

**MINUTES  
REGULAR MEETING OF THE STUART CITY COMMISSION  
HELD January 10, 2022  
AT 4:00 PM COMMISSION CHAMBERS  
121 SW FLAGLER AVE.  
STUART, FLORIDA 34994**

**CITY COMMISSION**

**Mayor Merritt Matheson**

**Vice Mayor Troy McDonald**

**Commissioner Becky Bruner**

**Commissioner Eula R. Clarke**

**Commissioner Mike Meier**

**ADMINISTRATIVE**

**City Manager, David Dyess**

**City Attorney, Michael J. Mortell**

**City Clerk, Mary R. Kindel**

**SERGEANT AT ARMS: Police Captain, Derek Ortado**



**4:00 PM ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

**1. ARTS MOMENT - JAN FOSELLI "THE ART OF JOURNALING"**

Jan Foselli presented on the art of "junk journaling" and exhibited some journals and presented ideas on how to put one together.

**PROCLAMATION (added to agenda)**

**1A. MARTIN LUTHER KING, JR. DAY CELEBRATION**

Nina Dooley, ACCES Representative accepted the Proclamation and announced the celebration events and invited all to attend.



**4:17 PM**

## **PRESENTATIONS**

### **2. SERVICE AWARD - JANUARY 2022**

Darius Holmes – Police Department – 5 Years; accepted by Captain Ortado.

### **3. EMPLOYEE SPOTLIGHT - JANUARY 2022**

LeAnne Jones – Utilities and Engineering Department Division Assistant was the Employee Spotlight; presentation given by Marc Rogolino, Utilities & Engineering Capital Projects Coordinator.


 **4:23 PM**

### **4. STUART FIRE RESCUE 2021 ANNUAL REPORT**

Fire Chief, Vince Felicione presented the Annual Fire Rescue Report. Mayor Matheson recommended the presentation to be offered to Sewall's Point as the City services their town.

Public Comment:

- 1) Nick Testa, Fire Fighter; Commended the Fire Department and commented on the County's position and intentions.

 **4:59 PM**

## **COMMENTS BY CITY COMMISSIONERS**

Commissioner Meier

- Wished all a Happy New Year, looking forward to a happy and healthy year, unfortunately, starting out wearing masks.

Commissioner Bruner

- Wished all a Happy New Year.

Commissioner Clarke

- Thanked Chief Felicione for his report, noting that fire safety is so important.
- Reminded all of East 10<sup>th</sup> Street Workshop tomorrow.
- Interested in working on the 2022 Emancipation Day committee.
- Thanked Attorney Mike Mortell for all he has done for the City.

Vice Mayor McDonald

- Conveyed New Year wishes to all.
- Legislative session begins tomorrow and encourages all to be familiar with them.

Mayor Matheson

- Provided a brief Lake Okeechobee update and announced an upcoming LOSOM team meeting and future LOSOM plans.

- Announced upcoming events; East Stuart Visioning Session, TCRPC Walking Tour of East Stuart and Entertainment District, and MLK Parade.
- Reported that he met with NAACP and members of the East Stuart community pertaining the tree program.
- Commented on emails regarding the Kanner Hwy. PUD, feels it's the City's duty to examine the accusations, perform inspections, and ensure that all is done correctly.


 **5:10 PM**

## **COMMENTS BY CITY MANAGER**

City Manager David Dyess

- Boat Show road closure reminder, begins tomorrow.
- Pulling Item #7 from the Agenda; the City needs to have all of the R.O.W prior to applying for the grant, in progress of negotiations with plaza in obtaining the R.O.W.
- Brightline notification, conductor training from Palm Beach to Cocoa begins on Monday, Jan. 17<sup>th</sup>.


## **APPROVAL OF AGENDA**

 **5:13 PM MOTION: Move approval of the agenda as published, removing Item #7 as requested by City Manager.**

**MOVED BY: Commissioner Clarke**

**SECONDED BY: Commissioner Meier**

**Motion approved unanimously.**

 **5:14 PM**

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

- 1) Ed Curtin; Waterfall Dr., Palm City; New to area and opening a school in Stuart called Misericordia School at the former Pine School location on East 10<sup>th</sup> Street; mission is to serve students of all backgrounds 6<sup>th</sup> – 9<sup>th</sup> grade, focus on health sciences, and grow to a 6<sup>th</sup> -12<sup>th</sup> grade school.
- 2) Linda Kay Richards – Cabana Point Circle; sent in a photo of a goopher tortoise and noted that the City has not did not respond, stated she can see burros.
- 3) Karl Chalupa – Sunflower Place; Pineapple Plantation HOA President; commented on the slower fire response times; would like presentation to their board on how the numbers were arrived at. (Resident asked to obtain a copy of the MC Presentation referred to. Chalupa stated he would.)
- 4) Lloyd Nevala – Windemere Drive; Concerned about the size of the property for the Fire Department and suggested another location.
- 5) Robin Cartwright – Hibiscus Ave.; Requests the Commission review the traffic study and DOT for resolution pertaining to Kanner Hwy.
- 6) Ken Featherstone – Marsh Rabbit Lane; Opposes the location for fire department, concerned for safety, would like to be involved in the process as a general contractor.

