MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD July 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 Merritt Matheson
Commissioner - VACANT

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

5:31 PM ROLL CALL

THIS MEETING IS A HYBRID IN PERSON/REMOTE MEETING.

Statement by City Manager Dyess:
Pursuant to Executive Order 20-69 issued by the Office of Governor Ron DeSantis on March 20, 2020, due to COVID-19, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location and utilize communications media such as telephonic or video conferencing as provided by Florida Statute 120.54. Procedures for public comment by device; if you wish to speak during public comment, click raise hand at the bottom of the participant window. Your microphone will be unmuted when you are called on to speak. The public may choose to activate their camera if they wish. Both will be deactivated once their public comment time is completed. If attending by phone, press *9 to raise your hand, you will be called by the last three digits of your phone number. All are asked to state their name and address clearly for the record.

During Roll Call, for the record, Dyess requested the board state whether they are present in person or attending the meeting virtually.

5:35 PM Roll Call

Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson (all board members in person)

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - ALAIN GOINDOO TO SING STAR SPANGLED BANNER

Teacher, Mr. Goindoo had student, Faith Tullier perform the Arts Moment in his place. South Fork High School Senior sang the Star-Spangled Banner and received a standing ovation.

PROCLAMATIONS

2. TREASURE COAST WATERWAY CLEANUP WEEK - July 19-25, 2020

Tom Whittington, Marine Industries Association Vice President thanked the Commission for the Proclamation and announced their appreciation in working with Anne Ellig, shared Martin County statistics, and that this, their 13th year, is a virtual cleanup to cleanup anywhere you'd like and record your data on the website.

PRESENTATIONS

3. RECOGNITION OF ALTERNATIVE WATER SUPPLY APPROPRIATION

Mayor Meier recognized and presented certificates of appreciation to local legislative delegation members District Senator Gayle Harrell, Representative Toby Overdorf, and Legislative Lobbyist Jordan Connors for the 1-Million-dollar appropriation from the state budget for our alternative water supply project. A faux check was presented to the Mayor by Mr. Connors. Additional appreciation certificates will be sent to Senator Bill Galvano of the Florida Senate.

Jordan Connors, Gayle Harrell, and Toby Overdorf all commented on the project and thanked the City for their efforts and leadership in this project.

5:49 PM 4. NAACP RECOGNITION OF STUART POLICE

Jimmy Smith, NAACP Martin County Branch President, thanked the City of Stuart and presented City Manager, David Dyess with a plaque in recognition of his leadership over the years with NAACP and the community. He then presented Police Chief Joseph Tumminelli with a plaque to thank him for the good work he is doing and for the safety he brings to the community. Smith commented on the challenges being faced with Black Lives Matter and stated all lives matter; asked that all love and respect each other, regardless of the color of your skin. Stated we need our Police Officers and we need them to protect and serve. Thanked them and thanked all who are fighting to make this a better place.

5:57 PM 5. DEPARTMENT OF HEALTH UPDATE

Carol Ann Vitani, Florida Department of Health provided an update on the Coronavirus stating the Martin county case count is 2,864 and 42 deaths. Positivity rate is 14%. Information is provided at www.floridahealthcovid19.gov. A daily report is also available on the Martin County website at www.martin.fl.us using the COVID-19 Alert tab, providing test results, hospital capacity, and more. Commented on possible scams, the Florida Department of Health will not contact you about your Social Security Number or financial information. Working closely with martin County School District about school reopening in the Fall. Announced testing sites and encouraged continued social distancing, and hygiene measures. Thanked the City for the use of the electronic billboards for public messaging.

6:04 PM 6. FLOODPLAIN AND STORMWATER MANAGEMENT

Tim Voelker, City Engineer and Assistant Public Works Director, presented on the Floodplain and Stormwater Management System by providing a brief history along with the coastal flood risk study update with flood zones and revised flood insurance rate maps, demonstrating the GIS maps available on the City's website.

Mayor Meier suggested on a possible future workshop for new areas of concern.

Voelker reviewed the Road Design Criteria (explaining the meaning of a 10-year storm event, 100-year storm event, etc.), Building Design Criteria, Recent Rainfall.

