MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD February 22, 2021
AT 5:30 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

5:30 PM ROLL CALL

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

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. FIRST PRESENTATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS (CDBG-CV) PROGRAM BY CORBETT ALDAY FROM GUARDIAN CRM, INC.

Pinal Gandhi-Savdas, CRA Administrator, provided a brief overview of the CDBG-CV program and introduced Mr. Corbett Alday from Guardian CRM, Inc.

Corbett Alday thanked the Commission and presented a PowerPoint presentation on the CDBG-CV Grant Program requirements and process, specifying the grant requirements must be associated with the Coronavirus directly, meet income requirements, and offered project examples and reviewed the overall process.

Mayor Clarke requested clarification on the pre-application process and Pinal Gandhi-Savdas provided information.

Public Comment:

1) **Helen McBride - Flamingo Ave.; Commented that she does not feel the grant was advertised well and asked who could apply; felt it was a wonderful grant and she supported helping the businesses.**

2) **Armond Pasquale - Seminole St.; Suggested using the grant money to increase water supply because water is becoming extremely expensive and commented that his bills are going up.**

Mayor Clarke requested to make the information for this grant available for residents.

City Manager Dyess noted the City has already applied for a CDBG grant as it related to the alternative water supply source in the last grant cycle.

Commissioner Meier suggested using the grant funding for rent and utility assistance for those affected by lost wages though COVID-19. He was interested in earmarking funds for local businesses.

Mr. Corbett Alday stated the application had to be one activity/project and one application.

Commissioners continued their discussion to include working with other organizations to help promote jobs, rent assistance, job creation, ideas of a business incubator, incentives, and rental assistance.

City Manager Dyess presented the staff idea to purchase the property located at 720 SE Martin Luther King Jr. Blvd and create a job training center and business incubator. He mentioned the trade gap in the community and offered the idea of the rehabilitation work on the property be done by the trades people attending the program.

Mr. Alday explained how Columbia County has an industrial site that they will build a water and sewer plant for their PPE plant. They are using the State of Florida Jobs Grant, the CDBG-CV Grant, and Economic Administration. He explained how the City was eligible to apply for the same grants.

Discussion took place on the benefit of the grant, direction the City should take in making sure the grant makes the most impact, suggested partners, timelines, and process.

City Attorney Mortell informed the Commission they could apply for the grant then identify the property.

Mayor Clarke asked City Manager Dyess to find out what they are doing to help the residents with COVID-19. She wanted to ensure the residents were using all the County resources.

6:07 PM Public Comment:

3) **Mr. Tom Campenni, St Lucie St; stated the United Way helped with the rent, utilities, food, and mental health. The County helped with businesses affected by Covid-19 who met the criteria.**

4) **Gwendolyn Hall-Brinkley, Majorca Ave.; Questioned if there were boundaries for the people who would be able to benefit from the program. She was told the guidelines from the program have not yet been structured.**

6:04 PM MOTION: Accept staff's proposal to pursue the pre-application process with staff's proposed idea.
MOVED BY: Commissioner Meier
SECONDED BY: Vice Mayor Matheson
Motion passed unanimously. 6:11 PM

6:12 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner

- **No Comments**

Commissioner McDonald

- **Commented that he attended MPO Meeting and noted that if the City has a future project they would like prioritized by the State, they will have to let the MPO Administrator know by April.**
- **Announced that he mentioned the Riverwalk Cafe was still participating in the Oyster Shell Recycling Program after 6 years.**

Commissioner Meier

- **Announced the legislative session starts next week and that he will provide updates. Unfortunately, there are a lot of bad bills going through the committees that we should be aware of.**
- **Suggested drafting a letter to oppose Senate Bill 62 that would eliminate regional planning councils.**

6:18 PM MOTION: Draft and send a resolution in support of the Regional Planning Council opposing SB 62 to the Legislative Delegation and Chairs of the Committees that would see that bill.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion passed unanimously.

