MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD June 14, 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

4:01 PM ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - JULIAN SORIANO PERFORMING A SONG "FEELING GOOD" BY MICHAEL BUBLE.

4:08 PM

PROCLAMATIONS

2. JUNETEENTH FREEDOM DAY - JUNE 19, 2021

Nina Dooley, President of Afro American Citizen of East Stuart came forward to accept the Proclamation, thanked the City, announced the upcoming June 19th Juneteenth Event, Freedom Day, and Father Fest.

3. PTSD AWARENESS MONTH - JUNE 2021

Police Chief Tumminelli and Fire Battalion Chief accepted the Proclamation and provided statistical data on PTSD and depression.

4. PRIDE MONTH - JUNE 2021

Barbara and Gary Silver of PFLAG of Stuart accepted via ZOOM, announced the Stuart Chapter is 4 years old with 300 members, thanked the City.

5. PARKS AND RECREATION MONTH - JULY 2021

Mike Redstone, new Recreation Division Manager and Jessica Tharp and members of the Community Services Department came forward for a photo with Mayor Clarke and announced the variety of programs they offer throughout the community.

4:31 PM

PRESENTATIONS

6. SERVICE AWARDS JUNE 2021

Terry Foster, Utilities & Engineering - 10 years
Bobby "Doc" Holliday, Utilities & Engineering - 10 years
David Jacobson, Police - 10 years
Brian Bossio, Police - 10 years
Christopher Heitfeld, Police - 10 years
Kenneth Leedham, Police - 10 years

7. EMPLOYEE SPOTLIGHT - JUNE 2021

Alicia King, Development Department was recognized as Employee Spotlight of the Month by Steve Nicolosi, Building Inspector.

4:39 PM

8. KIWANIS CLUB OF STUART CHECK PRESENTATION & STUART FIRE UNION CHECK PRESENTATION

Cher Fisher of Kiwanis Club reported briefly on the history of Kiwanis Park, renovating two older original playgrounds, and creating a 4th playground (Maddie's Garden) for all ages and abilities. Presented the City with a $127,000 check for Phase 1 of the renovation, Maddie's Garden, and the Tot Lot.

Chris LaBarbera, Lieutenant of Stuart Fire Rescue and Robert Callaham, Firemedic, started Fire Fighters Benevolent 1 year ago to give them access to funds to use for donation efforts. They contributed to the local park and donated $7,500.00 and are going to place a firetruck and doghouse in the playground. Shared a story of the "Fire Dog".

4:50 PM

9. 2021 FLORIDA LEGISLATIVE SESSION RECAP

Ben Hogarth, Community Affairs Liaison presented on the various 2021 Legislative updates. Brief discussion pertaining to SB 102 and Representative Toby Overdorf. Hogarth reviewed the various bills going before the House and Senate as well as bills that have passed.

City Priorities for 2021 that were adopted by Commissioners –
$500,000 appropriation request for alternative Water Supply project.
$1.75 million legislative appropriations total over 3 years of requests.

Proposed –
SB 102: Matters of Great Governmental Concern
HB 219: Vacation Rentals

Passed –
HB1: Combating Public Disorder
SB 50: Taxation
SB 60: County and Municipal Code Enforcement
HB 337: Impact Fees
HB 401: Florida Building Code
HB 403: Home Based Businesses
HB 421 & HB 1101: Relief from Burdens on Real Property Rights
HB 487: Growth Management
HB 663: Cottage Food Operations
SB 1080: Tobacco and Nicotine Products
SB 1194: Transportation
SB 1946: Anchoring Limitation Areas

Constitutional Amendments Proposal –
SJR 204: Abolishing the Constitution Revision Commission
HJR 1377: Limitation on Assessment of Real property Used for Residential purposes.

5:13 PM

COMMENTS BY CITY COMMISSIONERS

Commissioner Bruner

- Commented on the property being improved located at Palm Beach Rd., 18th St.

Commissioner McDonald

- Stated that locks still closed, not getting discharges. Told by the Marine Industries Council that the locks were going to be closed for renovation for 3 months (Jan - March). City would like to comment to the Army Corp of Engineers.
- Provided Mangos to fellow Commissioners, glad to know its Mango season. “It’s a beautiful time a year.”

Commissioner Meier

- Requested to pull 13 and 14 from Consent.
- PFES – League helped write a bill last year – did not pass last year but will try again, local Cities coming together.
- Thanked Matheson for comments at the SFWMD Meeting for his speech on behalf of the City.
- Erosion of Home Rule, truth is the control is being taken from the residents, not the Commissioners/elected officials. Noted a Gas Station Bill that passed. Commented that Scott Dudley, of FLC is taking on a new role to spread the word on Home Rule.