6:29 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Matheson

- **Commented about a stop sign down and noted that within 1 hour of it being reported, it was fixed. Thanked Milton Leggett and the Public Works Dept.**
- **Commented on the Stuart Police Department, great job, thankful.**
- **Lake Okeechobee has a large algae bloom; announced a July 21st 1 p.m. Army Corps of Engineers Workshop for public comment on LURES Management Plan.**
- **Attended South Florida Water Management District meeting, they are studying discharges in the northern estuaries; feels sediment discharges should not be a reason to open the discharges.**

Commissioner Bruner

- **No comments.**

Vice Mayor Clarke

- **Thanked Arts Moment, legislators, and the NAACP, calling attention to the recent celebration of Independence Day, including the fireworks that were set off in East Stuart and wants the best for Stuart.**
- **Commented on the difficulty in listening to the Board of County Commissioners discussion with the residents about wearing masks,**

appreciates all considerations and knows the City is under the Martin County Ordinance, and while out in public a mask must be worn in public and to County Commission, she appreciates their decision.

- **Concerned with the schools in the City to make sure the students are not left behind during this COVID-19 pandemic; perhaps the City can write a letter to schools or add information to the utility bill Info Bits.**
- **Request to pull Item #15 from Consent Calendar.**

Mayor Meier

- **Request to pull Item #9 from Consent Calendar.**
- **Commented in favor of on Item #10, encourages Commissioner Matheson and Vice Mayor Clarke, as members on the MPO, to advocate for sidewalk extensions along Dixie across the train tracks and into the Eldorado neighborhood as there is heavy pedestrian traffic on the road.**
- **Commented on reaching out to suggest a Joint Meeting between the County and School Board to discuss COVID-19 in schools.**

City Manager Dyess responded that he will reach out to the two organizations but knows that they have meet and already voted on the subject.

COMMENTS BY CITY MANAGER

City Manager Dyess

- **Requested a motion on the purchase of the Stuart Medical LLC, also known as the Wells Fargo Building. Based in the interest rate and acceptable terms and conditions provided in their proposal, PFM (City's Financial Advisor) recommends selecting JP Morgan Chase as the loan provider for the 2020 Note and authorizing the City Manager execute the Commitment Letter which will lock the interest rate. If this is done, the Note Resolution will be brought back for final consideration at the July 27, 2020 Commission Meeting. JP Morgan had the lowest rate for a 10-year Note at 1.29%.**

6:54 PM MOTION: To adopt JP Morgan as the lender for the purchase.
Moved by: Commissioner Matheson
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

- **Invited the City Clerk to introduce the new Assistant to the City Clerk, Ms. Keri Lauture.**

APPROVAL OF AGENDA

6:55 PM MOTION: Move approval pulling Item #9 and Item #15.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

COMMENTS FROM THE PUBLIC

1) **Thelma Washington – Blairwood, Jensen; Complimented the Stuart Police Department on all the various helpful things they do within the community.**
2) **Jerry Gore – Lake Street; As former President of the NAACP, commented on his perspective of the police officers in Stuart and thanked them as he sees how they communicate with the children in the community.**
3) **Joan Goodrich – Monterey Commons Blvd.; Executive Director of the Business Development Board, commented on the voter referendum that will be on the ballot on August 18th relating to the reauthorization of Martin County's economic development ad valorem tax exemption tool and explained the tool's resources.**
4) **Betty Brinkley – Nassau Avenue; Commented on being upset about the treatment of residents in East Stuart, taking their property, feels it's because it is in the black/poor neighborhood. Feels there are few good officers but can't give them praise. Fourth of July holiday, had to leave house and officers don't come when she calls.**

CONSENT CALENDAR

7. APPROVAL OF 6/8/2020 CCM, 6/22/2020 CCM, AND 6/22/2020 SCM MINUTES

8. PLAT OF "TRILLIUM":

RESOLUTION No. 76-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "TRILLIUM", WITH LANDS SITUATED IN MILES OR HANSON CREEK, CONTAINING 9.446 ACRES, PREPARED BY RONNIE L. FURNISS OF CAULFIELD AND WHEELER, INC., A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER NO. 6272, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED) 9. MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS LOAN AGREEMENT:

