MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD December 10, 2018
AT 5:30 PM Commission Chambers
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION
Mayor Rebecca S. Bruner
Vice Mayor Eula R. Clarke
Commissioner Kelli Glass Leighton
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 - Gale Baker Theater Art at 10th Street Community Center

Gale Baker presented on the effect of art on students with difficulties and showed a one minute rap video created by students on anti-bullying.

2. SELECTION OF MAYOR AND VICE MAYOR

Vice Mayor Bruner complimented the Mayor on the job she has done and announced that she would like to leave things status quo for one more year in order that she may gain more experience before becoming Mayor.

Commissioner Meier offered Vice Mayor Bruner encouragement.

Motion: Leave it status quo.
Motion by: Vice Mayor Bruner
Seconded by: None.
Motion died for lack of second.

Motion: To tweak the status quo slightly and have, nominate Commissioner Clarke to be Mayor and you to serve as Vice Mayor one more time.
Motion by: Commissioner Matheson
Motion Retracted.

Vice Mayor Bruner announced that she will accept the Mayor ship.

5:38 PM Motion: Motion that Commissioner Bruner be elected as our Mayor.
Motion by: Commissioner Clarke
Seconded by Commissioner Matheson
Motion passed unanimously.

Mayor Bruner passed out small gifts to her fellow Commissioners.

5:41 PM Motion: Move that we appoint Commissioner Clarke as Vice Mayor.
Motion by: Commissioner Meier
Seconded by: Commissioner Matheson
Motion passed unanimously.

Mayor Bruner commented that it is an honor to be Mayor and looks forward to the direction of the Commission this coming year.

Vice Mayor Clarke thanked the Commissioners and looks forward to continuing to serve.

3. Appointments of City Commissioners to Community Boards

Motion: Motion that the ANAC (Airport Noise Advisory Committee) stays the same with Commissioner Glass Leighton continuing to serve as the City representative on the ANAC Board.
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Clarke
Motion passed unanimously.

Motion: I would like to serve on the TDC and continue serving on the MPO.
Motion by: Commissioner Matheson
Seconded by: Commissioner Meier
Motion passed unanimously.

5:51 PM Motion: I motion that I remain on the Arts Council and the MPO.
Motion by: Commissioner Clarke
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

5:52 PM Motion: I move that I maintain my position on the TCRLC (Treasure Coast Regional League of Cities) and the TCCLG (Treasure Coast Council of Local Governments)
Motion by: Commissioner Meier
Seconded by: Commissioner Clarke
Motion passed unanimously.

5:54 PM Motion: Motion that I take the Alternate for the Treasure Coast Regional Planning.
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

5:55 PM Motion: I move that the Mayor sits on the Business Development Board.
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Clarke
Motion passed unanimously.

PROCLAMATIONS

4. First United Methodist Church of Stuart's 125th Anniversary

Pastor Jerry Bennett came forward to accept the Proclamation.

PRESENTATIONS

5. December Service Awards

Diane Kirkland	**Police**	**20 years**
Walter Bowman	**Public Works**	**15 years**
Nicholas Briglia	**Police**	**15 years**
John LaPadula	**Building Maintenance**	**15 years**
Chalimar Gregory	**Police**	**5 years**

6. Employee of the Month - December 2018

LeeAnn Jones, Public Works Division Assistant came forward to accept Employee of the Month.

7. Present the 2019 Calendar Photo Contest Winners

Anne Ellig and LeeAnn Jones of Public Works Department presented on the 2019 Stormwater Calendar and invited Calendar Photo Contest winners up for a Certificate of Recognition.

8. Presentation by the Martin MPO and Marlin Consultant on the City of Stuart downtown tram system and a 5-Year business plan.

Pinal Gandhi-Savdas, CRA Administrator, introduced Lisa Mack of Marlin Engineering and Beth Beltran of MPO. Lisa Mack presented on the current operation and future planning of the Tram System.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **Congratulated the Mayor and Vice Mayor.**
- **Wished all a Merry Christmas and Happy Holidays.**

Commissioner Matheson

- **Congratulated the Mayor and Vice Mayor.**
- **Attended the legislative conference Utilities Natural Resources and Public Works meeting. Interested in setting a date for an upcoming meeting in January to discuss the funding and the possibility to potentially test fish and food quality of the fish around the City of Stuart.**

 **6:38 PM Motion: I'd like, maybe the second meeting on January, or the first meeting in February, to just have a discussion on our river on the agenda.**
Motion by: Commissioner Matheson
Seconded by: Commissioner Clarke
Motion passed unanimously.

City Manager Dyess announced that it could be a general discussion at the workshop, then if an action items comes out of that, it would be added to the Commission Agenda. In January, the Visioning Workshop will be arranged to discuss short and long term planning on Comp Plan, Climate Change, and City facilities.

 **6:38 PM AMENDED Motion: Add Water Quality to that workshop.**
Motion by: Commissioner Matheson
Seconded by: Clarke
Amended Motion approved.

