MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD November 13, 2018
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Kelli Glass Leighton
Vice Mayor Becky Bruner
Commissioner Eula R. Clarke
Commissioner Merritt Matheson
Commissioner Mike Meier

ADMINISTRATIVE
City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

ROLL CALL
5:30 PM Present: Mayor Glass Leighton, Vice Mayor Bruner, Commissioner Clarke, Commissioner Matheson, Commissioner Meier.

PLEDGE OF ALLEGIANCE

1. Arts Moment - Treasure Coast Community Singers

Dr. Doug Jewette presented on the various productions of the Treasure Coast Community Singers and left flyers of upcoming events.

PROCLAMATIONS

2. Hospice and Palliative Care Month - November 2018

Treasure Coast Hospice's Gloretta Hall, Murray Fournie, and Craig Perry came forward to accept the Proclamation and thank the City of Stuart.

COMMENTS BY CITY COMMISSIONERS

Commissioner Matheson

- **Requested to pull Items #7, #8, and #9 from the Consent Calendar for discussion.**
- **Complemented the Veteran's Day Parade.**
- **Attended Habitat for Humanity event and looks forward to working with the organization more in the future.**

Commissioner Clarke

- **Thanked David Peters, Public Works Director, for the Water's Worth It Boot Camp that she recently attended, a worthwhile experience.**
- **Thanked Jim Chrulski and Ike Crumpler for the City Newsletter.**
- **Attended a Thanksgiving Dinner hosted by Hospice.**
- **Request to pull Item #4 from the Consent Calendar for discussion.**

Commissioner Meier

- **Enjoyed the Housing Development/Economic Workshop and wished it was better attended by the public. Recommends additional workshops.**
- **Propose another workshop to address some of the inconsistencies in the Code with open discussion.**
- **Attended the Southeast Florida Regional Climate Change Summit and is interested in another workshop to begin the conversation of what can be done locally.**

Motion: Schedule two workshops, one a Comp Plan and LDR's workshop and one where Commissioner Meier presents on Climate Change.
Moved by: Commission Meier
Seconded by: Commissioner Clarke.
Motion passed unanimously.

Vice Mayor Bruner

- **Thanked staff for the assistance she has received over the past year. Thanked volunteers and Board Members.**

Mayor Glass Leighton

- **Read a letter from Eric Eikenberg, Chief Executive Officer of The Everglades Foundation.**

Motion: We the City of Stuart send a letter to Governor Scott to publicly denounce the action taken today or taken Nov 8th by South Florida Water Management's Governing Board and demand the resignations of the entire governing board and send a copy to all local delegates.
Moved by: Mayor Glass Leighton
Seconded: Commissioner Matheson
Motion passed unanimously.

Public Comment:

Raymond Powers – NW Fresco Way; requested a copy of the letter. (Attorney Mortell immediately provided a copy of the letter read by the Mayor.) Also, heard there is a rare species of fish in the St. Lucie River, which may be used in the prevention of discharges.

[Post City's letter on Stuart Life and website.]

COMMENTS BY CITY MANAGER

City Manager Dyess announced that Mr. Ben Hogarth of the Community Services Department has been assigned the River Advocate duties and that the LED Street light conversion has started, Phase 8 has been completed and now in the Krueger, Alamanda, Stafford area.

APPROVAL OF AGENDA

Motion by: Commissioner Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

Emily Marri – Horseshoe Point Rd.; Recommends task forces for invasive species removal and the possibility of having volunteers work with the City.

Attorney Mortell reported on the limitations.

Mayor Glass Leighton suggested the City Manager get with staff then contact Ms. Marri.

CONSENT CALENDAR

3. Approval of 10/22/2018 CCM Minutes

4. PULLED - RESOLUTION No. 105-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, WAIVING A COMPETITIVE SELECTION AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR LOBBYING SERVICES WITH THE JORDON CONNORS GROUP IN A NOT TO EXCEED AMOUNT OF $48,000.00 PER YEAR; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

5. RESOLUTION No. 108-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZATION TO NEGOTIATE FOR RFQL #2019-301, PROFESSIONAL ENGINEERING SERVICES FOR 1.0 MGD REVERSE OSMOSIS WATER TREATMENT PLANT, KIMLEY HORN OF WEST PALM BEACH, FLORIDA, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. RESOLUTION No. 109-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF RFQ 2019-300,