Vice Mayor Matheson

- Thanked the employees of the City and noted they are all appreciated throughout the year.
- Tragic event at Fire Station #2, and all involved need to be offered the proper support. Would like flower sent to the victim's family from the City.
- Meeting on 5/24th that lasted until 2 a.m., believe it is important to hear public comment prior to deliberation, feels it should be heard first. Open to adjusting the meeting times when hot topics are on agenda.
- Wet season, fertilizer ban, reminder on social media pages – encourage our residents to abide by it. SFWMD Board speech – LOSOM update, thanked fellow Commissioners, May 2021 6th driest on records since early 1930's. Reported on Manatee death statistics.

5:29 PM MOTION: Staff bring back Resolution to urge the US Fish and Wildlife to place manatees back on the endangered species list.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

Matheson continued:

- Lock closure per McDonald's comment, in support of the locks closure for service and repair.
- Support CC with improvements and any water flowing out of the St Lucie locks should be a measure of last resort.

Mayor Clarke

- Requested a brief update on the status of the 2021 Election. Clerk provided status.
- Congratulated the 10th Street staff on the Pop-up Shop Event.
- Announced upcoming Birthday Proclamation celebrations.
- Attending meeting for Regional Planning Council Meeting of the Indian River State College and Airport Meetings. Gave credit to the County for the good job they have been doing updates.

5:44 PM

COMMENTS BY CITY MANAGER

City Manager Dyess

- Informed the Commissioners that flowers and condolences were sent to the family in the tragedy of Fire Station #2.
- Change in Fiscal Year operation for the Children's Services Council Grant, application due date changed, Resolution on next agenda.

Mayor complimented Joly Boglioli and Fire Chief Felicione for how they handled the tragedy last week.

APPROVAL OF AGENDA

5:46 PM MOTION: Approval of agenda – pulling items 13, 14, and 15.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1) Betty Brinkley – Nassau Ave.; Commented on wondering why her neighborhood gets so much less than other neighborhoods. Feels they do not get notified and included.

5:52 PM

CONSENT CALENDAR

10. APPROVAL OF 05/24/2021 CCM MINUTES

11. AWARD RFP TO STUART MAIN STREET AND AUTHORIZE A LICENSE AGREEMENT:

RESOLUTION No. 54-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, TO APPROVE THE AWARD OF RFP #2021-203; STUART MARKET TO STUART MAIN STREET AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF STUART AND STUART MAIN STREET ASSOCIATION, INC. A DESIGNATED 501© ORGANIZATION; GRANTING A NONEXCLUSIVE LICENSE TO OPERATE A WEEKLY OUTDOOR MARKET PLACE FOR SALES TO THE GENERAL PUBLIC FOR FRESH PRODUCE, BAKED GOODS, PLANTS, ASSORTED FOODS, GREEN PRODUCTS, AND OTHER PRODUCTS AND SERVICES BY INDEPENDENT VENDORS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

12. STATE REVOLVING FUND AMENDMENT 2 TO LOAN AGREEMENT DW430431:

RESOLUTION No. 57-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, ADOPTING AMENDMENT 2 TO THE STATE OF FLORIDA DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT DW430431; AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT 2; DESIGNATING

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

(PULLED) 13. AWARD OF ITB #2021-110: RESINS FOR PFOA/PFOS TREATMENT SYSTEM:

RESOLUTION No. 58-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2021-110, RESINS FOR PFOA/PFOS TREATMENT SYSTEM TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER CALGON CARBON CORPORATION OF MOON TOWNSHIP, PA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED) 14. AWARD OF ITB# 2021-111: RE-BID OF TREE SELECTION AND REPLACEMENT FOR EAST OCEAN BLVD. STREETSCAPE PHASE 1:

RESOLUTION No. 59-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OFSTUART, FLORIDA APPROVES THE AWARD OF ITB #2021-111, RE-BID OF TREE SELECTION AND REPLACEMENT FOR EAST OCEAN BLVD STREETSCAPE PHASE 1 TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL BID AMOUNT OF $175,367.00 TO SUNSHINE LAND DESIGN OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED) 15. BA #7 FOR TREES – EAST OCEAN BLVD., OSCEOLA CROSSWALK, SHEPARD PARK:

RESOLUTION No. 60-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 7 TO THE 2020-2021 GENERAL FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR TREES FOR EAST OCEAN BLVD., OSCEOLA STREET CROSSWALK AND SHEPARD PARK; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:52 PM MOTION: Approval less Items 13, 14 and 15.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

13. AWARD OF ITB #2021-110: RESINS FOR PFOA/PFOS TREATMENT SYSTEM:

RESOLUTION No. 58-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2021-110, RESINS FOR PFOA/PFOS TREATMENT SYSTEM TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER CALGON CARBON CORPORATION OF MOON TOWNSHIP, PA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Meier commented to recognize the carbon filters known to filter the forever known chemicals.