Commissioner Meier

- **Attended the Pearl Harbor Remembrance Day on the Riverwalk Stage, it was moving ceremony and would like to see more in attendance in the coming years.**
- **Enjoyed the Christmas Parade.**
- **Hosted a Town Hall last Saturday and had an open discussion on Sailfish Park.**

Commissioner Glass Leighton recommended that the Commission hold workshops in place of Town Halls in the event there is a controversial topic.

Commissioner Clarke

- **Requested the commission receive a copy of the current Strategic Plan.**

- **Commented on the artwork/mural on the Prescription Shop building on Colorado Avenue.**
- **Martin County Commission celebrated 25 years of the MPO.**
- **Congratulated the Community Services Department for winning an award for their float in the Christmas Parade.**
- **December 13th Christmas Caroling.**
- **Interested in future Fluoride discussions.**
- **Announced that on December 11th there will be a lecture on Round-Up & GMO at the Unitarian Church on Central Parkway at 7 p.m.**

Mayor Bruner complimented Paula Sesta, Tram Operations Team Leader for her efforts in assisting with the Christmas Parade.

Commissioner Meier commented that his Town Hall meeting was not to go on his own but agrees that a workshop would be helpful.

COMMENTS BY CITY MANAGER

City Manager Dyess

- **Congratulated the East Stuart Team for winning the Illuminations Award at the Christmas Parade.**
- **Announced that the Commissioners will be caroling on December 13th.**
- **Happy Birthday to Commissioner Meier.**
- **Announced that Joseph Tumminelli has been selected as the permanent City of Stuart Police Chief.**

APPROVAL OF AGENDA

7:07 PM Motion: Approval of Consent Calendar (Agenda) pulling Item #12
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

7:15 PM COMMENTS FROM THE PUBLIC (5 min. max)

1) **Armond Pasquale – Seminole St. – Submitted a copy of a Fire Inspection Report he received and is unhappy with the fee associated with the inspection.**

2) **Julie Bjornson – Riverboat – Comments pertaining to Round-Up and Fluoride, announced the Round-Up & GMO lecture on December 11th at 7 p.m. Flyers submitted for Commissioners.**

3) **Harold Vlieger – Maurice, IA – Thanked the Commission for their courage and wisdom to move it the right direction pertaining to Round-Up and GMO. All are invited to the lecture on December 11th.**

4) **Mark Rodgers – Crane Creek Ave, Palm City – Thanked Commissioner Meier for the personal and Town hall meetings last week. He presented financial report to Meier and offered them to all interested Commissioners for full transparency. Made a Public Records Request on Sailfish Park and has not received a response.**

5) **Nick DeTure – Ocean Blvd. – Thanked Commission for the Ball Park Meeting and commented that citizen's concerns are not considered myths. As a local dentist, supports Fluoride.**

6) **Tom Galinis – Sewall's Point Rd. – Complimented the Town Hall Meeting. Stuart Middle School Principal was unaware of the proposals on Sailfish Park.**

Attorney Mortell clarified that the School Board was notified of the redevelopment proposals and that it may be that information has not been passed down.

7) **Susan O'Rourke – Villas St. – Thanked the Commission for the opportunity to serve on the LPA as her term has ended. She will be available if needed and wished the board a Merry Christmas.**

8) **Frank McCrystal – Flamingo Ave. – Thanked the Commission and Commissioner Glass Leighton for the handling of the Sailfish Ballfield meeting two weeks ago. Supports the ballfields remaining as they are.**

CONSENT CALENDAR

9. Approval of 11/05/2018 SCM Minutes

10. Approval of 2019 Meeting Calendar

11. 2019 Succession List Update for City Manager, Attorney, and Department Directors.

PULLED 12. RESOLUTION No. 119-2018; A RESOLUTION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF A RELEASE AND SETTLEMENT DOCUMENTS REGARDING THE JUAN CARLOS GIL ADA CLAIM REGARDING WEB SITE ACCESSABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

13. RESOLUTION No. 121-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RELATED TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE MAYOR TO EXECUTE THE DRINKING WATER FACILITIES STATE REVOLVING FUND LOAN AGREEMENT FOR THE DESIGN OF PHASES I & II OF THE 1.0 MGD RO WTP PROJECT; DESIGNATING AUTHORIZED REPRESENTATIVES; ESTABLISHING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; SEVERABILITY, AND EFFECTIVE DATE.

14. RESOLUTION No. 126-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RATIFYING THE THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION, INC. (PBA) EFFECTIVE OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2021; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

15. RESOLUTION No. 127-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE ADOPTION OF LEGISLATIVE PRIORITIES FOR THE 2019 LEGISLATIVE SESSION.