- 7) Wendy (?) – The Pines resident; Concerned about the Fire Station location, the trucks on the roads they pay for, suggested combining with the new Britt Rd. station.

City Manager Dyess provided a brief status of Station #3.

Mr. Chalupa was invited to come forward and provide information on what alternate locations the County's presentation noted, because the discussed location was recommended by the County. Mr. Chalupa noted the two locations discussed were Wright Blvd. and the property with the sign on US1 (Lamar).

 5:36 PM

## **CONSENT CALENDAR**

### **5. APPROVAL OF 12/13/2021 CCM MINUTES**

### **6. FACSIMILE SIGNATURE BANK:**

RESOLUTION No. 02-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**(REMOVED - see City Manager's Comments) 7. FDOT TAP APPLICATION FOR DIXIE HIGHWAY (SE 14TH STREET TO SE FLORIDA STREET) SIDEWALK EXTENSION:**

RESOLUTION No. 03-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE UTILITIES & ENGINEERING DEPARTMENT TO APPLY FOR A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION FOR THE DIXIE HIGHWAY (SE 14<sup>TH</sup> STREET TO SE FLORIDA STREET) SIDEWALK EXTENSION; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

### **8. AUTHORIZATION TO NEGOTIATE RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD.:**

RESOLUTION No. 04-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2022-200, REDEVELOPMENT OF THREE ADJOINING PARCELS ON EAST OCEAN BLVD TOP RANKED FIRM, STUART MEWS OF DELRAY BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

### **9. AUTHORIZATION TO AWARD ITB# 2022-103: ANNUAL STREET SWEEPING SERVICES:**

RESOLUTION No. 05-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-103, ANNUAL CONTRACT FOR STREET SWEEPING SERVICES TO THE LOWEST, MOST

RESPONSIVE, AND RESPONSIBLE BIDDER WITH THE TOTAL AWARD AMOUNT NOT TO EXCEED \$40,080.00 ANNUALLY TO CLEAN SWEEP & VAC, LLC OF JENSEN BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

#### **10. LANDSCAPE DONATION TO FLAGLER PARK:**

RESOLUTION No. 07-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER ACCEPT THE DONATION AND INSTALLATION OF LANDSCAPING AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, WHICH SHALL BE INSTALLED IN FLAGLER PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

#### **END OF CONSENT CALENDAR**

 **5:36 PM MOTION: Move approval.**  
**MOVED BY: Commissioner Clarke**  
**SECONDED BY: Commissioner Meier**  
**Motion approved unanimously.**

#### **COMMISSION ACTION**

#### **11. EAST STUART CONDITIONAL USE APPROVAL FOR PACE CHILD CARE FACILITY (QUASIJUDICIAL):**

RESOLUTION No. 06-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING AN EAST STUART CODE CONDITIONAL USE APPROVAL TO ELLA PACE, A LICENSED DAY CARE OPERATOR, FOR PROPERTY LOCATED AT 915 SE EAST AVENUE, IN THE EAST STUART BUSINESS AND MIXED-USE SUB-DISTRICT; AND MORE FULLY DESCRIBED BY EXHIBIT 'A' ATTACHED, TO OPERATE PACE LEARNING ACADEMY, A CHILD CARE CENTER WITH A MAXIMUM OF 8 CHILDREN AT ONE TIME AND ACCORDING TO THE REGULATIONS PER CERTIFICATE NUMBER C19MA0098 ISSUED BY THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF); PROVIDING FOR CONDITIONS, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Two (2) people sworn; Tom Reetz and Kev Freeman of the City of Stuart Development Dept.

Tom Reetz, Senior Planner presented on the location, zoning, recommends approval.

Ms. Ella Pace was sworn in, came forward and commented on what Pace Learning Academy has to offer.

#### **Public Comment:**

- 1) Missy Harris – Alamanda Way; Has worked with Ms. Pace and supports her Childcare Center.
- 2) Susan Solis – Bayard Rd., Ft. pierce; Support of center and Ms. Pace.



