MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD January 13, 2020
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Michael J. Meier
Vice Mayor Eula R. Clarke
Commissioner Becky Bruner
Commissioner Kelli Glass Leighton
Commissioner Merritt Matheson

ADMINISTRATIVE
City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

5:53 PM ROLL CALL

Present: Mayor Meier, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Bruner, Commissioner Matheson.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - SONG PERFORMANCE BY SHAVON DELEON

Shavon DeLeon sang an original song called "Flooded", joined by friends playing the guitar and box drum. DeLeon was presented with a Certificate of Appreciation.

PROCLAMATIONS

2. ST. LUCIE RIVER POWER SQUADRON 50 YEARS OF SERVICE TO STUART'S BOATING COMMUNITY

Squadron Commander, John E. Goebel accepted the Proclamation, thanked the Commission and announced information on the Squadron in the community.

3. HUMAN TRAFFICKING AWARENESS DAY - JANUARY 11, 2020

Karissa Bolden and Board Chair, Kelly Laurine of Catch the Wave of Hope came forward to accept the Proclamation and announced area statistics and an upcoming school district meeting to encourage awareness.

4. ARBOR DAY - JANUARY 18, 2020

Deborah Reaves, President of the Garden Club accepted the Proclamation and thanked the Commission.

5. REVEREND MARTIN LUTHER KING, JR. CELEBRATION - JANUARY 20, 2020

Nina Dooley, President of AACES (Afro American Citizens of East Stuart, Inc.) came forward to accept the Proclamation and thanked the City.

6. CLIMATE ACTION IN THE CITY OF STUART

Mayor Meier read the Proclamation and presented it to local students of the US Youth Climate Strike. Page Scott, the Florida Chapter Lead thanked the City and commented on the climate crisis.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **Commented that last week she filed to run as Martin County Property Appraiser, she will be stepping down from her Commission seat the end of May. This is to ensure the City will have enough time to coordinate the election of her seat along with the other three seats up for election at that time.**

Commissioner Matheson

- **Thanked Commissioner Glass Leighton for her service to the City.**
- **Commented on his assistance in the Bahamas over the holidays and encourages all to continue to support 25 United, formally Operation 300.**
- **Thanked the Police Chief Tumminelli, Officer Bossio, the Police Department, City Manager, and Code Enforcement for the opportunity to participate with them to hand out gifts to those in need on Christmas Eve.**
- **Request to pull Item #11 from the Consent Calendar for clarification.**
- **Request to move the Discussion & Deliberation (Item #21) up on the agenda.**

Commissioner Bruner

- **Commented that after the straw ban, she received many comments about cigarette butts; displayed an advertisement for the electronic billboard on cigarette butt litter.**
- **Announced that the local SPAM students need a larger space.**
- **Wished Commissioner Glass Leighton all the best.**
- **Request to pull Item #8 from the Consent Calendar.**

Vice Mayor Clarke

- **Congratulated Commissioner Glass Leighton.**

- **Congratulated the commissioners on the discussions at the Housing Workshop.**
- **Announced the events of the Martin Luther King Jr. Day Celebration on Monday, January 20th and encouraged all to come out and show their support.**
- **Has a list of items to send to City Manager and Milton Leggett.**

Mayor Meier

- **Commented on the importance of the upcoming Census; City and County may partner to use the billboard for advertising, to encourage participation and notice of Census jobs available. If an accurate count is not collected, over 10 years, billions of dollars can be lost for the community.**
- **Noted that he is a proud resident of a multi-family unit and not all of Stuart is rich, all should be able to afford to live here.**

Commission Bruner commented that she forgot one of her comments and would like to add that she has changed her mind and would like to be the City's representative on the League of Cities.

The City will bring back an agenda item on the January 27th Commission Meeting to appoint Commissioner Bruner as the alternate member of the Treasure Coast Regional League of Cities board member.