- **Reported that he met with Representative Snyder and looking forward to working with him.**
- **Reviewed LPA meeting notes on Central Parkway Project, thinks it is important to prioritize meetings and have a workshop on the housing funds and policy.**

Vice Mayor Matheson

- **Commented on his support of the Treasure Coast Regional Planning Council, they are working on two studies: Gateway Triangle District and US1 Economic Corridor. MPO funding in place for right turning lane US1 to Kanner Hwy, would like to invite TCRPC to an upcoming meeting to present some options.**
- **Commented that he spoke with the owner of Culvers in Stuart and he is saving money by not offering straws.**
- **Provided update on Lake Okeechobee height and trends.**
- **Attended MPO & LOSOM Meeting and discussed Lake Okeechobee Action Management Plan for 2022, spoke to organizations who complimented Ben Hogarth (Community Affairs Liaison) who spoke on City of Stuart priorities.**
- **Reported he is communicating with Kate Cotner of FPL on the wooden telephone poles, they are on the list to be removed.**

Mayor Clarke

- **Read a thank you note from Ms. Thelma Waters on her induction onto the Florida Women's Hall of Fame.**
- **Addressed concerns in the community regarding COVID-19 vaccine.**
- **Mentioned lawsuit correspondence received from Caryn Hall Yost-Rudge.**

City Attorney Mortell informed the Commission it was dismissed, and the City is not party to the lawsuit.

- **Commented in support of the TCRPC Resolution.**
- **Attending the Airport Advisory Committee Meeting.**
- **Working with staff on ideas for affordable housing.**

COMMENTS BY CITY MANAGER

No Comments

APPROVAL OF AGENDA

6:32 PM MOTION: Motion to approve the agenda.
MOVED BY: Commissioner Matheson
SECONDED BY: Commissioner Meier
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max)

1) **Betty Brinkley - Nassau Ave.; Felt no one came to the black community to offer COVID-19 vaccines and mentioned the roads in the black community were not maintained as they were in the white community. On January 17th the police officer was very disrespectful and threatening to the black citizens and it scares her.**

CONSENT CALENDAR

2. APPROVAL OF 02/08/2021 CCM MINUTES

3. ALTERNATIVE WATER SUPPLY FUNDING APPLICATION AUTHORIZATION:

RESOLUTION No. 23-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE UTILITIES & ENGINEERING DEPARTMENT TO SUBMIT A GRANT APPLICATION FOR AN ALTERNATIVE WATER SUPPLY GRANT THROUGH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO PROVIDE FUNDING FOR THE CITY'S ALTERNATIVE WATER SUPPLY PROJECT; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

4. AXON PAYMENT AGREEMENT:

RESOLUTION No. 24-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF A LEASE/PAYMENT FOR A FIVE (5) YEAR TERM W ITH AXON ENTERPRISES INC, FOR AXON BODY W ORN CAMERAS (BW C'S), UNLIMITED EVIDENCE STORAGE, AND TASER STORAGE TRACKING; AND PROVIDING AN EFFECTIVE DATE AND FOR OTHER MATTERS.

END OF CONSENT CALENDAR

6:36 PM MOTION: To approve Consent Calendar.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner McDonald
Motion passed unanimously.

COMMISSION ACTION

5. URGING THE FLORIDA LEGISLATURE AND GOVERNOR TO ENSHRINE APPROPRIATIONS FOR THE EAA RESERVOIR:

RESOLUTION No. 26-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENSHRINE ALL NECESSARY STATE APPROPRIATIONS FOR THE EVERGLADES AGRICULTURAL AREA RESERVOIR PROJECT UNTIL ITS COMPLETION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:38 PM MOTION: Move to approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Matheson
Motion passed unanimously.

6. LETTER TO THE SFWMD ON MAXIMIZING CONVEYANCE OF LAKE WATER SOUTH DURING THE DRY SEASON:

RESOLUTION No. 27-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A LETTER TO THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT URGING THE DISTRICT TO MAXIMIZE THE CONVEYANCE OF LAKE OKEECHOBEE WATER SOUTH THROUGH THE STORMWATER TREATMENT AREAS AND TO THE FLORIDA EVERGLADES DURING THE DRY SEASON; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:41 PM MOTION: Motion to include additional language of only 6% of total water sent to STA's came from Lake Okeechobee.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner McDonald
Motion passed unanimously.

