

**MINUTES**  
**REGULAR MEETING OF THE STUART CITY COMMISSION**  
**HELD October 25, 2021**  
**AT 5:30 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: Captain Derick Ortado**



**5:37 PM ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY CITY COMMISSIONERS**

Commissioner Bruner

- Commented about the Low Impact Development conference she attended and spoke about new technology discussed.

Commissioner McDonald

- Commended Jim Churlski, Community Services Director, for helping the tree planting.
- Spoke about the MPO (Metropolitan Planning Organization) projects and mentioned projects that are happening within the City.
- Commented about the traffic and growth on Palm City Road. Would like to put trip counters on Monterrey Rd., continued to speak on traffic routes.

#### Commissioner Meier

- Asked Commissioner McDonald if A1A and 14<sup>th</sup> street is on the sidewalk project and if not, he asked to advocate for it.

#### Mayor Clarke

- Stated that she received an objection letter about the new purposed Fire Station.
- Spoke about the Community Group Reading she is a part of and would like to set up an event on November 7<sup>th</sup>, 2021 at the Shuffleboard building.
- Stated she would be attending an Airport Advisory meeting as she is a board member in ANAC (Airport Noise Advisory Committee).
- Commented about the East Stuart meeting and encouraged all Commissioners and residents to get involved. Stated that she would like to have a Town Hall meeting to speak to residents about their concerns in property value.
- Commented on the Hobgoblin Event.

#### Vice Mayor Matheson

- Announced the Halloween Costume Contest that is happening on Saturday, October 30<sup>th</sup>, 2021.
- Commented about the Low Impact Development conference.
- Thanked the City Clerk's Department for coordinating the story time reading for Florida City Government Week.
- Commented about LOSOM meeting and gave stats of the lake.
- Announced the Rivers Coalition Meeting date and stated that it is happening virtually.
- Spoke about traffic on Palm City Road.



**5:59 PM**

Commissioner Meier commented about maintaining the edge of our ponds, would like to leave a strip on the storm water ponds.

Commissioners discussed on how they would like to move forward and recommendations.

Commissioner Meier requested that it be a future agenda item for discussion.



**6:07 PM**

#### **COMMENTS BY CITY MANAGER**

##### City Manager Dyess

- Provided an update on the temporary Fire Station 3.
- Announced that he was contacted to see if the City is interested in pursuing the 60 DNL ordinance like the County has done.

Commissioner McDonald stated his experience when he was in the ANAC meeting.

## **APPROVAL OF AGENDA**



**6:11 PM MOTION: Move for approval.**

**MOVED BY: Commissioner McDonald**

**SECONDED BY: Commissioner Meier**

**Motion approved unanimously.**

## **COMMENTS FROM THE PUBLIC (3 Minutes Max.)**

1. Caryn Hall Rudge – SW Palm City Rd.; Commented on her interest in hearing about the Cartwright vs. City of Stuart suit and spoke on the suit she filed in Federal court.
2. Frank McChrystal – Commented about the ANAC committee and is happy to know its back and that the person representing the City of Stuart is a staunch protector of the City. Spoke on his concerns about ANAC.



**6:18 PM**

## **CONSENT CALENDAR**

### **1. APPROVAL OF 10/11/2021 CCM MINUTES**

### **2. GRANT AGREEMENT AMENDMENT 3 - ALTERNATIVE WATER SUPPLY APPROPRIATION:**

RESOLUTION No. 112-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING AMENDMENT 3 TO AGREEMENT NO. LPA0046 FOR THE ALTERNATIVE WATER SUPPLY PROJECT; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 3; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

### **3. AWARD ITB# 2020-100, ZONE 4 MILL/OVERLAY AND POINT REPAIRS PROJECT:**

RESOLUTION No. 113-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-100, ZONE 4 MILL/OVERLAY AND POINT REPAIRS PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$151,127.25 TO HEAVY CIVIL, INC. OF POMPANO BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

