

**MINUTES**  
**REGULAR MEETING OF THE STUART CITY COMMISSION**  
**JULY 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**

6:06 PM

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

**INVOCATION**

Bishop Edward J. Skiba, OSB, Stuart Florida Police Chaplain gave the invocation.

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY CITY COMMISSIONERS**

Commissioner Clarke

- Expressed her concern about Palm Beach Road from 10th Street up to 14th Street and stated that the water level gets high.
- Commended Vice Mayor Bruner for going out to the Community and having met with a group to honor Mrs. Anne Shaffer.
- Announced that a long time resident, Mildred Pontz passed away, and thanked those who have created and left a legacy.

Mayor McDonald

- Stated how great it was to tour the new water treatment plant and see the RO Plan and commended Mike Woodside for his great tour.

#### **COMMENTS BY CITY MANAGER**

Interim City Manager

- Read a letter that was received by property owners commending the neighborhood clean up and thanked the City staff for all their help.

#### **APPROVAL OF AGENDA**

**6:13 PM MOTION: Approve.**

**MOVED BY: Eula Clarke**

**SECONDED BY: Christopher Collins**

**Motion approved unanimously.**

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

1. Mark Brechbill - Osceola St; Commented on the budget and stated that the majority of the City's residents are low income. He commented on how the insurance and HOA fees are going up and told the Commission to see if reimbursement fees can be given back to residents and assist them in their utility bill.
2. Laura Giobbi - Ocean Ave; Spoke on the plan for City Hall and a committee that was made in 2014 to create a plan for the City Hall building.
3. Frank McChrystal - Flamingo Ave; Stated his hope for the Commissioners to listen to the residents on what is to be done in the community.

#### **CONSENT CALENDAR**

1. APPROVAL OF 07/10/2023 CCM MINUTES (RC)
2. SCHOOL RESOURCE OFFICER, REDEEMER LUTHERAN SCHOOL BA# 14-2023 (RC):

RESOLUTION No. 52-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A THREE-YEAR CONTRACTUAL AGREEMENT BOTH OPERATIONALLY AND FINANCIALLY WITH REDEEMER LUTHERAN CHURCH AND SCHOOL AUTHORIZING A FULL-TIME EMPLOYEE TO PROVIDE A SCHOOL RESOURCE OFFICER AT THE REDEEMER LUTHERAN SCHOOL; AND BUDGET AMENDMENT NUMBER 14-2023 TO THE 2023 OPERATING BUDGET, PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

3. ESTABLISHING TIMELINE AND PROCEDURES FOR ARPA FUNDING (RC):

RESOLUTION No. 57-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ESTABLISHING A TIMELINE AND PROCEDURES REGARDING ARPA FUNDING SUPPORT FOR ELIGIBLE ORGANIZATIONS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**END OF CONSENT CALENDAR**

**6:18 PM MOTION: Approve.**

**MOVED BY: Becky Bruner**

**SECONDED BY: Eula Clarke**

**Motion approved unanimously.**

**COMMISSION ACTION**

**4. ADOPTING THE CITY OF STUART STRATEGIC PLAN (RC):**

RESOLUTION No. 31-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING A STRATEGIC PLAN FOR THE CITY OF STUART; INSTRUCTING THE CITY MANAGER TO IMPLEMENT PLAN GOALS, OBJECTIVES, AND STRATEGIES INTO THE EXECUTION OF MUNICIPAL BUSINESS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Jim Chrulski, Community Service Director, spoke about the items that were changed due to the discussion previously had.

Interim City Manager Michael Mortell stated the items discussed were changed.

Commissioner Collins wanted to discuss Section 4.2.3, Paragraph 1 within Program and Projects in the Strategic Plan and requested to strike it through.

Interim City Attorney Paul Nicoletti suggested considering keeping it and rewording the section.

Discussion continued amongst the Commissioners, the Interim City Manager, and the Interim City Attorney.

Commissioner Clarke stated that the Strategic Plan is to ensure that each neighborhood gets what they need.

**PUBLIC COMMENT:**

1. Mark Brechbill - Osceola Ave; Stated that the Strategic Plan and Budget does not get the residents involved and thinks we should.
2. Stephanie Lemieux - Fort Pierce; Invited Commissioners to Indian Town High School's Community Celebration and School Preview on July 30, 2023 - 1:30 p.m. to 3:30 p.m.

**6:30 PM MOTION: Approve, amending Section 4.2.3.1 in the second line to take out the reference to sustainability action.**

**MOVED BY: Eula Clarke**

**SECONDED BY: Christopher Collins**

**Motion approved unanimously.**

5. APPOINTING A CITY MANAGER AND ADOPTING AN EMPLOYMENT CONTRACT (RC):

RESOLUTION 54-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA CONFIRMING THE APPOINTMENT OF MICHAEL J. MORTELL AS CITY MANAGER AND AUTHORIZING AN EMPLOYMENT CONTRACT WITH THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Interim City Manager Mortell stated the edits that were done to the contract.

