MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD January 11, 2021
AT 4:00 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Eula R. Clarke
Vice Mayor Merritt Matheson
Commissioner Becky Bruner
Commissioner Troy McDonald
Commissioner Mike Meier

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

THIS MEETING WAS AVAILABLE LIVE VIA ZOOM:
Zoom links and ID information can be found at www.cityofstuart.us/meetings

4:03 PM ROLL CALL

Present: Mayor Clarke, Vice Mayor Matheson, Commissioner Bruner, Commissioner McDonald, Commissioner Meier

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - SINGER, SAMARA LEWIS

Samara Lewis introduced herself as a student who attends the Performing Arts School in Vero Beach and performed a song called "A Change in Me."

4:12 PM PROCLAMATIONS

2. HUMAN TRAFFICKING AWARENESS DAY - JANUARY 11, 2021

Kelly Laurine and Dr. Kimberly Massick graciously accepted the Proclamation, thanking the City for their support and announced new partnering programs.

3. REVEREND MARTIN LUTHER KING, JR. CELEBRATION - JANUARY 18, 2021

The Proclamation was accepted by Nina Dooley and James Hall of the Afro-American Citizens of East Stuart (AACES), thanked the City for their support, announcing the upcoming events of the MLK Holiday events in Hobe Sound, Palm City and Stuart.

PRESENTATIONS

4. SERVICE AWARDS - JANUARY 2021

George Sumner - Fire Rescue - 25 years
David Lawson - Fire Rescue - 25 years
Alex Ginossi - Fire Rescue - 20 years
Robert Callaham - Fire Rescue - 15 years
David VanBrussel - Residential Collection - 5 years

4:23 PM 5. EMPLOYEE OF THE MONTH - JANUARY 2021

Jim Chrulski, Community Services Director announced Ben Hogarth, Community Services Community Affairs Liaison as the January 2021 Employee of the Month for his various roles as river advocate, public information officer, and legislative affairs coordinator. Ben thanked Jim and the Commission and

4:29 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner

- **Happy New Year**

Commissioner McDonald

- **Inquired about law enforcement for the downtown crosswalks and speeding cars on Osceola Street and Riverside Drive by Martin Avenue.**
- **Received a complaint about the construction at the storage building.**
- **Commented on the blue signs for development projects that do not get removed after the project is complete.**
- **Commented with a reminder to all that we are all one Country and we should be working together; feels we are going to get through this as a Country, asks all to keep the Police Officer who was killed at the Capitol Building in the line of duty in our thoughts and prayers.**

Commissioner Meier

- **Commented that he also has received complaints on speeding and thanked Commissioner McDonald for bringing up the topic.**
- **Commented that we are all Americans and cannot see each other as enemies, we must all work together. Has read about FBI notices to State Capitols of treats and hopes the local law enforcement is tuned in to this information.**

Vice Mayor Matheson

- **Announced Lake Okeechobee levels at 15.67 feet and inching down, we have entered the dry season, but we are working with the Corp. and will have zero discharges from the lake for 1 month.**
- **Announced Vice Chair, Commissioner Ken Russell of the City of Miami will visit Stuart on January 21st to talk about water quality issues, a boat ride to the locks, St. Lucie Canal, etc.**
- **Cautioned fellow commissioners that no matter the length of meetings, they all signed up for their duties and meetings should not be rushed. They must ensure respect is given to the staff and issues that are being discussed.**
- **Commented on encouraging the public to attend the events of MLK Day at Guy Davis Park presented by ACCES from 10 a.m. to 5 p.m. on January 18th.**
- **Thanked the Mayor for the Mayor's Priorities Meeting and noted one of his goals is to host an in-person job fair as a result of the COVID rebound at the 10th Street Community Center.**

Commissioner's McDonald and Meier announced that they would involve the Business Development Board (BDB) and the Treasure Coast Council of Local Governments (TCCLG).

