

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
MAY 22, 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

1. PASTOR JIM HARP - STUART ALLIANCE CHURCH

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Rich

- Stated he is building an Accessory Dwelling Unit (ADU) on his property and asked why our Building department only allows plans to be put on a CD.
- Commented he attended the Calvary Church event and enjoyed it.
- Commented on the hiring of a City Attorney and proposed that on the next agenda there be a fund study of a group of attorneys, if it is feasible, to pursue legal avenues for future lawsuit. Asked the Interim City Manager Mike Mortell to come back with proposals and terms.

Commissioner Collins

- Agreed that we need to have more conversations about hiring a City Attorney. Continued to say that he is more in favor of expertise, not just environmental experience.

Commissioner Clarke

- Agreed with Commissioner Collins and stated that when hiring a City Attorney the job description should mention having environmental experience.
- Thanked the City for allowing her to be present at the USO event at the Flagler Center and thanked the Flagler Center employees for putting the event together and the veterans that attended.
- Commented on the two different events she attended and the hometown feel those events brought to the City.

Vice Mayor Bruner

- Requested clarification about what Commissioner Rich asked the Interim City Manager Mortell to do.

Interim City Manager Mortell clarified that it is his intention between now and June 12 to consult with some agency-type attorneys that regularly deal with FDEP water management district and other administrative agency laws and get numbers from two or three "A-B" Rated firms and see what they would charge. Stated there will be an upcoming agenda item on an RFP for review.

Commissioner Rich responded that he wants to show the community that the City made every effort to keep our water clean.

Mayor McDonald summarized the Commissioners comments regarding the hiring of a City Attorney.

A conversation ensued among the Commissioners, Interim City Manager and Interim City Attorney.

Mayor McDonald

- Requested to add a discussion and deliberation in a June or July meeting on the moving of City Hall to the Wells Fargo Building.
- Commented on the timeline of projects that go through the Metropolitan Planning Organization (MPO). Highlighted the TIF, (tax increment financing), that's being adopted and informed of the different projects happening within the City and their costs and stated they are being funded by the Federal Government.

COMMENTS BY CITY MANAGER

Interim City Manager Mortell

- Announced that Commissioner Campbell Rich was named Hometown Hero in the Treasure League of Cities.
- Stated he wanted to follow up with the MPO about the improvements being made to the entrance of North River Shores.
- Commented that FDOT notified him that Kanner Hwy would be closed for the weekend and it was not. Will be working with them to find out if there is a delay or if it will not be happening.
- Announced different closures happening around the City. He also stated that the Railroad Bridge is open and there will be different nightly closures until May 29.
- Will provide an update on the Wells Fargo building in the upcoming agenda.
- Provided an update on the PFOA/PFAS case.

APPROVAL OF AGENDA

6:19 PM MOTION: Approved with removal of Item # 3, 4, and 5 for discussion and add an Addendum as Item #7, to the Consent Calendar.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

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

1. Tom Campenni - St Lucie Crescent; Commended Interim City Manager Mortell in the Northpoint Trial for his professionalism and preparation. The City of Stuart is very lucky to have someone of his caliber.
2. Cher Fisher - SE Bridgetown Court; Family Promise of Martin County, housing needs, ARPA Grant will be their fix and asked to be put on the Agenda.
3. John Fedorek - SW Jasmine Trace, Palm City; Board Member and Treasurer for Family Promise. Provided a history on Family Promise.
4. Chris Schiemer - Port St. Lucie; Board Member for Family Promise and former resident of Martin County, provided information on the families in need.
5. Rebecca Cray - Port St. Lucie; Pastor at both Palm City and Stuart Immanuel Lutheran Church, spoke on Family Promise and families in need.
6. Roberta Scott - Palm City; Asked Commissioners to consider the ARPA Grant funding and stated the need for homes in Martin County.
7. Jill Bennet - SW North Carolina; Board Member of Family Promise. Spoke on the need for homes in Martin County.
8. Nancy King - SE St. Lucie Blvd; Spoke on the Family Promise organization and stated the need for a program like this.
9. Edward King - SE St. Lucie Blvd; Thanked the Invocation that was given earlier and recognition to Commissioner Clarke's visits to various committees and organizations. Asked City of Stuart to favor receipt of the Grant.
10. Chad Fair - Palm City; Board Member of Family Promise, thanked all Commissioners for serving the City of Stuart. Spoke on the families in need and asked City of Stuart to consider the ARPA Grant funding.
11. David Bradford, Jr - Palm City; In the absence of Matthew Price, Senior Pastor Covenant Fellowship Baptist Church, a letter was read in support of the Family Promise and have

- the City consider providing this organization the ARPA Grant funding.
12. Belinda Low - Hobe Sound; Has been employed by Family Promise since inception. Asked the City to support the Grant, as it is needed.
 13. Caryn Hall, SW Palm City Road; Spoke on the great need of this program and stated her personal issues with her home.
 14. Audra Creech, Palm City; Provided her personal history.