16. RESOLUTION No. 128-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AMENDING THE INTERLOCAL AGREEMENT FOR THE CREATION OF THE MARTIN COUNTY METROPOLITAN PLANNING ORGANIZATION TO ALLOW THE VILLAGE OF INDIANTOWN A VOTING MEMBERSHIP AND TO REMOVE THE NON-VOTING INDIANTOW N MEMBERSHIP.

END OF CONSENT CALENDAR

7:07 PM Motion: Approval of Consent Calendar (Agenda) pulling Item #12
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

PULLED 12. RESOLUTION No. 119-2018; A RESOLUTION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF A RELEASE AND SETTLEMENT DOCUMENTS REGARDING THE JUAN CARLOS GIL ADA CLAIM REGARDING WEB SITE ACCESSABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Mortell explained the settlement agreement per Resolution 119-2018. Mortell read a letter that Commissioner Matheson drafted, requesting the letter be sent to the plaintiff to be presented with the settlement.

7:13 PM Motion: Send this letter with the settlement.
Motion by: Commissioner Matheson
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

COMMISSION ACTION

17. Commission Liaison and At Large Appointments and Re-Appointments to Advisory Boards of the City.

A. Board of Adjustment (BOA)
- Christina Vogl to fill vacancy; appointment by Commissioner Meier
- Donna M. Rollins; re-appointment by Commissioner Matheson.

- Antone Freitas (TJ) to replace Robert Holland; appointment by Commissioner Glass Leighton.
- Helen McBride; re-appointment by Commissioner Clarke.

B. Local Planning Agency (LPA)
- Christina M. de la Vega to replace Susan O'Rourke; appointment by Commissioner Matheson.
- Mike Herbach; re-appointed by Commissioner Clarke

C. Community Redevelopment Board (CRB)
- Tom Campenni to replace John B. Gonzalez; appointment by Commissioner Meier
- Chris Lewis; re-appointment by Commissioner Clarke.
- Cristina Maldonado to replace Mac Stout; appointment by Commissioner Matheson.

D. Stuart Independent Review Board (SIRB)
- Anita Cocoves to fill vacancy; At Large appointment.

7:39 PM Motion: In regard to Item #17, I move approval of the recommendations on 17A, Christina Vogl, Donna Rollins, and Antone Freitas, and Helen McBride. Also in regard to 17B, the Local Planning Agency, Christina de la Vega and Mike Herbach, and also in regard to item C, the Community Redevelopment Board CRB Tom Campenni and Chris Lewis and Cristina Maldonado and with regard to Item D, the addition of Anita Cocoves to fill the At Large appointment, then I ask this will be one item asking for approval which are published under 17.
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

18. RESOLUTION No. 118-2018; A RESOLUTION OF THE CITY OF STUART, FLORIDA ALLOCATING $100,000 IN BUILDING PERMIT FEE PROCEEDS TO THE CITY'S ENERGY EFFCIENCY REBATE PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

7:41 PM Motion: Approval of this Item #18, Resolution 118-2018.
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

19. RESOLUTION No. 125-2018; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY OF STUART TO BECOME A MEMBER OF THE AMERICAN FLOOD COALITION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7:44 PM Motion: Pass Resolution #R125-2018
Motion by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE FIRST READING

20. ORDINANCE No. 2395-2018; (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 RPUD "RESIDENTIAL PLANNED UNIT DEVELOPMENT" TO THREE PARCELS OF LAND TOTALING 0.565 ACRES, OWNED BY FRAZIER CREEK LLC, FRAZIER CREEK TW O LLC, GARY L. HUFNAGEL AND KAROL HUFNAGEL, LOCATED AT 513, 517, AND 521 S.W. OCEAN BLVD., BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE "TOWNHOMES AT FRAZIER CREEK" RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) CONSISTING OF TWO MULTI-FAMILY BUILDINGS WITH FOUR UNITS EACH IN THE URBAN WATERFRONT ZONING DISTRICT; ALLOWING BOTH BUILDINGS TO BE CONSTRUCTED WITH LESS THAN THE REQUIRED 10 FOOT SIDE SETBACK; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE OF DEVELOPMENT, DECLARING THE PROJECT TO BE CONSISTENT W ITH 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.

Four (4) people sworn, testified affirmatively.

Tom Reetz introduced applicant for the presentation on the Townhomes of Frazier Creek RPUD.

Terry McCarthy and Gary Hufnagel presented.

Tom Reetz announced that staff recommends approval with Conditions; #8 pertaining to pervious ratio and #25, includes language on the platted alley-way as part of the HOA.

Note: Scriveners error noted – "thirty-seven (35) feet".

Public Comment:

Frank McCrystal – Commented that the Commission does not need to make any concessions to regulations to have people want to still build here.

8:02 PM Motion: Approval Ordinance #2395-2018.
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

ORDINANCE SECOND READING

21. 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 WITH TWO 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.

Four (4) people sworn, testified affirmatively.

 **8:08 PM Motion: Move approval.**
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

DISCUSSION AND DELIBERATION

 **8:09 PM ADJOURNMENT**

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

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