

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
MARCH 13, 2023
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Troy McDonald
Vice Mayor 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**

ROLL CALL

4:05 PM

PRESENT: Mayor McDonald, Vice Mayor Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

INVOCATION

Pastor Aaron Meehan - Higher Purpose Pentecostal Church

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - CHAZ RUSSELL, STEEL DRUM DUET
Chaz Russell and Loretta Russell performed "One Love" on the steel drums.

PROCLAMATIONS

2. IRISH AMERICAN HERITAGE MONTH - MARCH 2023
Steven Risley accepted the Proclamation on behalf of Ray Lynch, Florida State President and National Director of the Ancient Order of Hibernians.

PRESENTATIONS

3. SERVICE AWARD - MARCH 2023
Jan Foselli from the Fire Department celebrated 5 years and accepted her award.

4. INDIAN RIVER LAGOON NATIONAL ESTUARY PROGRAM

Caleta Scott, Indian River Lagoon Community Engagement Coordinator, presented on the Indian River Lagoon Estuary Program, reviewed the vision, mission, and goals, as well as the progress of projects. She stated she is interested in learning more and working with City staff on projects. She commended the staff on the work they have done for the different water programs in the City.

5. POPULATION STUDY FOR THE CITY OF STUART AND THE UTILITY SERVICE AREA

David Farmer, CEO of Natural Forecasting Models, presented the importance of growth forecasts and the study of the population for Stuart and the utility service area.

6. PHASE 4 MEMORIAL PARK

Tom Lucido of Lucido & Associates introduced Steph Mathes of Culpepper & Turpening and Doug Fitzwater, with Lucido & Associates, presented on Memorial Park and reviewed the park in phases. Prior to renovations up to the current park amenities, and the proposed plans.

City Manager Dyess commented that the next setup was to go out to RFP.

Commissioners had a brief discussion on Memorial Park.

COMMENTS BY CITY COMMISSIONERS

Commissioner Rich

- Commented that he is attending the Legislative session in Tallahassee from March 14 - March 16.

Commissioner Clarke

- Thanked the presenter for the population study, stated she hopes there will be more time to review in the future.
- Enjoyed the Community Night Out at Pier Point with the Police Department and complimented the Department.
- Announced that she attended the NAACP event.
- Inquired about the process of becoming a contractor for the City.
- Commented on the Costco agreement being signed by the State's Cabinet.
- Announced the Water Fest.

Mayor McDonald

- Announced he attended the NAACP dinner and presented the award for Community Organization to our East Stuart Community Center on 10th St.
- Commented that the Cabinet made the final ruling on Kanner LLC/Costco, and stated that the City did everything right and it has been a long road, and believes this will be a beneficial location for the City.

- Request to pull Item #9 from the Consent Calendar.

COMMENTS BY CITY MANAGER

City Manager David Dyess

- Commented that the City has been putting out water news in the newsletter and advertisements for professional services on Open Gov and Demand Star.
- Announced the City will be bringing back the incentive program of Septic to Sewer/Sign-up and save to offer benefits for residents to sign up for City sewer.

APPROVAL OF AGENDA

5:17 PM MOTION: Approve, with pulling Agenda Item #9 from Consent Calendar.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

- 1.) Caryn Hall Yost-Rudge - Palm City Rd.; Commented on comments that were made by Mayor McDonald during a past conversation from a previous shade meeting.
- 2.) Johnathan Dobbs - Box Leaf Pl; Commented on Walking with Warriors and what they offer.
- 3.) Chris Rudiger - Commented in support of the Walking with Warriors and the support the City provides to the emergency services.

Commissioner Collins commented that he would like to see funding for Walk for Warriors.

- 4.) Gail Goldie - 12th St; Commented that she wanted to thank the Commissioners for looking into the septic to sewer program and bringing it back, but would like to know where to find out about City businesses who are still on septic and how they can take apart of this program.

CONSENT CALENDAR

7. APPROVAL OF 02/27/2023 CCM MINUTES (RC)

8. RESIN REPLACEMENT WATER TREATMENT FACILITY (RC):

RESOLUTION No. 17-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 9 TO THE 2022-2023 ENTERPRISE FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR RESIN REPLACEMENT IN THE VESSELS USED IN THE REMOVAL OF PFAS AT THE CITY'S WATER TREATMENT FACILITY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9. RELATING TO SB 102 AND HB 627 ON AFFORDABLE HOUSING PREEMPTIONS (RC):

RESOLUTION No. 18-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REQUESTING STATE SENATORS AND REPRESENTATIVES OF THE FLORIDA LEGISLATURE MODIFY LANGUAGE IN SENATE BILL 102 AND HOUSE BILL 627 RELATING TO HOUSING; URGING THE LEGISLATURE TO NOT PREEMPT LOCAL GOVERNMENTS FROM THE LOCAL REGULATION OF AFFORDABLE HOUSING AND DEVELOPMENT PROJECTS WITHIN THEIR JURISDICTION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*****PULLED*****

END OF CONSENT CALENDAR

5:28 PM MOTION: Approve less Item #9.

MOVED BY: Eula Clarke

SECONDED BY: Becky Bruner

Motion approved unanimously.

