

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD July 12, 2021
AT 4:00 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

Mayor Eula R. Clarke

Vice Mayor Merritt Matheson

Commissioner Becky Bruner

Commissioner Troy McDonald

Commissioner Mike Meier

ADMINISTRATIVE

City Manager, David Dyess

City Attorney, Michael J. Mortell

City Clerk, Mary R. Kindel

SERGEANT AT ARMS: Police Chief Joseph Tumminelli



4:00 PM ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - EAST STUART ROYAL HEARTS DANCE TEAM

Michael Redstone, Community Services East 10th Street Recreation Manager introduced the dance team and thanked DarMonique Butler, Summer Camp and Aftercare Coordinator and the dance choreographer, Cam Christie.



4:15 PM

PROCLAMATIONS

2. THE 120TH BIRTHDAY OF THE GEO W. PARKS GENERAL MERCHANDISE STRUCTURE, A/K/A STUART FEED & SUPPLY STORE AND STUART HERITAGE MUSEUM - JULY 19, 1901 - JULY 19, 2021.

A brief video of the Stuart Feed Store was presented. Mary Jones, Executive Director of the Museum proudly came forward to accept the Proclamation and thanked her granddaughter for putting the video together and the City for their continuous help and invited the public for the 120th celebration. Alice Lockhart, board member and historian, spoke about the upcoming tours and celebration on July 19, 2021.

3. 100TH ANNIVERSARY OF THE TOMB OF THE UNKNOWN SOLDIER - NOVEMBER 11, 2021

Amy Pinder, Vice Regent of Halpatiokee Chapter accepted the Proclamation, thanked the City for the recognition, and made a brief statement about the Tomb of the Unknown Soldier. Several members of the Chapter joined the Mayor for a photo.

4. TREASURE COAST WATERWAY CLEANUP WEEK - JULY 18-24, 2021

Tom Whittington, Vice President and Sean Embersole, Board of Directors of the Marine Industries Association of Treasure Coast accepted the Proclamation, thanked the Commission, and briefly commented on how important it is to remove trash from the waterways.

 **4:40 PM**

Jolien Caraballo, Councilwomen for the City of Port St. Lucie was welcomed by Mayor Clarke and came forward to say hello.

PRESENTATIONS

5. SERVICE AWARDS - JULY 2021

Joseph Calderone, Police - 15 years (Not present)
Karen Chambers-Cuffy, Human Resources - 5 years

6. EMPLOYEE SPOTLIGHT - JULY 2021

Bradley Howard, Sanitation Equipment Operator was recognized as Employee Spotlight of the Month by Tim Voelker, Utilities and Engineering Director.

7. HOME RULE HERO AWARD PRESENTED BY TREASURE COAST REGIONAL LEAGUE OF CITIES EXECUTIVE DIRECTOR, PATRICIA CHRISTENSEN

Port St. Lucie Councilwomen, Jolien Caraballo commented on some of the great ideas the City of Stuart has such as Arts Moment and Employee Spotlight and would like to create something similar in PSL. She presented the Home Rule Hero Award to Commissioner Meier and thanked the Commission for their work on the protection of Home Rule. Ms. Patricia Christensen, Treasure Coast League of Cities Executive Director, reminded all of the upcoming joint Treasure Coast FLC BBQ in Okeechobee. Commissioner Meier thanked Councilwomen Caraballo.

COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner

- Commented on all the great things the City has done with the museums and parks and passed along to fellow Commissioners a flyer of the Art Council in which she is a board member. They are working on a project to save the old high school and would like the Commission to discuss adding to the budget, a \$50,000.00 match for the grant.

City Manager Dyess will investigate this option and bring back information for discussion. Commissioners agreed.

Mayor Clarke noted that that it is election season and requested the City Attorney remind everyone of the rules for existing commissioners and/or candidates pertaining to campaigning during public meetings as well as the rules of civility. Attorney Mike Mortell read section 2-50 of the City Code – addressing the City Commission subsection D.

Commissioner McDonald

- Announced the loss of Joe Crankshaw, a long-time journalist across Florida and informed the public of the many things Mr. Crankshaw was known for and had done for Stuart.

Commissioner Meier

- Noted the upward trend of COVID cases in Martin County and encouraged those that have not been vaccinated to do so.
- Shared his trip to Memorial Park and encourages everybody to get out and enjoy the many parks the City has to offer.

Vice Mayor Matheson

- Commented that he is looking forward to the upcoming Waterway Cleanup and noted how he enjoys cleaning up with his older daughter. He is proud of how the next generation see's the problem and works to correct it.
- Reported on working with Communications Liaison, Ben Hogarth while attending a LOSOM Meeting and provided an update, noting how the plans are shaping up to be in effect by 2022.
- Commented on our area being fortunate to dodge Hurricane Elsa but South Florida received a lot of rain. Lake Okeechobee went from a little below 13 feet to 13.3 feet. Shared statistics about Lake Okeechobee.
- Hope everyone had a Happy 4th of July. Thanked Jim Chrulski, Police Department, and Fire Department.

Mayor Clarke

- Thanked the Community, Police Department, and Fire Department for helping everyone to have a happy and safe 4th.
- Commented about her recent trip to Vermont and that she enjoys traveling in the US and likes to see what is happening throughout other states.

- Announced a street cleanup on July 24th and asked residents to come out and participate.
- Reported on an upcoming meeting with the University of Florida to study the fish in the area, especially along the Roosevelt bridge and when received, the information will be made public.

5:13 PM COMMENTS BY CITY MANAGER

City Manager Dyess

- Reported the Costco CPUD is being moved to the August 9th Commission Meeting. The Meeting begins at 4:00 p.m. but a pre-set time certain of 5:00 p.m. for Public Comment and the item immediately following. If Consent Items are on the Agenda, they may be heard and voted on prior to 5:00 p.m.
- Commented that he has signed up for the Waterway Cleanup but questioned if the City trams were going to be available for volunteers.