RESOLUTION No. 77-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATING TO THE DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; APPROVING THE FORM AND AUTHORIZING EXECUTION OF THE LOAN AGREEMENT FOR CONSTRUCTION OF THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

10. INTERLOCAL AGREEMENT FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK EXTENSIONS:

RESOLUTION No. 78-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETW EEN THE CITY OF STUART AND MARTIN COUNTY FOR THE DIXIE HIGHWAY AND SE FLORIDA STREET SIDEWALK

EXTENSIONS PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

11. RENEWAL OF ITB #2019-200: CHEMICALS FOR WATER TREATMENT PLANT / WATER RECLAMATION FACILITY:

RESOLUTION No. 79-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO RENEW ITB NO. 2019-100, CHEMICALS FOR WATER TREATMENT PLANT/WATER RECLAMATION FACILITY ON AN "AS NEEDED" BASIS, FOR THE 2ND AND FINAL RENEWAL PERIOD THROUGH SEPTEMBER 30, 2021 TO THE FOLLOW ING FIRMS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. KANNER HIGHWAY WATERMAIN REPLACEMENT:

RESOLUTION No. 82-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 9 AND CIP AMENDMENT No. 1 TO THE 2019-2020 WATER SEW ER FUND AND CAPITAL IMPROVEMENT PLAN, APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE DESIGN OF THE KANNER HIGHWAY WATERMAIN REPLACEMENT PROJECT IN THE AMOUNT OF $29,770.00, INCORPORATING PROJECT INTO THE CAPITAL IMPROVEMENT PLAN, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

13. CONTRACT RENEWAL FOR RFP #2017-167 DEBRIS REMOVAL SERVICES:

RESOLUTION No. 85-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-167: DEBRIS REMOVAL SERVICES TO THE PRIMARY CONTRACTOR, CROW DER GULF JOINT VENTURE, INC. OF MOBILE, ALABAMA; AND THE SECONDARY CONTRACTOR, DRC EMERGENCY SERVICES OF WEST PALM BEACH, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

14. CONTRACT RENEWAL OF RFP #2017-168: DEBRIS MONITORING SERVICES:

RESOLUTION No. 86-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE THIRD YEAR OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-168: DEBRIS MONITORING SERVICES TO THE PRIMARY CONTRACTOR, THOMPSON CONSULTING SERVICES OF LAKE MARY, FLORIDA; AND THE SECONDARY CONTRACTOR, LANDFALL STRATEGIES, LLC OF SARASOTA, FLORIDA THROUGH AUGUST 31, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

(PULLED) 15. MEMORANDUM OF UNDERSTANDING AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING:

RESOLUTION No. 87-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A

MEMORANDUM OF AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

7:15 PM MOTION: Move approval (less items #9 and #15).
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

9. MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS LOAN AGREEMENT:

RESOLUTION No. 77-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATING TO THE DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; APPROVING THE FORM AND AUTHORIZING EXECUTION OF THE LOAN AGREEMENT FOR CONSTRUCTION OF THE MONTEREY ROAD SUBDIVISION WATERMAIN IMPROVEMENTS PROJECT; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

Mayor Meier requested this item be pulled to point out that it was a good deal as this revolving loan fund program was over $6,000 and thanks to the principal forgiveness, staff's hard work, and a FDEP Grant, approximately 90% has been written off.

7:17 PM MOTION: Move approval of Resolution 77-2020.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

15. MEMORANDUM OF UNDERSTANDING AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING:

RESOLUTION No. 87-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH MARTIN COUNTY ON CARES ACT FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Vice Mayor Clarke explained that she pulled Resolution No. 87-2020 for the City Manager to report how much money is coming into our community and what the City would expect to receive.

City Manager explained the allocation from the state distribution to the County as $28M and the City can apply for direct expenses which are totaled at approximately $60-70,000. In communication with Assistant County Administrator and the County plans to release a mortgage, rent and business program to provide assistance to the community within the next week/week and a half. City residents and businesses are eligible, but applications must go through the County.

