

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
SEPTEMBER 26, 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 McDonald, Commissioner Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Rich

- Announced his attendance at a meeting for the Florida League of Cities and heard Dr. Tim Moore, who spoke highly of Commissioner Meier and received a certificate on behalf of Commissioner Meier; Commissioner Rich congratulated Mike Meier.
- Commented that he would like to add an item to the agenda to discuss the motion made during the Utility Rate Meeting, the decision to preclude the possibility of considering the 3.24 acres of land for workforce housing.

5:33 PM MOTION: Add Utility Rate Motion discussion to the Discussion & Deliberation of this agenda.

MOVED BY: Campbell Rich

SECONDED BY: Becky Bruner

Motion approved unanimously.

Commissioner Clarke

- Asked Pinal Gandhi Savdas, CRA Executive Director, when the residents would know about the funding for the housing improvement projects and when it would be available for the residents who applied.
- Stated she was appointed to the Treasure Coast Regional Council, and commented that she has been to several presentations about the different aspects of how to have affordable housing and encouraged residents and the Commission to go to the presentation of the Regional Planning Council on September 23, 2022.
- Commented that she had a meeting with a resident who is interested in the river and would like to have a discussion with the City Manager to see if this needs to become an item of discussion at some point to see if someone will volunteer and move something forward with the Indian River Lagoon.
- Stated that 2 organizations (Greek Organization and a Traditional African American Organization) have asked for Proclamations and asked that the City Manager work with our Mayor to facilitate a short Proclamation welcoming them to our City.
- Praised the Treasure Coast Regional Council and encouraged the public to get involved.

Mayor McDonald

- Thanked all City employees who worked during the weekend to get us ready for the storm. Explained to Commissioner Collins and Commissioner Rich Declaration of Local Emergency procedures when there is a hurricane.
- Commented about the legislative agenda and stated that he spoke to many residents who have been having a lot of issues with their home owners insurance and would like to add that to their legislative agenda.
- Commented that he is looking forward to the swearing in of a new police officer tomorrow.

COMMENTS BY CITY MANAGER

City Manager David Dyess

- Reported that the City received the \$125,000.00 FIND Grant for the docks design and permitting process. The grant is to take the current floating docks and convert them into fixed docks.

APPROVAL OF AGENDA

5:44 PM MOTION: Approval of the agenda adding the D&D to the agenda.

MOVED BY: Becky Bruner

SECONDED BY: Eula Clarke

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1.) Cher Fisher - SE Bridgetown Ct.; Spoke about homelessness and asked the Commission to recognize the middle and working class as work force.

- 2.) Cheree Ramirez - SW Cornell Ave.; Stated that she is a working professional and gave a brief story of her life and how there is no affordable housing in Stuart.
- 3.) Laura Giobbi - SE Ocean Blvd.; Spoke about growth vs infrastructure housing and stated she believes the city should promote small business...
- 4.) Niki Hawkins - SE Arapaho Ave.; Encouraged the Commission to hire a facilitator to look into affordable housing.
- 5.) Rob Raneri - NW Flagler.; Stated that residents can not afford to live here and stated we are losing people within the workforce and asked that they reconsider the property on MLK and Georgia Ave.
- 6.) Jimmy Smith - SE Apache Ave.; Thanked the Commission for participating in the BBQ cook off. Provided history of the building on the corner of MLK and Georgia Ave.
- 7.) Suzie Hutchinson - NE Braille Place.; Stated that her organization is having trouble finding jobs because there is no affordable place to live. Stated she would love to see the City of Stuart take the lead in affordable housing.
- 8.) Valerie Slack - Palmetto Ave. Fort Pierce.; Stated that there is a deep need for affordable housing and is in favor of the property on MLK and Georgia Ave.
- 9.) Tony Anderson - SE Geraldine St.; Thanked the Commission for their service and spoke on the issue of affordability. Stated he believes the Commission should think of the common good and use this building for affordable housing.
- 10.) Nick Blount - Sandpiper Ln.; Encouraged the Commissioners to look at what surrounding cities are doing for affordable housing and spoke about the property on MLK and Georgia Ave.
- 11.) Gail Goldy - NW 12th Terrace.; Agreed with affordable housing and questioned the Commission if they have seen the prices the developers are charging. Apartments are not affordable housing and states the City does not belong in the landlord business.
- 12.) Nick Gulota - Kanner Hwy.; Not in favor of affordable housing in Martin County and stated the irony of Commissioners campaigning against development but are in favor of affordable housing.
- 13.) Caitlynne Palmier - SE Bonita St.; Commented that she believes that we are getting in the way of the market and would like the Commissioners to be pro people and not just pro environment.
- 14.) Madeline Greenwood - SE Letha Cir.; Stated that there are people in our community who are in the workforce and are facing homelessness and believes the site of MLK and Georgia Ave is a great property for affordable housing.
- 15.) Aron Hawkins - SE Arapaho Ave.; In favor of affordable housing.
- 16.) Amy Prichett - SE Horseshoe Pt Rd.; Questioned Impact fees and how they are calculated.
- 17.) Mark Brechbill - SE Osceola St.; Stated we have to create better jobs for the people in the City. Spoke on commercial housing vs residential housing.
- 18.) Joe Scooper - SE 9th St.; Stated we should balance the cost of living vs wages. stated we should address the need with a balanced approach.
- 19.) Rudy Jamison - SE Garden.; Stated we need to consider each other and does not want the people of Stuart to be pushed out of their homes.
- 20.) Joe Flannagan - SW Indian Grove Dr.; Stated there is no starter home in Martin County and asked the Commission to move things forward.
- 21.) Will Laughlin - S. Kanner Hwy.; Spoke on the crisis we face and stated the government is the reason for inflation.

