

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD March 8, 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

SERGEANT AT ARMS: Police Chief Joseph Tumminelli



4:04 PM ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - ELLIOTT MUSEUM PRESENTATION BY ROB STEELE, PRESIDENT & CEO OF HISTORICAL SOCIETY OF MARTIN COUNTY

Mr. Steele presented an informative and entertaining power point presentation on the various community events, exhibits, and opportunities available offered at the Elliot Museum.

PRESENTATIONS



4:17 PM 2. SERVICE AWARDS - MARCH 2021

Ryanne Cavo, Paralegal, City Attorney Department – 5 Years

3. EMPLOYEE OF THE YEAR AND RUNNER-UP 2020

Employee of the Year Runner-Up - Anne Ellig, Recycling and Conservation Coordinator, Utilities & Engineering Department.

Employee of the Year - Michele Jett, GIS Coordinator, Development Department

 **4:26 PM 4. THE 100 CLUB OF MARTIN COUNTY IN RECOGNITION OF RESERVE OFFICER SERGEANT DAVID SCHOONOVER**

Retired Chief Savini from the Sewall's Point Police Department came forward and provided a brief history of the 100 Club of Martin County and presented Volunteer Officer, David Schoonover a plaque in recognition of his 40 plus years of service to the City of Stuart.

 **4:31 PM 5. FLORIDA'S CONSTITUTIONAL AMENDMENT 2 - MINIMUM WAGE INCREASE**

Roz Johnson, Human Resources Director, presented on the changes to the minimum wage laws, provided background and history, the incremental increases, a review of the adoption of the Paypoint HR program software, the positions currently under the minimum standard range and the expected impacts to the City. Johnson proposed the strategy options and reviewed common questions related to pay compression, giving examples.

City Manager Dyess announced that he requested Ms. Johnson present on this topic to inform the Commissioners of the status of the minimum wage increase and to help with the understanding for upcoming budget challenges. A brief questions and answer discussion between Commissioners and Ms. Johnson took place about the effect on current contracts, the identification of actual dollar amounts, and a brief discussion on the compression information.

 **4:59 PM COMMENTS BY CITY COMMISSIONERS**

Commissioner Bruner

- **No Comments**

Commissioner McDonald

- **Commented on an article on the Southern Reservoir and happy about the Resolution adopted in support of this project, noted mission accomplished!**
- **Complimented Public Works Director, Milton Leggett, and his crew for the consistent job they do, reported on a complaint he received on St. Lucie Blvd. and Flamingo about an overgrown Seagrape tree blocking the road.**
- **Commented that he participated on a ride-along with the Stuart Police Department and expressed his appreciation for the work they do,**

- Announced March 29th as Vietnam Veterans Day and thanked these veterans for their service.

Commissioner Meier

- Recognized National Women's Day and thanked all the women in his life.
- Reported that he recently took a trip to Jacksonville and noted what a beautiful City it was with its public art and redevelopment, reminded him of Stuart. Commented on their micro mobility and transit system and recent scooter trial.
- Commented on the Florida Friendly Landscaping Code on tonight's agenda and encourages them to consider incentivizing shade trees and canopy's.

Mayor Clarke

- Announced and welcomed County Commissioner Ed Ciampi, and former Commissioner/Mayor Tom Campenni.
- Announced the funeral of Thelma Waters on Friday in Indiantown.
- Announced on Saturday, March 13th, at the Treasure Coast Regional Planning Council Tour and Talk Meeting will take place and a Cleanup planned for March 27th, details to follow.

Vice Mayor Matheson

- Requested to pull Items #8 and #9 from Consent Calendar.
- Reported on Lake Okeechobee discharges and a telephone call between him and Col. Polk this past week; provided an update. There will be a Rivers Coalition Meeting on the third Thursday in March.

 5:14 PM COMMENTS BY CITY MANAGER

City Manager Dyess

- Commented that due to recent successful events, it is his intent to sign the fireworks contract for July 4th. There will be a mask recommendation.

Per the Mayor's request, City Manager read the Civility Clause.

APPROVAL OF AGENDA

 5:15 PM MOTION: Move approval of the agenda pulling Items #8 and #9.
 MOVED BY: Commissioner Meier
 SECONDED BY: Matheson
 Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

No Comments.