## **END OF CONSENT CALENDAR**



**6:18 PM MOTION: Move for approval.**

**MOVED BY: Commissioner McDonald**

**SECONDED BY: Vice Mayor Matheson**

**Motion approved unanimously.**

## COMMISSION ACTION

### 4. REQUEST TO BE CONTINUED TO DATE CERTAIN OF 11/8/2021 CCM: MAJOR SITE PLAN AMENDMENT - MONTEREY MEDICAL PARKING EXPANSION:

RESOLUTION No. 86-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE AN AMENDMENT TO A MAJOR DEVELOPMENT SITE PLAN AT 'MONTEREY MEDICAL CENTER' LOCATED AT 1050 SE MONTEREY ROAD, STUART TO EXPAND THE PARKING LOT TO PROVIDE ADDITIONAL PARKING STALLS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.



**6:20 PM MOTION: Motion to continue Resolution No. 86-2021 to November 8<sup>th</sup> at the regular time of our meeting.**

**MOVED BY: Vice Mayor Matheson**

**SECONDED BY: Commissioner Meier**

**Motion approved unanimously.**

### 5. AUTHORIZE ROAD CLOSURE FOR 2022 STUART BOAT SHOW:

RESOLUTION No. 90-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE 48TH ANNUAL STUART BOAT SHOW FROM TUESDAY, JANUARY 11TH 5:00AM THOUGH MONDAY, JANUARY 17<sup>TH</sup> AT 5:00PM 2022, ALONG NW DIXIE HIGHWAY (FORMERLY SR 707) FROM ALBANY AVENUE SOUTH OF THE OLD ROOSEVELT BRIDGE TO FERN STREET AT THE FEC RR CROSSING, NORTH OF THE ST. LUCIE RIVER DRAW BRIDGE, SUBJECT TO FLORIDA DEPARTMENT OF TRANSPORTATION APPROVAL; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Jim Chrulski, Community Services Director spoke on the improvements to traffic flow for this year's boat show.

Vice Mayor Matheson commented that they should consider the boat show to grow but to be mindful of the location.

Public Comment:

- 3) Tom Whittington – Wood Creek Dr.; Thanked staff on their hard work and smooth process of last year. Stated that they are looking into the future with the unique development happening in Stuart.



**6:22 PM MOTION: Move to approve.**

**MOVED BY: Commissioner McDonald**

**SECONDED BY: Vice Mayor Matheson**

**Motion approved unanimously.**

## 6. AUTHORIZATION TO APPLY FOR THE CDBG COVID PROGRAM:

RESOLUTION No.104-2021; RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR, OR THE CITY MANAGER, TO APPLY TO THE FLORIDA DEPARTMENT OF ECONOMICS OPPORTUNITY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FFY (FEDERAL FISCAL YEAR) 2021 COVID PROGRAM, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Ms. Gandhi-Savdas presented the COVID program and spoke on the application.

Corbet Alday, Vice President of Guardian CRM INC, presented the application process, the use of the program, requirements, recommended project – Willie Gary building, and the project budget.

Mr. Dyess gave an update on what has occurred on the property.

Public Comment:

- 4) Frank McChrystal – Would like to understand if there is leverage or expectation over the city with the grant process.
- 5) Helen McBride – SE Flamingo Ave.; Agrees and thinks the Commission should approve and pursue the property and the grant.



**6:35 PM MOTION: Make a motion to approve.**

**MOVED BY: Vice Mayor Matheson**

**SECONDED BY: Commissioner Brunner**

**Motion approved unanimously.**

## 7. LETTER OF SUPPORT FOR LOXA-LUCIE HEADWATERS INITIATIVE:

RESOLUTION No. 111-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING AND ENDORSING A LETTER OF SUPPORT FOR THE NEWLY FORMED 'LOXA-LUCIE HEADWATERS INITIATIVE' CREATED FOR THE PURPOSE OF RESTORING NATURAL HYDROLOGY OF LANDS ADJOINING THE LOXAHATCHEE AND ST. LUCIE RIVERS WHILE CONSERVING THOUSANDS OF ACRES OF LAND FOR THE PRESERVATION OF PLANTS AND WILDLIFE THEREUPON; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Ben Hogarth, Community Affairs Liaison gave a brief background on the Resolution and introduced Greg Brawn.

