MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD January 28, 2019
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 Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

PRESENTATIONS

5:31 PM 1. EMPLOYEE OF THE MONTH - JANUARY 2019

Thondra Lanese, January Employee of the Month in recognition of receiving the Mainstreet America Revitalization Professional Designation, the highest credential offered by the Mainstreet Institute, and she is the only Mainstreet Director in Florida to have earned this award.

2. CLEAN RESIDENTIAL RECYCLING INCENTIVE PROGRAM

Anne Ellig, Recycling and Conservation Coordinator, presented on the Single Stream Recycling Gold Star Program and introduced the annual $500 Grand Prize winner, Ms. Phyllis Harrell.

3. FAMILIES IN TRANSISTION, PRESENTED BY SHELA KHANAL OF MARTIN COUNTY SCHOOL DISTRICT.

Shela Khanal and Laurie Gaylord presented on the Families in Transition (FIT) Program, a homeless student program that the Martin County School Board has in place to promote student success by including meals, clothing, school supplies, tutoring, transportation, some health services, etc.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **Announced the FWC temporary ban on herbicides, including Round-Up and is happy to see this.**

Vice Mayor Clarke

- **Glad to hear of the herbicide ban as well, would like to see the word spread on the dangers of these herbicides.**
- **Commented on the nice Martin Luther King event. Commented on the role of the City and local community organizations for such an event.**
- **Commented that she was not well and missed the Special Commission Meeting on January 22, 2019 and will review that meeting.**

Commissioner Meier

- **No comments.**

Commissioner Matheson

- **Commented that on February 19, 2019 there will be a meeting at IRSC to begin the public input process for the LORS (Lake Okeechobee Regulation Schedule). He intends to support the lake being kept at a lower level during the dry season.**

6:06 PM Motion: To direct staff to work with the County to come up with a couple possibilities and points for us to take a stance at the upcoming meeting.
Motion by: Commissioner Matheson
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

COMMENTS BY CITY MANAGER

No comments.

APPROVAL OF AGENDA

6:08 PM Motion: Move approval of the Agenda.
Motion by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

1) **Betty Brinkley – Nassau Ave., expressed that she feels the East Stuart area is being neglected, even after the community meeting, and opposes the bright street lights in the East Stuart community.**

2) **Susan O'Rourke – Villas St.; Commented on the Stuart Robotics team and introduced two team members. She announced upcoming tournaments and stated that the team is looking for a long term facility and looks forward to working with the City while looking for a site.**

Commissioner Clarke commented on the Public Comment by Ms. Betty Brinkley. She announced the process of budgeting and that they have not been ignored. She suggested for her to get with Development Director, Kevin Freeman to review the process.

City Manager Dyess responded to Ms. Brinkley's comment; the City has hired an Athletics Coordinator, acquired the Panthers Youth Football team, with further interest for additional sports. Lights are a part of the City wide project to replace street lights with LED lighting, it is being done in phases.

CONSENT CALENDAR

4. APPROVAL OF 01/14/2019 CCM MINUTES

PULLED 5. CHILDRENS SERVICES GRANT APPLICATION FOR EAST STUART YOUITH INITIATIVE:

RESOLUTION No. 03-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE APPLICATION, AS THE LEAD AGENCY, WITH THE CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY FOR THE EAST STUART YOUTH INITIATIVE; IF APPROVED, AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THIS GRANT, AND EMERGENCY FUNDING, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. UTILITY SERVICES AGREEMENT WITH CERTUS:

RESOLUTION No. 11-2019; 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 CERTUS STU OWNER, LLC., TO PROVIDE WATER AND SEWER SERVICE TO THE PROPERTY ON KANNER HIGHWAY AS MORE FULLY DESCRIBED ON EXHIBIT "A" OF THE UTILITY SERVICE AGREEMENT, PROVIDING FOR EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. AWARD GRINDER INSTALLATION BID:

RESOLUTION No. 12-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF WORK ORDER NO. 2019-300-W01, GRINDER STATION INSTALLATION TO THE LOWEST, MOST RESPONSIVE RESPONSIBLE BIDDER, JOHNSON-DAVIS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

8. MEMORANDUM OF UNDERSTANDING WITH UF/IFAS:

RESOLUTION No. 13-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MEMORANDUM OF UNDERSTANDING WITH THE UF/IFAS EXTENSION 'FLORIDA FRIENDLY LANDSCAPING' (FFL) PROGRAMS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. CIP AMENDMENT #1, GRINDER SYSTEM INSTALLATIONS:

