MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD August 24, 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
Commissioner Becky Bruner
Commissioner Merritt Matheson
Commissioner Troy McDonald

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

5:42 PM ROLL CALL

THIS MEETING WILL BE A HYBRID IN PERSON/REMOTE MEETING.

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

5:42 PM Roll Call
Present: Mayor Meier, Vice Mayor Clarke, Commissioner Bruner, Commissioner Matheson and Commissioner McDonald

PLEDGE OF ALLEGIANCE

1. OATH OF OFFICE - MICHAEL J. MEIER, GROUP 1, MERRITT MATHESON, GROUP 3, EULA R. CLARKE, GROUP 5, AND SPECIAL ELECTION TROY MCDONALD, GROUP 4.

Commissioner Troy McDonald, Mayor Meier, Vice Mayor Clarke, and Commissioner Matheson were all worn in by Judge Robie.

PROCLAMATIONS

2. PATRIOT DAY - SEPTEMBER 11, 2020

The Patriot Day Proclamation was read out loud in honor of September 11th, 2001.

3. NATIONAL SUFFRAGE MONTH - 100TH ANNIVERSARY OF THE 19TH AMENDMENT TO THE US CONSTITUTION

The National Suffrage Month Proclamation was read out load in recognition of the 100th anniversary of the women's right to vote. Mayor Meier invited Vice Mayor Clarke and Commissioner Bruner to the floor to receive the proclamation.

PRESENTATIONS

4. SERVICE AWARDS - AUGUST 2020

Grace Alvarado- 15 Years of Service
William Griffin- 15 Years of Service
Tammy Farnham-25 Years of Service

5. EMPLOYEE OF THE MONTH - AUGUST 2020

City Manager Dyess made a special announcement for the employee of the month. He called Public Works Director David Peters to the floor to accept his Employee of the Month Award. He provided a brief overview of Mr. Peters accomplishments and dedication to the City. Dave's family and many staff members gathered to congratulate him.

6. CONTEMPORARY ART EXHIBIT IN GAZEBO PARK BY SUSAN KORES, CRA MANAGER, MARTIN COUNTY

Susan Kores presented with a power point displaying the contemporary art and plan for Gazebo Park, if approved, beginning in the Fall of 2020 the art would be delivered and installed and would be displayed for approximately 12 to 24 months.

Commissioners briefly discussed public safety due to children climbing on the art, insurance and liability, etc.

Nancy Turrell of the Martin County Arts and Cultural Center came forward and explained that the exhibit is there as art and stressed education was critical in teaching the community how to treat art.

7. KIWANIS CLUB OF STUART - PARK PROPOSAL PRESENTATION

Cher Fisher, President of Kiwanis Club of Stuart provided a brief overview of what Kiwanis Club had accomplished in the past 5 years.

Paul Bravo of Rep Services provided a PowerPoint presentation on Rep Services the proposed Kiwanis Park playground. A brief discussion about equipment, materials, and what items were included in the park proposal.

COMMENTS BY CITY COMMISSIONERS

Commissioner Matheson

- **Thanked his fellow female commissioners for their leadership, the voters for their confidence in him to serve another term, the staff and directors, as well as his family and the residents for their support.**
- **Commented that the Lake (Okeechobee) is over 14 feet and is at even level or above the canal and he reached out to Drew Bartlett who assured him that they are doing all they can and he will keep in communication and continue to inform all about the health and safety of the River.**

Commissioner McDonald

- **Is thankful and humbled as he joins the Commission again. Looks forward to working with his fellow Commissioners and getting up to speed and moving projects initiatives forward.**
- **Commented that he received a call from Jeremy Sweeting Chief Counselor of Hopetown District in the Bahamas and talked about the agreement that was made (5) five years ago.**
- **Requested that Find Commissioner, Don Cuozzo, to speak under public comment and provide an update on our grants.**
- **Item #16 has concerns and requested it be continued to next meeting.**
- **Park bench request on Palm City Road from resident.**

6:46 PM MOTION: Move to continue Item #16 to next meeting, September 14th .
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Clarke
Motion approved unanimously.