5:17 PM CONSENT CALENDAR

6. APPROVAL OF 02/22/2021 CCM MINUTES

7. AWARD OF ITB# 2021-104; SHEPARD PARK BOAT PARKING IMPROVEMENTS:

RESOLUTION No. 29-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2021-104, SHEPARD PARK BOATPARKING IMPROVEMENTS TO THE LOW EST, RESPONSIVE, RESPONSIBLE BIDDER TOTAL UNIT PRICE OF \$529,072.08 TO FERREIRA CONSTRUCTION SOUTHERN DIVISION CO, INC.. OF HOBE SOUND, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED) 8. PLAT OF NEW AVONLEA PUD PARCEL 2:

RESOLUTION No. 31-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "NEW AVONLEA PUD FIRST REPLAT", WITH LANDS SITUATED IN SECTION 28, TOW NSHIP 37 SOUTH, RANGE 41 EAST, CONTAINING 3.11 ACRES, PREPARED BY ROBERT F. KEMERSON OF VELCON ENGINEERING AND SURVERYING, LLC, A FLORIDA REGISTERED LAND SURVEYOR AND MAPPER NO. 6285, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED) 9. PLAT OF NEW AVONLEA PUD PARCEL 12:

RESOLUTION No. 32-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "NEW AVONLEA PUD SECOND REPLAT", WITH LANDS SITUATED IN SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, CONTAINING 3.11 ACRES, PREPARED BY ROBERT F. KEMERSON OF VELCON ENGINEERING AND SURVERYING, LLC, A FLORIDA REGISTERED LAND SURVEYOR AND MAPPER NO. 6285, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR



5:17 PM MOTION: Move approval, minus Items 8 and 9.
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Matheson
Motion passed unanimously.

8. PLAT OF NEW AVONLEA PUD PARCEL 2:

RESOLUTION No. 31-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "NEW AVONLEA PUD FIRST REPLAT", WITH LANDS SITUATED IN SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, CONTAINING 3.11 ACRES, PREPARED BY ROBERT F. KEMERSON OF VELCON ENGINEERING AND SURVERYING, LLC, A FLORIDA REGISTERED LAND

SURVEYOR AND MAPPER NO. 6285, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Vice Mayor Matheson announced that he pulled this item from the Consent Calendar to report that he has completed Form 8B to report a conflict and recuse himself from the vote on Item #8 and #9, Resolutions No. 31-2021 and 32-2021.



MOTION: Move to approve Resolution No. 31-2021.

MOVED BY: Commissioner McDonald

SECONDED BY: Commissioner Meier

Motion passed 4/5, Vice Mayor Matheson Abstained.

9. PLAT OF NEW AVONLEA PUD PARCEL 12:

RESOLUTION No. 32-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "NEW AVONLEA PUD SECOND REPLAT", WITH LANDS SITUATED IN SECTION 28, TOWNSHIP 37 SOUTH, RANGE 41 EAST, CONTAINING 3.11 ACRES, PREPARED BY ROBERT F. KEMERSON OF VELCON ENGINEERING AND SURVEYING, LLC, A FLORIDA REGISTERED LAND SURVEYOR AND MAPPER NO. 6285, PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.



5:20 PM MOTION: Move to approve Resolution No. 32-2021.

MOVED BY: Commissioner McDonald

SECONDED BY: Commissioner Meier

Motion passed 4/5, Vice Mayor Matheson Abstained.



5:23 PM Recess



5:33 PM Resume Meeting



5:33 PM COMMISSION ACTION

10. EXTENSION #11 TO THE DECLARATION OF STATE OF EMERGENCY FOR COVID-19:

RESOLUTION No. 22-2021; 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.



5:34 PM MOTION: Move for approval Resolution No. 22-2021.

MOVED BY: Vice Mayor Matheson

SECONDED BY: Commissioner Meier

Motion passed unanimously.

11. AUTHORIZATION OF MAYOR TO SEND CORRESPONDENCE TO CONGRESSIONAL MEMBERS REQUESTING DIRECT FEDERAL COVID-19 FUNDING RELIEF:

RESOLUTION No. 33-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO SEND CORRESPONDENCE ON BEHALF OF THE CITY COMMISSION TO CONGRESSIONAL MEMBERS REQUESTING THEIR SUPPORT OF DIRECT FEDERAL COVID-19 FUNDING RELIEF FOR ALL CITIES; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.



5:37 PM MOTION: Motion to approve.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner Meier
Motion passed unanimously.

