MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD May 10, 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

4:03 PM ROLL CALL

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

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - ANTOINE MILLER AND THE SOUNDS OF SUCCESS MUSIC CORPORATION

Antoine Miller presented via ZOOM Telecommunications, explaining the youth assistance program he leads called the Sounds of Success out of Riviera Beach and coming soon to Stuart, to work from the City's Shuffleboard Building. He teaches music education and announced that his students have been asked to perform for the Queen of England in London in 2022.

PROCLAMATIONS

2. POLICE WEEK - MAY 9 - 15, 2021

Police Chief, Joseph Tumminelli accepted the Proclamation and all attending police officers and staff came forward for a group photo with the Mayor. Chief announced he was honored to accept this and reported statistics of 119 lost officers nationwide in 2021 and 10 have been in Florida. He commented that citizens need to humanize officers, not dehumanize them as these men and women leave their families to go out into the community to protect others and that the police profession is a calling and thanked them for recognizing them.

3. FLORIDA EMANCIPATION DAY - MAY 20, 2021

Mayor Clarke announce the upcoming Emancipation Day Event on May 20th at 5 p.m. at the NAACP on Martin Luther King Jr. Blvd; multiple copies of the Proclamation are to be presented to AACES and NAACP; not present to accept the Proclamation.

4. SAFE BOATING WEEK - MAY 22 - 28, 2021

Auxiliary Club; not present to accept.

5. HISTORIC PRESERVATION MONTH - MAY 2021

Douette Pryce, Historic Preservation Board Member accepted the Proclamation and thanked the City for their support and announced upcoming events throughout May.

6. FOSTER CARE AWARENESS MONTH - MAY 2021

Ryanne Cavo, Volunteer Coordinator of the Treasure Coast Foster Closet accepted the Proclamation.

7. GARDEN WEEK - JUNE 6 - 12, 2021

Rosita Aristoff, First Vice President of the Garden Club of Stuart accepted the Proclamation, thanked the Commission for their continued support and presented the City with a rose dish garden.

4:29 PM

PRESENTATIONS

8. EMPLOYEE SPOTLIGHT - MAY 2021

Police Chief Tumminelli introduced Cpl. Tyler Bovee as the Employee Spotlight, announcing his love for police work and that he is one of two K-9 officers on the force. Tyler came forward and introduced his K-9 partner Bady and gave a brief K-9 demonstration.

9. SERVICE AWARD - MAY 2021

Jim Chrulski, Community Services – 15 Years; Jim thanked each Commissioner, members of Administration, and his staff for all the support.

4:46 PM

10. FEDERAL HIGHWAY MASTER PLAN BY THE TREASURE COAST REGIONAL PLANNING COUNCIL

Jessica Seymore, Treasure Coast Regional Planning Council, presented on the Master Plan, reviewing the uses of the US1 Corridor, the existing conditions, identifying vehicle, bicycle and pedestrian enhancements, and land uses.

Vice Mayor Matheson asked if there are any specific properties that she recommends changes for and asked her to work with the Development Department to bring back some ideas.

Commissioner Meier commented that he would like to fast track this and work with Jessica and the MPO.

5:25 PM MOTION: Motion to approve and accept the report.
MOVED BY: Commissioner Meier
SECONDED BY: Vice Mayor Matheson
Motion approved unanimously.

11. LAKE OKEECHOBEE AND 2022 LOSOM UPDATE BY BEN HOGARTH, CITY OF STUART

Ben Hogarth, Community Affairs Liaison presented on the description of LOSOM and the goals and objectives.

Mike Conners, Indian River Keeper, provided current conditions of the St. Lucie and presented a photo of the algae blooms, suggested the commission have bi-lingual signs posted in Stuart and encouraged an Emergency Order to the Governor for Lake Okeechobee funds.

Commissioner McDonald said he recently went out to the lake and thought it looks very sick and thought it was worse than in 2016.

Vice Mayor Matheson commented on guaranteed water supply and balance and asked to what degree of harm are we going to be caused. He said urging Governor DeSantis to declare a State of Emergency makes sense and he would like the City of Stuart to send a cover letter in support of that.