PRESENTATIONS

1. PROPOSED FORM BASED CODE FOR THE EAST STUART NEIGHBORHOOD AND THE CREEK DISTRICT, PRESENTED BY THE TREASURE COAST REGIONAL PLANNING COUNCIL

6:33 PM

Pinal Gandhi Savdas, CRA Director, gave a history on Form Based Code.

Jessica Seymore of the Treasure Coast Regional Planning Council presented the East Stuart Neighborhood and provided the Commission with details on the process, proposed future land use map, proposed thoroughfare plan & types, proposed zoning, frontage types, public comments, different layouts of the homes.

Discussion between the Commissioners, Attorney Mortell, and Ms. Seymore took place.

7:32 PM

Ms. Seymore presented The Creek District and provided the Commission with details on the process, existing future land use, existing zoning map, proposed creek industrial, thoroughfare plan & types, development standards proposed, LPA comments, proposed frontage types, parking standards, stormwater, and the next steps.

Discussion between the Commissioners and Ms. Seymore took place.

CONSENT CALENDAR

2. APPROVAL OF 09/12/2022 CCM AND 09/14/2022 SCM - UTILITY RATE HEARING MEETING MINUTES (RC)

3. AUTHORIZATION TO NEGOTIATE RFP# 2022-207: DOWNTOWN VALET PARKING SERVICES (RC):

RESOLUTION No. 78-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2022-207, DOWNTOWN VALET PARKING SERVICES PROGRAM TO THE ONLY SUBMITTING FIRM, THE PARKING SOLUTION OF BOYNTON BEACH, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

4. AUTHORIZATION TO PARTIALLY RELEASE MURPHY DEED NO. 651 (E. OCEAN BLVD.) (RC):

RESOLUTION No. 82-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE PARTIAL RELEASE OF MURPHY ACT ROADWAY RESERVATION, DEED NO. 651 ON STATE ROAD #222, ALSO KNOWN AS EAST OCEAN BOULEVARD; AUTHORIZATION FOR THE PUBLIC WORKS DIRECTOR TO EXECUTE THE APPLICATION FOR RELEASE OF RESERVATIONS TO THE BOARD OF TRUSTEES OF THE

INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA;
PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. AWARD OF ITB# 2022-112: DIXIE HWY (COUNTY ROAD A1A) UTILITY
RELOCATION PROJECT (RC):

RESOLUTION No. 83-2022; A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-112,
CITY OF STUART SE DIXIE HWY (COUNTY ROAD A1A) UTILITY
RELOCATION PROJECT TO THE LOWEST, RESPONSIVE, AND
RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$320,000.00 TO
UNDERGROUND CONSTRUCTION MANAGEMENT OF STUART, FLORIDA
PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. FACSIMILE SIGNATURE BANK (RC):

RESOLUTION No. 87-2022; 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.

END OF CONSENT CALENDAR

8:06 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Becky Bruner
Motion approved unanimously.

COMMISSION ACTION

7. LICENSE AGREEMENT WITH THE CREEK DISTRICT OF ARTS AND
ENTERTAINMENT (RC):

RESOLUTION No. 84-2022; A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE
A LICENSE AGREEMENT WITH "THE CREEK" DISTRICT OF ARTS AND
ENTERTAINMENT INC. FOR THE PURPOSE OF PROVIDING A MONTHLY
"FIRST FRIDAY ART WALK" TO PROMOTE THE ARTS AND FOR THE
ENJOYMENT OF THE PUBLIC; PROVIDING AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.

City Manager Dyess explained the new language change and provided details about the
license agreement.

PUBLIC COMMENT:

1.) Duncan Herd - President of the Creek District of Arts and Entertainment spoke about a concern he has in regards to the license agreement. He also stated that he is thrilled that the Commission will get to vote on this.

City Attorney Mortell noted concern from an insurance perspective, about knowing where the first Friday event is to be held.

City Manager Dyess stated that we could strike the address part in the agreement and continue with receiving the site plan.

