



City of Stuart

## **AGENDA**

### **REGULAR MEETING OF THE STUART CITY COMMISSION**

**NOVEMBER 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, 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](mailto: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 11/13/2023 CCM MINUTES (RC)
2. LAW ENFORCEMENT ISO CLAIM SEARCH ACCESS MOU (RC):  
  
RESOLUTION No. 113-2023; A RESOLUTION TO APPROVE THE LAW ENFORCEMENT ISO CLAIM SEARCH ACCESS MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STUART POLICE DEPARTMENT AND THE NATIONAL INSURANCE CRIME BUREAU (NICB); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
3. CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) AGREEMENT WITH MARTIN COUNTY SHERIFFS OFFICE (RC):  
  
RESOLUTION No. 114-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING AN INTERLOCAL AGREEMENT FOR THE CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) AGREEMENT BETWEEN STUART POLICE DEPARTMENT PD AND MARTIN COUNTY SHERIFFS OFFICE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
4. STATEWIDE MUTUAL AID AGREEMENT/DEPARTMENT OF EMERGENCY MANAGEMENT - 2023 (RC):  
  
RESOLUTION No. 116-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING A STATEWIDE MUTUAL AID AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT ESTABLISHING PROTOCOLS IN EMERGENCY SITUATIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
5. BUDGET AMENDMENT #3 FOR POLICE IMPACT FEES- RELOCATION IMPOUND LOT AND NEW STORAGE BUILDING (RC):  
  
RESOLUTION No. 117-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 3 TO THE 2023-2024 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF POLICE IMPACT FEES FOR THE RELOCATION OF THE POLICE IMPOUND LOT AND A NEW STORAGE BUILDING FOR STORING ASSETS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6. INTERLOCAL AGREEMENT FOR THE RIVERSIDE PARK NEIGHBORHOOD IMPROVEMENTS (RC):

RESOLUTION No. 118-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN COUNTY FOR THE RIVERSIDE PARK NEIGHBORHOOD IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. AUTHORIZING S.A.F.E. PROGRAM GRANT APPLICATION/EXECUTION OF AGREEMENT IF AWARDED (RC):

RESOLUTION No. 119-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY POLICE DEPARTMENT TO SUBMIT AN APPLICATION FOR A FLORIDA DEPARTMENT OF LAW ENFORCEMENT S.A.F.E. PROGRAM GRANT TO CONDUCT INVESTIGATIONS AND RELATED ACTIONS INTENDED TO COMBAT ILLEGAL FENTANYL ACTIVITY; 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**

#### **ORDINANCE SECOND READING**

#### **ORDINANCE FIRST READING**

8. **APPLICANT REQUESTED A CONTINUANCE TO A DATE CERTAIN OF 01/08/2024 CCM:**  
101 S. COLORADO RESTAURANT - REZONE TO URBAN PLANNED UNIT DEVELOPMENT & SITE PLAN APPROVAL (RC):

ORDINANCE No. 2524-2023; REQUESTING APPROVAL OF AN URBAN PLANNED UNIT DEVELOPMENT TO PROVIDE RELIEF FROM VARIOUS PARKING REQUIREMENTS WITH CONCURRENT SITE PLAN APPROVAL TO CONSTRUCT A 150-SEAT WATERFRONT RESTAURANT WITHIN THE URBAN CODE DISTRICT.

#### **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.