someone who is sick. They should be donated to our local healthcare facilities.

COMMENTS BY CITY MANAGER

***Addressed under Public Comment.**

APPROVAL OF AGENDA

1:17 PM MOTION: So moved.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

1:25 PM COMMENTS FROM THE PUBLIC (5 min. max)

1) Robert Ranieri – Bonita St.; Representative of House of Hope, commented on the various services available in the community for the food banks, working with other local non-profits, and though they are practicing social distancing, still in need of volunteers.

Commissioners asked Mr. Ranieri questions about the community garden, the increase in the community's need and their partnerships.

House of Hope information: Ph 772-286-4673, www.hohmartin.org
Food pantry's in Indiantown, Jensen Beach, Stuart, and Hobe Sound.

2) Karen Kipper – Salerno Rd.; Representative of Council on Aging of Martin County at the Kane Center; provided an update on the services available such as Meals on Wheels, delivering over 450 meals a day. Is in need of additional volunteers so if the City has any City employees to spare, they are welcome. Have an emergency food pantry, an emergency hotline 24/7 for guidance, a full-time case manager, assisting people on where to go for assistance. HUGS is dementia counseling so people can be cared for at home.

Kane Center Information: Ph 772-223-7800, 24-hour Hotline 772-834-4236
kanecenter.org

1:46 PM COMMENTS BY CITY MANAGER

City Manager Dyess

- **Commented that this meeting included a Zoom hybrid meeting communication, testing the ability so the commissioners can see how it works for future meetings.**

Commission discussion on the use of Zoom for future meetings. All agreed to continue to hold Commission meetings using both the Commission Chambers in person while following the regulations and Zoom for staff and all who would like to join the meeting virtually. Public comment will be available as well.

COMMISSION ACTION

1:54 PM 1. EXTENSION OF DECLARATION OF EMERGENCY - COVID-19:

RESOLUTION No. 39-2020; 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 Attorney Mortell reviewed the Resolution extension date as May 11, 2020 and the various language that authorized the City Manager to make local changes.

Commissioner Glass Leighton asked about the waiving of late fees for utilities and make sure that the items mentioned in the press release will be effective until May 11th and until the Declaration expires.

Commissioner Glass Leighton motioned to approve Resolution No. 39-2020.

City Manager Dyess reviewed the current City's website with the Commission including all the Executive Order updates.

Mayor Meier requested the Twitter updates from the Martin County Board of County Commissioners be included on the website as well.

Jim Chrulski, community Services Director, provided a virtual update on the "Just in Case" video campaign project, which to date has had 638 views, over 7,000 views on the press release, each Commissioner and staff will be posted over the next 10 days.

Commissioners discussed communication.

Mayor Meier asked City Public Works Director, David Peters (virtually) about sanitation services, who confirmed that services should continue to run as expected at this time. Vice Mayor Clarke asked Mr. Peters about the air quality effecting the water quality, Mr. Peters confirms that the water is tested 24 hours a day, chlorine is used and there is no indication that the system would be compromised.

Captain Derek Ortado of the Stuart Police Depart virtually gave a brief report on the City's plan to incorporate COVID-19 into its hurricane plan in the event it was to extend into the season.

Commissioner Bruner expressed concern over the future budget and asked about future layoffs. City Manager Dyess commented that that is currently not anticipated.

Commissioner Glass Leighton suggested that the Finance staff reach out to our local Congressman and take advantage of our local partnerships for funding assistance when needed.

2:12 PM Virtually, Joly Boglioli, Finance Director announced that he responded to a survey originally initiated from the National League of Cities and commented that revenue streams from other states are different from Florida because other municipalities collect an income tax and we do not.

Commissioner Glass Leighton commented on looking out for potential grants.

Mayor Meier recommended the use of bonds to cover payroll if need be in the future. Mr. Boglioli responded that he would not advise bonding to cover payroll expenses but noted the lending market demands are leaving less options available.

1:58 PM MOTION: So moved Resolution No. 39-2020. [Amendment per Vice Mayor Clarke; include a Whereas clause that says Whereas the Governor adopted Executive Order 20-91 and 92...]
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously. 2:26 PM

2:27 PM 2. RATIFY EXECUTIVE ORDER 20-91 TO SHELTER IN PLACE:

RESOLUTION No. 43-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RATIFYING EXECUTIVE ORDER 20-91 ENTERED BY GOVERNOR DESANTIS ON APRIL 1, 2020; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Mortell clarified the Shelter in Place language as defined in Executive Order (EO) 20-91, breaking down the following Sections with explanations:

- **Section 1. Safer at Home**
- **Section 2. Essential Services**
- **Section 3. Essential Activities**
- **Section 4. Local Orders in Response to COVID-19**
- **Section 5. Previous Executive Orders**
- **Section 6. Effective Date and Expiration Date**

Information provided on the following two websites; www.floridadisaster.org

and www.floridahealth.gov

Stuart Police Chief Tumminelli commented that in groups of 10 or more, an officer would educate and inform the group of the EO and violation and seek compliance.

Commissioner Glass Leighton requested clarification on the City's plan for law enforcement of the EO, so the citizens know what to expect.

City Attorney Mortell further identified the specific language of the EO that simply states, "All persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities."

Commissioners discussed public spaces, social distancing, the EO as it pertains to senior citizens, and the enforcement expectations from the City. Stuart expects its citizens to comply with the EO and will assist the community in ensuring compliance and will only use enforcement if deemed necessary. Groups of 10 or more will be advised to separate. Mayor Meier requested the Attorney get further clarification from the State on the word "shall" on the EO, and that the City's lenient approach would not be considered breaking the law.

City Manager Dyess stated that it is still considered a misdemeanor, and even though it states "shall", the Police Department has discretion on arrest. City Attorney Mortell confirmed that that answers the question that by not doing it, the state law is not being violated.

Mayor Meier commented on the gatherings at local churches and read from the Florida Constitution regarding religious freedom; Article 1, Section 3, Religious Freedom. Commented that he is complaining that religious freedom shall not justify practices inconsistent with public safety. Though religious gatherings cannot be prevented beyond social distancing at this time, he'd like to reach out to local churches and strongly recommend online services.

Commissioner Matheson agreed to encourage and commented that the Police may need to exercise their authority.

Mayor Meier suggested asking staff to create a flyer or letter for churches, to encourage social distancing or virtual celebrations.

Commissioner Glass Leighton commented on leaning on relationships within the community and her reluctance to spend tax dollars on creating flyers and staff time for distribution for this message. People need to be accountable.

Commissioner Matheson responded that a letter of encouragement to violators will help get us through this.

Mayor Meier commented that he will personally communicate with the local churches to encourage the message if all agree. There were no further comments on the issue.

Brief discussion of the number of people in a room for public meetings if following social distancing guidelines.

City Attorney Mortell read instructions from the World Health Organization website on the proper use of single use masks.

3:18 PM MOTION: Move approval of the Resolution 43-2020.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Matheson
Motion passed unanimously. 3:23 PM

City Manager Dyess thanked the staff, especially the communications team, for setting up for video telecommunication meetings and learning new technology.

City Attorney Mortell asked the Commissioners to communicate to staff on their plans to either attend future commission meetings in person or via the media option as we plan to continue with the hybrid meetings, that would help staff to know the room count in advance.

3:24 PM ADJOURNMENT

Mary R. Kindel

Mary R. Kindel, City Clerk

Michael J. Meier, Mayor

Minutes to be approved at the Regular Commission Meeting this 27th day of April, 2020.

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