NOTE - Acting City Manager for this meeting was Louis J. Boglioli, III**.**

1. Arts Moment - Alice Laputka, Visionary School of Arts, a professional artist, gave her impressive resume' and noted she is now teaching at the Visionary School of Arts. She described her teaching methods and also noted that teachers, students and just about everyone at the School contributed time and talent to the wonderful mural on the AT&T building.

PROCLAMATIONS

2. Proclamation - Safe Boating Week May 19-25, 2018 - Recipients: Marcus Kiriakow, Flotilla 59 Commander and Darrel Graziani, Vice Flotilla Commander

COMMENTS BY CITY COMMISSIONERS

Clarke requested that Consent Item 4 be pulled for discussion. She asked for an update on live streaming of City meetings. City Attorney Mortell explained some cities are being sued for not providing ADA requirements, and a Federal commission is currently investigating ADA regulations and the Internet. Clarke also noted the Fallen Officers ceremony to be held on Tuesday at 10 AM.

Bruner said she had attended the May 8th BCC meeting last week when the County Administrator brought up the item regarding City and County issues. Bruner would like to bring up the Willoughby Extension again and moved to put the issue on the first meeting in June agenda. Clarke seconded and the motion carried 5-0. Bruner wants to have a plan to move forward. She also mentioned the report on the Airshow that was given by new City Commissioner Blount and noted his long time contributions to the community.

McDonald who is VP of the MCMPO said Willoughby is now #6 on the state list for funding. McDonald also does not want to get behind on the City's legislative agenda and asked his fellow commissioners to start thinking about priorities for next year's legislative agenda. He then addressed the issue of speeding on Palm City Road stating drivers act as though there are no speed limits on the Road. **Next on** McDonalds list was the issue of downtown dumpsters and he asked staff to look into the use of underground dumpsters.

COMMENTS BY CITY MANAGER

Acting City Manager Boglioli addressed the pros and cons of underground utilities stating an estimated cost of $1 million and noting that there is no source of funding. He asked if the Board wants staff to pursue this issue any further. Blount said staff should continue moving ahead with the streetscape project but to stay in contact with FPL. Mayor Glass-Leighton said it will have to be done eventually and she thinks we should pursue it and start putting money aside now. McDonald asked if there is anything we can do to make overhead wires more attractive. Blount said yes, there are some things that can be done. Bruner and Clarke agreed with McDonald.

Boglioli said he also attended the May 8th BCC meeting and noted the discussion of the BCC on the City and County issues. He said the report given by County Administrator Kryzda was an update to the BCC, and there was some "incongruity in statements on the Court House '. Mortell addressed the history of the Old Court House and said Community Development Director Terry O'Neil was instrumental in saving the building. He said the City saved the building and has done a lot for it. Boglioli said the BCC is aware of the Willoughby and Snug Harbor issues. As for consolidation of Field Ops, nothing can be done until the environmental study of the old land fill property is done. Clarke asked if former City Manager's e-mails had been checked. Mortell said he and the acting City Manager have gone through all of Ross' e-mails. He explained Ross' stand on the issues and said "perhaps Ross underestimated the issues." Mortell will provide a status report to the Board. McDonald clarified that a discussion on the Willoughby Extension is scheduled for first meeting in June. Glass-Leighton said it makes sense that staff should meet with each commissioner individually. Clarke said years ago the County stopped contributing to the Arts Council.

APPROVAL OF AGENDA – Clarke moved to approve Consent Agenda minus Item 4. McDonald seconded and the motion carried 5-0.

COMMENTS FROM THE PUBLIC (5 min. max) – None at this time.

CONSENT CALENDAR – Clarke moved to approve Consent Agenda minus Item 4. McDonald seconded and the motion carried 5-0.

3. Minutes of 4/23/2018 CCM and ADDENDUM (RC)

4. **RESOLUTION No. 51-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY'S FINANCIAL SERVICES DIRECTOR TO EXECUTE THE BUSINESS PLAN AND DIRECT STAFF TO SUBMIT THE WATER FACILITIES PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A $1,904,733.00 PRE-TREATMENT SYSTEM PROJECT LOAN AND A $526,250.00 ENGINEERING DESIGN LOAN FOR PHASE I AND II OF THE CITY"S ONE MILLION GALLON PER DAY ALTERNATIVE WATER SUPPLY. This item was pulled by Clarke and McDonald. Utilities Director Dave Peters clarified that this is a request for inclusion that might allow the City to participate in the State's program. It also includes the opportunity for a "20% loan forgiveness". Staff is putting together an application that allows the City to get on the list and allows us to move forward. McDonald commended Peters and his team for finding funding sources. The motion to approve Item 4 carried 5-0.

5. **RESOLUTION No. 53-2018**; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING UPDATES TO THE CITY OF STUART EMPLOYEE HANDBOOK, SECTION 54, DECLARED STATE OF EMERGENCY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

6. **RESOLUTION No. 52-2018**; 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 NEW URBAN TRIANGLE LLC., AMENDING RESOLUTION 16-2016, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSESS.

