



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION TO BE HELD MARCH 14, 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**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - LAYLA FORS, SONG PERFORMANCE

PROCLAMATIONS

2. IRISH AMERICAN HERITAGE MONTH - MARCH 2022
3. COMMEMORATION OF THE 50TH ANNIVERSARY OF THE VIETNAM WAR & VIETNAM WAR VETERANS DAY ON MARCH 29, 2022
4. 50TH ANNIVERSARY OF THE FLORIDA ASSOCIATION OF CITY CLERKS

PRESENTATIONS

5. SERVICE AWARDS - MARCH 2022
6. EMPLOYEE SPOTLIGHT - MARCH 2022
7. OFFSITE IMPROVEMENTS AND INFRASTRUCTURE CONNECTED TO THE AVONLEA MASTER PUD (PLANNED UNIT DEVELOPMENT)

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

8. APPROVAL OF 02/28/2022 CCM MINUTES (RC)
9. DOWNTOWN COURTESY DOCK WAVE ATTENUATION PHASE I FIND GRANT APPLICATION AUTHORIZATION (RC):

RESOLUTION No. 30-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE UTILITIES AND ENGINEERING DEPARTMENT TO APPLY FOR AND, IF SUCCESSFUL, DESIGNATE THE UTILITIES AND ENGINEERING DIRECTOR AS THE AUTHORIZED REPRESENTATIVE TO EXECUTE THE GRANT, AND SUBSEQUENTLY APPROVE THE EXPENDITURE OF THE GRANT FUNDS FROM THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM, TO FUND THE IMPROVEMENTS ASSOCIATED WITH THE DOWNTOWN COURTESY DOCKS AND WAVE ATTENUATION PROJECT: PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

10. PLAT OF "AVONLEA PARCEL 16" (RC):

RESOLUTION No. 33-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "AVONLEA PARCEL 16", A REPLAT OF LOT 16, NEW AVONLEA P.U.D. RECORDED IN PLAT BOOK 17, PAGE 35, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 37 SOUTH, RANGE 41 EAST CITY OF STUART, MARTIN COUNTY, FLORIDA, CONTAINING 4.14 ACRES, MORE OR LESS PREPARED BY RICHARD H. SMITH, PROFESSIONAL SURVEYOR AND MAPPER NO. 5239, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

11. LAND USE CHANGE FOR PREVIOUS ANNEXED PROPERTIES (RC):

RESOLUTION No. 31-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA INITIATING THE PROCESS TO AMEND THE FUTURE LAND USE MAP AND ASSIGN CITY FUTURE LAND USE(S) AND CITY ZONING CATEGORY(S) FOR PROPERTIES PREVIOUSLY VOLUNTARILY ANNEXED INTO THE CITY LIMITS, FLORIDA, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

12. BA #10 ARPA FUNDING - NW DIXIE HIGHWAY DITCH IMPROVEMENTS & SE MANGO PLACE DRAINAGE IMPROVEMENTS PROJECTS (RC):

RESOLUTION No. 32-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT No. 10 TO THE 2021-2022 ENTERPRISE FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE NW DIXIE HIGHWAY DITCH IMPROVEMENTS PROJECT & SE MANGO PLACE DRAINAGE IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

13. NOTICE TO ABANDON RIGHT-OF-WAY FOR PALMETTO COVE RPUD (RC):

RESOLUTION No. 35-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA DECLARING PURSUANT TO CHAPTER 36 OF THE CODE OF ORDINANCES OF THE CITY OF STUART, FLORIDA THE INTENTION OF THE CITY COMMISSION TO ABANDON AND TO SET PUBLIC HEARINGS ON MARCH 28, 2022, AT 5:30 P.M. AND APRIL 11, 2022, AT 4:00 P.M. IN THE CITY COMMISSION CHAMBERS TO CONSIDER THE ABANDONMENT OF CERTAIN PUBLIC RIGHT-OF-WAY WITHIN THE CITY, BEING THAT PORTION OF A PLATTED 11 FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF DYER ESTATES, MORE CLEARLY DESCRIBED IN EXHIBIT "A" ATTACHED; PROVIDING FOR THE REPEAL OF RESOLUTION 106-2021, AND FOR OTHER PURPOSES.

14. LICENSE AGREEMENT DOWNTOWN VALET PARKING:

RESOLUTION 36-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT BETWEEN THE CITY OF STUART AND HUDSON'S ON THE RIVER, LLC TO UTILIZE PARKING LOCATED AT NORTH END OF FLAGLER AVENUE FOR THE PURPOSE OF OPERATING A DOWNTOWN VALET PARKING SERVICES PILOT PROGRAM.

ORDINANCE SECOND READING

15. AMENDMENT TO THE LAND DEVELOPMENT CODE TO INCORPORATE TREE REMOVAL PENALTIES (RC):

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.

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

ADJOURNMENT