Mayor Meier commented on recent articles on a future eviction crisis and the destabilizing factor on society. Stated he would like to see some or all the funds from the cancelled fireworks show be contributed to the local fund.

7:24 PM MOTION: Motion for Resolution No. 87-2020 be adopted.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

COMMISSION ACTION

16. ON-STREET PARKING SPACES ON ALBANY AVENUE (QUASI-JUDICIAL):

(This item was continued from June 22nd)
RESOLUTION No. 64-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CONSIDERING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO ALLOW THE DEVIATION FROM REQUIREMENTS REGARDING THE NUMBER OF PARKING SPACES REQUIRED AND ALLOW THE CONSTRUCTION OF NINE (9) NEW ON-STREET PARKING SPACES WITHIN THE URBAN HIGHWAY ZONING DISTRICT; PROVIDING FOR A REVOCABLE PERMIT; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

3 people sworn; Stephen Mayer, Kevin Freeman of City of Stuart Development Department and Mike McCarty of McCarty Land Planning and Design

Stephen Mayer presented briefly on providing the property location, zoning, application details, and streetscape plan.

Applicant, Mike McCarty reviewed the improvements to the streetscape plan.

7:38 PM MOTION: Move for approval.
Moved by: Commissioner Bruner
Seconded by: Commissioner Matheson
Motion passed unanimously.

17. EXTENSION OF DECLARATION OF EMERGENCY - COVID-19 (RC):

RESOLUTION No. 83-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO COVID-19; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7:42 PM MOTION: Move for approval.
Moved by: Commissioner Bruner
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE FIRST READING

18. ESTABLISHMENT OF REGULATIONS FOR MOORE'S CEMETERY:

ORDINANCE No. 2433-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, CREATING CHAPTER 13, CEMETERIES, IN THE CITY'S CODE OF ORDINANCES TO ESTABLISH A UNIFORM SET OF REGULATIONS FOR THE PURCHASE, SALE, USE, AND MAINTENANCE OF CEMETERY SPACES IN THE CITY'S MOORE'S CEMETERY, AND TO PRESCRIBE PROCEDURES FOR THE ADMINISTRATION OF THE CEMETERY, PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

David Peters, Public Works Director, presented on the history and progress of the Moore's Cemetery. A plot is $800 with an option to add two urns to the plot for $400 each

Vice Mayor Clarke inquired about excavation, the fees, liabilities. Mr. Peters explained the process of identifying the existing grave sites.

Attorney Mortell commented that he is not in favor of being in the cemetery business as there could be great liabilities, but the City already owns the property and must maintain it.

7:57 PM MOTION: On First Reading, that Ordinance No. 2433-2020 regarding the establishment of regulations for Moore's Cemetery.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

19. BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (QUASI-JUDICIAL):

ORDINANCE No. 2437-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL OFFICE RESIDENTIAL" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 15.88 ACRE PARCEL ANNEXED BY ORDINANCE NO. 2415-2019, OWNED BY ATLANTIC REALTY PARTNERS, INC., AND LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 76 (SW KANNER HIGHWAY) AND SW MARTIN HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE BRIDGEVIEW RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF TWO HUNDRED TWELVE (212) MULTI-FAMILY UNITS WITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT 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 FOR OTHER PURPOSES.

5 People sworn in person; Stephen Mayer and Kevin Freeman, City of Stuart, Troy Holloway of Holloway and Associates, Steve Sealy with Atlantic Realty Partners, and unknown (did not testify).
3 people sworn via ZOOM; Cristian Oquendo, Architect with Charlan Brock Assoc. and Shaun MacKenzie, MacKenzie Engineering, Marcela Camblor, with Marcela Camblor & Associates.

Stephen Mayer, Senior Planner of the Development Department presented the requested variances, zoning, application details, site plan, and landscape plan.

Troy Holloway of Holloway and Associates presented a site plan, site data, demonstrated the signage, and architectural renderings.

