

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
JULY 25, 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**

ROLL CALL

5:30 PM

PRESENT: Mayor Matheson, Vice Mayor McDonald, Commissioner Bruner, Commissioner Meier.

LATE: Commissioner Clarke

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. WITHAM FIELD AIRPORT PRESENTATION

Commissioner Clarke arrived at 5:32 PM.

Mr. Sam Carver, Airport Manager, gave a brief introduction to the presentation and introduced Mr. Mike Arnold, Vice President at Environmental Science Associates (ESA) Airports. Mr. Arnold presented a noise exposure map update, compatible land use guidelines, noise modeling methodology, noise contours, and noise sensitive sites exposed to DNL 60 and higher.

Commissioners participated in a comment/question and answer with Mr. Arnold and Mr. George Stokus, Assistant County Administrator. Discussion included Federal Aviation Administration grant funding, noise stages, adopting an Ordinance for 60 DNL, and not purchasing property around the protection zone.

6:03 PM MOTION: Direct staff to work with the County for an Interlocal Agreement regarding what is in the grant application and prepare an Ordinance, a DNL 60 Ordinance based on the information provided.

MOVED BY: Troy McDonald

SECONDED BY: Eula Clarke

Motion approved unanimously.

COMMENTS BY CITY COMMISSIONERS

6:08 PM

Commissioner Meier

- Commented about it being Election Season and spoke about the affordable housing crisis solution that is unanimously agreed upon throughout all levels of Government, which is to increase the supply of housing.

Commissioner Bruner

- Requested an update on the Residential Tree Program due to the heat and wanted to ensure they were getting enough water.
- Stated she was concerned about the valet coning off the parking spots by Hudsons on the River Restaurant and residents thinking they cannot park there.

David Dyess, City Manager, stated that the valet is allowed to cone off the parking spaces in advance and stated that the City is maintaining the trees for 90 days.

Commissioner Clarke

- Commented on the dead tree near Luna's Restaurant.
- Stated she wants to implement a program within the City like "Martin Cares", so the citizens can learn more about the City.
- Commented about the Waterway Cleanup.
- Requested that Mr. Dyess give an update on the Taylor Property.

Mr. Dyess provided an update and stated it would be leveled to a flat surface.

- Commented on Bahama and 10th building and stated that it was in a terrible state with garbage and would like Code Enforcement and the Police Department to look into it.

Vice Mayor McDonald

- Stated that by the Seaside development on Central Parkway the trees have grown into the turning lane and would like it to be maintained.
- Commented on the tragedy that occurred in East Stuart and thanked the Police and Fire Rescue Departments for the heroic work they did.

Mayor Matheson

- Spoke about the Treasure Coast Waterway Cleanup and thanked everyone in the City who participated.
- Commented about the boat protest for the operation of the Railroad Bridge and thanked everyone who participated.
- Gave an update on Lake Okeechobee and stated he spoke with Army Corp to host a listening session and debriefing on the next phases of the Lake Okeechobee System Operating Manual (LOSOM) on August 17, 2022 in Commission Chambers.
- Offered his condolences to the Delancey family and commended the Police and Fire Rescue Departments.

COMMENTS BY CITY MANAGER

City Manager Dyess

- Handed the Commission pens from H2O students, that were made from recycled water bottles.
- Introduced Misti Guertin, Communications & Digital Marketing Manager for the City.
- Requested a motion and a vote for our mileage rate not to exceed 5.

6:29 PM MOTION: So move. (Mileage rate not to exceed 5)

MOVED BY: Eula Clarke

SECONDED BY: Mike Meier

Motion approved unanimously.

- Requested to pull Item #7 and #8 due to staffing issues and would like to add a Discussion and Deliberation (D&D) about electrical vehicle charging.

APPROVAL OF AGENDA

6:30 PM MOTION: Move approval of the Agenda as per City Managers suggestions. (To pull Item #7 and #8 and add D&D).

MOVED BY: Mike Meier

SECONDED BY: Troy McDonald

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

- 1.) Joe Flannigan - Indian Grove Dr; Spoke on the stop signs and requested a 3-way stop at Indian Grove and California and stated he knew a young woman who wanted to look into working with a developer on the Taylor property.
- 2.) Robert Ruswak Jr - Dolphin Dr; Spoke about a Code Enforcement issue across the street from his home and wanted some resolution.
- 3.) Christopher Collins - Flamingo Ave; Commented that not everyone agrees with how to solve affordable housing and spoke about housing and traffic infrastructure and what he would like to see.
- 4.) Suzanne Bowman - Winter Haven Ct; Commented about a developer trespassing onto her property by crossing the property line. She did provide a survey and a "Final Preserve Area Management Plan for Springtree".

