MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD November 26, 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

PROCLAMATIONS

PRESENTATIONS

1. November Service Awards

Joshua Hoffner	**Public Works**	**15 years**
Jeffrey Coleman	**Public Works**	**10 years**
Andrea High	**Public Works**	**10 years**
James Lane	**Public Works**	**5 years**

2. Employee of the Month, November 2018

Nicole Johnson, Community Services.

COMMENTS BY CITY COMMISSIONERS

Commissioner Matheson

- **Request to move Item #10 before Item #8 on the agenda.**

Item will be moved when the Agenda is adopted.

Commissioner Clarke

- **No comments.**

Vice Mayor Bruner

- **Commented on the VNA Christmas Tree and complimented the recent event in downtown [Christmas on Mainstreet].**

Mayor Glass Leighton

- **No comments.**

Commissioner Meier

- **Commented on a report recently released by President Trump on Climate Change. Looks forward to working with staff to coordinate a workshop on Climate Change.**

COMMENTS BY CITY MANAGER

No comments.

APPROVAL OF AGENDA

Motion: Approval of Agenda moving Item #10 before Item #8.
Motion by: Vice Mayor Bruner
Seconded by: Commissioner Matheson
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

No comments.

CONSENT CALENDAR

3. PULLED Approval of 11/13/2018 CCM Minutes

4. RESOLUTION No. 110-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF STUART AND THE PARKING SOLUTION, RONALD WERNER, LOUIS SHAPO, JOSEPH MARTIN, GUSTO'S 2, LLC., DOING BUSINESS AS LOURONZO'S ITALIAN FUSION RESTAURANT, THE OPERATION AND UTILIZATION OF THE CITY HALL PARKING LOT, LOADING ZONE PARKING AND THE STABILIZED PARKING LOT LOCATED BEHIND THE STUART HERITAGE MUSEUM FOR THE PURPOSE OF OPERATING A DOWNTOW N STUART VALET PROGRAM.

5. RESOLUTION No. 120-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO AUTHORIZING THE CITY MANAGER TO TRANSMIT A NOMINATION LETTER TO THE STUART HISTORIC PRESERVATION BOARD TO LIST THE GEO W. PARKS GENERAL MERCHANDISE STRUCTURE AT 161 SW FLAGLER AVENUE ON THE STUART HISTORIC REGISTER.

6. RESOLUTION No. 122-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA INCREASING THE ANNUAL AMOUNT FOR THE MASTER SERVICE AGREEMENT W ITH THE PAYMENTUS CORPORATION, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7. RESOLUTION No. 124-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ADOPTING THE FINAL BUDGETS OF THE CITY OF STUART, FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

Motion: Motion to Approve the Consent Calendar, pulling Item #3.
Motion by: Commissioner Matheson
Seconded by Commissioner Clarke
Motion passed unanimously.

3. Approval of 11/13/2018 CCM Minutes

Commissioner Clarke commented on the discussions of the 11/13/18 meeting pertaining to the workshops on code inconsistencies, attainable housing, Comp Plan LDR's and Climate Change, keeping these topics in the forefront.

She requested the status of the letter to be sent regarding the Everglades Foundation and the impacts of sending the letter.

Attorney Mortell reported that the letter was executed and sent and gave a brief update.

Motion: Move to Approve the Minutes for 11/13/2018.
Motion by: Commissioner Clarke
Seconded by Commissioner Matheson
Motion passed unanimously.

Commissioner Clarke requested an update on the status of the street light enhancement program in East Stuart.

City Manager Dyess responded on the Brighter Light Project in the community and an LED Project. The Brighter Light Project was complete long ago while the LED project is currently going on.

COMMISSION ACTION

10. ORDINANCE No. 2394-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE KORNBLUH COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR PARCEL OF LAND FRONTING NW FEDERAL HIGHWAY (U.S. HIGHWAY 1) SOUTH OF ABUTTING NORTH STUART BAPTIST CHURCH, CONSISTING OF 2.57 ACRES OW NED BY ALAN M. KORNBLUH REVOCABLE TRUST AND SYLVAN H. SARASOHN REVOCABLE TRUST; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR A FINAL SITE PLAN W ITH TW O PHASES OF DEVELOPMENT; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sworn – 6 people; 4 applicants and 2 staff.

Kevin Freeman, Development Director, announced that the format has changed and Staff will make a brief introduction and the applicant will provide the presentation.

Stephen Mayer announced and gave a brief description of the amendment.

Tyler Spenser of Carter Associates, presented the amendment.

Brief discussion between commissioners and the applicant.

6:15 PM Hearing Closed.