Meier continued

- **Commented that he was sad to hear that Commissioner Glass Leighton would be leaving the board and thanked her for her service. Suggested that over the next few months they all discuss their approach to filling the seat.**

COMMENTS BY CITY MANAGER

City Manager Dyess

- **Expressed to Commissioner Glass Leighton that he appreciates her support and leadership over the years, and she will truly be missed by him.**
- **Plans to bring the item for the vacancy as a Discussion and Deliberation in the near future.**

APPROVAL OF AGENDA

6:33 PM MOTION: Move approval pulling Item 8, 11 and moving our D&D #21 to the designated spot.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

1) **Robert Steinberg – California Ave.; Read from ordinance language on the term "shall". Commented on the leasing of property downtown property without following code.**

2) **Mike Connor – Pinesap Place; Commented on the Lake Okeechobee Lake levels and as a representative of Indian River Keepers, formally offered to be at the City's side to help prevent discharges this year.**

6:43 PM CONSENT CALENDAR

7. APPROVAL OF 12/09/2019 CCM MINUTES

(PULLED) 8. AUTHORIZATION TO APPLY FOR A FDOT TRANSPORTATION ALTERNATIVE PROGRAM (TAP) APPLICATION.:

RESOLUTION No. 02-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO APPLY FOR A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION FOR RIVERSIDE PARK NEIGHBORHOOD IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. INTENTION TO ABANDON A PORTION OF COCONUT AVENUE RIGHT-OF-WAY:

RESOLUTION No. 04-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA DECLARING PURSUANT TO CHAPTER 36 OF THE CODE OF ORDINANCES OF THE CITY OF STUART, FLORIDA THE INTENTION OF THE CITY COMMISSION TO ABANDON AND TO SET PUBLIC HEARINGS ON JANUARY 27, 2020, AND FEBRUARY 10, 2020, AT 5:30 P.M. IN THE CITY COMMISSION CHAMBERS TO CONSIDER THE ABANDONMENT OF CERTAIN PUBLIC RIGHT-OF-WAY W ITHIN THE CITY, BEING THAT PORTION OF S.E. COCONUT AVENUE, MORE CLEARLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FOR OTHER PURPOSES.

10. FACSIMILE SIGNATURE BANK:

RESOLUTION No. 05-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED) 11. ASSIGNMENT OF PELICAN CAFE LEASE:

RESOLUTION No. 06-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE ASSIGNMENT OF THE PELICAN LEASE AGREEMENT LOCATED AT 351 SW FLAGLER AVENUE TO HUDSON'S PLACE LLC, W HICH IS THE ENTITY PLANNING TO OPERATE THE RESTAURANT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. REVISED WATER FACILITIES PLAN:

RESOLUTION No. 07-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY'S PUBLIC W ORKS DIRECTOR TO

INCORPORATE THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT INTO THE CITY OF STUART'S WATER FACILITIES PLAN AND TO SUBMIT THE REVISED WATER FACILITIES PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

13. PUBLIC TRANSIT SERVICE DEVELOPMENT GRANT AGREEMENT (RC):

RESOLUTION No. 08-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A THREE (3) YEAR 50% MATCHING PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ACTIVE TRAM MARKETING; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

END OF CONSENT CALENDAR

6:43 PM MOTION: Move approval of the Consent without 8 and 11.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

8. AUTHORIZATION TO APPLY FOR A FDOT TRANSPORTATION ALTERNATIVE PROGRAM (TAP) APPLICATION.:

RESOLUTION No. 02-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO APPLY FOR A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION FOR RIVERSIDE PARK NEIGHBORHOOD IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Bruner commented that one of the neighbors that lives on Poinciana Street is concerned about the sidewalk and she wanted to bring that to everyone's attention.

Pinal Gandhi-Savdas commented that in the grant design phase, neighbors will have an opportunity for input.

6:45 PM MOTION: Move approval of Item #8.
Moved by: Vice Mayor Clare
Seconded by: Commissioner Matheson
Motion passed unanimously.

