



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

OCTOBER 23, 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, Michael J. Mortell

City Attorney, Lee J. Baggett

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

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

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

CONSENT CALENDAR

1. APPROVAL OF 10/09/2023 CCM MINUTES (RC)
2. AUTHORIZING THE ASSIGNMENT OF AMENDED LEASE TO SUNSET BAY OWNER, LLC (RC):

RESOLUTION No. 82-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE ASSIGNMENT OF THE AMENDED LEASE AGREEMENT PREVIOUSLY ENTERED INTO BETWEEN THE CITY OF STUART AND SUNSET BAY MARINA AND ANCHORAGE, LLC FOR LEASE OF THE PROPERTY AT 615 N.W. ANCHORAGE WAY TO SUNSET BAY OWNER, LLC FOR THE BALANCE OF THE LEASE TERM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

3. AUTHORIZING HAZARD MITIGATION GRANT PROGRAM APPLICATION, EXECUTION OF AGREEMENT & MINOR MODIFICATIONS (RC):

RESOLUTION No. 106-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE UTILITIES AND ENGINEERING DEPARTMENT TO SUBMIT A FEMA HAZARD MITIGATION GRANT PROGRAM APPLICATION FOR LIFT STATION GENERATORS; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT IF AWARDED; AND FURTHER AUTHORIZING ANY MINOR AMENDMENTS TO THE GRANT AGREEMENT TO FACILITATE THE PROGRAM AS APPROPRIATE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

4. AUTHORIZATION TO ALLOW ASHLEY CAPITAL TO ACCESS THE OLD LANDFILL TO EVALUATE PROPERTY (RC):

RESOLUTION No. 107-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING CITY STAFF TO ENTER INTO A DUE DILIGENCE INVESTIGATION RELATED TO CONVERTING THE OLD CITY LANDFILL PROPERTY INTO A BROWNFIELD REUSE PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. AUTHORIZATION TO NEGOTIATE A LEASE A PORTION OF THE OLD CITY LANDFILL (RC):

RESOLUTION No. 108-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY TO ENTER INTO NEGOTIATION TO LEASE A PORTION OF THE OLD CITY LANDFILL PROPERTY TO CUSTOM AUTO CENTER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. KIWANIS EQUIPMENT AND MATCHING GRANT (RC):

RESOLUTION No. 109-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DECLARING CERTAIN PLAYGROUND EQUIPMENT CURRENTLY LOCATED AT KIWANIS PARK AS SURPLUS AND GIVING THE PROPERTY TO KIWANIS AT NO COST; FURTHER AUTHORIZING THE CITY MANAGER TO PROVIDE A MATCHING GRANT TO KIWANIS FOR NEW SIGNS AT THE PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

7. US-1/FEDERAL HIGHWAY STREET TREE MASTER PLAN/PROGRAM AND LAND DEVELOPMENT CODE AMENDMENTS (RC):

ORDINANCE No. 2520-2023; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING SECTION 2.04.06 ENTITLED "SUPPLEMENTAL BUILDING SETBACKS ON CERTAIN STREETS" IN CHAPTER II AND SECTION 3.01.03 ENTITLED "URBAN STANDARDS AND REGULATIONS FOR DESIGNATED URBAN SUBDISTRICTS" IN CHAPTER III; AMENDING SECTION 11.01.03 ENTITLED "MINOR DEVELOPMENT PLAN APPLICATION" IN CHAPTER XI; AND CHAPTER XII DEFINITIONS OF THE CITY OF STUART LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

8. UPDATE REGARDING CITY HALL, WELLS FARGO AND POSSIBLE STATION LOCATIONS

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.