

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
APRIL 24, 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

Interim City Manager, Michael J. Mortell
Interim City Attorney, Paul J. Nicoletti
City Clerk, Mary R. Kindel

ROLL CALL

5:30 PM

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

INVOCATION

Bishop Edward J. Skiba, OSB, Stuart Florida Police Chaplain

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Rich

- Commented on the Town Hall meeting and noted there was a good turnout, thanked Tom Campenni as moderator, Commissioner Kaija Mayfield of the Town of Sewall's Point and Mayor Karen Ostrand of the Town of Ocean Breeze.

Commissioner Collins

- Commented on an article written by Ed Killer in the TC Palm talking about the river and the situation the City is in right now, he recommends reading it, the City needs to help stop discharges and believes there is a unique opportunity now to be heard and to have the City hire an environmental City Attorney. Thanked Ed Killer for bringing the

conversation forward.

Commissioner Clarke

- Thanked the Community Services Department for all they do for the young people of the community, noting the Stars Over Stuart program, commended Mike Redstone and Jessica Tharp of Community Services.
- The Regional Planning Council last Friday made an excellent presentation on the Senate Bill and housing issues. She will send the presentation to the City Manager Mortell to give an update sometime before July. Many elected officials were asking questions and Mr. Lanahan has a very good presentation; she would like City Manager Mortell to have him come and talk about the impact on housing and some other issues. Also, to tell us what next steps are of SB 102 and 106 that will affect us more deeply.
- The City Attorney position mentioned by Commissioner Collins, questioned if there are any guidelines or money available for a water quality fund, in addition to the attorney position. Commented on a day by day, month by month evaluation on Interim City Manager Mortell's performance as doing a good job.

Commissioner Bruner

- Commented on the comments of Commissioner Collins and Commissioner Clarke regarding the river, money needs to come in from everybody, thinks of all the organizations and non-profits involved, keep going until it is figured out.

Mayor McDonald

- Announced that Stuart was ranked as 2nd for best seaside town.
- Reported that he participated in the Honor Flight Program, a rewarding and moving experience. Roz Johnson, the Human Resource Director, is a Guardian Trainer, and he would like more employees to participate in the cause.

COMMENTS BY CITY MANAGER

Interim City Manager Mortell

- American Public Works Association awarded City of Stuart with project of the Year 2023 for the Tressler Drive Baffle Box Project.
- May 1st - 22nd at 6 a.m., the Roosevelt train bridge will be closed, to reopen at 6 a.m. on May 22nd this information will be posted on Facebook
- On Tuesday, May 2nd, the Dixie Highway Roosevelt Bridge will be closed 8 a.m. - 5 p.m. Commissioner Clarke asked if they can be posted on the City's lighted signs. Will check with Brightline on how they are spreading the word.
- Marine Industry Association has requested a loan of a light post for a weather proof camera video feed - recording the number of boats that pass. He will get back to the Commission on it.
- City staff held the Strategic Plan Workshop, Jim Chrulski is working with Jim Karas on final presentation sometime in May.
- SB 102, Commissioner Rich had a Town Hall meeting with two other elected officials,

met with the Development Department on Friday and discussed the City's approach and hopes sometime in May to bring information back to the Commission for their approval of a Land Use Regulation Agreement. A proposal will be brought to Commission in relation to utilities and rents and be adopted in June to be effective July 1, 2023.

- Would like a D&D on the June meeting. The direction was to wait to advertise seeking the permanent replacement of a City Attorney, reviewing the job classification, additional meetings, if necessary, can be discussed.

APPROVAL OF AGENDA

5:56 PM MOTION: Approve

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

Police Chief Tumminelli addressed the Commission and introduced the returning employee, Captain Flamur Zenelovic, a previous Police Officer for the City of Stuart.

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

1. Missy Harris - Alamanda Way; Commented on the two acres for Haney Creek, that the property is really valuable and we don't need another car wash.

CONSENT CALENDAR

1. APPROVAL OF 4/10/2023 CCM MINUTES (RC)
2. AWARD OF WO #5 ROOF REPLACEMENT AT THE PUBLIC WORKS COMPLEX TO RFQL# 2020-400: CITY ANNUAL ROOFING CONTRACT (RC):

RESOLUTION No. 30-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF WORK ORDER NO. 2020-400-W05, REPLACE ROOF AND GUTTER SYSTEMS AT THE PUBLIC WORKS COMPLEX TO THE LOWEST, MOST RESPONSIVE RESPONSIBLE BIDDER, THE ROOF AUTHORITY, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

3. AWARD OF RFQL #2023-400 CITYWIDE ANNUAL ROOFING REPAIR REPLACEMENT CONTRACT (RC):

RESOLUTION No. 34-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF RFQL #2023-400, CITYWIDE ANNUAL ROOFING REPAIR AND REPLACEMENT TO THREE SUBMITTED FIRMS, ADVANCED ROOFING, INC. OF FORT LAUDERDALE, FLORIDA, THE ROOF AUTHORITY, INC. OF FORT PIERCE, FLORIDA, WATERPROOFING TECHNOLOGIES, INC. OF BEACHWOOD, OHIO PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

END OF CONSENT CALENDAR

6:00 PM MOTION: Approve
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

COMMISSION ACTION

4. STUART HOUSING AUTHORITY APPOINTMENT RATIFICATION OF TWO BOARD MEMBERS (RC)

6:01 PM MOTION: Approve
MOVED BY: Eula Clarke
SECONDED BY: Becky Bruner
Motion approved unanimously.