Background - The amended lease revises the original lease to comply with scheduling and dates related to the completion of the project. In addition, portions of the lease which are no longer relevant such as demolition requirement have been removed. The rent commencement date shall be January, 2019.

Discussion – City Attorney Mortell noted the resolution corrections stating Triangle has obtained financing and will receive funding. The City Manager at the time agreed to extend the time and none of the terms of rent have been changed. McDonald moved approval. Clarke seconded and the motion carried 5-0.

ORDINANCE FIRST READING

7. **Quasi-Judicial - ORDINANCE No. 2371-2018**; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "LOW DENSITY RESIDENTIAL" FOR A 15.2 ACRE PORTION OF A 19.3 ACRE PARCEL ANNEXED BY ORDINANCE NO. 1560-97, OWNED BY E. CLARK GIBSON, LOCATED ON THE SOUTHWEST CORNER OF NW JENSEN BEACH BLVD AND NW GREEN RIVER PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY BE REZONED FROM "CPUD" TO "RPUD" ON THE CITY'S OFFICIAL ZONING MAP; ESTABLISHING THE OSPREY PRESERVE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF EIGHTY SIX (86) ATTACHED HOMES AND ONE (1) SINGLE FAMILY HOME; APPROVING A MASTER DEVELOPMENT PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT 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.

Background – The developer's architect has submitted three (3) attractive variations of elevations for this new duplex community. Site elements such as a cabana and pool area with connecting sidewalks make for a pedestrian friendly neighborhood. Other amenities include wetland and upland preserve creating a natural buffer between the existing community to the west and existing roadways. The preserve area will be augmented with native plantings that will count toward the project's required tree mitigation requirements. If approved, the developer stands ready to obtain necessary permitting with state agencies including SFWMD and the Army Corps of Engineers.

City staff and professional consultants reviewed and approved the project.

Recommended Action – Approve Ordinance No. 2371-2018 on first reading.

Discussion – Clarke note this will be Community Development Director Terry O' Neil's last city meeting. After Clarke thanked O'Neil for his service to the City, the Board and those in attendance arose to give O'Neil a well deserved standing ovation. O'Neil feigned embarrassment and noted he started with the City in 1985 and loved working here. At that point the Board gave their ex-parte' disclosures and then those giving testimony were sworn in. City Planner Tom Reetz gave a PowerPoint presentation featuring a detailed review of Osprey Preserve duplex site plan noting the developer will be required to control the sale of lots in blocks and will contribute $15,500 to the tree fund. A gentleman who introduced himself as a partner in this project and a contract purchaser for the family owned and family developer project listed a number of successful projects his company (D.W. Horton ?) has done in Martin County and introduced members of the project team. Planner Doug Fitzwater of Lucido & Associates explained the Osprey Preserve Master Plan displaying a rendering of 2-story duplexes with 3,000 sq. ft. units including a garage. Access will be from Green River Parkway as mandated by the County 10 years ago. Wetland mitigation was previously approved.

Blount questioned the amount of open space and Reetz clarified the code. Clarke noted the LPA questions and asked about price point of $320,000 for the duplex. She also questioned the lack of traffic study in staff report as well as water and sewer being developed with County per the Interlocal Agreement. Fitzwater said the applicant's team is starting negotiating with the county now. Community Development Director O'Neil did not think there would be any complications. McDonald confirmed there would be LED lighting and 8-foot sidewalks. Fitzwater said there would be 8-foot sidewalk from Green River Parkway to Jensen Beach Blvd. but some 6-foot sidewalks internally. A consultant from E.W. Environmental Consultants addressed the wetlands issues. Bruner noted one of her concerns had been the lack of sidewalks. Fitzpatrick pointed out sidewalks are provided and noted a "compressed Right of Way to lessen the impact to surrounding wet lands.

Public Comment – **Brian Deventura** said he lives 400 feet from this development and noted this project impacts 40% of wetlands. He also noted his "development is less dense" and said Martin County staff had not seen anything this dense in 2016; the intensity is now "significantly greater". Deventura expressed the opinion that the City Comp Plan is not strong enough to protect wetlands. **Mike Meier** also questioned wetland impact and echoed concern over the County refusal to accept wetland access. Fitzwater said the ROW permit is applied for and will be presented at final construction plan. Project Engineer Melissa Corbett of the Melcor Group noted location of driveway was coordinated with Martin County and the layout before the SCC is the same layout. Glass-Leighton voiced concern about impact to wetlands and said that should be looked at first. McDonald questioned the Green River Parkway access. Corbett explained Jensen Beach Blvd. access would be a FDOT issue and the Green River access has less traffic issues. The E. W. Environmental consultant clarified that the wetlands are "shallow marshes". McDonald thinks the developer has followed all directions, but he (McDonald) is trying to look outside of the box by asking if mitigation could be used to help Haney Creek. The consultant said the wetland mitigation was already done in 2016.