11. ASSIGNMENT OF PELICAN CAFE LEASE:

RESOLUTION No. 06-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE

ASSIGNMENT OF THE PELICAN LEASE AGREEMENT LOCATED AT 351 SW FLAGLER AVENUE TO HUDSON'S PLACE LLC, WHICH IS THE ENTITY PLANNING TO OPERATE THE RESTAURANT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Matheson announced that he pulled this item for public clarification letting them know that an appraisal is being done

6:46 PM MOTION: Move approval of Item #11.
Moved by: Commissioner Matheson
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

Item 11 Public Comment:

1) **Derrick Peterson – California Ave.; owns a local business and is concerned about the rush and the amount being charged for waterfront property. Feels City should slow down and make sure to get fair market value.**

D & D moved up on agenda per Commissioner Matheson's request:

DISCUSSION AND DELIBERATION

6:52 PM 21. DISCUSSION AND DELIBERATION ON RESPONSIVE ACTION TO THE U.S. ARMY CORPS OF ENGINEERS' PROPOSED 2020 LAKE OKEECHOBEE DRY SEASON MANAGEMENT PLAN.

Commissioner Matheson stated an announcement made by the Army Corp of Engineers that they were going to operate Lake Okeechobee in the dry season similarly to back in 2016, 2017, and 2018. Commented that the overall health of the river effects the quality of life.

6:54 PM MOTION: Motion to have an action item brought back for January 27th meeting drafting legal action against the Corp [Army Corp of Engineers] regarding their position of 2020 Lake Okeechobee dry season management with a focus on water storage instead of the heath and safety of our residents. In creating this complaint, we must seek assistance from all willing parties, including Martin County Commission, Sewall's Point, other counties across Florida, municipalities around the state with our same goals, as well as non-profits.
Moved by: Commissioner Matheson
Seconded by: Mayor Meier
Motion passed unanimously. 7:33 PM

Commissioner Glass Leighton commented that the motion is long and in depth and felt discussion should take place on the details before moving forward.

Commissioner Matheson agreed and stated that it would be Federal Court and would like the Commission in the next 2 weeks, when staff comes back with the draft

complaint, to reach out to all other interested parties. Then they may have co-plaintiffs.

6:59 PM Mayor Meier passed the gavel to Vice Mayor Clarke and second the motion for discussion.

Mayor Meier commented that he is open to the idea of litigation but wanted to hear from staff on the appropriateness of that, chances we have, and if they know if there is any other support as it would need close coordination with the County.

Commissioner Matheson stated there is support from several non-profits but feels that there is a "ticking clock" and it would not be a long, drawn-out lawsuit. Commented that US Sugar sued the Corp for their actions in managing the lake as they did in 2019 and the lawsuit was dismissed but feels US Sugar got what they wanted to the detriment of us, the lake is being managed differently.

Mayor Meier noted that to his knowledge, the lawsuit was not dismissed, it was withdrawn.

Commissioner Glass Leighton supports this but feels that the City would have to be self-supportive on this.

Attorney Mortell reviewed various litigation costs.

Commissioner Bruner commented that she feels the Army Corp of Engineers has worked with the City.

Vice Mayor Clarke commented that she understands that Matheson wants to get their attention, but her main questions are the money and the time.

Mayor Meier expressed interest about the expense. If filing a suit is a couple of thousand, feels it's for the publics benefit.

Commissioner Bruner asked Ben Hogarth, Community Affairs Liaison to come forward and explain the PDT to the public.

Ben Hogarth explained the PDT, Project Delivery Team Meetings as public meetings designed for staff meetings from all the agencies to have a role in the development next Lake Okeechobee System Operating Manual schedule.