- **Reported on the news of Capitol Hill, disgusted by the video of a sworn officer being beaten by a mob holding an American Flag. Asks that we work together to unite our Country.**

Mayor Clarke

- **Commented on the 4 p.m. time frame, thanked staff and the manager for allowing the appropriate time for business.**
- **Thanked the Commissioners for meeting individually with her last week for the Mayor Goals meetings, thanked Tom Campenni for publishing a letter in his Friends and Neighbors online blog, requested a copy.**
- **Reported on events attended as well as upcoming meetings and events: attended inauguration for new Property Appraiser, Jenny Fields.**
- **MLK events from Jan. 15th through the 18th, on January 15th at 9 a.m. the TCRPC will meet at the Wolf Technology Center and the Annual Stuart Boat Show will begin. On Jan. 21st, City of Miami to visit and discuss water issues and take a boat tour. Thanked Vice Mayor Matheson, Jim Chrulski and Ben Hogarth for the coordination of the visit. Noted an event on January 28th in Indiantown and that she plans to give a speech on January 15th at the Geoffrey Smith Art Gallery.**
- **Her theme as Mayor is *Clean City, Clean Streets, Clean River*, asked the City to add that to the website and work on more cleanups.**
- **Noted the complaints received about the litter on the bridge.**

4:52 PM COMMENTS BY CITY MANAGER

City Manager Dyess

- **Announced the Boat Show read closure begins tomorrow, January 12th.**

- **The move of the Zoom and new live stream system is running tonight and doing well.**
- **Staff will discuss/address topics brought up tonight.**
- **Item #13 request to continue to a date certain.**

Dyess reported that it was the pleasure of the board to recess or move forward with the meeting as no items have been advertised as a time certain of 5:30 PM.

4:54 PM APPROVAL OF AGENDA

4:54 PM MOTION: Move to approve.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

Mayor Clarke requested City Attorney Mortell remind all of the definition of Civility.

City Attorney Mortell read the definition into the record.

4:56 PM COMMENTS FROM THE PUBLIC

1) **Tom Campenni – St. Lucie Crescent Avenue; Commented on the statement the Mayor made about the litter on the bridge, noted that the City does not have control over the bridge as that is under the control of the FDOT. Invited the Commissioners to the Martin County Taxpayer's Annual Dinner at the Corinthian Yacht Club.**
2) **Helen McBride – Flamingo Avenue; Commented on the great City staff as she was happy to see the City employees volunteering.**
3) **Gerry Gore – Commented that he is working to on a project called Beautify Our Community in East Stuart, has made a list of Sanitation collection days, thanked the City for the cardboard dumpster, but is interested in finding people who are interested in Adopting a Street through the Keep Martin Beautiful Adopt a Street Program.**

Commissioner Bruner commented that she would like to see the Christmas tree event in Memorial Park grow and happen on an annual basis. She also asked Mr. Gore for more clarification on the litter he mentioned.

Mayor Clarke requested Mr. Gore come forward.

Commissioner Bruner apologized for her December comment and jumping the gun.

Commissioner Meier commented on his straw ban goal discussed during the Mayor's Goal's Special Commission and requested a presentation at the next Commission Meeting.

Dyess responded the straw ban has been in the education phase and as of January 2021, enforcement would begin.

5:14 PM Recess

5:31 PM Reconvened

Public Comment:

4) **Armond Pasquale – Seminole Street; Commented on New Year's Eve, hundreds of people not wearing masks, loud music, feels that by allowing this to happen, the virus is spreading. Declaring the Emergency is a waste of time.**

5:34 PM CONSENT CALENDAR

6. APPROVAL OF 12/14/2020 CCM MINUTES

7. RENEWAL OF MUTUAL AID AGREEMENT BETWEEN CITY OF STUART POLICE DEPARTMENT AND ST. LUCIE COUNTY SHERIFF'S OFFICE:

RESOLUTION No. 02-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE RENEWAL OF THE SAINT LUCIE COUNTY LAW ENFORCEMENT ASSISTANCE AND VOLUNTARY COOPERATION MUTUAL AID AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. FACSIMILE SIGNATURE BANK:

RESOLUTION No. 05-2021; 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.