Commissioner Bruner

- **Congratulated Commissioner McDonald on his election.**
- **Commented she would like more time on Item #16 too.**
- **She mentioned she was glad the politics were over and terms were now going to be every four years.**

Vice Mayor Clarke

- **Thanked the County and the CRA for coordinating the Arts Project.**
- **Thanked Dave Peters and his department for all they do.**
- **Congratulated McDonald and Matheson and thanked them for running in the election and commented how hard it is. She mentioned it keeps democracy going.**
- **Commented on the importance of participation of the public whether in person or on Zoom.**
- **Commented on the passing of Ms. Norma Davis in the East Stuart Community.**

Mayor Meier

- **Congratulated all his colleges, new and old as well as at the County.**
- **Commented on the plastic election signs that will now simply go into the trash.**
- **Thanked all the women and allies who had to fight for their right to vote in honor of the Women's Suffrage Proclamation.**
- **Women's Equality Day is August 26th and City Hall and the fountains and Roosevelt bridge will be lit up.**
- **Both Charter amendments passed and now staff will write the enabling Ordinances to amend the Charter.**
- **Thanked Commissioner Matheson for his tireless efforts for the river. He mentioned the Board has subpoena power and the ability to call a hearing or a special meeting to discuss discharges.**
- **He would like a workshop to discuss the objectives of Stuart Main Street and clarify the deliverables and the totality of the relationship with Main Street.**

COMMENTS BY CITY MANAGER

City Manager Dyess mentioned the upcoming special events like the 5K Race, Fall Stuart Stroll, Bible Reading Marathon and requested the appetite of the Commission on allowing some special events to happen again.

Mayor Meier agreed to opening events again but in following Governor's Order. Commissioners agreed.

Vice Mayor Clarke noted that she is working with Julie McHenry on still hosting the reading of the Constitution in late September but moving it outside.

APPROVAL OF AGENDA

7:10 PM MOTION: So Moved.
MOVED BY: Commissioner Matheson
SECONDED BY: Vice Mayor Clarke
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (5 Minutes Max.)

1) **Don Cuozzo – 5th Street; Florida Inland Navigation District Representative mentioned all applications would be funded.**
2) **Caryn Hall Yost-Rudge – Zoom; Congratulated the Commissioners on the election and complimented the City for the use of Zoom for the public. She mentioned her concern for the disparity of the $5,000 Stuart Main Street had going to the East Stuart development.**

CONSENT CALENDAR

8. APPROVAL OF 08/10/2020 CCM MINUTES:

9. CONTRACT RENEWAL OF RFP #2017-173: INDEPENDENT AUDITING SERVICES:

RESOLUTION No. 100-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE FIRST OF FOUR (ONE YEAR) RENEWAL OPTIONS OF RFP NO. 2017-173: INDEPENDENT AUDITING SERVICE TO MSL CPA'S AND ADVISORS OF ORLANDO, FLORIDA; THROUGH SEPTEMBER 24, 2021, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

10. COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT:

RESOLUTION No. 102-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO ACCEPT AND TO SIGN THE GRANT AGREEMENT W ITH THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR A COMMUNITY PLANNING TECHNICAL GRANT; AND AUTHORIZATION FOR $38,000 TO BE EXPENDED ON A REIMBURSABLE BASIS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. CDBG GRANT APPLICATION FOR ALTERNATIVE WATER SUPPLY:

RESOLUTION No. 104-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE PUBLIC W ORKS DEPARTMENT TO SUBMIT A GRANT APPLICATION FOR THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION REBUILD FLORIDA GENERAL INFRASTRUCTURE PROGRAM TO PROVIDE FUNDING FOR THE CITY'S ALTERNATIVE WATER SUPPLY PHASE 1 PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

7:15 PM MOTION: Move Approval.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Matheson
Motion approved unanimously.

