MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD August 10, 2020
AT 5:30 PM Commission Chambers & ZOOM Telecommunications
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Michael J. Meier
Vice Mayor Eula R. Clarke (Late, 5:35 PM)
Commissioner Becky Bruner
Commissioner Merritt Matheson
Commissioner – VACANT

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

5:30 PM ROLL CALL

City Manager Dyess informed the Mayor the Hybrid statement no longer had to be read if there were no Board Members attending by Zoom.

Roll Call
Present: Mayor Meier, Commissioner Bruner, Commissioner Matheson
Late: Vice Mayor Clarke

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - DANFORTH / CLEVELAND VIDEO

Alice Luckhardt attending via Zoom, provided a historical video about former President Grover Cleveland and his visits to Stuart and how the City became known as the fishing grounds for presidents.

PROCLAMATIONS

5:39 PM 2. FLORIDA WATER PROFESSIONALS MONTH - AUGUST 2020

Recipients of the Proclamation representing Water and Water Reclamation Operators were Philip Donovan of the FWPCOA, and Mike Woodside, Mike Goldberg, Paul Hitchcock of the City of Stuart.

PRESENTATIONS

3.CARES ACT PRESENTATION

Carol Houwaart-Diez from United Way of Martin County presented an overview of the Cares Act Funding. She mentioned $1.75 Million Dollars would go toward rent, mortgage and utility assistance as well as $3.2 Million for food applications. The funds will expire December 30, 2020. She noted the United Way was working closely with the Salvation Army and House of Hope with hopes of partnering with the City.

Dan Hudson provided information on the Cares Act for Business Funding Program stated they are open from 9 a.m. to 5 p.m. at the Palm City Library and businesses may qualify for reimbursement grants up to $20K, aimed at for-profit organizations and listed the requirements as being an ongoing viable business. There is $5.6M available; eligibility requirements apply and the following types of expenses that can be reimbursed are wages, inventory, rents/mortgages, utilities, and other COVID-19 related expenses. Applicants may visit the website or call.

4. LAKE OKEECHOBEE SYSTEM OPERATING MANUAL (LOSOM) UPDATE:

Ben Hogarth, Community Affairs Liaison, provided an update on the LOSOM process. He mentioned since the last update a savings clause letter was sent to the SFWMD and it had a positive reception. He briefed the Commission on the benefits of bill being passed. He also provided an overview on the Army Core Deviation plan and the benefits and evaluations.

6:06 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Matheson

- **Discharges and the closed structures for safety during the storm to prevent flooding. Thanked all the City employees for their extra effort.**
- **Interested in staff doing some research and come back to Commission to upgrading our HVAC filtration system as it pertains to COVID-19. He was concerned about employees breathing recirculated air.**

6.08 PM MOTION: To bring back a report on UV Sterilization and Filtration system as it pertains to City owned buildings.
MOVED BY: Commissioner Matheson
SECONDED BY: Commissioner Bruner
Motion passed unanimously.

- **Cares Act Funding, Matheson would like to do everything possible to get the information to City residents (Website, flyers at 10th Street Community Center, all businesses). Reminder to be kind to one another.**

Commissioner Bruner

- **No Comment**

Vice Mayor Clarke

- **Asking to revisit the code for lot splits in certain neighborhoods. Requesting an informal survey to see if there is an area that maybe interested. She provided a brief explanation of how important this is for the community.**
- **Requested for the City Manager's office to put out information about investments in the East Stuart area.**
- **Indian River Lagoon mitigation funding mechanism with the County, asked City Manager Dyess if anything was ever established with the County. (City Manager replied the City never applied.)**
- **Asked if a summary plan from the CRA could be done to see what economic efforts had been done for the East Stuart area regarding business. She included in the request any housing assistance plan or implemented plans in Stuart and East Stuart over the years.**

Mayor Meier

- **Requested to amend the agenda to add the topic of masks to Discussion & Deliberation. He briefly spoke on the ordinance elapsed as of Saturday and the good work masks have done and the was interested in continuing the order.**

6:19 PM MOTION: To amend the agenda and add the topic of masks to Discussion & Deliberation.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

COMMENTS BY CITY MANAGER

- **Announced that it is election season and as City Commissioners are in active campaigns for re-election, reminded all that there would be no politicking.**
- **Provided instructions to Zoom attendees.**
- **Responded to Vice Mayors questions on East Stuart and a brief discussion took place. The discussion included agenda format to reduce meeting times and recommendations from the Charter Review Committee.**

APPROVAL OF AGENDA

6:27 PM MOTION: Approval of the agenda with a Discussion and Deliberation item on Masks.
AMENDED MOTION: Removing Item No. 7 from Consent Calendar.
MOVED BY: Commissioner Matheson
SECONDED BY: Vice Mayor Clarke
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 Minutes Max.)