ORDINANCE SECOND READING

ORDINANCE FIRST READING



5:39 PM 12. FOURWINDS AT ST LUCIE; REZONING:

ORDINANCE No. 2460-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING FROM (R-1) SINGLE FAMILY TO (R-2) DUPLEX ON THE CITY'S OFFICIAL ZONING MAP FOR PROPERTY TOTALING 0.75 ACRES, OWNED BY 245 ST LUCIE, LLC AND 257 4WINDS, LLC, LOCATED ON THE NORTHEAST CORNER OF ST LUCIE BOULEVARD AND SE FOURWINDS DRIVE; BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; 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.

Tom Reetz, Senior Planner, Development Department presented on the Fourwinds providing the location analysis, current future land use, pointing out that this is a zoning change. He reviewed the single-family only option options and zoning setbacks allowed in low density.

Four (4) people sworn; Kev Freeman and Tom Reetz, City of Stuart, Douette Pryce, Real Estate Developer, and Dale Thornberry, Intervenor.

Mr. Douette Pryce introduced himself and presented on the Four Winds at St. Lucie, described it as the "missing-middle" and explained the meaning, reviewed the subject sites as 257 SE Fourwinds Drive and 245 St. Lucie Blvd., the development pattern, etc. Announced his request to go from R-1 to R-2 zoning and presented the differences between the two in his request.

 **6:30 PM Mr. Pryce summarized his plan and provided a conceptual vision.**

 **6:43 PM Intervenor Presentation**

Mr. Dale Thornberry – St. Lucie Blvd. and Monterey Rd.; introduced himself, announced that he has a petition and presented with a power point to address the parking.

Pryce questioned Intervenor, Thornberry. Thornberry continued with additional photos of the property Mr. Pryce owns on Fourwinds Drive. Pryce provided a rebuttal, feels Thornberry simply provided an attack on his character.

Commissioners and staff participated in a brief discussion.


 **7:38 PM Hearing Closed.**

Public Comment:

- 1) Deb Pappalardo – Four Winds Drive; Commented on the parking and driving issues on her street, has concerns of traffic flow, feels a PUD should be addressed.**
- 2) Dale and Lynda Abrahamson - Four Winds Drive; In support of Intervenor's position. School buses do not stop there any longer, visibility safety issues and there's increased traffic since Snug Harbor West was built; difficult to back out of driveway; concerned for young children.**
- 3) Kim Roberts – Four Winds Drive; Witnessed police coming to that property and has concerns for parking.**
- 4) Roger Bernot – Harbor Point; Commented on the conceptual design being so precise, wonders why Mr. Price is not presenting exactly what he is going to do. Median would cause safety problem if a fire truck needs to come down the street.**
- 5) Mario Cirabisi – Four Winds Drive; Parking concerns and stated people park on the drainage.**
- 6) Lily Pryce – Four Winds; Wife of Duette Price, not asking for relief of following zoning requirements, hopes the information speaks for itself.**
- 7) Fred Rutzke – St. Lucie Blvd.; Commented that they didn't expect to see an eye sore from their property.**
- 8) Dorette Pryce – Duette's sister; Commented that she supports the project and her brother and asks the Commission to consider the data because she knows her brother and he cares about the community.**
- 9) Jeff Hardin – River Road; Personally knows Duette Pryce and his family and supports the project, reiterated that it has staff approval, meets code. Intervenor did not prove damages.**
- 10) Britta Erickson – ZOOM; Tampa FL, in support of project and has worked with Mr. Pryce on past projects.**
- 11) Sarah Hoil – ZOOM; Commented that Police were not called to the property but to another property. Vouched that Mr. Pryce is an excellent landlord.**

Commissioner Meier expressed his disappointment with the conflict between the community members between the developer and the members of the community and encouraged the public to review the Code online

 **8:07 PM MOTION: Motion for approval.**
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner Bruner
Motion passed unanimously.

 **8:17 PM Recess**
 **8:26 PM Meeting Resumed**

13. CENTRAL PARKWAY LOFTS - MAJOR AMENDMENT TO RPUD (QUASI-JUDICIAL):

ORDINANCE No. 2461-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING A 6.65 ACRE PROPERTY CONSISTING OF TWO PARCELS OPPOSITE ONE ANOTHER ON S.E. CENTRAL PARKWAY APPROXIMATELY MIDWAY BETWEEN ITS INTERSECTIONS WITH S. KANNER HIGHWAY TO THE WEST AND U.S. HIGHWAY ONE TO THE EAST TO APPROVE A MAJOR AMENDMENT TO THE “CENTRAL PARKWAY LOFTS (NORTH)” AND THE CENTRAL PARK LOFTS (SOUTH) RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF ONE HUNDRED NINETY SIX (196) MULTI-FAMILY UNITS WITHIN FIVE (5) INDIVIDUAL FOUR-STORY APARTMENT BUILDINGS; WITH SAID LANDS BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; 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.