COMMISSION ACTION

12. HONORING DR. EDWIN MASSEY:

RESOLUTION No. 101-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, CELEBRATING DR. EDWIN MASSEY FOR HIS MANY YEARS OF DEDICATION TO HIGHER EDUCATION AT INDIAN RIVER STATE COLLEGE, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Attorney Mortell read Resolution No. 101-2020, honoring Dr. Edwin Massey into the record.

Via Zoom, Dr. Massey thanked everyone for their public service and mentioned his appreciation. He provided a brief overview of how the college made it to Stuart and

thanked everyone for the recognition. He encouraged the City to be a strong partner with the college.

7:24 PM MOTION: Move approval.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

13. WALTON BUILDING RELOCATION - MAJOR URBAN CODE CONDITIONAL USE APPROVAL:

RESOLUTION No. 97-2020; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL TO 111 REAL ESTATE HOLDINGS, LLC OWNER OF THE PROPERTY LOCATED IN THE CITY OF STUART, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR THE RELOCATION OF THE HISTORIC WALTON BUILDING (33 DEGREES) FROM CITY RIGHT-OF-WAY AT DECKER AVENUE TO THE NORTH SIDE OF PARKING LOT LOCATED AT 209 S ALBANY AVENUE; ALLOW ING THE FRONT BUILDING FAÇADE TO BE SETBACK FROM THE FRONT PROPERTY LINE, FOR THE FAÇADE WIDTH OF THE RELOCATED BUILDING TO BE LESS THAN 80% OF THE LOT W IDTH AND FOREGO THE REQUIREMENT FOR THE MINIMUM BUILDING HEIGHT OF TW O STORIES, FOR ARCADES OR GLAZED OPENINGS AND BALCONIES ALONG THE STREET FACADE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF RELOCATION; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Tom Reetz, Development Department Senior Planner, presented including the requested variances, site, and conditions for approval.

Mr. Breckbill answered questions regarding the parking spaces before and after the move and the history of the building.

Attorney Mortell noted the parking spaces requirements and concerns of removing parking compliance.

Commission discussion included shade, the parking, business plan, restroom availability, public art, the historical building factor and vision of Joan Jefferson Way.

7:51 PM MOTION: Continue this item to date certain of September 14th.
MOVED BY: Commissioner Matheson
SECONDED BY: Vice Mayor Clarke
Motion approved unanimously.

ORDINANCE FIRST READING

7:54 PM 14. LONE PALM RESIDENTIAL - INFILL HOUSING (QUASI JUDICIAL):

ORDINANCE No. 2439-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY OF STUART'S COMPREHENSIVE PLAN VIA A SMALL-SCALE COMPREHENSIVE MAP AMENDMENT FROM RESIDENTIAL LOW TO EAST STUART; REZONING FROM RESIDENTIAL, SINGLE-FAMILY (R-1) TO SINGLE-FAMILY AND DUPLEX SUBDISTRICT (SFD) ON THE CITY'S OFFICIAL ZONING MAP; AND APPROVING A MAJOR URBAN CODE CONDITIONAL USE FOR PROPERTY TOTALING 0.72 ACRES, OWNED BY LONE PALM PROPERTY INVESTMENTS, LLC, LOCATED BETWEEN MARTIN LUTHER KING JR. BOULEVARD AND SE 6th STREET, WEST OF PALM BEACH ROAD; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED TO ALLOW THE DEVELOPMENT OF TWO DUPLEX LOTS AND THREE SINGLE FAMILY LOTS; DECLARING THE PROJECT 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, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.

Six (6) six people sworn in; Kevin Freeman and Stephen Mayer of the City of Stuart, Don Cuozzo of Conceptual Design Group. Janet Hartman, Rick Hartman, and Reed Hartman of Lone Palm Development.

Stephen Mayer presented with a power point providing the future land use, zoning, the site plan, and the CRA and staff recommendations.

Don Cuozzo provided a brief presentation with a neighborhood overview and comparison of surrounding properties with suggested modifications to the plan.

Reed Hartman commented on the new construction points.

Discussion took place on the East Stuart Land Use Code and the requirements.