8:09 PM MOTION: Approve with City Managers comment.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

8. APPENDIX A RATE UPDATES INCLUDING UTILITIES (RC):

RESOLUTION 86-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING APPENDIX "A" BY AMENDING CHAPTER 36, CHAPTER 34, AND CHAPTER 42 OF THE CITY'S CODE OF ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

City Manager Dyess provided the Commission with what updates were made in Appendix A.

8:13 PM MOTION: Approve.

MOVED BY: Becky Bruner

SECONDED BY: Campbell Rich

Motion approved unanimously.

ORDINANCE SECOND READING

9. REQUEST TO CONTINUE TO A DATE CERTAIN OF OCTOBER 10, 2022

CCM:

DOGSWORLD URBAN CODE CONDITIONAL USE (QUASI-JUDICIAL):

RESOLUTION No. 73-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO JUSTIN PHILLIPS, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 400 SW 7TH STREET, CONSISTING OF APPROXIMATELY 1.62 ACRES; TO ALLOW THE USE OF KENNELS FOR DOGSWORLD; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

8:14 PM MOTION: Approve (continue to date certain of Oct. 10, 2022)

MOVED BY: Eula Clarke

SECONDED BY: Becky Bruner

Motion approved unanimously.

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

Attorney Mortell clarified that Commissioner Rich wanted to revisit the motion that was made in the previous meeting as it pertained to the site on MLK Blvd & Georgia Ave. He stated this motion is not to approve any projects, it is just simply to have staff reschedule for the next meeting, the issue of the motion. Attorney Mortell stated that the motion was not only to approve the utility rate but also included language stating the Commissioners did not want to consider that site for housing.

City Manager Dyess clarified the motion during the rate study was to approve the rate study with keeping the garage facility at Georgia Ave and MLK Blvd.

Commissioner Rich stated that the parcel on MLK Blvd & Georgia Ave is the best site and would like the Commission to consider the site and what could go there and reconsider the Motion and receive a proposal to see what the City could do.

8:21 PM MOTION: Reconsider the decision we made regarding the sanitation utility rate.

MOVED BY: Campbell Rich

SECONDED BY: None

DIED FOR A LACK OF SECONDS

Mayor McDonald stated the reasons why he does not agree and states that he recognizes the need for housing but does not agree with spending 6 million dollars on a property that is worth a fraction of that.

Discussions continued amongst Commissioners.

10. LOCATION SELECTION OF EV CHARGING STATION PARKING SPOTS

8:30 PM

Ben Hogarth, Community Affairs Liaison, provided background on electrical vehicle charging stations, spoke about the different locations to place the charging stations, Sailfish Parking lot and Wells Fargo street parking.

Commissioners discussed the locations, what the pros and cons are of each location, profit share, and the future of electrical vehicles.

PUBLIC COMMENT:

1.) Marc Brechbill - SE Osceola St.; Stated the City has no business in the transportation business and stated that WAWA has the chargers because they profit off of their convenience store. He is not in favor of the chargers.

2.) Valerie Slack - Palmetto Ave. Fort Pierce.; Commented on the electric vehicle parking spaces in Ft Pierce and stated the spots are in demand and never empty. Stated that the Commission should ensure FPL is providing the most adaptable plug for more than 1 vehicle type.

3.) Robert Hamilton - Is not in favor of these parking spaces.

8:45 PM MOTION: Approve Sailfish Parking lot.

MOVED BY: Becky Bruner
SECONDED BY: Campbell Rich
VOTE: 4/1
YES: Becky Bruner, Eula Clarke, Troy McDonald, Campbell Rich
NO: Christopher Collins

11. ZONING IN PROGRESS DISCUSSION

8:54 PM

Attorney Mortell discussed the difference between what a Zoning In Progress (ZIP) and a Mortatorium is.

Commissioner Bruner stated we are almost built out and would like to know how much vacant land we currently have.

Erin Wohlitka, Acting Development Director, stated that there are 203 vacant acres left in the City. Ms. Wohlitka stated that that number is not the true vacant, it is the vacant without vested entitlements.

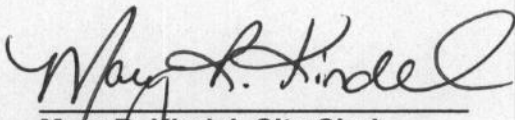
Commissioners continued asking questions and discussing the ZIP with Attorney Mortell and City Manager Dyess.

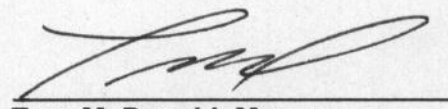
PUBLIC COMMENT

1.) Eric Wickstrom - SE 6th St.; Stated he is a small business owner and does not mind the development and agrees with affordable housing.

ADJOURNMENT

9:41 PM


Mary R. Kindel, City Clerk


Troy McDonald, Mayor

Minutes to be approved at the Regular Commission Meeting this 10th day of October, 2022.