Public Comment:

1) Missy Harris - Alamanda Way; said she is next to Krueger Creek and said that she is on oxygen and has trouble breathing and called the CDC to ask about the kind of mask she needs and they told her masks won't help it goes through the eyes as well and is very concerned.

6:01 PM MOTION: We draft a letter in support of the letter sent by Gov. DeSantis, encouraging the State of Emergency to push more water south and highlighting our concerns.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

Mayor Clarke spoke about the Emancipation Proclamation and asked AACES, Nina Dooley if she would like to speak. Nina Dooley came forward and announced the Junk in the Trunk event on May 15th at the 10th St. Rec Center with food and music as well as on June 19th the Juneteenth celebration at the 10th St. Rec Center.

6:10 PM

COMMENTS BY COMMISSIONERS

Commissioner Bruner

- Commented on the algae blooms and is hopeful that Congressman Mast and Governor DeSantis will help; hopes we can all work something out.

Commissioner Meier

- Commented on fixing the railing along Wright Blvd.
- Would like to see the blue signs north of the bridge removed (development signs).
- Announced that he recently received his second vaccine shot and is very happy.

6:09 PM MOTION: Extend the invitation to the Rivers Coalition that at their discretion, they may come back and use our Commission Chambers for in person meetings.
MOVED BY: Vice Mayor Matheson
SECONDED BY: ----
***Determined Motion not necessary.**

Commissioner Matheson

- Commented that he wanted to make sure there is community outreach for Guy Davis Park
- Noted his opposition to Brightline coming through town but knows we must work together and would like staff to come back with options for a new railroad bridge.

6:18 PM MOTION: To instruct staff to come back with options for us to pursue making a new railroad bridge happen in our future.
MOVED BY: Vice Mayor Matheson
SECONDED BY: ----
Motion died for lack of second.

City Manager Dyess will evaluate the railroad bridge options and bring information back before the Commission.

Mayor Clarke

- Commented on a suggested campaign over the summer to educate citizens on the effects of algae blooms so both people and pets stay safe.
- Complimented CRA Administrator, Pinal Gandhi-Savdas for her work on the high visibility crosswalks.
- Announced a reminder for the Emancipation Day event and invited all to attend on May 20th.

Mr. Jimmy Smith of NAACP came forward to accept the Emancipation Day Proclamation for the NAACP and presented a nice message on learning from each other.

COMMENTS BY CITY MANAGER

City Manager David Dyess

- The State of Emergency for COVID expires today.

APPROVAL OF AGENDA

6:33 PM MOTION: Move approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1) Don Cuozzo - 5th Street; Commented on the FIND Grant for the Jupiter Inlet Bridge that gave the bridge 18 more inches in height and noted we need that here. He then requested the City relinquish its rights to the section of the easement on the right of way at Cortez behind his property.

6:36 PM

CONSENT CALENDAR

12. APPROVAL OF 04/26/2021 CCM MINUTES

13. ADOPT A CDBG SECTION 504 POLICY AND GRIEVANCE POLICY:

RESOLUTION No. 48-2021; A RESOLUTION OF THE CITY OF STUART, FLORIDA UPDATING COMPLIANCE WITH SECTION 504 OF THE REHABILITION ACT OF 1973, ADOPTING A SELF EVALUATION FOR HANDICAP ACCESSBILITY AND ADOPTING A SECTION 504 GRIEVANCE PROCEDURE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:36 PM MOTION: Move for approval.
MOVED BY: Commissioner McDonald
SECONDED BY: Vice Mayor Matheson
Motion approved unanimously.

COMMISSION ACTION

14. AUTHORIZATION TO NEGOTIATE RFP# 2021-203, STUART MARKET:

RESOLUTION No. 50-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA REQUESTS AUTHORIZATION TO NEGOTIATE FOR RFP #2021-203, STUART MARKET TOP RANKED FIRM, STUART MAIN STREET OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

David Dyess reported the selection committee reviewed the three applications and recommended they authorize negotiations with the top ranked proposal, Stuart Main Street but there were some things on the submittal to discuss.