7. AUTHORIZATION TO APPLY FOR FIND GRANT FOR POLICE BOAT:

RESOULTION No. 28-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY OF STUART POLICE DEPARTMENT TO APPLY FOR AND, IF SUCCESSFUL DESIGNATE THE POLICE CHIEF AS THE AUTHORIZED REPRESENTATIVE TO EXECUTE THE GRANT, AND SUBSEQUENTLY APPROVE THE EXPENDITURE OF THE GRANT FUNDS FROM THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM, TO FUND THE STUART POLICE DEPARTMENT MARINE PATROL WATERWAY SAFETY PROJECT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Manager Dyess stated this was a 50/50 match grant and the City will not be retaining the current boat if the grant was approved.

6:44 PM MOTION: Move for approval.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion passed unanimously.

ORDINANCE SECOND READING

8. HIDDEN KEY RPUD REZONING (QUASI-JUSICIAL):

ORDINANCE No. 2457-2021; 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.

Three (3) people sworn; Kev Freeman and Stephen Mayer, City of Stuart Development Department, and Mr. Creech of Creech Engineering.

Stephen Mayer, Senior Planner, provided an update with an addition to Condition #32 based on comments from the first hearing.

Mr. Rick Creech agreed with the staff recommendations.

6:49 PM MOTION: Motion to approve Ordinance No. 2457-2021.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner Meir
Motion passed unanimously.

ORDINANCE FIRST READING

No items.

DISCUSSION AND DELIBERATION

6:50 PM 9. STUART GREEN MARKET DISCUSSION

Jim Chrulski, Community Services Director presented on the history of the City of Stuart Green Market and offered a comparison of the of the Treasure Coast and Palm Beach markets, including the IRS statuses.

Commissioners reviewed and discussed concerns about the financials, transparency, cooperation, and accurate reporting. Commissioner Meier stated, although he is concerned about the financials, he felt the green markets are a social service and that it is important to provide a space for vendors and attract people to downtown and the financials are not as important. Commissioner Bruner noted that this is only generating $2,000 a year and feels it needs to grow.

Mr. Kevin Osborne, Manager of Stuart Green Market, addressed the Commission by providing a history of the management and his role in the Stuart Green Market. After the loss of Mr. Bernie Malone, the creator of the Stuart Green Market, he has been learning as he goes. He stated he was compliant through COVID-19 and his concerns were for the 60 families that relied on the market for their livelihood. Stated the contributions the Green Market has made to help the community.

City Attorney Mortell clarified a few issues mentioned by Mr. Osborne and informed the Commission there was a meeting with the board in 2018 where the guidelines and requirements were discussed.

Commissioners continued their discussion on the transparency issue, noting the City needs to be associated with organizations that follow the rules and should demand transparency with the taxpayer's money. They reviewed what they want the future of the market to be to benefit the City and draw people to downtown and agreed to consider options on how to proceed.

Mr. Patrick Bradley, Founder and President of the Stuart Green Market, came forward and thanked the Commission for their consideration. He answered questions, stating he did not have his hearing aids in, but went on to answer that the Green Market Board meets weekly at the market on day to day operations and has had annual meetings in the past.

In addition to multiple questions, Commissioner McDonald requested a copy of the Minutes and By-Laws from meetings held by the Green Market Board.

City Attorney Mortell explained to Mr. Bradley that in the event his Board is failing to report, his answers could be used against him. Mr. Brandley was seated.

City Manager Dyess informed the Commission the license agreement was perpetual and does not end on July 1st. It would require a 60-day termination at any time. Options of the Green Market location and an RFP discussed.

Public Comment:

1) **Helen McBride - Flamingo Ave; Commented on concerns about the sales tax being charged by the vendors at the Green Market and would like to see it run better. Asked to get a better contract and preferred in Memorial Park.**

2) **Jim Gallegos - Manner Drive; Inquired if the license would remain a perpetual license or become an annual license and expressed concern about the future of the Green Market as he is not happy how it is currently being run.**

7:53 PM MOTION: Bring back an item before the City Commission at the next meeting that will be a 2-part discussion; A- To discuss and determine if we're going to terminate the license agreement and the effective date of the termination pursuant to the license agreement and B- if we choose to terminate it, that we have an RFP ready to go that we can approve. MOTION AMENDED TO ADD: Two meetings from now, March 22nd Meeting.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Bruner
Motion passed unanimously. 8:01 PM

8:01 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission Meeting this 8th day of March 2021.

KJL/MK