

**MINUTES**  
**REGULAR MEETING OF THE STUART CITY COMMISSION**  
**HELD February 28, 2022**  
**AT 5:30 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: Lieutenant Michael Gerwan**



**5:31 PM ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**



**5:33 PM**

**COMMENTS BY CITY COMMISSIONERS**

Commissioner Meier

- Thanked the Mayor for thinking of Ukraine and commented that he was proud to be an American.

Commissioner Bruner

- Spoke on the loss of Maggy Hurchalla.
- Commented about the number of families in her neighborhood and what a great community it is.
- Commented about what a great job the City Trams do.

- Talked about the Pancakes in the Park event on March 5, 2022 and asked the community to go out and support the Kiwanis.

#### Commissioner Clarke

- Echoed the sentiments of Commissioner Meier.
- Thanked Mayor Matheson, Chief Tumminelli, and Ms. Althea Whiley for the Pep Rally that was done in East Stuart.

#### Vice Mayor McDonald

- Complimented Michelle Vicat, Executive Assistant to City Manager on the job well-done on the 2021 Annual Report.
- Announced that he was a guest speaker at Circle Bay Yacht Club, answered questions from City residents and noted traffic concerns he was informed of. Looking to put a 4-way stop on Manor & Palm City Rd. and stated that overall, Circle Bay is very satisfied with City.
- Commented that in the MPO meeting, they reappointed Mayor Matheson as Chair in the Transportation Disadvantage Committee and the Alternate in Treasure Coast Transportation Committee. Stated that he was elected chair for the MPO.

#### Mayor Matheson

- Spoke on the passing of Maggy Hurchalla and what she has done for the community, announced a “paddle out” in her memory on March 12, 2022 at 10:00AM at Cove Road Park.
- Thanked his Commission on the support about Senate Bill 2508. Stated that the bill was amended and will be open for discussion in the Senate Budget Conferences.
- Reported that he attended two ground breakings, C23 & C24 STA's.
- Hosted several members from the Army Corp on a boat ride through the rivers.
- Stated that he met with Army Corp staff from Washington DC at the C44 basin.
- Honored to be at the Little League opening at Sailfish Fields.
- Commented on the Sailfish Sprint on March 5, 2022.

### COMMENTS BY CITY MANAGER

#### City Manager Dyess

- Commented on the eventful weekend that will be coming up. Reiterated different events that the Commissioners commented on.
- Spoke on the new location of the Boys and Girls Club on MLK Blvd.

### APPROVAL OF AGENDA



**5:56 PM MOTION: Move approval of the agenda as published.**

**MOVED BY: Commissioner Clarke**

**SECONDED BY: Commissioner Meier.**

**Motion approved unanimously.**

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

None.

## **CONSENT CALENDAR**

### **1. APPROVAL OF 02/14/2022 CCM MINUTES**

### **2. BUDGET AMENDMENT #8 - CDBG PROGRAM:**

RESOLUTION No. 22-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 8 TO THE FY 2021-2022 GENERAL FUND; APPROPRIATING PROGRAM INCOME FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN THE AMOUNT OF \$750,000; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

### **3. TRESSLER DRIVE WATER QUALITY IMPROVEMENT PROJECT - IRL COUNCIL COSTSHARE AGREEMENT CHANGE ORDER:**

RESOLUTION No. 27-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO THE 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.

### **4. STATE REVOLVING FUND AMENDMENT 3 TO LOAN AGREEMENT DW430440:**

RESOLUTION No. 29-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING AMENDMENT 3 TO THE STATE OF FLORIDA DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT DW430440; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 3; DESIGNATING AUTHORIZED REPRESENTATIVE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