UNDERGROUND UTILITY CONSTRUCTION SERVICES TO TOP FOUR RANKED FIRMS, FELIX ASSOCIATES OF FLORIDA, INC. OF STUART, FLORIDA, JOHNSON-DAVIS INC. OF LANTANA, FLORIDA, CENTERLINE UTILITIES, INC. OF PALM CITY, FLORIDA AND SUNSHINE LAND DESIGN OF STUART, FLORIDA, PROVIDIG AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. PULLED - RESOLUTION No. 111-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN EMPLOYMENT CONTRACT W ITH DAVID DYESS TO SERVE AS CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

8. PULLED - RESOLUTION No. 112-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT W ITH MARTIN COUNTY AUTHORIZING THE CITY OF STUART TO COLLECT AND DISTRIBUTE COUNTY IMPACT FEES FROM DEVELOPMENT W ITHIN THE CITY LIMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9. PULLED - RESOLUTION No. 113-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE "STUART CENTRE" COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ON PROPERTY LOCATED ON THE EAST SIDE OF SE FEDERAL HIGHWAY; THEREBY ALTERING THE PROJECT'S EXISTING MASTER SITE PLAN TO CREATE THE DEVELOPMENT OF AN OURPARCEL AT 2331 SE FEDERAL HIGHWAY, TO DEMOLISH AN EXISTING 4,729 SQUARE FOOT RESTAURANT (DENNY'S) AND ALLOW THE CONSTRUCTION OF A 2,845 SQUARE FOOT FAST FOOD RESTAURANT W ITH DRIVE THRU (PDQ); PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

10. RESOLUTION No. 114-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A UTILITY SERVICE AGREEMENT BETWEEN THE CITY OF STUART AND MARTIN MEMORIAL MEDICAL CENTER, INC., TO PROVIDE WATER AND SEWER SERVICE TO THE STUART HEALTH PARK, PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. RESOLUTION No. 115-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT #3 TO THE 2018-2019 GENERAL FUND AUTHORIZING A $24,055.00 TRANSFER FROM PROPERTY MANAGEMENT FUND BALANCE TO GENERAL FUND, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

Motion: Approval of Consent Calendar with Items 4, 7, 8, and 9 pulled.
Motion by: Commissioner Matheson
Seconded by Commissioner Clarke
Motion passed unanimously.

COMMISSION ACTION

4. RESOLUTION No. 105-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, WAIVING A COMPETITIVE SELECTION AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR LOBBYING SERVICES W ITH THE JORDON CONNORS GROUP IN A NOT TO EXCEED AMOUNT OF $48,000.00 PER YEAR; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

Commissioner Clarke requested an update from David Peters, Public Works Director. David Peters came forward with a status update.

Motion: Item #4, Resolution 105-2018, move approval.
Motion by: Commissioner Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

7. RESOLUTION No. 111-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN EMPLOYMENT CONTRACT W ITH DAVID DYESS TO SERVE AS CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Mortell gave a brief summary of the City Manager contract process.

Motion: Approve Manager Dyess's contract.
Motion by: Commissioner Matheson
Seconded by: Commissioner Clarke
Motion passed unanimously.

City Manager David Dyess took the Oath of City Manager before the Commission.

8. RESOLUTION No. 112-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT W ITH MARTIN COUNTY AUTHORIZING THE CITY OF STUART TO COLLECT AND DISTRIBUTE COUNTY IMPACT FEES FROM DEVELOPMENT W ITHIN THE CITY LIMITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Manager Dyess reported on the status of this Interlocal Agreement. In the Resolution, Section 2, strike the word "release" and leave the word "request", allowing, upon satisfaction, return of the funds the City has been holding. Feels this is the best outcome for all involved.

Motion: Cancel our old Interlocal Agreement and adopt Resolution 112-2018.
Motion by: Commissioner Matheson
Seconded by: Commissioner Clarke
Motion passed unanimously.

9. RESOLUTION No. 113-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING A MINOR AMENDMENT TO THE "STUART CENTRE" COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ON PROPERTY LOCATED ON THE EAST SIDE OF SE FEDERAL HIGHWAY; THEREBY ALTERING THE PROJECT'S EXISTING MASTER SITE PLAN TO CREATE THE DEVELOPMENT OF AN OURPARCEL AT 2331 SE FEDERAL HIGHWAY, TO DEMOLISH AN EXISTING 4,729 SQUARE FOOT RESTAURANT (DENNY'S) AND ALLOW THE CONSTRUCTION OF A 2,845 SQUARE FOOT FAST FOOD RESTAURANT WITH DRIVE THRU (PDQ); PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; AND FOR OTHER PURPOSES.

Commissioner Matheson explained that he requested to pull this item to discuss the addition of bike racks. Stephen Mayer, Development Department, briefly reviewed the possibilities in the application.