6:17 PM Motion: Approve the project as prepared and presented by staff and the developer.
Motion by: Commissioner Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

8. RESOLUTION No. 123-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF RFP #2018-204, FOR THE SALE OR LONG-TERM LEASE AND DEVELOPMENT OF THE 10.75 ACRES OF PROPERTY KNOWN AS THE SAILFISH BALLFIELD AND ADJOINING PUBLIC WORKS COMPLEX TO THE TOP RANKED FIRM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Public Comment:

1) **Carol Saake – Tiburon Way, Palm City - Opposed to the sale of the property.**
2) **Armond Pasquale – Seminole Street, Stuart - Opposed**
3) **Susan O'Rourke – Villas St., Stuart - Opposed**
4) **Heath Samples – Hibiscus Ave, Stuart - Opposed**
5) **Albert Brinkley – Central Ave., Stuart - Opposed**
6) **Joe Shoppe – Old St. Lucie Blvd., Stuart - Opposed**

7) **Cody Bennin – Landing Creek Dr., Palm City - Opposed**
8) **Robert Butler – Sun Circle, Palm City - Opposed**
9) **George Dailey – Stuart - Opposed**
10) **Scott Proctor – Southwood Trail, Stuart - Opposed**
11) **Lisa Esposito – Palm City Rd., Stuart - Opposed**
12) **Tom Plymale – Riverside Dr., Palm City - Opposed**
13) **Zachary Antheil – Fieldway Dr., Stuart - Opposed**
14) **Meagan Collazo – Victorian Lane, Jensen Beach – Opposed**
15) **Matt Lewis – Creekside Drive, Palm City – Opposed**
16) **Howard Farro – Honey Terr., Palm City – Opposed**
17) **Paul Gebos-Makabee – St. Joseph St., Stuart – Opposed**
18) **Tammy DiGrazia – Mayacoa Way, Palm City – Opposed**
19) **Krishawn Baggett – Stuart – Opposed**
20) **Scott Samples – Hibiscus Ave, Stuart – Opposed**
21) **Tom Galinis – Sewall's Point Rd., Stuart – Opposed**
22) **Beth Alcalde – River Rd., Stuart – Opposed**
23) **Betty Brinkley – Nassau Ave., Stuart – Opposed**
24) **Bennett Richardson – Indian Dr., Jensen Beach – Opposed**
25) **Jo Neeson – Indian River, Jensen Beach – Opposed**
26) **Lisa Vasquez – Berry Ave, Palm City – Opposed**
27) **Bob Kalbac – Autumnwood Way, Palm City – Opposed**
28) **Lincoln C. – Stuart – Opposed**
29) **Mike Dintheil – Field Way, Stuart – Opposed**
30) **Tanner Hughes – 12th Terr., Stuart – Opposed**
31) **Tibur Rivero – Gatehouse Circle, Stuart – Opposed**
32) **Mark Rodgers – Crane Creek Ave., Palm City – Opposed**
33) **Frank McChrystal – Flamingo Ave., Stuart – Opposed**
34) **David Higgins – Edgewood Dr., Stuart – Opposed**
35) **Michael Izzulo – Lakewood Dr., Palm City – Opposed**

Per Commissioner Clarke's request, City Attorney Mortell provided a brief synopsis on the history of the Sailfish Ballfield property. He reported that there was a consensus to the buy-in of this project and that is why the City moved forward with an RFP. Finance Director, Joly Boglioli provided an explanation of the tax burden. It costs the City approximately $85,000.00 to run Sailfish Ballfields.

Commissioners participated in discussion and deliberation on this Item. Mr. Mark Rodgers was asked to come forward again to explain what tournaments were played here. Mr. Rodgers explained that the fields could not be used as clay infields were desired. He explained the contributions the league has made to the ballfields over the years.

Public Comment:

1) **Freddy Jordan – Has worked with City Manager Dyess, coordinates football program at East 10th Street. Suggested the Commission hold this decision until they have the fields at Guy Davis.**

9:09 PM Motion: To approve Resolution #123-2018 to award RFP #2018-204 to Urban Communities and my other commissioners they get their ballpark, I want the ballpark too, but they want to do it quicker so we'll do it quicker and we'll do it with the CRA money.
Motion by: Vice Mayor Bruner
Seconded by: N/A
Motion died for lack of second.

9:16 PM Motion: Move that we consider the whole timing of the baseball was a good Segway I think, because at the very end of their proposal, they did mention that they would be willing to work with the City to work on the City's plan with Guy Davis and to come up with that, and I've seen the, I know what New Urban Communities is doing now across at the Triangle parcel and I've seen all of their work in other communities too but I just think that for somebody to say, if the City wants affordable or housing that will be meeting the guidelines for people who live in their communities, and for the types of jobs we have in our community, were not a New England community with a certain level of income or scenic valley where everyone makes over $70,000.00 and so I think that for them to stick to that principal and say this is what we'd like to present you, think they can have time to change plans or bring in a type of PUD that might work better with walkability with things around the school but I think that the idea is that if we're gonna switch out the baseball fields, that we need to put something there we won't regret and will be something important.
<u>Motion Rephrased:</u> If we can work with Rich Properties and work with the proposal to time out the baseball planning, that we work with them to consider doing a deal with them.
Motion by: Commissioner Clarke
Seconded by: N/A
Motion died for lack of second.