7:20 PM Public Comment:

1) **Ashley Guizi – Commented and showed pictures of both her dog and son with health issues after exposure to the toxic river.**
2) **Blair Wickstrom – Cardinal Way; Commented in support of the lawsuit and complimented the City on setting an example of political will and looks forward to being a part of this.**

3) **Charles Grande - Hutchinson Island; Vice President of Rivers Coalition and commented that this was the topic at today's RC Meeting and the City has a good position to file, would be a short lawsuit, and feels the City is in a good position.**

7:31 PM City Attorney Mortell stated his interpretation of the motion as "As a direction to staff or y office to draft a proposed complaint presenting what we would believe would be a able a viable lawsuit against the Army Corp of Engineers as it relates to their decision as we've recently seen, to maintain a 12 foot elevated level for June 1st. I will expect, I will bring it back on the 27th, but on the 27th, I will be looking for a motion from the commission as it relates to what those counts are. Do you want a declaratory action? Do you want an injunction? Do you want a general liability? What it might be, and we can have that discussion further, but I will have a draft complaint attached to the agenda.

There is no decision to sue today, this motion is only to draft a lawsuit to be voted on at the January 27th Commission Meeting.

Motion roll call, see motion.

Commissioner Matheson commented that he didn't trust where we are headed and that humankind cannot predict the weather and feels that is the way the Lake has been managed for the past 50 years, which has been detrimental to our health and safety. Looking for zero discharges. Feels there is more he can do as he was elected as an advocate on this issue and all that has been done is an increased job title for Mr. Hogarth and in Fiscal Year 2019, $100,000.00 was allocated for a river fund budget.

7:34 PM MOTION: I'd like staff to contemplate using the remainder, up to the remainder of that fund for filing fees for this lawsuit, but also to seek either a temporary part-time employment position within the City of Stuart or a consultant, advisor, or lobbyist, I'd like to leave this broad, but this potential employee whether works for the City or outside would be our louder voice at the LOSOM process which is happening now an the next couple of year and I would like the City Manager contemplate the remainder of our river fund, not only for this lawsuit in some sort of expert who knows the issue who can assist our chair in-house litigator, but can also actively speak a little louder at LOSOM. We didn't understand when we added to Ben Hogarth's job description, how important these PDT meetings are. They are incredibly important. That is the next voice for the next ten tears. We need to advocate as much as we can for zero discharges with the outcome of LOSOM. That's what I see this, our way to protect our quality of life, is zero discharges from the St. Lucie Canal. So with that fund, with the remainder of that fund I'd like our City Manager to come back with a proposal for not only this draft lawsuit and using funds for filing fees and that sort, but also a potential temporary or full-time or consultant, or advocate, or expert, because this position needs to be broad as far as the range that the City Manager can look but it is somewhat of a particular expertise that we might need.

[Motion re-stated (7:38 PM): I would like staff to contemplate creating a new temporary position or seeking lobbyists, consultants or advisors to our current staff. I would like staff to factor in the remaining unused funds allocated for the health of our river in Fiscal Year 2019 to do this. This position would be a louder voice in the LOSOM process and overall advocate against the discharges from the St. Lucie Canal. This person would also assist our in-house attorney in his undertaking from the previous motion.]

7:53 PM FINAL MOTION: I'd like staff to come back with a plan for a job title which involves an expert in one way or another, who can attend LOSOM PDT Meetings, South Florida Water Management District Meetings, and advocate for the health and human safety of our residents regarding zero discharges from the St. Lucie Canal within the present budget that's allocated, that's left over.
Moved by: Commissioner Matheson
Seconded by: Vice Mayor Clarke
Motion passed.

MATHESON	**YES**
BRUNER	**NO**
GLASS LEIGHTON	**YES**
CLARKE	**YES**
MEIER	**YES**

7:37 PM City Manager Dyess requested clarification on the specific duties or functions of the assignment so he may work on how to advertise for such a position.

Commissioner Matheson responded that the employee would attend all the PDT, South Florida Water Management Meetings and advocate for a healthier St. Lucie Estuary in direct regards with zero discharges from the St. Lucie Canal. They would have the capabilities to assist City Attorney Mortell in pursuit of this complaint.