Motion: Approve Resolution 113-2018 with the condition that they add a few City approved bike racks to the location; Modified to include: Work with the Development Department and add a bike rack approved by the Development Director.
Motion by: Commissioner Matheson
Seconded by: Commissioner Bruner
Motion passed unanimously.

ORDINANCE FIRST READING

12. ORDINANCE No. 2387-2018; 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 "NEIGHBORHOOD SPECIAL DISTRICT" TO "MULTI-FAMILY DENSITY RESIDENTIAL" FOR A 11.34 ACRE PARCEL ANNEXED AND FORMERLY REFERED TO AS PHASE VIII MULTI-FAMILY ON THE PINEAPPLE PLANTATION MASTER PLAN AND LOCATED ON THE EAST SIDE OF US HIGHWAY ONE, WEST OF THE WINDEMERE RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD), AND SOUTH OF THE PINEAPPLE COMMONS COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE WATERMARK RESIDENTIAL RPUD CONSISTING OF TWO HUNDRED EIGHTY FOUR (284) MULTI-FAMILY UNITS W ITHIN TWO FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT.

Quasi-Judicial
Sworn – 6 people; Kevin Freeman and Stephen Mayer of the City of Stuart, Steve Garrett of Lucido and Associates, Jesse Houghtalen of Watermark LLC, and Chris Sopotnick of Ecological Consultants of Florida.

Stephen Mayer presented on the Watermark Residential RPUD.

Commission, staff, and applicant participated in discussion and deliberation.

Motion: Approve Ordinance No. 2387-2018.
Motion by: Vice Mayor Bruner
Seconded by: Commissioner Clarke
Motion passed 3/2.

Mayor Glass Leighton – YES
Vice Mayor Bruner – YES
Commissioner Clarke – YES
Commissioner Matheson – NO
Commissioner Meier – NO

13. ORDINANCE No. 2393-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT ARTICLE III, SEC. 40-43; PROVIDING FOR A REVISION/AMMENDMENT OF THE 3 HOUR PARKING TIMES IN THE DOWNTOWN PARKING DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCE IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Move approval.
Motion by: Commissioner Meier
Seconded by: Vice Mayor Bruner
Motion passed unanimously.

ORDINANCE SECOND READING

14. ORDINANCE No. 2383-2018; (QUASI-JUDICIAL) 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 CPUD "COMMERCIAL PLANNED UNIT DEVELOPMENT" TO A PARCEL OF LAND TOTALING 1.85 +/- ACRES, OWNED BY DELICETO, LLC., LOCATED AT 700 SW FEDERAL HIGHWAY, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "SAFE AND SECURE SELF-STORAGE AT STUART" COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) CONSISTING OF 115,332 SQUARE FOOT WAREHOUSE FOR MINI STORAGE; PROVIDING FOR APPROVAL OF A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, 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.

Motion: Approval of Ordinance 2383-2018, adding a City approved bike rack to the location.
Motion by: Commissioner Clarke
Seconded by: Commissioner Matheson
Motion passed unanimously.

15. ORDINANCE No. 2388-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT ARTICLE III, SEC. 12-46; PROVIDING FOR A FINE FOR UNPERMITTED ACTIVITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCE IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Clarke requested clarification on the reference in the Ordinance "Exhibit A". City Attorney Mortell explained that it is Appendix A to the Code, not necessarily an attachment to this Ordinance. This will allow Appendix A every year.

Motion: Motion to approve.
Motion by: Commissioner Matheson
Seconded by: Commissioner Meier
Motion passed unanimously.

16. ORDINANCE No. 2389-2018; AN ORDINANCE OF THE CITY OF STUART, FLORIDA; AMENDING THE CODE OF ORDINANCES AT ARTICLE III, SEC. 36, 61-74 SPECIAL EVENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Approval of Ordinance 2389-2018.
Motion by: Commissioner Matheson
Seconded by: Vice Mayor Bruner
Motion passed unanimously.

DISCUSSION AND DELIBERATION

Commissioner Clarke commented that the City should look into changing the transportation element in projects, and attainable housing guidelines in specific workshops so developer do not feel ambushed when they present to the Commission.

Commissioner Meier stated he would prefer the applicant make the presentations before staff on proposed projects, have the generalized wetlands map available soon, and suggests a review of fees when it comes to illegal tree removal and such violations.

ADJOURNMENT 8:03 PM

_____ _____
Mary R. Kindel, City Clerk **Kelli Glass Leighton, Mayor**

Minutes to be approved at the Regular Commission Meeting this 26th day of November, 2018.