No Comments in person or online.

CONSENT CALENDAR

5. APPROVAL OF 07/27/2020 SCM BUDGET WORKSHOP #2 AND 07/27/2020 CCM MINUTES

6. TYLER TECHNOLOGIES ILA STUART MARTIN SHERIFFS OFFICE:

RESOLUTION No. 98-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART, FLORIDA AND THE MARTIN COUNTY SHERIFF'S OFFICE FOR SHARING OF INFRASTRUCTURE AND RESOURCES TO IMPLEMENT AND MAINTAIN TYLER INTEGRATED CAD, MOBILE CAD AND LAW ENFORCEMENT RECORDS MANAGEMENT SYSTEMS; AND PROVIDING AN EFFECTIVE DATE AND FOR OTHER MATTERS.

7. (PULLED) HOUSE OF HOPE LICENSE AGREEMENT RENEWAL:

RESOLUTION No. 99-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE LICENSE AGREEMENT RENEWAL NO. 1 BETWEEN THE CITY OF STUART AND HOUSE OF HOPE FOR THE OPERATION OF A COMMUNITY GARDEN ON CITY OWNED PROPERTY AT 520 SE FLORIDA STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:28 PM MOTION: Consent Calendar Approval pulling Item No. 7.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

COMMENTS FROM THE PUBLIC

1) **Helen McBride - Flamingo Ave; commented on the three missing bike racks at Flagler Park. Director of Public Works, Dave Peters informed the Commission the racks were knocked over and will be replaced.**

2) **Marcela Camblor – via Zoom; Kiplinger surprised the residents with a 7-acre parcel at Indian Street and Kanner Hwy. across from the Kiplinger Nature Preserve.**

COMMISSION ACTION

6:35 PM 7. HOUSE OF HOPE LICENSE AGREEMENT RENEWAL:
RESOLUTION No. 99-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE LICENSE AGREEMENT RENEWAL NO. 1 BETWEEN THE CITY OF STUART AND HOUSE OF HOPE FOR THE OPERATION OF A COMMUNITY GARDEN ON CITY OWNED PROPERTY AT 520 SE FLORIDA STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Vice Mayor Clarke pulled the item to draw attention to the work that the House of Hope does and how important it is. She wanted to commend all who participate and benefit from House of Hope.

6.36 PM MOTION: Approval for Resolution 99-2020.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

8. AUTHORIZATION TO APPLY FOR THE CDBG PROGRAM AND SUBMIT A HOUSING ASSISTANCE PLAN:

RESOLUTION No. 95-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR, OR THE CITY MANAGER, TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF THE CITY OF STUART COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE CITY CDBG HOUSING ASSISTANCE PLAN (HAP) AND AUTHORIZE LOCAL REVENUES AS CDBG LEVERAGE, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Pinal Gandhi-Savdas, CRA Administrator, provided an overview of the CDBG Grant for $750,000.

Jim Corvette, Grant Consultant provided a presentation on the grant process, project budget and timeline.

6:47 PM MOTION: Motion to approve 95-2020.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

ORDINANCE FIRST READING

9. AMENDMENT TO THE LAND DEVELOPMENT CODE - PUD AMENITY CRITERIA:

ORDINANCE No. 2446-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ADDING A NEW SECTION 2.07.00.J. ENTITLED "PUD AMENITY CRITERIA" TO CHAPTER II ENTITLED “ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY” TO ADD A METHODOLOGY FOR ATTRIBUTING QUALIFYING AMENITY CRITERIA IN RESPECT OF CONSIDERATION OF APPLICATIONS FOR PLANNED UNIT DEVELOPMENT; 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 provided a presentation on the PUD Amenity Criteria.

A brief discussion took place on the topics of the criteria, point system and point allocation distribution.

Commissioner Matheson shared his recommendations for additions to the program. He suggested adding language to add the bus facility item like the tree fund.
He offered suggestions, increased storm water retention above what the district would require and increased water quality improvement projects.