Public Comment:

1) **Donald Duffy, MLK, Jr. Blvd.; Commented on the project being moved a couple of blocks down but it still in East Stuart, he does not want duplexes or commercial businesses in the residential neighborhood.**
2) **Sanders Coleman – MLK, Jr. Blvd.; Congratulated Commissioners on the election, feels the reality of the project on the property was too small. He would like to see single family homes on that property.**
3) **Helen McBride - Flamingo Ave.; Commented that she feels the commissioners should have the courage to decline this project and put the single-family homes in the East Stuart Neighborhood.**

8:11 PM MOTION: Motion to approve Ordinance No. 2439-2020
MOVED BY: Commissioner Bruner
SECONDED BY: Commissioner McDonald
Motion approved unanimously. 8:42 PM

15. SAILFISH COVE UPUD (QUASI-JUDICIAL):

ORDINANCE No. 2449-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A REZONING FROM URBAN WATERFRONT TO URBAN PLANNED UNIT DEVELOPMENT FOR A 0.925 ACRE PROPERTY LOCATED AT 37 & 41 S.W. SEMINOLE STREET, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH COVE UPUD CONSISTING OF THIRTY (30) MULTI-FAMILY RESIDENTIAL UNITS AND 5,768 SQUARE FEET OF OFFICE/COMMERCIAL USE IN ACCORDANCE WITH THE SECTION 2.07.00 STUART LAND DEVELOPMENT CODE; ALLOWING A DENSITY OF 26.75 DWELLING UNITS PER ACRE ON A .925 ACRE SITE; APPROVING A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT 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.

Five (5) people sworn; Kevin Freeman and Tom Reetz of the Development Department, Don Cuozzo of Conceptual Design Group, and Marcela Camblor of Marcela Camblor Associates.

Tom Reetz presented with a review including the location previously approved as the Seminole Bluff, the zoning, site, including four commercial office units and three residential floors with a Seminole Street streetscape plan. He provided a review of variances requested and conditions for development.

Marcela Camblor, Marcela Camblor Associates, provided an overview of the Sailfish Cove project in relation to the previous proposed Seminole Bluff. She discussed new project details which included parking.

Commissioner McDonald confirmed that charging stations be part of the approval.

Joe Captec, Captec Engineering, answered questions about parking, transportation study, water quality and drainage from the Commission.

Commissioner Matheson requested hard numbers for the charging stations to provided before next reading.

Public Comment:

1) **Armond Pasquale – Seminole Street; Opposed the project and commented there is not enough parking, feels density is too high.**
2) **Helen McBride – Flamingo Ave.; shared concerns over seeing additional dumpsters.**

9:17 PM MOTION: Move to approve Ordinance No. 2449-2020.
MOVED BY: Vice Mayor Clarke
SECONDED BY: Commissioner Bruner
Motion approved unanimously.

ORDINANCE SECOND READING

16. (Continued to September 14, 2020 CCM)
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 "PLANNED UNIT DEVELOPMENT (PUD) AMENITY CRITERIA" TO CHAPTER II ENTITLED “ZONING DISTRICTS USES ALLOW ED, 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.

17. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE:

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 ALLOWED, DENSITY, INTENSITY” IN RESPECT OF STANDARDS FOR THE PROVISION OF ELECTRIC VEHICLE (EV) CHARGING INFRASTRUCTURE IN 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.

Kev Freeman, Development Director, mentioned a change regarding parking infrastructure and commercial locations had been removed after discussion at first reading.

9:25 PM MOTION: Move for Approval.
MOVED BY: Commissioner Bruner
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

DISCUSSION AND DELIBERATION

18. CONCEPTUAL PLAN FOR EAST OCEAN BLOULEVARD AND MEMORIAL TREES AT MEMORIAL PARK

Dave Peters, Public Works Director, provided an overview of the replacement and Memorial Park tree plan.

9:58 PM MOTION: Move forward with the plan leaving the oak trees in front of the Courthouse.
MOVED BY: Commissioner Bruner
SECONDED BY: Vice Mayor Clarke
Motion approved unanimously.

10:00 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission Meeting this 14th day of September, 2020.