CONSENT CALENDAR

2. APPROVAL OF 06/20/2022 SCM BUDGET WORKSHOP #1 MINUTES (RC)

3. APPROVAL OF 7/11/2022 CCM MINUTES (RC)

4. SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION - IRL COST-SHARE AGREEMENT (RC):

RESOLUTION No. 65-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A COST-SHARE AGREEMENT FOR THE SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION PROJECT WITH THE INDIAN RIVER LAGOON (IRL) COUNCIL; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:44 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Mike Meier

Motion approved unanimously.

COMMISSION ACTION

5. BUDGET AMENDMENT FOR WATER/SEWER PROJECT AND MEMORIAL PHASE 4 DESIGN (RC):

RESOLUTION No. 64-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 15 TO THE 2021-2022 ENTERPRISE FUND AND GENERAL FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR DIXIE HIGHWAY FORCE MAIN PROJECT & MEMORIAL PARK PHASE 4 DESIGN PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Mr. Dyess explained the project and detailed that our pipes are running through the stormwater line and stated they need to be moved.

6:47 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Mike Meier

Motion approved unanimously.

6. SERVICE AGREEMENT WITH STUART MAIN STREET FOR 2023 FISCAL YEAR (RC):

RESOLUTION NO. 66-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT FOR STUART MAIN STREET BETWEEN THE CITY/CRA AND STUART MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC BENEFITS, REDEVELOPMENT, AND MAINTENANCE OF THE STUART MAIN STREET DISTRICT FOR THE 2023 FISCAL YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Dyess explained the service agreement and stated they are extending the contract for 1 year.

6:49 PM MOTION: Move for approval.

MOVED BY: Troy McDonald

SECONDED BY: Becky Bruner

Motion approved unanimously.

ORDINANCE SECOND READING

None.

ORDINANCE FIRST READING

7. SAILFISH CAY FUTURE LAND USE MAP AMENDMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2486-2022; 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 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; 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.

PULLED

8. SAILFISH CAY REZONING TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2487-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO REZONE REAL PROPERTY FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH CAY RPUD CONSISTING OF

SIXTY (60) TOWNHOUSE UNITS; 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.

PULLED

9. REPEAL & REESTABLISH CHAPTER 36, ARTICLE V, CODE OF ORDINANCES (RC):

ORDINANCE No. 2488-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING AND REESTABLISHING CHAPTER 36, ARTICLE V, COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY, OF THE CITY OF STUART CODE OF ORDINANCES; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTICE OF TRANSFER, SALE, OR ASSIGNMENT OF ASSETS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE REQUIREMENT OF A PERMIT; PROVIDING FOR APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR INSURANCE AND INDEMNIFICATION; PROVIDING FOR FEES AND TAXES; PROVIDING FOR A RESERVATION OF RIGHTS AND REMEDIES; PROVIDING ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITIES; PROVIDING FOR AN EFFECTIVE DATE.

Mike Mortell, City Attorney, spoke about the updates in the Ordinance.

Mayor Matheson stated that this Ordinance is an example of Home Rule limitation.

PUBLIC COMMENT:

- 1.) Campbell Rich - Flamingo Ave; Expressed his condolences to the City with regard to the legal requirement imposed by the state to pass this Ordinance.
- 2.) Tom Campenni - St. Lucie Crecent Ave; Shared a story about a cellphone tower hearing he attended in Washington DC.

6:55 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

DISCUSSION AND DELIBERATION

7:02 PM

10. FPL EV CHARGING STATIONS

Ben Hogarth, Community services, spoke about the various locations EV Chargers could be placed at, stated what the advantages/disadvantages of each location is, and would like feedback from the Commissioners.

Vice Mayor McDonald initiated a discussion on the future redevelopment project for the Wells Fargo building and how it would affect the charging stations.

Commissioners had a discussion with Mr. Hogarth about the various locations, transformer size, time limit to enter into an agreement with FPL, spoke about the growth of electrical vehicles, and parking restraints the City currently has.

Mr. Dyess stated he would have staff go back to FPL and have them depict what the transformers would look like on the parallel option on Osceola and show them to the Commissioners.

ADJOURNMENT

7:31 PM

Mary R. Kindel, City Clerk

Merritt Matheson, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 8th day of August, 2022.**