5:55 PM MOTION: Motion for approval of Item #13.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

14. AWARD OF ITB# 2021-111: RE-BID OF TREE SELECTION AND REPLACEMENT FOR EAST OCEAN BLVD. STREETSCAPE PHASE 1:

RESOLUTION No. 59-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2021-111, RE-BID OF TREE SELECTION AND REPLACEMENT FOR EAST OCEAN BLVD STREETSCAPE PHASE 1 TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL BID AMOUNT OF $175,367.00 TO SUNSHINE LAND DESIGN OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Vice Mayor Matheson pulled this item to review the trees that will be placed in the park and previous trees.

Meier commented on placing signage up approximately 1 or 2 weeks in advance of a project being started.

5:57 PM MOTION: Motion to approve Resolution No. 59-2021.
MOVED BY: Vice Mayor Matheson
SECONDED BY: Commissioner Meier
Motion approved unanimously.

15. BA #7 FOR TREES – EAST OCEAN BLVD., OSCEOLA CROSSWALK, SHEPARD PARK:

RESOLUTION No. 60-2021; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT No. 7 TO THE 2020-2021 GENERAL FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR TREES FOR EAST OCEAN BLVD., OSCEOLA STREET CROSSWALK AND SHEPARD PARK; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Commissioner Meier pulled this item to note or the record to follow the planning councils guide – future plantings, canopy mature oaks, need to plant for the future.

6:02 PM MOTION: Move approval.
MOVED BY: Commissioner Meier
SECONDED BY: Commissioner McDonald
Motion approved unanimously.

COMMISSION ACTION

ORDINANCE SECOND READING

6:03 PM

ORDINANCE FIRST READING

16. SPORTFISH MARINA UPUD: REZONING TO UPUD (QUASI-JUDICIAL) **REQUEST TO CONTINUE TO JUNE 28, 2021:**

ORDINANCE No. 2464-2021; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, THEREBY APPLYING A LAND DEVELOPMENT ZONING DESIGNATION OF UPUD "URBAN PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 0.63 ACRES, LOCATED AT 304 NE FLAGLER AVENUE, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SPORTFISH MARINA" URBAN PLANNED UNIT DEVELOPMENT (UPUD) CONSISTING OF A 37-ROOM BOUTIQUE HOTEL AND 49 SLIP MARINA, AND ALLOWING USES PERMITTED IN THE URBAN DISTRICT; PROVIDING FOR APPROVAL OF A SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS; 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.

6:03 PM MOTION: Move to continue to the date certain they requested.
MOVED BY: Commissioner McDonald
SECONDED BY: Commissioner Meier
Motion approved unanimously.

6:04 PM

DISCUSSION AND DELIBERATION

17. DISCUSSION OF HOUSING POLICY AND INCLUSIONARY ZONING

Kev Freeman, Development Director presented on housing in Stuart. The presentation included the basis for residential density, a review of various projects from 2017 to present, living and workforce inflow/outflow in the City.

Discussion point – Does the City have the policies and resources to facilitate equitable delivery of housing? Freeman reviewed Inclusionary Zoning and provided an example and the effect of incentives, interventions, costs of the incentives, the program goal, time frame, costs, evaluation of benefits, monitoring of agreements,

Public Comment:

1) Octavio "Oats" Retz – Waterlily Pl.; Tent City Helpers, Homelessness, Commented on the only two categories of low and very low income. Noted a third income level not mentioned as extremely low income.