5. EASEMENT WITH FPL FOR "CAPTAIN ADAMS PARK" PARCEL AT CONFUSION CORNER (RC):

RESOLUTION No. 33-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT BETWEEN THE CITY OF STUART, FLORIDA AND FLORIDA POWER & LIGHT ("FPL") FOR A TEN (10) FOOT WIDE EASEMENT RELATED TO THE PLACEMENT OF CONDUIT, MAKE-READY POLE AND HANDHOLE ON A CITY-OWNED PARCEL KNOWN AS "CAPTAIN ADAMS PARK" AT CONFUSION CORNER; RESCINDING ALL RESOLUTIONS IN CONFLICT, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:02 PM MOTION: Approve
MOVED BY: Eula Clarke
SECONDED BY: Becky Bruner
Motion approved unanimously.

6. 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.

City Manager Mortell explained for procedural purposes, a motion is needed to remove it from being Tabled. Since last meeting, the original letter of intent was changed (attached to Agenda Item) to a car wash to negotiate the property in place of two restaurants. This is not an approval, it is simply allowing the City to move forward to negotiate with the car wash company.

6:07 PM MOTION: Approval to remove item from being Tabled.

MOVED BY: Eula Clarke

SECONDED BY: Campbell Rich

VOTE: Motion passes 4/1.

YES: Troy McDonald, Becky Bruner, Eula Clarke, Campbell Rich

NO: Christopher Collins

City Manager Mortell explained that the City owned the flag parcel, it was in the shape of a flag and explained the location; back in early 2000's, maybe 2005 or 2006, Harbor Walk, Seacoast bank owned Harbor Walk as a result of the economic downturn. County was doing a 1/2 cent sales tax referendum, property was purchased jointly with the City and County. As part of the program, the city donated the flag parcel into Haney Creek to be put into preserve in exchange for the 2 acres right on US 1 so they could be marketed and land leased to generate the revenue to provide a source to maintain Haney Creek, walks, nature paths and education opportunities. Following the purchase, the City's code stated that any waterfront property sold or leased for more than 10 years requires a public referendum and this was done, and decided the property would be for lease and not for sale. It was a 76% in favor vote. Following that public hearings were done and specific footprint was approved, ultimately decided against it, and Housing Solutions were interested and working with the City, but withdrew. The City has now received the unsolicited offer from the broker - this was tabled at City Manager David Dyess' last meeting. Letter of Intent is not binding on either party. Requested Commission direction.

Commissioner Clarke asked about bringing back Housing Solutions.

City Manager Mortell further explained.

Commissioner Clarke commented on whether the City should continue to develop as usual or amend the plan.

A conversation ensued with Commissioners and City Manager Mortell.

Commissioner Collins commented that this is not what residents want. The City has changed dramatically over past 10 years and feels that land should be a trail land. City has made it all these years without the income so far. Land will be more valuable over the next 45 years. Suggested exhausting other options and checking into grants. Commissioner Collins suggests Tabling until 2024 and it be added to the ballot.

Commissioner Clarke asked Milton Leggett, Public Works Director, how many parking spaces are available at Haney Creek and approximately how many people visit each year. Mr. Leggett commented that he is not sure of the numbers and that the City does not track the number of visitors.

Mayor McDonald commented that he feels the City has not grown. The majority of people he spoke with feel that the promise of the referendum needs to be kept. It is important we maintain the promises the City made.

PUBLIC COMMENT:

1. Laura Giobbi - SE Ocean Boulevard; Feels there is always something that can be done, feels Stuart is not the same and understood this parcel would be put back

- into the park so it could not be devoured by SB 102. Questioned if the City has a process in place for the response there are other things that need to be discussed.
2. Mark Brechbill - Osceola Street; Commented that the City owns too much property; not in favor of the City being in the business of competing with land owners, but feels SB 102 is different; its commercial and open. Haney Creek was not meant to be a park, but an environment; suggests a private public partnership to be environmentally efficient.
 3. Gail Goldy - 14th Terrace; She lives in the area and appreciates the greenery and would like it to be incorporated into Haney Creek. The two new commissioners spoke with many residents about growth and keeping the green space here. Traffic is a big issue. When it comes to the environment, every win is temporary and loss is permanent.
 4. Caryn Hall Yost Rudge - SW Palm City Road; Commissioners need to treat each other with civility. Not keeping your promise and not experiencing the result of their votes. People may feel differently than past 10 years, feels a referendum would allow everyone to still say they still agree.
 5. Helen McBride - 921 SE Flamingo Avenue; Commented that she was here when City Hall was built, residents worked hard and willing to up property tax to buy land and fix it up. She was around when we bought Haney Creek and agreed to lease.

6:51 PM MOTION: Approve

MOVED BY: Becky Bruner

SECONDED BY: Campbell Rich

VOTE: Motion Passed 4/1

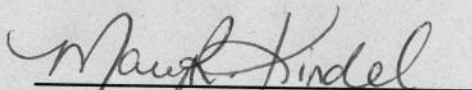
YES: Becky Bruner, Eula Clarke, Troy McDonald, Campbell Rich

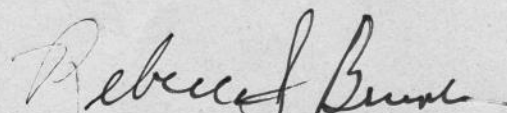
NO: Christopher Collins

DISCUSSION AND DELIBERATION

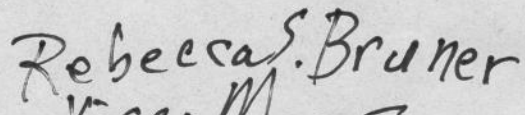
ADJOURNMENT

6:52 PM


Mary R. Kindel, City Clerk


Troy McDonald, Mayor

Minutes to be approved at the Regular Commission
Meeting this 8th day of May, 2023.


Rebecca S. Bruner
Vice-Mayor