Public Comment:

1) **Troy McDonald - commented on his concerns about the point system but applauded having criteria.**

2) **Tom Campenni - St Lucie Crescent; commented on his concerns about the scoring system, he supported adopting the criteria without a scoring system.**

7:14 PM MOTION: Approve Ordinance No. 2446-2020 with Suggested Edits.
MOVED BY: Commissioner Bruner
SECONDED BY: Vice Mayor Clarke
Motion passed unanimously.

10. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE (QUASI-JUDICIAL):

ORDINANCE No. 2448-2020; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ADDING A NEW SECTION 2.06.22. OF THE LAND DEVELOPMENT CODE ENTITLED "EV CHARGING INFRASTRUCTURE" OF CHAPTER II ENTITLED “ZONING DISTRICTS

USES ALLOW ED, DENSITY, INTENSITY" IN RESPECT OF STANDARDS FOR THE PROVISION OF ELECTRIC VEHICLE (EV) CHARGING INFRASTRUCTURE IN NEW COMMERCIAL DEVELOPMENT GREATER THAN 5,000 SQUARE FEET AND NEW RESIDENTIAL DEVELOPMENTS GREATER THAN 50 DWELLING UNITS; 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, provided an overview on criteria, provisions, calculations and standards for electric vehicle charging infrastructure.

Discussion on the cost of the infrastructure on new development, how to run the cables, future use and the rate technology is growing.

7:29 PM MOTION: Approve Ordinance No. 2448-2020.
MOVED BY: Commissioner Matheson
SECONDED BY: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE SECOND READING

11. HARBOR GROVE APARTMENTS RPUD - FLUM AND RE-ZONING (QUASI-JUDICIAL):

ORDINANCE No. 2436-2020; 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" TO "MULTI-FAMILY RESIDENTIAL" FOR TWO PARCELS EQUALING 13.93 ACRES, OWNED BY TED GLASRUD ASSOCIATES, FL, LLC, LOCATED ON THE W EST SIDE OF S.E. COMMERCE AVENUE, SOUTH OF S.E. INDIAN STREET, AND NORTH OF S.E. FISCHER STREET WITH SAID LANDS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE AHS AT HARBOR GROVE RESIDENTIAL PLANNED UNIT DEVELOPMENT RPUD CONSISTING OF THREE HUNDRED TWENTY FOUR (324) MULTIFAMILY UNITS WITHIN NINE (9) INDIVIDUAL THREE-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT; DECLARING THE PLAN TO BE CONSISTENT W ITH 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; Tom Reetz, Kevin Freeman of the Development Department, Doug Fitzwater of Lucido & Associates, Bill Mathers of Mathers Engineering, Juan G. Fernandez of A.H.S Residential, LLC.

Tom Reetz presented on the Harbor Grove Apartments.

Commissioner Matheson noted helping a few more families achieve workforce housing was better for the Stuart residents. His request was to increase units closer to the 7%, 20 units.

Juan G. Fernandez of A.H.S Residential, LLC, informed Commission they were able to increase the units to 20 for the 10 years at 80% AMI.

Bill Mathers provided a brief overview of fire hydrant locations and design. He mentioned the Fire Marshall had reviewed the current fire hydrant design and it had been approved.

7:37 PM MOTION: to Approve Ordinance No. 2436-2020 with added conditions.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Bruner
Motion passed unanimously.

12. ESTABLISHMENT OF REGULATIONS FOR MOORE'S CEMETERY:

(To be continued to date certain of October 12, 2020)
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.

7:38 MOTION: To continue the Establishment of Regulations for Moore's Cemetery to be brought on October 12, 2020.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

DISCUSSION AND DELIBERATION

Mayor Meier added the topic of masks to the agenda. He provided a brief overview of the County's Mask Ordinance and its expiration. He had concerns of public health and he wanted to move forward with the gains of the mask order. He suggested the City adopt the same order as the County that is tied to the State of Emergency.

Mayor Meier passed the gavel to Vice Mayor Clarke to make a motion.

Commissioner Matheson was reluctant because it is not easy for the residents to distinguish if they are in City limits. He suggested requiring masks in all City buildings.

City Attorney Mike Mortell provided information on the State of Florida, Martin County and the City of Stuart's adopted State of Emergency's related the COVID-19 Pandemic. They all strongly encouraged wearing the masks, but it was not required.

7:44 MOTION: Draft an emergency Ordinance that mirrors the County's for Review of a Mask Order.
MOVED BY: Mayor Meier
SECONDED BY: ----
Motion failed due to lack of a Second.

7:51 ADJOURNMENT

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

Minutes to be approved at the Regular Commission
Meeting this 24th day of August, 2020.