**5:45 PM MOTION: Move approval.**  
**MOVED BY: Commissioner Meier**  
**SECONDED BY: Vice Mayor McDonald**  
**Motion approved unanimously.**



**5:46 PM**

**12. MAJOR SITE PLAN AMENDMENT - MONTEREY MEDICAL PARKING EXPANSION (QUASIJUDICIAL):**

RESOLUTION No. 01-2022; 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 FOR 51 ADDITIONAL PARKING STALLS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Mortell swore in five (5) people; Kev Freeman, City of Stuart, Mark Kirk, TCAM, Dave Domres, Physicians Realty Trust, Dan Holt, Holt Engineering, Carlton Randolph, Aurum Property Partners, Rob Gluckman, TC Urgent Care (extra person on QJ sign-in sheet).

Kev Freeman, Development Director, presented on the site location, wellfield protection, and the proposal. Reviewed the number of parking spaces and allocation, underground storage, landscaping,

Dave Domres, Physicians Realty Plus Landlord, sworn and came forward with comments and requested approval from the Commission.

Commissioners asked questions of Mr. Domres.

Nathaniel (Dan) Holt, Engineer – Sworn in and spoke on pervious pavement, 30 parking spaces, month to month lease.

Rob Gluckman, Manager of Monterey Medical, sworn in and explained the incentives for staff parking. Complimented the developer/landlord in working with them.




**6:32 PM Hearing Closed**

Public Comment:

- 1) Robin Cartwright – Commented on the Commission's past request for information on this project and was not reviewed today.
- 2) Linda Kay Richards – Commented that it is a dangerous president, opposes the project and covering up green space.

Commissioners deliberated. City Attorney provided background on the site stating that this project falls within the Code's guidelines.

 **6:52 PM MOTION:** Approve with adding two conditions; one condition would be that they maintain 30 spaces off-site, and the second condition is that they come back for staff to review and approve a maintenance plan for the pervious pavement, we want to make sure because that is not included into the Cultec maintenance plan.

**MOTION AMENDED 6:54 PM:** [Meier] Incorporate in stormwater infrastructure, a nutrient reduction technology or system above and beyond the agreed upon by staff; the nutrient reduction targets for this stormwater system are in terms of nitrogen and phosphorus are comparable to dried retention, to the existing retention areas, that at least will have biological functional, that whatever technology they choose has the similar nutrient reduction technology value. – Off-site parking in perpetuity, 5 or 10 years (number of years not determined).

**MOVED BY:** Vice Mayor McDonald

**SECONDED BY:** Commissioner Bruner

**Motion approved 3/2.**

**Clarke – NO**

**Meier – YES**

**Bruner - YES**

**McDonald - YES**

**Matheson – NO**

 **6:58 PM**

### **13. SHEPARD PARK BOAT SLIP LEASE:**

RESOLUTION No. 08-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZE EXECUTION OF LEASE AGREEMENT BETWEEN THE CITY OF STUART AND FRAZIER CREEK PROPERTIES, LLC FOR A BOAT SLIP LOCATED AT 400 SW FEDERAL HIGHWAY, STUART; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Meier commented on the private entity leasing it from the Federal government.

Mayor Matheson requested that an amendment be made to the leases last sentence striking that no fish cleaning be done in Shepard Park and replace with “No fish cleaning is allowed while on boat slip or dock”.

 **6:59 PM MOTION:** Move to approve.

**AMENDED MOTION 7:05 PM:** [Matheson] Amend the leases last sentence striking the prohibition of fish cleaning in Shepard Park and replace with “No fish cleaning is allowed while on boat slip or dock.”

**MOVED BY:** Vice Mayor McDonald

**SECONDED BY:** Commissioner Clarke

**Motion approved unanimously.**

### **ORDINANCE SECOND READING**

None.

## **ORDINANCE FIRST READING**

None.



**7:07 PM**

## **DISCUSSION AND DELIBERATION**

### **14. COMMISSIONER GOALS FOR 2022**

City Manager Dyess noted that he asked Commissioners for their goals and provided them for review of all Commissioners.

Each Commissioner noted their 2022 goals:

- Commissioner Bruner - more Christmas lights throughout downtown.
- Commissioner Clarke - the designation of historic status for some buildings in East Stuart.
- Commissioner Meier – extension of preserve of Haney Creek Trails.
- Vice Mayor McDonald – review of parking in downtown and identify commercial properties to improve quality of life.
- Mayor Matheson – successful implementation of the tree program, Palm City Rd. and City docks improvements.

Public Comment:

- 1) Helen McBride – SE Flamingo Ave.; Spoke about the homeless people throughout the City and is concerned about the safety of the children.



**7:22 PM ADJOURNMENT**

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**Mary R. Kindel, City Clerk**

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**Merritt Matheson, Mayor**

**Minutes to be approved at the Regular Commission  
Meeting this 24<sup>th</sup> day of January, 2022.**