Matt Sexton, National Nonprofit Conservation Fund spoke on the protection of the surrounding waters.

Greg Brawn, Executive Director of The Guardians of Martin County presented the Loxa-Lucie Headwaters, water quality, showed the benefits to the City, spoke on phase 1 acquisitions, project timeline, and key endorsement.

Commissioner McDonald, Meier, and Vice Mayor Matheson all stated that this was great to see and are happy to support this project.

Mayor Clarke read into record the letter of support for the newly formed “Loxa-Lucie Headwaters Initiative”.



**6:56 PM MOTION: Move for approval.**

**MOVED BY: Commissioner McDonald**

**SECONDED BY: Vice Mayor Matheson**

**Motion approved unanimously.**

#### **8. OSPREY PRESERVE RPUD - RESTORATION PLAN:**

RESOLUTION No. 118-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ACCEPTING THE REVISED RESTORATION PLAN FOR OSPREY PRESERVE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Tom Reetz, Senior Planner gave a summary and stated the revised items that were submitted from applicant.

Mark McFarlin, Director of Development for Meritage Homes spoke on the changes of the Loral Oaks, spoke on the timeline of planting, and stated that water trucks would be used to irrigate the landscape.

Commissioner McDonald stated that he would need vertical construction to start after all the main buffers are in.

Discussion of the bond and timing of buffer continued between Commissioners and Mr. McFarlin.

Commissioner Meier would like them to go above and beyond and asked them to do 1.75 multiplier, which is 75% more of what was removed and result more into the City's tree fund.

Discussion continued amongst Commissioners, Attorney Mortell, and Mr. McFarlin.



**7:36 PM**

Public Comment:

- 6) Gail Goldy – NW 12<sup>th</sup> Terrace.; Thinks that developers think it's easier to ask for forgiveness than permission.
- 7) Helen McBride – SE Flamingo Ave.; Stated that this was no accident and the developers got what they wanted.

Commissioner Meier asked what would happen if the applicant did not want to replant.

Attorney Mortell explained and gave examples. Discussion continued between Commissioners and Attorney.



**7:35 PM MOTION:** Accept the applicants restoration plan with the revised calculation and mitigation schedule, using 1.75 as the mitigation multiplier instead of 1.5, and with the expressed direction to staff that if the mitigation schedule as listed not complied with, that a stop vertical work order will be issued immediately.

**MOVED BY:** Commissioner Meier

**SECONDED BY:** Commissioner Bruner

**Motion approved unanimously.**

## **ORDINANCE FIRST READING**

### **9. REQUEST TO BE CONTINUED TO DATE CERTAIN OF 11/8/2021 CCM:**

**ABANDONMENT OF A PORTION RIGHT-OF-WAY AS REQUIRED BY THE PALMETTO COVE RPUD:**

ORDINANCE No. 2475-2021; 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 PORTION OF PLATTED 11-FOOT-WIDE ALLEY AS SHOWN ON THE PLAT OF DYER ESTATES, MORE CLEARLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' ATTACHED; FOR PAYMENT OF A PRIVILEGE FEE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.



**7:48 PM MOTION:** Motion to continue to November 8<sup>th</sup> regular meeting.

**MOVED BY:** Vice Mayor Matheson

**SECONDED BY:** Commissioner Meier

**Motion approved unanimously.**

## **DISCUSSION AND DELIBERATION**

Commissioner Meier stated that he would like to continue having a discussion and have staff present the process of predevelopment meeting, site meeting, and staff level controls.

Commissioner McDonald commented that he has spoken with Kevin Freeman, Development Director to have additional language and having barriers be put up prior to land clearing. Discussion continued amongst Commissioners and Attorney Mortell.



**7:51 PM ADJOURNMENT**

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**Mary R. Kindel, City Clerk**

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**Eula R. Clarke, Mayor**

**Minutes to be approved at the Regular Commission  
Meeting this 8<sup>th</sup> day of November, 2021.**