



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

MARCH 27, 2023

AT 5:30 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

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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. BOYS AND GIRLS CLUB PRESENTATION

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

CONSENT CALENDAR

2. APPROVAL OF 03/09/2023 SCM, 03/13/2023 SCM ATTORNEY-CLIENT, & 03/13/2023 CCM MINUTES (RC)
3. MODIFICATION TO SFWMD CONSENT ORDER 94-93-CO-93 (RC):

RESOLUTION No. 22-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION A MODIFICATION TO CONSENT ORDER NO. SFWMD 94-93-CO-WU WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

4. NAMING OF CITY RIGHT OF WAY BETWEEN SE JOAN JEFFERSON AND SW OCEAN BLVD. (RC):

RESOLUTION No. 20-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE NAMING OF PUBLIC RIGHT OF WAY LOCATED IN THE TRIANGLE DISTRICT BETWEEN SW JOAN JEFFERSON WAY TO SW OCEAN BLVD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. SIGN UP AND SAVE INCENTIVE PROGRAM (RC):

RESOLUTION No. 23-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A REVISED SIGN UP AND SAVE INCENTIVE TO UNSEWERED PROPERTIES IN THE CITY OF STUART FOR THE PERIOD BEGINNING APRIL 1, 2023, AND ENDING ON MARCH 31, 2024. PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. AUTHORIZATION OF MAYOR TO EXECUTE INTERIM CITY ATTORNEY CONTRACT (RC):

RESOLUTION No. 24-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN EMPLOYMENT CONTRACT WITH PAUL J. NICOLETTI, ESQ. FOR THE INTERIM CITY ATTORNEY POSITION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. 90 DAY EXTENSION FOR DUE DILIGENCE ON OLD CITY LANDFILL PROPERTY (RC):

RESOLUTION No. 25-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING AN EXTENSION OF NINETY (90) DAYS OF DUE DILIGENCE TO THE VACANT LAND CONTRACT ENTERED INTO WITH PURCHASER, GOLDSTEIN KITE ENVIRONMENTAL, LLC AND THE CITY OF STUART, FLORIDA RELATED TO THE SALE OF THE OLD CITY LANDFILL PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. AUTHORIZATION TO NEGOTIATE LEASE FOR 2 ACRE VACANT PARCEL NORTH OF ROOSEVELT BRIDGE (RC):

RESOLUTION No. 26-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE A VACANT LAND LEASE WITH REPRESENTATIVE(S) FROM SLC COMMERCIAL FOR THE LEASE OF THE CITY OWNED HANEY CREEK TWO (2) ACRE PARCEL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

9. 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.

ORDINANCE FIRST READING

10. COMPREHENSIVE PLAN TEXT AMENDMENT - ZONING IN PROGRESS (RC):

ORDINANCE No. 2514-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, COMPREHENSIVE PLAN AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE TEXT TO THE COMPREHENSIVE PLAN FUTURE LAND USE ELECMENT 1, USE OBJECTIVE 1.A7. FUTURE LAND USE CATEGORIES, POLICY 1.A7.2. GROSS DENSITIES AND TABLE OF LAND USE DENSITIES AND INTENSITIES, OJECTIVE 1.C1. URBAN CODE OVERLAY ZONE; AND OBJECTIVE 3.A7. DEVELOPMENT INCENTIVES; AMENDING THE TEXT TO THE FUTURE LAND USE ELEMENT 1; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE,

AND FOR OTHER PURPOSES.

11. LAND DEVELOPMENT CODE TEXT AMENDMENT - ZONING IN PROGRESS (RC):

ORDINANCE No. 2515-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY' LAND DEVELOPMENT CODE; MORE SPECIFICALLY ADMENDING THE EXISTING SECTION 2.07.00.I OF CHAPTER II ENTITLED "URBAN PLANNED UNIT DEVELOPMENT (UPUD) DISTRICTS, TABLE 2.07.A. UPUD UNIT DENSITY AND PARKING SPACE CALCULATION TO REDUCE THE MINIMUM UNIT SIZE REQUIREMENTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

DISCUSSION AND DELIBERATION

ADJOURNMENT

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.

INVOCATION: Any invocation that may be offered at the opening of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.