Mayor Meier requested Commissioner Matheson clarify his motion. Commissioner Matheson restated the motion.

Commissioner Glass Leighton commented that she was hesitant and felt they needed to run the course, letting the City Attorney represent us and file the motion and utilize the money set aside for the river fund for that and other things that may come up. Stated she feels we already have an advocate and policy maker in Brian Mast who is already on our side. Not comfortable putting the remaining funds behind a lobbyist, another attorney or outside entity at this time.

The remaining river funds balance is $88,000.00. A budget amendment would be required to move the funds from FY2019 to FY2020. Various requirements depend on the authorization.

COMMISSION ACTION

14. CHARTER ADVISORY BOARD APPOINTMENTS

City Attorney Mortell briefly explained the appointment list for the 2020 Charter Advisory Board.

7:57 PM MOTION: I make a motion that we approve the slate of persons that were published in the agenda and that were submitted, vetted, and checked out by staff and proposed to us again for approval.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Bruner
Motion passed unanimously. (Glass Leighton absent for vote)

15. CONDITIONAL USE APPROVAL FOR COFFEE ROASTING, RETAIL AND COFFEE BAR (QUASI-JUDICIAL):

RESOLUTION No. 01-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ROBERT LEVY (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 600 S COLORADO AVE, TO ALLOW REDUCTION OF REQUIRED PARKING TO 5 STALLS AT 600 S COLORADO AVE, TO ALLOW A USE OF COFFEE RETAIL SALES, ROASTING OF COFFEE AND COFFEE BAR; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Four (4) People sworn; Kevin Freeman, City of Stuart Development Director, Robert Levey, Co-owner, Michael Mann, Co-owner, and Sean Reed

8:12 PM MOTION: Motion that we approve Item #15 Conditional Use Approval for Coffee Roasting Retail Bar Resolution No. 01-2020.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Bruner
Motion passed unanimously. 8:34 PM

Public Comment:

1) **William Anderson Jr. – Ocean Blvd.; Commented on concerns pertaining to parking spaces and indoor seating; opposed to the increased seating.**
2) **Sean Reed – 6th Street; Neighboring property, concerned about parking spaces and feels his business is affected.**
3) **James McMahan – Sewall's Pt. Rd. – Commented on concerns of parking and the number of seats inside the business.**
4) **Janine Landolina – PO Box 2709; Commented that limiting the business to 8 seats restricts the walkability aspect that the City is working towards.**

Michael Mann, Co-owner clarified that it is not 8 seats, the application requests 24 seats. They will be flexible if need be. Commission agreed to approve the Resolution as presented.

16. CHANGE OF USE TO ALLOW THE CONVERSION TO RESIDENTIAL APARTMENTS AT SOUTHWIND MOTEL, 603 SW FEDERAL HIGHWAY. (QUASI-JUDICIAL):

RESOLUTION No. 03-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO IOANNA LAS LLC, (CONTRACT PURCHASER) FOR THE PROPERTY LOCATED AT 603 SW FEDERAL HWY, TO ALLOW A DENSITY OF 24 UNITS PER ACRE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Two (2) people sworn; Kevin Freeman, City of Stuart Development Director and Spiro Laskaris, Applicant

Commissioner Matheson commented on sewer, commercial recycling, and additional landscaping as conditions of approval. Though Commercial recycling is not required at this time, Matheson would like a designated location for recycling.