## **END OF CONSENT CALENDAR**



**5:57 PM MOTION: Move approval of Consent.**

**MOVED BY: Commissioner Meier**

**SECONDED BY: Commissioner Clarke**

**Motion approved unanimously.**

## **COMMISSION ACTION**

## **ORDINANCE SECOND READING**



**5:57 PM**

## **ORDINANCE FIRST READING**

### **5. SILVERTHORN RESIDENTIAL PUD - FIRST READING (QUASI-JUDICIAL):**

ORDINANCE No. 2472-2022: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 9.43 ACRE PARCEL ANNEXED BY ORDINANCE NO. 1527-97, OWNED BY TED GLASRUDD ASSOCIATES FL LLC, LOCATED ON THE SOUTH EAST CORNER OF SE INDIAN STREET AND SE COMMERCE AVENUE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" ON THE CITY'S OFFICIAL ZONING MAP; ESTABLISHING THE SILVERTHORN RPUD CONSISTING OF EIGHTY SIX (86) ATTACHED HOMES; APPROVING A MASTER 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.

Mike Mortell, City Attorney swore in 3 people; Kev Freeman, Tom Reetz, and Michael Dinilio.

Kev Freeman, Development Director gave a brief discussion on the Ordinance.

Michael Dinilio, Meritage Home requested that the hearing be moved to March 28, 2022 due to the changes that are being done in the project and working with City's staff.

Commissioner Meier stated that this was the first time in his tenure that staff has recommended denial of a project. Stated that he was not in favor to accept the motion due to how far apart staff and applicant seem to be. Commissioner Meier continued to share his reasoning for not being in favor of the project.

Vice Mayor McDonald reported that he is not in favor to continue this project.

Commissioner Clarke and Attorney Mortell discussed on whether the project would have to go back to LPA.

Developer shared some of the things that have changed within the project just to make the elements that the Commissioners would like. He stated that a 30-day continuance would be acceptable for them.

Commissioners discussed the project and all the factors surrounding this project.

Public Comment:

- 1) Helen McBride – SE Flamingo Ave; Commented about there being no lights on Commercial and Indian St. and stated that she hopes the Commission listens to the LPA Board as they are a great board and do their homework.
- 2) Linda Kay Richards – SW Cabana Pointe; Commented on this land being commercial land and needs to stay commercial, stated her opposition on this project.

 **6:03 PM MOTION: Move approval to request to continue on March 28, 2022 at 5:00 PM.**


**MOVED BY: Commissioner Clarke**

**SECONDED BY: Commissioner Brunner**

**Motion approved unanimously.  6:16 PM**

Commissioner Meier made a comment about a County meeting speaking of Rural Lifestyle land use switch.

Commissioners and Attorney discussed the legal side of not accepting the motion to a date certain.

 **6:21 PM**

#### **6. AMENDMENT TO THE LAND DEVELOPMENT CODE TO INCORPORATE TREE REMOVAL PENALTIES:**

ORDINANCE No. 2478-2022; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION OF CHAPTER V RESOURCE PROTECTION STANDARDS OF THE CITY'S LAND DEVELOPMENT CODE, ESTABLISHING "PENALTIES FOR VIOLATIONS" FOR THE REMOVAL OF TREES IN VIOLATION OF THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Tom Reetz, Senior Planner gave a brief history and presented the amendment text for this Ordinance.

Commissioner Meier stated how and why he was in favor of this Ordinance.

 **6:26 PM MOTION: Move Approval.**

**MOVED BY: Commissioner Meier**

**SECONDED BY: Vice Mayor McDonald**

**Motion approved unanimously.**

Commissioner Meier commented on preserve areas, stated that there was a Legislature that is poised to pass into a glitch bill that fixes the tree protection law passed in 2019. He stated if all goes according to plan the legislature will finally allow the local government to protect their special trees and would recommend after it passes, we look into a dedicated tree protection program in the City.

Mayor Matheson shared his support to Commissioner Meier.

Mr. Freeman shared something similar that the City does have already.

Commissioner Clarke announced 2 events that are happening in March:

- Housing Rehabilitation Workshop on March 9, 2022 at 5:30PM in Commission Chambers.
- Share your East Stuart story event on March 7, 2022 at 5:30PM at 10<sup>th</sup> Street Recreation Center.

## **DISCUSSION AND DELIBERATION**



**6:32 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 14<sup>th</sup> day of March, 2022.**