City Attorney clarified that the vote tonight is only to direct the City Manager to negotiate with one of the companies or not.

Public Comment:

1) **Armond Pasquale – Seminole St. - Suggestion of development n the Guy David area and leave the Sailfish park as is.**

2) **Eric Wickston – 516 California – downtown business owner, supports the New Urban Project.**

3) **Bob Kalbac – Autumnwood Way, Palm City – Questioned the closing date on the RFP and postponement options.**

4) **Fall Ball Representative – Commented that two ballfields is not enough and if the Sailfish ballfields are gone, they will be gone.**

5) **Frank McCrystal – Opposed to moving the parks to East Stuart.**

6) **James Lavertin (?) – Opposed to two fields option.**

7) **Mark Rodgers – Two fields not going to work. Baseball has a large following and does not think people will come to the two baseball fields.**

8) **Betty Brinkley – Commented that she feels secure in East Stuart. Concerned that taxes will go up with redevelopment in East Stuart.**

9) **Susan O'Rourke – Suggested an alternate motion for the City to consider alternate properties, keeping the ballfield where it is.**

10) **Richard Lundy – Rich Properties – began this project 10 months ago, invited by staff to participate, submitted the proposal and has gone through the process. Concerned the proposals are not being judged on the merit of the proposal.**

11) **David Higgins – Requested the Commission hold Sailfish Park to the same importance of Memorial Park.**

12) **Commented on the advantages of having a new hotel and 300 more residents who can spend their money downtown could help. Four ballfields may be able to fit at Guy Davis.**

13) **Tom McNicholas – City resident – Agrees that affordable housing is needed in Stuart but suggested the commission wait another 60 days and possible ask residents if they would help fund the parks.**

Mayor Glass Leighton commented that the City did try and increase the sales tax with the County and it failed.

Commissioner Meier – Revoked his motion:

9:39 PM Motion: Approval of Resolution #123-2018 approving the award of RFP #2018-204 to Urban Communities conditional upon the development of two ballfields at Guy David Park as will be negotiated by the City Manager and the developer, and also conditioned on the funds the proceeds from the sale of Sailfish Ballfield exclusive of the enterprise fund portion for Public Works to be placed in a trust or other fund that would be used to continue to buy green space or preserve green space at Guy Davis and throughout the City and for the running of programing at 10th Street and the reimbursement of CRA funds.
Mike reviewed the motion for clarification. Commissioner Meier: And conditioned on directing the City manager to negotiate with New Urban to reserve a percentage of workforce housing relative to 60 to 90% of Stuart median income.
Motion by: Commissioner Meier
Seconded by: Commissioner Bruner
Motion revoked after Public Comment.

10:10 PM Motion: Table this matter for at least 90 days.
Motion by: Commissioner Clarke
Seconded by: Commissioner Matheson
Motion passes 4/5

Glass Leighton	**YES**
Bruner	**YES**
Clarke	**YES**
Matheson	**YES**
Meier	**NO**

City Attorney clarified that this is still an active RFP and all will continue to be in the cone of silence.

Public Comment:

1) **Eric Wickston – 516 California – Agrees with decision to table the item.**
2) **Bob Kalbac – Autumnwood Way, Palm City – Comment not related to the issue.**

ORDINANCE FIRST READING

9. Request to continue item to a date certain of December 10, 2018:
ORDINANCE No. 2392-2018; (QUASI-JUDICIAL) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE SECOND AMENDMENT TO THE "MARKETPLACE OF STUART CPUD" LOCATED ON THE WEST SIDE OF SE FEDERAL HIGHWAY AND NORTH OF MAR STUART CPUD (AUDI-INFINITI CAR DEALERSHIPS) AND SOUTH OF LOWES; PROVIDING FOR APPROVAL OF A REVISED SITE PLAN; PROVIDING CONDITIONS FOR COMPLIANCE WITH SITE DESIGN QUALITATIVE DEVELOPMENT STANDARDS; DECLARING THE DEVELOPMENT TO BE CONSISTENT W ITH THE COMPREHENSIVE PLAN OF THE CITY; APPROVING CERTAIN DEVELOPMENT DOCUMENTS; APPROVING CERTAIN CONDITIONS OF DEVELOPMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; AND PROVIDING FOR DIRECTIONS TO THE CITY CLERK.

Motion: Motion to continue.
Motion by: Vice Mayor Bruner
Seconded by: Commissioner Matheson
Motion passed unanimously.

ORDINANCE SECOND READING

11. 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 of Ordinance No. 2393-2018 on second reading.
Motion by: Commissioner Clarke
Seconded by: Vice Mayor Bruner
Motion passed unanimously.

DISCUSSION AND DELIBERATION

10:18 PM ADJOURNMENT
Motion: To adjourn
Motion by: Vice Mayor Bruner
Seconded by: Commissioner Matheson
Motion passed unanimously.

_____ **_____**
Mary R. Kindel, City Clerk **Rebecca S. Bruner, Mayor**

Minutes to be approved at the Regular Commission Meeting this 14th day of January, 2018.