Commissioner Rich spoke on having the contract open ended or having a four-year term contract.

Commissioner Clarke reiterated the correct Resolution numbers for the contract. Thanked everyone for all they have done to put into the contract and thanked the City Manager for all he has done in the last six (6) months.

Commissioner Collins commented to City Manager Mortell that he appreciates the work he has put into the City.

**PUBLIC COMMENT:**

1. Caryn Yost-Rudge - Palm City Rd; Stated that she is so happy to live in a country where she can express herself and wished the City Manager the best of luck.

**6:38 PM MOTION: Approve with the edits to the contract.**

**MOVED BY: Eula Clarke**

**SECONDED BY: Christopher Collins**

**Motion approved unanimously.**

6. COMMISSION ACTION TO APPROVE A RECRUITMENT PROCESS FOR THE EMPLOYMENT OF A CITY ATTORNEY; ESTABLISHING TARGET DATES; AN INTERVIEW METHODOLOGY; AND A SALARY RANGE

Interim City Attorney Nicoletti spoke on the recruitment process and the efforts that have been done to recruit a City Attorney by October 1, 2023. Mr. Nicoletti read the salary range and requirements for the hiring of a permanent City Attorney. He requested the Commission come up with a screening committee and stated that staff is ready to advertise the position as soon as tomorrow.

Commissioner Clarke asked if it was the goal to have inside legal counsel versus having a law firm working for the City. The City Manager and City Attorney stated that it was agreed upon that it would be cost effective to have inside legal counsel.

Commissioner Rich stated it is his opinion to have Mayor McDonald be on the screening committee.

Commissioners discussed how the screening committee would pick certain applicants and be part of the interview selection.

**PUBLIC COMMENT:**

1. Mark Brechbill - Osceola St.; Pointed out that we have a City Manager that is an attorney and only need a litigator.
2. Caryn Yost-Rudge - Palm City Rd; Spoke on the previous City Manager and stated she would like an attorney here and does not like decisions being made by a small committee.

**6:54 PM MOTION: Approve with the Mayor sitting in the screening committee.**

**MOVED BY: Becky Bruner**

**SECONDED BY: Christopher Collins**

**Motion approved unanimously.**

**ORDINANCE SECOND READING**

7. COMMERCE AVENUE, LLC PETITION FOR A VOLUNTARY ANNEXATION (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2517-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ANNEXING A PARCEL OF LAND FRONTING ON SE COMMERCE AVENUE, CONSISTING OF 1.45-ACRES, SAID PARCEL BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; 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.

Interim City Attorney Paul Nicoletti swore in Kristopher McCrain, Principal Planner, and Michael McCarty, McCarty & Associates Land Planning and Design LLC.

Mayor McDonald asked if anything changed in the presentation from the last meeting. Kristopher McCrain, Principal Planner, and Michael McCarty, McCarty & Associates Land Planning and Design LLC, had no changes or further testimony.

**7:02 PM MOTION: Approve.**

**MOVED BY: Becky Bruner**

**SECONDED BY: Christopher Collins**

**Motion approved unanimously.**

8. COMMERCE AVENUE, LLC, SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT (RC):

ORDINANCE No. 2518-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, FOR A SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AS DEFINED IN F.S. §163.3187; AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE MAP FOR AN

APPROXIMATELY 1.45-ACRE PARCEL FROM THE FUTURE LAND USE OF INDUSTRIAL (COUNTY) TO THE FUTURE LAND USE OF INDUSTRIAL (CITY); AMENDING THE FUTURE LAND USE MAP; 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.

Mayor McDonald asked if anything changed in the presentation from the last meeting. Kristopher McCrain, Principal Planner, had no changes or further testimony.

**7:03 PM MOTION: Approve.**  
**MOVED BY: Christopher Collins**  
**SECONDED BY: Becky Bruner**  
**Motion approved unanimously.**

**9. COMMERCE AVENUE, LLC REZONE PETITION (QUASI-JUDICIAL) (RC):**

ORDINANCE No. 2519-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP; TO REZONE A 1.45-ACRE PARCEL; LOCATED ON THE SOUTH EAST SIDE OF SE COMMENRCE AVENUE; BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FROM THE M-2: INDUSTRIAL (COUNTY) ZONING DESIGNATION TO THE I: INDUSTRIAL (CITY) ZONING DESIGNATION; 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.

Mayor McDonald asked if anything changed in the presentation from the last meeting. Kristopher McCrain, Principal Planner, and Michael McCarty, McCarty & Associates Land Planning and Design LLC, had no changes or further testimony.

**7:05 PM MOTION: Approve.**  
**MOVED BY: Christopher Collins**  
**SECONDED BY: Becky Bruner**  
**Motion approved unanimously.**


**ORDINANCE FIRST READING**

**DISCUSSION AND DELIBERATION**

**ADJOURNMENT**

7:06 PM

  
Mary R. Kindel, City Clerk

  
Troy McDonald, Mayor

**Minutes to be approved at the Regular Commission Meeting this 14th day of August, 2023.**