Vice Mayor Matheson requested to hear from the applicant regarding the Main Street Market Committee and would like this conditionalized on a significant reduction of the annual grant that they give to Main Street.

Candace Callahan, Director of Stuart Main Street reviewed her thoughts for the committee.

Commissioners participated in a discussion to include the committee, the hiring of a market manager and staff, the budget, and the city's long-term plan.

Mark Brechbill, Stuart Main Street President came forward and explained the budgeting concept used. He said the 20% profit that they put in was a base amount for the Commission to decide how they wanted Main Street to spend it. He stated once they have a year under their belt, they will have a better idea of the numbers.

Public Comment:

1) Helen McBride – Flamingo Avenue; Commented that Stuart Main Street was started by volunteers and feels they work toward the betterment of our City.

6:50 PM MOTION: Approve the Resolution and go forward.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

7:05 PM

15. AMENDMENT TO HUDSON'S ON THE RIVER LAND LEASE:

RESOLUTION No. 51-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO

THE LAND LEASE BETWEEN THE CITY OF STUART, FLORIDA AND HUDSON'S ON THE RIVER, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Attorney Mortell reviewed the lease amendments to include an extension until March but they have had unforeseen problems and an extension to the term of the lease was requested as well as the deck being extended. He explained if Commission amends the lease, an appraisal would be done at the expense of the tenant to determine the fair market value so the parties would have the option of renting at fair market value.

Commissioner Meier commented about revenue share and asked if the City was setting itself up for failure in that Mr. Matekaetis will come back in a few years to see if they will renegotiate the rent.

Attorney Mortell noted the terms are contemplated and intended, not an oversight.

Vice Mayor Matheson would like to add the following sentence so a new commission won't have to guess their intentions: on page 6 section 5 add "prior to expiration of the original lease terms, tenant will pay for appraisal to determine fair market value of the property at that time". Then add "Net rent may be adjusted to fair market value based on the commissioner discretion".

7:12 PM MOTION: Move for approval.
MOVED BY: Commissioner Bruner
SECONDED BY: Vice Mayor Matheson
Motion approved unanimously.
Motion withdrawn.

Public Comment:

1) Helen McBride, Flamingo Ave. - Commented that the planters and benches would be a nice addition for people who are waiting for a table.

7:28 PM MOTION: Motion to approve with the addition of this language on page 6, section 5 under lease terms following the sentence prior to expiration of the original lease term the parties agree that the tenant will pay for an appraisal to determine fair market value at that time, net rent may be adjusted to fair market value at the discretion of the Commission.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

ORDINANCE SECOND READING

16. PALMETTO COVE RPUD - REZONING TO RPUD (QUASI-JUDICIAL):

ORDINANCE No. 2463-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING TWO PARCELS ON EITHER SIDE OF A 11' PUBLIC RIGHT OF WAY (ALLEY) ALONG SW PALM CITY ROAD, ON THE SOUTHWEST INTERSECTION OF SW HALPATIOKEE STREET, TOTALING 0.97 ACRES FROM

RESIDENTIAL MULTIFAMILY / OFFICE (R-3) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD); ESTABLISHING THE "PALMETTO COVE" RPUD CONSISTING OF THIRTEEN (13) MULTIFAMILY UNITS WITHIN TWO (2) INDIVIDUAL TWO-STORY TOWNHOME 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.

Two (2) people sworn; Kev Freeman and Tom Reetz, City of Stuart Development Department.

Tom Reetz reviewed the changes to include a continuous 8-foot sidewalk, shade trees and abandonment of the alleyway.

7:36 PM MOTION: Approve (Ord. 2463-2021) correcting small typo in Exhibit D, still states four buttonwoods and should be updated to reflect the seven added in the right of way which changes the number to eleven.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

Mark Brechbill said there will be a Celebration of Life for past City Manager, David Collier on Tuesday, May 11th at Flagler Center.

7:40 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission Meeting this 24th day of May, 2021.