



AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

JANUARY 22, 2024

AT 5:30 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Rebecca S. Bruner

Vice Mayor Campbell Rich

Commissioner Eula R. Clarke

Commissioner Christopher Collins

Commissioner Troy McDonald

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 01/08/2024 CCM MINUTES (RC)
2. AWARD OF ITB# 2024-103, CITY OF STUART DOWNTOWN FLOATING DOCK REPLACEMENT PROJECT (RC):

RESOLUTION No. 08-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE AWARD OF ITB #2024-103, CITY OF STUART DOWNTOWN FLOATING DOCK REPLACEMENT PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$49,097.00 TO UNDERWATER ENGINEERING SERVICES, INC., OF FORT PIERCE, FLORIDA; AUTHORIZING THE CITY TO EXECUTE A FINAL AGREEMENT SUBSEQUENT TO REVIEW AND APPROVAL BY CITY ATTORNEY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

3. MARTIN COUNTY SHERIFF'S OFFICE AND THE STUART POLICE DEPARTMENT MUTUAL AID AGREEMENT (RC):

RESOLUTION No. 09-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE STUART POLICE DEPARTMENT AND THE MARTIN COUNTY SHERIFF'S OFFICE TO ENTER INTO A MUTUAL AID AGREEMENT, FOR HOMICIDES, SEX OFFENSES, ROBBERIES, ASSAULTS, BURGLARIES, LARCENIES, GAMBLING, MOTOR VEHICLE THEFTS, DRUG VIOLATIONS PURSUANT TO CHAPTER 893, FLORIDA STATUTES, SUPPORT OF BACK UP SERVICES DURING PATROL ACTIVITIES, AND INTER-AGENCY TASK FORCES AND/OR JOINT INVESTIGATIONS AND RELATED INVESTIGATIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

4. AUTHORIZATION TO EXECUTE AN ACCESS AGREEMENT WITH ASHLEY CAPITAL FOR THE OLD CITY LANDFILL (RC):

RESOLUTION No. 13-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY TO EXECUTE THE BROWNFIELDS SITE ACCESS AGREEMENT WITH TREASURE COAST REGIONAL PLANNING COUNCIL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

5. SUPPORTING SENATE BILL 328 RELATING TO AFFORDABLE HOUSING AND THE LIVE LOCAL ACT (RC):

RESOLUTION No. 12-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING SENATE BILL 328 RELATING TO AFFORDABLE HOUSING AND IMPROVING UPON THE "LIVE LOCAL ACT," PREVIOUSLY ADOPTED DURING THE 2023 FLORIDA LEGISLATIVE SESSION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

6. HCA FREESTANDING EMERGENCY ROOM - MAJOR AMENDMENT TO THE PLANNED UNIT DEVELOPMENT & SITE PLAN (QJ)(RC):

ORDINANCE No. 2526-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA GRANTING A THIRD MAJOR AMENDMENT TO ORDINANCE NO. 2297-2014, AKA THE 7.24-ACRE, 4-LOT WAWA GAS STATION & CONVENIENCE STORE MASTER COMMERCIAL PLANNED UNIT DEVELOPMENT ("CPUD"), THEREBY APPROVING A MASTER DEVELOPMENT PLAN FOR LOT 3 CONSISTING OF AN 11,570 SQUARE FOOT FREE STANDING EMERGENCY ROOM AND PROVIDING FOR NEW, RESTATED, AND AMENDED DEVELOPMENT CONDITIONS, INCLUDING A TIMETABLE FOR DEVELOPMENT; SAID PROPERTY BEING GENERALLY LOCATED AT THE SOUTH EAST CORNER OF SR 76 & S.E. MONTEREY ROAD, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; DECLARING THE PROPOSED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTABLE BY THE APPLICANT; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

7. 101 S. COLORADO RESTAURANT - REZONE TO URBAN PLANNED UNIT DEVELOPMENT & SITE PLAN APPROVAL (QJ)(RC):

ORDINANCE No. 2524-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A REZONING FROM URBAN WATERFRONT TO URBAN PLANNED UNIT DEVELOPMENT FOR A 0.234 ACRE PROPERTY, LOCATED AT 101 S. COLORADO AVENUE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE COLORADO WATERFRONT RESTAURANT (UPUD); TO RE-PURPOSE THE EXISTING OFFICE BUILDING FOR A 150-SEAT RESTAURANT AND PROVIDE RELIEF FROM VARIOUS PARKING REQUIREMENTS; APPROVING A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMEABLE FOR DEVELOPMENT, DECLARING THE PLAN WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

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.