Four (4) people sworn; Kevin Freeman and Tom Reetz of City of Stuart Development Department, Marcela Cambior, Marcela Cambior and Assoc., and Don Cuozzo of Conceptual Design Group.

Tom Reetz, Senior Planner, presented on the Central Parkway Lofts including the location, zoning, streetscape site plan and a traffic calming option, offered the conditions for redevelopment and reviewed the variances requested for the PUD. Kev Freeman went over the attainable housing evaluation and economic benefits.

 **8:40 PM Marcela Cambior presented on the general locations, demonstrating previous approval, proposed development, parking, and the public benefits. Proposal of bike share program, electric charging stations, and as a rental, must meet Fair Housing Act.**

Commissioner comments included suggestions/requests for a commitment to a sidewalk, solar on flat roofs to power the common areas, the maintenance of stamped concrete, confusion for attainable units with sunseting or is it kept in perpetuity, the proximity to Poppleton Creek, and transit.

Public Comment:

- 1) **Bill Fisher – Sedona Circle; Concerns over traffic issues, mixed use, has a lot of traffic and many use it to cut through, concerns of children crossing road for pool.**
- 2) **Melinda Bruna – Halifax Lane; Relocated from Miami 2 months ago and asks the Commissioners to be careful with their choices.**
- 3) **Lucas Latham – Sea Hunt Way; Commented that he has a petition with over 200 signatures opposing this project, scanned by the Clerk; commented on Comp Plan language about smart growth, provided area statistics and feels this project will stick out like a sore thumb. Presented posters of views of area to Commission.**
- 4) **John Schalk - Not present.**
- 5) **Linda Kay Richards – Cabana Point Circle; Provided a handout of approved and pending projects and commented on the housing explosion within 3 miles of each other, concerns of the increasing the density and quality of life.**
- 6) **Robin Cartwright – Hibiscus Avenue; Quoted “Just because you can, doesn’t mean you should.” Provided population statistics on affordable housing.**
- 7) **Barbara Grass – Palermo Court; Opposes the project, commenting on the parking issues, cannot reduce parking as people from other communities already park at the dog park, commented on schools as well.**
- 8) **Caryn Hall Yost Rudge – ZOOM; (audio problem) Commented with a request for Development to put proposals on the website. (?)**
- 9) **Jeff Harden – River Road; Representing Developer, commented on the speed on Central Parkway but that should not be an issue for the developer, parking solutions**
- 10) **Helen McBride – Flamingo Ave; Commented that the City has 9 apartment buildings approved and suggests we wait and see what is truly needed.**
- 11) **Jim Gallegos – Manor Drive; Commented that he feels more housing is needed but feels we are abandoning the character of the City and this project does not fit the character of the City.**

 **9:38 PM MOTION: Motion for approval on First Reading with the condition that the affordable units set aside without a 10-year sunset, that they would remain in perpetuity.**

MOVED BY: Commissioner Meier

SECONDED BY: Commissioner Bruner

Motion passed 3/2.

Meier - YES

McDonald - YES

Bruner - YES

Matheson – NO

Clarke - NO

 **10:18 PM 14. FLORIDA FRIENDLY LANDSCAPING CODE OF ORDINANCE TEXT AMENDMENT:**

ORDINANCE No. 2462-2021; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING CHAPTER 42, ARTICLE II, DIVISION 4 OF THE CODE OF ORDINANCES ENTITLED "CONSERVATION" IN RESPECT OF STANDARDS FOR THE PROVISION OF REGULATING FLORIDA FRIENDLY LANDSCAPING AND THE USE OF RAIN SENSOR DEVICES ON AUTOMATIC SPRINKLER SYSTEMS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

 **10:19 PM MOTION: Move approval.**
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion passed unanimously.

DISCUSSION AND DELIBERATION

 **10:20 PM ADJOURNMENT**

Mary R. Kindel, City Clerk

Eula R. Clarke, Mayor

Minutes to be approved at the Regular Commission Meeting this 22nd day of March 2021.