



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

OCTOBER 10, 2022

AT 4:00 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald

Commissioner Becky Bruner

Commissioner Eula R. Clarke

Commissioner Christopher Collins

Commissioner Campbell Rich

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

1. ARTS MOMENT - THE ROYAL HEARTS STUDENT DANCE TEAM, 10TH STREET COMMUNITY CENTER'S ESYI AFTERSCHOOL PROGRAM

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

2. "CHARACTER COUNTS!" WEEK - OCTOBER 16-22, 2022
3. FLORIDA CITY GOVERNMENT WEEK - OCTOBER 17-23, 2022
4. DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER 2022

PRESENTATIONS

5. SERVICE AWARDS - OCTOBER 2022
6. CDBG HOUSING REHABILITATION PROGRAM UPDATE
7. NEW LAW ON MULTI-STORY RESIDENTIAL INSPECTIONS

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

8. APPROVAL OF 09/26/2022 SCM FINAL BUDGET MINUTES AND 09/26/2022 CCM MINUTES (RC)

9. INVESTMENT POLICY UPDATE (RC):

RESOLUTION No. 85-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY OF STUART INVESTMENT POLICY FOR PUBLIC FUNDS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND PROFESSIONAL FIREFIGHTERS OF STUART, LOCAL #2411 (RC):

RESOLUTION No. 90-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PROFESSIONAL FIREFIGHTERS OF STUART, LOCAL 2411 (IAFF), EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (RC):

RESOLUTION No. 91-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA), EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. TRESSLER DRIVE WATER QUALITY IMPROVEMENT PROJECT - IRL COUNCIL COST-SHARE AGREEMENT CHANGE ORDER 2 (RC):

RESOLUTION No. 92-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER 2 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.

13. GRANT AGREEMENT AMENDMENT 4 - ALTERNATIVE WATER SUPPLY STATE APPROPRIATION (RC):

RESOLUTION No. 94-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING AMENDMENT 4 TO AGREEMENT NO. LPA0046 FOR THE ALTERNATIVE WATER SUPPLY PROJECT; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 4; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

14. ZONING IN PROGRESS (RC):

RESOLUTION No. 93-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DIRECTING STAFF TO PREPARE AN ORDINANCE TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS ADDRESSING SECTION 2.07.00(I), DENSITY AND PARKING CALCULATION WITHIN AN URBAN PLANNED UNIT DEVELOPMENT, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

RESOLUTION No. 95-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DIRECTING STAFF TO PREPARE AN ORDINANCE TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS ADDRESSING SECTION 2.03.03 ADDRESSING THE DENSITY ALLOWED BY RIGHT WITHOUT COMMISSION APPROVAL, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

15. HOUSING SOLUTIONS COUNCIL LAND LEASE (RC):

RESOLUTION No. 96-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A LAND LEASE BETWEEN THE CITY OF STUART, FLORIDA AND HOUSING SOLUTIONS COUNCIL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

16. ACCEPT DONATED PROPERTY FROM MARTIN COUNTY (RC):

RESOLUTION No. 97-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING AND ACCEPTING THE DONATION OF .25 ACRES OF LAND LOCATED IN EAST STUART BEING CONVEYED BY MARTIN COUNTY TO THE CITY OF STUART, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

17. 751 SE CENTRAL PARKWAY - SMALL-SCALE FUTURE LAND USE MAP AMENDMENT FROM COMMERCIAL (C) TO MULTI-FAMILY RESIDENTIAL (MF-RES) (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.

- 18. 751 SE CENTRAL PARKWAY - REZONING FROM COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) 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.

- 19. REQUEST TO CONTINUE TO DATE UNCERTAIN - 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.

DISCUSSION AND DELIBERATION

ADJOURNMENT