Clarke moved approval of staff recommendation. Bruner seconded and the motion carried 5-0.

8. **Quasi-Judicial - ORDINANCE No. 2372-2018**; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING A 7.92-ACRE COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) AGREEMENT KNOWN AS THE SHOPPES AT GATEWAY PUD, ADOPTED BY ORDINANCE NO. 2132-2007, THEREBY APPROVING A MASTER SITE PLAN TO CONSTRUCT A 87,080 SQUARE FOOT MEDICAL OFFICE BUILDING WITH URGENT CARE AND SURGICAL CENTER AND APPROVING AN ADDITIONAL SECOND PHASE FOR A 5.78-ACRE PARCEL, A PORTION OF THE ORIGINAL PUD, ADOPTED BY ORDINANCE NO. 1586-1997, TO CONSTRUCT 70,000 SQUARE FEET OF MEDICAL OFFICE AND OTHER RELATED COMMERCIAL USES, TOGETHER TO BE KNOWN AS THE MARTIN HEALTH CPUD; APPROVING CERTAIN CONDITIONS OF DEVELOPMENT SPECIFIC TO THE CPUD; PROVIDING FOR NEW TIMETABLES OF DEVELOPMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; AND PROVIDING FOR DIRECTIONS TO THE CITY CLERK.

Background – The owner of the property, Martin Memorial Medical Center has requested an amendment to the PUD to adopt a site plan to allow the construction of an 87,080 sq. ft. three story building for medical offices with surgical center and urgent care facilities. The future development of 70,000 sq. ft. of commercial is also provided within the PUD's master plan. The project consists of 2 parcels located at the NE intersection of SE Indian Street and SR 76 also known as Kanner Hwy. Parcel 1 is the former Shoppes of Gateway parcel and consists of approximately 8 acres. The parcel was reduced in size from previous PUD approval due to roadway improvement by FDOT taking approximately an acre of land. Parcel two (2) is the former Post Office PUD, a site that is approximately 5.87acres. Both parcels are currently vacant and densely populated with mature trees. The history of the site includes a tree mitigation agreement which has been exchanged in tree mitigation with offsite mitigation in the form of property along US 1 near Haney Creek. A condition of the mitigation agreement included an obligation to make a financial contribution to reconcile or balance the transaction if necessary. An updated tree survey has been provided and is currently under review for compliance. A condition of approval mandates that the applicant meet the code in regard to tree mitigation. The applicant also has other required conditions to be met. The LPA voted 4-1 to recommend approval of the item and forward to the SCC. Staff has provided revised documents and conditions of approval reflecting concerns of the LPA based on the additional review of staff.

Recommended Action – Staff has determined that the proposed major amendment to the Shoppes at Gateway PUD is consistent with the goals, objectives and policies of the Comp Plan and regulations in the Land Development Code. Furthermore, staff has determined that the site plan proposed for the CPUD Development Code and recommends Ord. No. 2372-2018 with conditions of approval.

Discussion – After ex-parte' disclosure and swearing in of those giving testimony, Planner Stephan Mayer noted mail notices had been sent and signs were placed on the property. He then addressed the Martin Health System CPUD noting an architectural rendering of the proposed urgent care and ambulatory surgical center. The traffic project engineer Susan O'Rourke addressed the traffic study noting the project meets the City's traffic requirements. Mayer called attention to the list of waivers and timetable of development, and then reviewed staff recommendation for approval with conditions of approval. McDonald questioned traffic impact on Kanner Hwy and also questioned the number of parking spaces. Representing the applicant, Steve Garrett took over the discussion and went into a long dissertation and explanation of all aspects of the proposed project.

Blount said he is always impressed with the quality of Martin Health System's presentations and their leadership in meeting with neighbors. Blount went on to ask questions about the LPA's discussion on waivers and parking spaces. Garret clarified the issues to Blount's satisfaction. Clarke said most of her questions had been answered by staff and the LPA minutes, but she still had a few concerning the lack of a traffic report. Staff noted the traffic study is in the PUD documents.Clarke wants some data on traffic studies included in future staff reports. Bruner said her dealings with Martin Memorial and Lucido have been thorough. McDonald again brought up the issue of LED lighting and 8-foot sidewalks and questioned if there would be any "charging stations" in the parking lot. Said yes to LED lightning and sidewalks and pointed out the location of 6 charging stations in the parking lot.

McDonald moved approval of staff recommendation. Clarke seconded the motion.

Public Comment – **Don Bartlett** resident of neighboring community of Riverbend Co-op said he had met with city staff and Martin Memorial and also participated in the LPA meeting. He addressed the number of waivers and said MMH has gone above and beyond to cover every issue. He also noted he is the only member of Riverbend here to show support of the project.

When the vote was called, McDonald's motion for approval carried 5-0.

ORDINANCE SECOND READING – None at this time.

End of SCC14May.18

NOT E - Due to Memorial Day Holiday, the next SCC meeting will be held next Monday, May 21st.