Matheson commented on his condition of approval being fertilizers that he would like to see

Public Comment:

1) **Don Barber – Kanner Highway; Representative of the Riverland Cooperative and member of the Riverland Community. Commented on Riverland having no objections to this project but stated that the carious members have their own opinions, and some are not in favor of the project and may be expressing themselves through public comment.**

8:56 PM MOTION: Motion to add approve the project condition upon, at Second Reading, some language be added to the PUD including the wetland buffer in the app and that language would mimic City's management philosophy on areas closest, incorporating staff's recommendations and those of the LPA. [Agreeing to applicants request of 2 parking spaces at the mail area.]
Moved by: Commissioner Matheson
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

20. LAKESIDE MARKETPLACE CPUD AMENDMENT (QUASI-JUDICIAL):

ORDINANCE No. 2445-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING ORDINANCE NO. 1601-97, WHICH ASSIGNED COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING TO AN 11.42 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF SE MARKET PLACE EAST OF U.S. HIGHWAY ONE, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; PROVIDING FOR MASTER SITE PLAN APPROVAL, DEVELOPMENT CONDITIONS, A TIMETABLE FOR DEVELOPMENT AND MANDATORY PLATTING FOR A 4.02 ACRE PORTION OF ANNEXED PARCEL #F21 TO ACCOMMODATE 24,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT KNOWN AS LAKESIDE MARKET PLACE CPUD; DECLARING THE PROPOSED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTANCE BY THE APPLICANT; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

5 People sworn in person; Kevin Freeman and Tom Reetz, City of Stuart, Bill Mathers of Mathers Engineering, Steve Vitale, and John Ahearn.
1 person sworn via ZOOM; Dan Sworskowski

Senior Planner, Tom Reetz presented on the location, zoning, site plan, street view, and staff's review and recommendation.

John Ahearn presented a digital video of the property.

Bill Mathers come forward and confirmed that the lake was permitted.

Steve Vitale noted the following changes to be made before Second Reading;

- **Exhibit A Legal Description, 2 of these 3 condominium Units, structured as a condominium, therefore the Ordinance should attach the entire condominium property. A Boundary Plat will be done.**
- **In the heading of the Ordinance, Exhibit A needs to be referenced after this 4.2-acre parcel of property as opposed to the initial 11-acre parcel that was part of the original PUD.**

Tom Reetz confirmed the legal description changes between First and Second Reading.

9:14 PM MOTION: Motion to approve.
Moved by: Commissioner Bruner
Seconded by: Commissioner Matheson
Motion passed unanimously.

21. EVALUATION AND APPRAISAL REPORT (EAR):

ORDINANCE No. 2442-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) FOR THE COMPREHENSIVE PLAN OF THE CITY OF STUART; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITAL OF THE EVALUATION AND APPRAISAL REPORT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Stephen Mayer reviewed the submittal process of the EAR.

Commissioner Matheson commented on his concerns on the language pertaining to wetland buffers and the change to and average. Would like staff to provide language that could be included in the motion for a minimum buffer.

Discussion included the number of feet in the buffer zone and the flexibility after the DEO's review of First Reading. Commissioners agreed to an average of 50 feet buffer with a minimum of 25 feet buffer beyond the perimeter of the wetland.

9:25 PM MOTION: Adopt Ordinance No. 2442-2020 and send the entire Evaluation Appraisal Report with the proposed plan amendments to the Department of Economic Opportunity. AMEDED MOTION: Average of 50 feet, minimum of 25 feet buffer beyond the perimeter of the wetland.
Moved by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously. 9:40 PM

ORDINANCE SECOND READING

DISCUSSION AND DELIBERATION

22. PROPOSED ART/VINYL WRAPPING ON TRAFFIC CONTROL BOXES WITHIN THE CITY LIMITS

Pinal Gandhi-Savdas, CRA Administrator presented, stating there are 37 traffic boxes, 25 within the CRA and 12 outside the CRA. Martin County owns and maintains the boxes and approves of the City wrapping the boxes, but City would maintain them. Cost is $500-$700 per box, totaling $25-30,000. Vinyl life expectancy is approximately 3 years. Staff requests direction from the Commission.

Brief Commission discussion resulted in opposing the wrapping as they felt there is a better use of the CRA funds. Vice Mayor Clarke would like to keep the project in the long-range plan.

9:48 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission
Meeting this 27th day of July, 2020.