CONSENT CALENDAR

2. APPROVAL OF 05082023 CCM MINUTES (RC)

3. INTER-LOCAL AGREEMENT WITH TREASURE COAST REGIONAL PLANNING COUNCIL (TCRPC) FOR CONTINUING PLANNING AND DESIGN SERVICES (RC):

RESOLUTION No. 32-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF STUART AND TREASURE COAST REGIONAL PLANNING COUNCIL FOR CONTINUING DESIGN AND PLANNING SERVICES; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

****PULLED****

4. ADOPTING A TITLE VI TRANSIT PROGRAM POLICY (RC):

RESOLUTION No. 36-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING A TITLE VI TRANSIT PROGRAM POLICY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

****PULLED****

5. RENEWAL OF A NON-EXCLUSIVE LICENSE AGREEMENT WITH STUART MAIN STREET FOR 'MARKET ON MAIN' (RC):

RESOLUTION No. 37-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE RENEWAL OF A NON-EXCLUSIVE LICENSE FOR PREVIOUSLY AWARDED RFP #2021-203 AND LICENSE AGREEMENT FOR THE TERM OF THREE (3) YEARS TO STUART MAIN STREET ASSOCIATION, INC. A DESIGNATED 501(c) ORGANIZATION, FOR THE OPERATION OF A WEEKLY OUTDOOR MARKET PLACE FOR SALES TO THE GENERAL PUBLIC INCLUDING FRESH PRODUCE, GREEN PRODUCTS, BAKED GOODS, PLANTS, ASSORTED FOODS, AND OTHER PRODUCTS AND SERVICES BY INDEPENDENT VENDORS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

****PULLED****

6. AMENDMENT TO INTERIM CITY ATTORNEY CONTRACT (RC):

RESOLUTION No. 38-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING AN AMENDMENT TO THE INTERIM CITY ATTORNEY POSITION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. LOCAL GOVERNMENT CYBER SECURITY GRANT (RC):

RESOLUTION No. 39-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE TECHNOLOGY SERVICES DEPARTMENT TO SUBMIT AN EXECUTED AGREEMENT FOR THE LOCAL GOVERNMENT CYBERSECURITY GRANT PROGRAM; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:52 PM MOTION: Approved with removal of Item #3, 4, and 5 for discussion and include Item #7.

MOVED BY: Christopher Collins

SECONDED BY: Eula Clarke

Motion approved unanimously.

***Clerks Note – The below items are the pulled items with their discussion and motions.**

3. INTER-LOCAL AGREEMENT WITH TREASURE COAST REGIONAL PLANNING COUNCIL (TCRPC) FOR CONTINUING PLANNING AND DESIGN SERVICES (RC):

RESOLUTION No. 32-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF STUART AND TREASURE COAST REGIONAL PLANNING COUNCIL FOR CONTINUING DESIGN AND PLANNING SERVICES; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Interim City Manager Mortell stated this is to provide ongoing services to the Development Department as it pertains to the Form Based Code which is the Creek District and East Stuart District.

Commissioner Collins asked if this is an existing agreement or a new agreement.

Interim City Manager Mortell explained this is just for the purpose to finish up these two Form Based Codes and then it will come to an end.

6:56 PM MOTION: Approve.

MOVED BY: Christopher Collins

SECONDED BY: Becky Bruner

Motion approved unanimously.

4. ADOPTING A TITLE VI TRANSIT PROGRAM POLICY (RC):

RESOLUTION No. 36-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING A TITLE VI TRANSIT PROGRAM POLICY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Interim City Manager Mortell stated this is so the City can apply for a FDOT Grant and according to Jacqui May, City Grants Administrator, an FDOT Title VI Policy is necessary to be adopted in order to qualify for the application.

Commissioner Collins wanted to know what the importance of the language, on Page 38 of the application, with regard to the racial background of our Board Members.

Dr. May clarified that we already have this grant and an audit is required at three years. She stated that the language is also a requirement of the FDOT.

Interim City Attorney Nicoletti continued to clarify by reading a section of the grant.

7:02 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Becky Bruner

VOTE: Motion passes 4/1.

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

NO: Christopher Collins

5. RENEWAL OF A NON-EXCLUSIVE LICENSE AGREEMENT WITH STUART MAIN STREET FOR 'MARKET ON MAIN' (RC):

RESOLUTION No. 37-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE RENEWAL OF A NON-EXCLUSIVE LICENSE FOR PREVIOUSLY AWARDED RFP #2021-203 AND LICENSE AGREEMENT FOR THE TERM OF THREE (3) YEARS TO STUART MAIN STREET ASSOCIATION, INC. A DESIGNATED 501(c) ORGANIZATION, FOR THE OPERATION OF A WEEKLY OUTDOOR MARKET PLACE FOR SALES TO THE GENERAL PUBLIC INCLUDING FRESH PRODUCE, GREEN PRODUCTS, BAKED GOODS, PLANTS, ASSORTED FOODS, AND OTHER PRODUCTS AND SERVICES BY INDEPENDENT VENDORS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Interim City Manager Mortell stated that it is a continuation to the lease from a Resolution adopted in 2021.

Commissioner Collins stated that he visited the outdoor market and was very impressed. He requested to have all three contracts the City has with Main Street to be approved together at the same timeline.

Interim City Manager stated we could extend this Resolution to have it within the same

fiscal year, so they can all be done at the same time. He will amend the contract to expire September 30, 2026, so they are all on the same timeline.

7:09 MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

COMMISSION ACTION

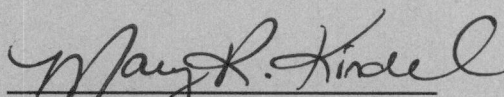
ORDINANCE SECOND READING

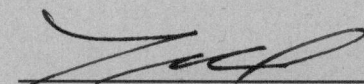
ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

ADJOURNMENT

7:12 PM


Mary R. Kindel, City Clerk


Troy McDonald, Mayor

Minutes to be approved at the Regular Commission Meeting this 12th day of June, 2023.