Anne Ellig, Program Manager responded that there will not be trams; instead, they will meet at Apex Marine and either go by boats, on foot, or by car.

APPROVAL OF AGENDA

 **5:16 PM MOTION: I'll move approval of the Agenda.**

MOVED BY: Commissioner Meier

SECONDED BY: Commissioner McDonald

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

- 1) William Smith - Tarpon Ave.; Commented that the fireworks on the 4th of July on his street were so dangerous between the east and west side of the road, it was like a war scene. He had to take his family to stay at a motel for a couple nights because their home was not safe.

CONSENT CALENDAR

8. APPROVAL OF 06/28/2021 SCM BUDGET WORKSHOP #1 and 06/28/2021 CCM MINUTES

9. LOCAL PLANNING AGENCY (LPA) ADVISORY BOARD APPOINTMENT

END OF CONSENT CALENDAR

 **5:19 PM MOTION: Move for approve Consent Calendar.**


MOVED BY: Commissioner McDonald

SECONDED BY: Commissioner Meier

Motion approved unanimously

COMMISSION ACTION

10. APPOINT BOUNDARY ADVISORY COMMITTEE REPRESENTATIVE

 **5:20 PM MOTION: Vice Mayor Matheson actively has children in the school system, and I think Vice Mayor Matheson should be appointed.**
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

11. TRESSLER DRIVE WATER QUALITY IMPROVEMENT PROJECT - IRL COST-SHARE AGREEMENT:

RESOLUTION No. 66-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A COST-SHARE AGREEMENT FOR THE TRESSLER DRIVE WATER QUALITY IMPROVEMENT PROJECT WITH THE INDIAN RIVER LAGOON (IRL) COUNCIL; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.


Commissioner McDonald commented he was happy that staff looks for these opportunities.

Public Comment:

- 1) Tom Campenni – St. Lucie Crescent; Stated that the Indian River Lagoon is a good body to use for these types of grants and wanted to make it a point to ensure that the City uses the money. Noted that other cities in our area did not use the money they were given.

Vice Mayor Matheson stated that they've learned that public outreach is extremely important, and he would be happy to help with the outreach. The surrounding areas need to be involved so they are excited about the project and not in opposition of it.

Mayor Clarke stated that she spoke to City Manager Dyess and would like to map out the area to ensure that we are keeping track of all the green spaces.

 **5:22 PM MOTION: I'll move for approval.**
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Matheson
Motion approved unanimously.

12. AUTHORIZE CITY MANAGER TO SIGN A FDOT FORM FOR A ROAD CLOSURE – VNA CHRISTMAS PARADE:

RESOLUTION No. 67-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE DECEMBER 3, 2021, STARTING FROM S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION AND AUTHORIZING THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF

TRANSPORTATION TEMPORARY CLOSING OF STATE ROAD PERMIT. PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mayor Clarke asked City Manager if the route will continue to be the same as previous years.

City Manager Dyess confirmed it will be.

 **5:27 PM MOTION: On behalf of Christmas in July, I'll make a motion to approve Resolution 67-2021.**

MOVED BY: Vice Mayor Matheson

SECONDED BY: Commissioner Meier

Motion approved unanimously.

ORDINANCE SECOND READING

13. AMENDING QUASI-JUDICIAL PROCEEDINGS:

ORDINANCE No. 2467-2021; AN ORDINANCE OF THE CITY OF STUART AMENDING ARTICLE XI; SECTION 11.03.00 - QUASI-JUDICIAL PROCEEDINGS; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICTS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Attorney Mortell commented on Facebook comments by the public following the First Reading. He stated he met with the Intervenor on the Kanner Hwy. Project and explained misunderstandings. He wants to ensure the public understands City is bound to state law and he included the changes that were made last meeting.

Commissioner Meier commented about taking public comments at the beginning of the meeting.

Attorney Mortell responded and mentioned that he has spoken with the party's to Kanner Highway and said that they have agreed and signed on timelines, restrictions, and they request that the Commission starts at 5 p.m. and take public comment at 5 p.m.

Public Comment:

- 1) Caryn Hall Yost Rudge – Palm City Rd.; Commented on case law and pointed out that the case law that we are using for this particular item may work here but she could find many others and feels it needs to be fair.

Attorney Mortell reiterated the motion: Accept the language and set forth with the modifications to section 11.03.07 subparagraph B to amend the language to add "The board shall have the discretion to use the following guidelines".

 **5:36 PM MOTION: I'll make a motion for approval.**

MOVED BY: Commissioner Meier

SECONDED BY: Vice Mayor Matheson

Motion approved unanimously.

ORDINANCE FIRST READING

 **5:40 PM**

DISCUSSION AND DELIBERATION

Commissioner Brunner brought up a story she read about a journalist in Central America who was very ill with COVID and committed suicide because he did not have access to medications. She expressed that we live in the greatest country in the world because we have the option to get the vaccination or not and stated how fortunate we are as a country.

Mayor Clarke asked if we are sending out flyers of COVID purposes or putting anything in our community centers. City Manager Dyess confirmed that we are not.

Commissioner Meier stated that the Boys and Girls Club is moving to require wear masks again. Commissioner Meier said he will be in touch with the local Health Department and look at their guidance.

Commissioner Brunner shared statistics of COVID.

Mayor Clarke wanted to thank Tim Voelker and the Utilities and Engineering Department for their hard work in preparing for the budget and all the work around the City for the summer.

 **5:44 PM ADJOURNMENT**

Mary R. Kindel, City Clerk

Eula R. Clarke, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 26th day of July, 2021.**