* 9. RELATING TO SB 102 AND HB 627 ON AFFORDABLE HOUSING PREEMPTIONS (RC):

RESOLUTION No. 18-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REQUESTING STATE SENATORS AND REPRESENTATIVES OF THE FLORIDA LEGISLATURE MODIFY LANGUAGE IN SENATE BILL 102 AND HOUSE BILL 627 RELATING TO HOUSING; URGING THE LEGISLATURE TO NOT PREEMPT LOCAL GOVERNMENTS FROM THE LOCAL REGULATION OF AFFORDABLE HOUSING AND DEVELOPMENT PROJECTS WITHIN THEIR JURISDICTION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ben Hogarth, Community Affairs Liaison, presented and reviewed the Senate Bills.

Commissioners had a discussion on the bills, what it looks like for the City, and what can be done.

PUBLIC COMMENT:

1.) Laura Giobbi - Ocean Ave; Commended the Commission for their work on their bills and spoke on a program in Connecticut that is similar to the Senate Bill and she stated it has not helped affordable housing whatsoever.

5:48 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMISSION ACTION

10. LEASE NEGOTIATION AUTHORIZATION FOR DOG PARK CAFE:

RESOLUTION No. 19-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE A LEASE AGREEMENT FOR THE OPERATION OF AN OFF LEASH DOG CAFÉ AT THE POPPLETON CREEK DOG PARK; FURHTER

AUTHORIZING THE CITY MANAGER TO EXECUTE ANY APPLICATIONS NECESSARY TO OBTAIN SITE PLAN APPROVAL OR A BUILDING PERMIT NECESSARY FOR THE OPERATION OF SAME; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Nathan Ritchey, Applicant, presented the proposed K-9 Social Club concepts, benefits to the community, dogs, and the property improvements; reviewed that K-9's will be members, required vaccines, insurance coverage, turf and sanitation of grounds, food trucks, a concession stand.

Commissioner Collins asked Mr. Ritchey questions about the cleaning solution products. Mr. Ritchey agreed to bring the listing of products back to the Commission.

Commissioner Rich asked about the K-9 owners' responsibilities to clean up after their animals, the location and hours, and expressed concern about it being next to the Estates of Stuart Condominium. He suggested Mr. Ritchey be required to communicate with the residents nearby.

City Attorney Mortell commented the process that Mr. Ritchey will be required to do with the Development department if the Commission approves the Resolution.

Commissioners had a brief discussion with Mr. Ritchey.

6:16 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Becky Bruner
Motion approved unanimously.

ORDINANCE SECOND READING

11. 751 SE CENTRAL PARKWAY - REZONING FROM COMMERCIAL TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2487-2023; 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.

Attorney Mortell swore in five (5) people; Jodi Nentwick-Kugler, Development Director, Susan O'Rourke, O'Rourke Engineering, Ryan Johnston, Applicant, Jason Litterick, Landscape Architect, Mark Landsman, Engineer.

Mr. Nentwick-Kugler reviewed the conditions of approval of the project.

Bob Raynes, Land Use Attorney, noted that the dates on the exhibits were updated and item #4 was deleted. Mr. Raynes read the condition into the record.

PUBLIC COMMENT:

1.) Laura Giobbi - Ocean Ave; Commented that she would like clarification of maximum build-out and why we would be changing from commercial to multiple-family housing.

City Attorney Mortell responded.

2.) Mark Brechbill - Osceola St; Commented that he likes the idea that it is home ownership and stated that the housing has potential to become affordable; questioned how the use of the property can be restricted on the leasing portion.

6:30 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Campbell Rich

VOTE: Motion passed 3/2.

YES: Eula Clarke, Troy McDonald, Campbell Rich

NO: Becky Bruner, Christopher Collins

ORDINANCE FIRST READING

12. FS PROPRTIES LLC., ZONING MAP AMENDMENT (RC):

ORDINANCE No. 2513-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REFLECT THE REZONING OF A 0.68 ACRE PARCEL; LOCATED AT 2970 SE DOMINICA TERRACE; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO BUSINESS – GENERAL (B-2) ZONING DISTRICT; 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.

Ms. Nentwick- Kugler presented on the location, history, surrounding properties, existing and proposed future land use and zoning, Local Planning Agency comments, and staff recommendation.

Tyson Waters, Applicant, was online via Zoom, stated they agree with the staff recommendation and is available for questions.

6:36 PM MOTION: Approve.

MOVED BY: Becky Bruner

SECONDED BY: Christopher Collins

Motion approved unanimously.

Commissioner Collins commented about the email that was sent from Mr. Dyess about Walking for Warriors and would like staff to see what funding can be allocated for them.

PUBLIC COMMENT:

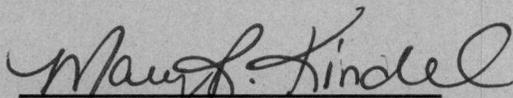
- 1.) Audra Creech - Palm City; Commented on the importance of funding Walking for Warriors and Safe Space; shared her personal story.
2. Tom Campenni - St Lucie Crescent; Suggested language to add to the Senate Bill "10 square miles or less".

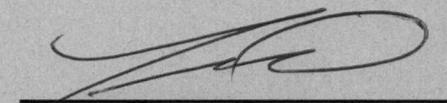
City Manager Dyess clarified that Walking for Warriors does not qualify for ARPA funding.

DISCUSSION AND DELIBERATION

ADJOURNMENT

6:43 PM


Mary R. Kindel, City Clerk


Troy McDonald, Mayor

Minutes to be approved at the Regular Commission Meeting this 27th day of March, 2023.