8:44 PM MOTION: Motion to approve with the condition of sewer hook-up and a designated location for commercial recycling.
Moved by: Commissioner Matheson
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

Public Comment:

1) **Armond Pasquale – Seminole St.; Commented on the problems that will occur with increased density, feels the direction the City is going is bad.**
2) **Janine Landolina – PO Box 2709; realtor representing the seller, commented that she feels it is not fair that Mr. Laskaris was asked to hook up to sewer.**

ORDINANCE FIRST READING

17. (TO BE CONTINUED TO DATE CERTAIN OF JANUARY 27, 2020) AMENDMENT TO EXISTING PUD TO URBAN DESIGNATION AND TO RE-ESTABLISH DEVELOPMENT TIMELINES:

ORDINANCE No. 2421-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REFRESHING THE NOW DEFUNCT ORDINANCE 2275-2014, AMENDEDING ORDINANCE NUMBER 2095-07, FORMERLY THE “HARBOUR WALK PRESERVE COMMERCIAL PLANNED UNIT DEVELOPMENT” (CPUD) PROJECT; PROVIDING FOR DEVELOPMENT APPROVAL ON A 1.97 ACRE COMMERCIAL PORTION OF THE SITE, TO BE KNOW N AS THE “HANEY CREEK TRUST COMMERCIAL PROPERTY” URBAN PLANNED UNIT DEVELOPMENT (UPUD); PROVIDING FOR CERTAIN DESIGN CONDITIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREW ITH; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8:53 PM MOTION: Motion that Item #17 be continued to January 27, 2020.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

18. AMENDMENT TO THE LAND DEVELOPMENT CODE UPUD DENSITY AND PARKING:

ORDINANCE No. 2423-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION 2.07.00.I OF CHAPTER II ENTITLED "URBAN PLANNED UNIT DEVELOPMENT (UPUD) DISTRICTS" TO ADD A METHODOLOGY FOR RESIDENTIAL DENSITY CALCULATION AND ADD MINIMUM RESIDENTIAL CAR PARKING REQUIREMENTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Kevin Freeman, Development Director presented, and the staff recommendation was to approve the proposed Ordinance as is with the removal of the incorporation of inclusionary housing requirement, Section (e).

9:03 PM MOTION: Motion to approve.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously. 9:15 PM

Commission discussed the CRA-wide vs. urban center.

Public Comment:

1) **John Leighton – (No Request to Speak Card) Questioned why City is limiting this to downtown when other areas may need this.**

19. AMENDMENT TO THE LAND DEVELOPMENT CODE REVIEW PROCEDURES FOR PUD APPLICATIONS:

ORDINANCE No. 2424-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION 11.01.00 OF CHAPTER XI ENTITLED "PROCESSING OF PLAN APPLICATIONS" TO AMEND THE REVIEW BOARD PROCEDURES FOR PROPOSALS THAT INVOLVE URBAN PLANNED UNIT DEVELOPMENT LOCATED WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Kevin Freeman presented and staff recommended the CRB should review board only instances of the amendment to previously approved urban planned unit development applications located within the Community Redevelopment Area.

Brief discussion for clarification of review process.

9:26 PM MOTION: Motion to approve with staff's recommendation the Ordinance as written.
Moved by: Commissioner Matheson
Seconded by: Commissioner Bruner
Motion passed unanimously.

20. TRANSFER OF IMPACT FEE CREDITS:

ORDINANCE No. 2426-2020; AN ORDINANCE OF THE CITY OF STUART, AMENDING ARTICLE III, SECTION 32-68 ALLOWING FOR THE TRANSFER OF IMPACT FEE CREDITS; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICT CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Attorney Mortell stated that the attachment did not include some of his edits, therefore, the second reading will include some editing to the top half that will not be discussed at this meeting. He reviewed the process of impact fees.

Brief discussion on impact fees.

9:42 PM MOTION: Motion to approve the transfer of Impact Fees, 2426-2020.
Moved by: Commissioner Bruner
Seconded by: Vice Mayor Clarke
Motion passed 3/2.

MATHESON	**NO**
GLASS LEIGHTON	**YES**
BRUNER	**YES**
CLARKE	**YES**
MEIER	**NO**

ORDINANCE SECOND READING

9:45 PM ADJOURNMENT

_____ **_____**
Mary R. Kindel, City Clerk **Michael J. Meier, Mayor**

Minutes to be approved at the Regular Commission Meeting this 10th day of February, 2020.