2) Rob Ranieri – Flagler Ave.; Commented that the cost of doing business is far less than not. House of Hope, important to provide solutions and meet the needs of the community.
3) Althea Whiley – Diana Ter.; Concern for people in her community will have no place to go. Asks commission to consider to do something so no more people from the community get displaced.
4) Betty Brinkley – Nassau Ave.; Commented the Commission displaced a lot of black people and when grants bring in new growth, new races will come in and they are all about the dollar, not human life.
5) Robin Cartwright – Hibiscus Ave.; Commented that this is being made complicated because we can, to take this one piece at a time, use future land use for those who live here.
6) Hyson Douglas Bailey – Ethan Terr.; Concerned with the lack of public affordable housing in Martin County. Any consideration for housing vouchers.
7) Jerry Gore – Lake St.; Quoted scripture, will always have the poor among you. Commented on the rent he charges for the rooms he supplies according to their income for all races, encourages all to communicate with other members who
8) Gwendolyn Hall-Brinkley – Majorca Ave.; Commented on why people chose to live in Port St. Lucie, is City of Stuart Housing Authority being managed by Ft. Pierce Housing Authority.
9) Helen McBride – Flamingo Ave.; Stated she wanted an answer to Ms. Hall-Brinkley's question. This is our city and we can hold our own.

City Manager Dyess responded per the Stuart Housing Authority. City of Stuart only confirms who sits on the board and ratifies the board members, Ft. Pierce HUD manages the local authority. Everyone on the board is local to the City of Stuart. It was voted that City of Ft Pierce Housing Authority continue to run the Stuart Housing Authority.

Commissioners discussed the market dictating the cost of housing and that the control is not in the City's hands. Topics reviewed were supply and demand, overcoming increased density, impact fees, slowing down on projects, current quality of life.

Commissioner McDonald discussed that he always believed in bringing employers and brining money to the people of Stuart. The City has never built properties as there is no funding for building a large apartment complex. Maybe the City should pursue one project that is truly affordable housing.

Commissioner Meier discussed the multicultural crisis that Stuart is having. "What is Stuart?". Discussed how much density, what can Stuart handle (consumptive water users, school seats can be filled), we need to have real strong numbers behind it so the community can trust us. Also, need to account for future cost.

Vice Mayor Matheson agreed in parts with both Commissioner McDonald and Meier. Not an easy issue, does not think that inclusionary zoning is the way to solve housing issue. Spoke on adjusting density and impact fees and how it can affect the current residents of Stuart.

Think of quality of life for all people not just those who have a roof over their heads currently. Look into working with different programs and local people to ensure the Stuart residents are gaining.

City Manager Dyess noted that there is a developer that is interested in coming in and doing a true affordable housing development. The only issue they are having is finding land and parcel. Mentioned Housing Solutions who was looking at doing something similar more 'Workforce Housing". City manager also noted that our current code allows for credits to be given to a developer that is a true affordable housing developer.

Mayor Clarke asked about the 17 units per acre single also multi and PUD special zoning district in East Stuart. Inclusionary zoning is not the only way to go and agrees with the City Managers idea and figuring out what is that we need to study and what we can study to bring something into the city. I would like the idea of what potential build out would be if something like the zoning that had been proposed in giving the people potential to do more with their lots in East Stuart.

Mayor Clarke requested further public comment.

Public Comment:

1) Nick Blount – Sandpiper Ln.; Housing Solutions Council formed 3-4 years ago to address Workforce Housing. Break down the issue and have a workshop addressing each issue. Mentioned that his organization mission is to help families who make $30,000 – $60,000.
2) Madeline Greenwood – Letha Cir.; stated that hiring an outside facilitator could assist and build that trust with the residents. People from Palm Beach County are moving to Martin County as it is more affordable and taking local residents out because we are not making it affordable for our own residents to live here.

   Mayor Clarke requested that Rob Ranieri think about speaking to the City Manager to talk about hosting the Poverty workshop.

3) Rosalind Neiland – Naranja Ave.; Has seen little change throughout all these years. Experience in Habitat for Humanity and spoke about the project that happened in Indiantown.
4) Paul Skyers – Kanner Hwy.; Commented that all the affordable housing stems around financing; suggest changing the thought process and finance over a 50- or 55-year time frame.

Commissioner Meier noted that he firmly believes the community is stronger when the developer is made to include a percentage of affordable units, intermingling the wealthy with the non-wealthy instead of having social classes separated.

Vice Mayor Matheson stated we can look at other municipalities and talk to residents to see what we want to become and achieve affordable housing.

Mayor Clarke agrees with Ms. Greenwood and does not want to lose the character of the community instead build up our community. Would like to look into and investigate and deal with East Stuart.

Dyess summarized the discussion with the following: East Stuart specific moving forward with getting someone to help us establish a better relationship with the community or get an intervener with us in the community to move forward on the previous zoning ideas. Affordable housing: is to work with a developer that specifically address affordable housing rather than going into the inclusionary zoning. Market Rate: Only heard one commissioner speak on that, so we are still opened for business.

8:19 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 28th day of June 2021.