9. GRANT AGREEMENT AMENDMENT 2 - ALTERNATIVE WATER SUPPLY STATE APPROPRIATION:

RESOLUTION No. 06-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING AMENDMENT 2 TO AGREEMENT NO. LPA0046 FOR THE ALTERNATIVE WATER SUPPLY PROJECT; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 2; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

10. STATE REVOLVING FUND AMENDMENT 1 TO LOAN AGREEMENT DW430431:

RESOLUTION No. 07-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING AMENDMENT 1 TO THE STATE OF FLORIDA DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT DW430431; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 1; DESIGNATING

AUTHORIZED REPRESENTATIVE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

11. STATE REVOLVING FUND AMENDMENT 1 TO LOAN AGREEMENT DW430440:

RESOLUTION No. 08-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING AMENDMENT 1 TO THE STATE OF FLORIDA DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT DW430440; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 1; DESIGNATING AUTHORIZED REPRESENTATIVE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

Mayor noted that Item #7, provided a revision from St. Lucie County. Attorney Mortell reviewed the revision with the Commission. Mayor requested the format be updated. Commissioner Meier comments that the pronouns should be gender neutral.

5:37 PM MOTION: Move for approval with the change on item #7.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion passed unanimously.

COMMISSION ACTION

ORDINANCE SECOND READING

5:39 PM ORDINANCE FIRST READING

12. ANNEXATION OF CITY OWNED PROPERTY AT HANEY CREEK (QUASI-JUDICIAL):

ORDINANCE No. 2452-2021; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ANNEXING, ALLOCATING A FUTURE LAND USE OF CONSERVATION AND ALLOCATING A ZONING CATEGORY OF PUBLIC FOR FOUR (4) CITY OWNED PROPERTIES ADJACENT TO HANEY CREEK AND NW BAKER ROAD AND WHICH ARE SUBJECT TO A FLORIDA COMMUNITIES TRUST GRANT AWARD AGREEMENT AND BEING MORE FULLY DESCRIBED IN EXHIBITS A1, A2, A3 and A4 ATTACHED HERETO; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

One (1) person sworn; Kevin Freeman, City of Stuart Development Director.

Freeman presented with a power point on the project's location, existing future land use, zoning, residential and public, providing the recommendation of staff.

City Manager Dyess responded to a question by Commissioner Bruner, noting there were two reasons to proceed with the annexation of this property, jurisdiction and it can be added to the City's conservation count and parklands.

Public Comment:

1) **Helen McBride - Flamingo Avenue; Would like to have the land in her own backyard.**
2) **Fred Lowewberg - 13th Terrace; lives in River Park; questioned the signs, wondered if the tortoises and animals would be affected if the were cut down.**

5:47 PM MOTION: Motion to approve.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner Matheson
Motion passed unanimously.

5:55 PM 13. HIDDEN KEY RPUD REZONING (QUASI-JUSICIAL):

ORDINANCE No. 2457-2020; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE 1.36 ACRE PARCEL FROM RESIDENTIAL MULTIFAMILY/ OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), LOCATED NORTH OF THE ARC OF MARTIN COUNTY AND SOUTH OF THE ESTATES OF STUART, EAST OF KANNER HIGHWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE HIDDEN KEY RPUD CONSISTING OF TW ENTY-EIGHT (28) MULTI-FAMILY UNITS WITHIN TWO TWO-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.

Continued to date certain of Feb. 8, 2021.

5:57 PM MOTION: Move to continue item to February 8, 2021.
MOVED BY: Commissioner Matheson
SECONDED BY: Commissioner Meier
Motion passed unanimously.

5:57 PM 14. TOBACCO AND ELECTRONIC NICOTINE REGULATION:

ORDINANCE No. 2459-2021; AN ORDINANCE OF THE CITY OF STUART AMENDING ARTICLE VII; SECTION 12-163 THROUGH 12-172 RELATING TO THE SALE AND USE OF NICOTINE DELIVERY DEVICES AND TOBACCO PRODUCTS; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICTS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Attorney reviewed the Ordinance and noted it would bring the City into compliance with the Federal Law.

5:58 PM MOTION: Move to approve.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion passed unanimously.

DISCUSSION AND DELIBERATION

5:59 PM ADJOURNMENT

_____ _____
Mary R. Kindel, City Clerk **Eula R. Clarke, Mayor**

Minutes to be approved at the Regular Commission Meeting this 25th day of January, 2021.

MRK