RESOLUTION No. 14-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING CIP AMENDMENT #1 TO THE 2018-2019 CAPITAL IMPROVEMENT PLAN, AUTHORIZING A $370.000.00 LINE ITEM TRANSFER IN THE CAPITAL IMPROVEMENT PLAN BUDGET, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

10. SETTLEMENT AUTHORIZATION:

RESOLUTION No. 15-2019; A RESOLUTION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF A RELEASE AND SETTLEMENT DOCUMENTS REGARDING THE GREINSTEIN VS. CITY OF STUART CLAIM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:18 PM Motion: Motion to approve the Consent Calendar, pulling #5 by the Vice Mayor.
Motion by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

5. CHILDRENS SERVICES GRANT APPLICATION FOR EAST STUART YOUTH INITIATIVE:

RESOLUTION No. 03-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE APPLICATION, AS THE LEAD AGENCY, WITH THE CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY FOR THE EAST STUART YOUTH INITIATIVE; IF APPROVED, AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THIS GRANT, AND EMERGENCY FUNDING, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Clarke asked for a review of Item #5.

Jim Chrulski, Community Services Director, reported on the programs that are a part of the Children's Services Council Grant Program.

Public Comment:

1) **Helen McBride – Flamingo Ave.; commented that she feels the East 10th Street Community Center should be expanded.**

2) **Elaine DeFoor – St. Lucie; commented on the Panthers football, the boys cannot afford the registration and uniform and sponsorships are available.**

Commissioner Meier announced that the plan for Guy Davis Field includes an expansion of the recreation center.

 **6:22 PM Motion: Motion that we approve Item #5 as presented by staff on the Consent.**
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMISSION ACTION

ORDINANCE FIRST READING

 **6:26 PM 11. CONTINUE ITEM TO A DATE TO BE DETERMINED:**

ORDINANCE No. 2397-2019; (QUASI-JUDICIAL) 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 ASSIGNING A FUTURE LAND USE DESIGNATION OF "COMMERCIAL" TO THE 29.3 ACRE PROPERTY, OWNED BY NEHME HOLDINGS, LLC AND W ILLOUGHBY GROUP, LLC LOCATED ALONG SR-76 KANNER HIGHWAY, SOUTH OF MARTIN COUNTY HIGH SCHOOL AND ABUTTING LYCHEE TREE NURSERY; SAID LAND, ANNEXED BY ORDINANCE No. 2327-2016 AND ORDINANCE No. 2337-2017, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND CONCURRENTLY ASSIGNING "CPUD" ZONING TO SAID LAND ON THE CITY'S OFFICIAL ZONING MAP; ESTABLISHING THE KANNER CPUD (COSTCO WHOLESALE) COMMERCIAL PLANNED UNIT DEVELOPMENT, CONSISTING OF 225,000 SQUARE FEET OF COMMERCIAL BUILDING FOOTPRINT AND A STAND ALONE FUEL FACILITY INCLUDING FUTURE PHASES FOR RETAIL AND RESTAURANT; PROVIDING FOR APPROVAL OF A MASTER 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; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, PROVIDING FOR ACCEPTANCE BY THE APPLICANT AND FOR OTHER PURPOSES.
Public Comment:

1) **Matt Morrison – SW Cabana; opposes the proposal of Costco.**

6:26 PM Motion: Motion to approve of Ordinance No. 2397-2019 to continue the item to a date to be determined.
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

12. AMENDMENT TO BAKER ROAD CPUD (QUASI-JUDICIAL):

ORDINANCE No. 2400-2019; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE BAKER ROAD COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR A PARCEL OF LAND FRONTING N.W. FEDERAL HIGHWAY (U.S. HIGHWAY 1), CONSISTING OF 0.80 ACRES OWNED BY BAKER ROAD, LLC.; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; ADOPTING A REVISED FINAL SITE PLAN; 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; Kevin Freeman, Development Director, Stephen Mayer, Senior Planner, Brad Currie, EDC, and owner, Dan Sharkey.

Stephen Mayer briefly reviewed Ordinance 2400-2019 and introduced applicant, Mr. Brad Currie, EDC, who presented on the Baker Road Amendment to CPUD.

6:38 PM Motion: Move approval.
Motion by: Commissioner Meier
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE SECOND READING

DISCUSSION AND DELIBERATION

6:39 PM 13. 2375 KANNER HIGHWAY:

THE CURRENT TENANT HAS APPROACHED THE CITY WITH A REQUEST TO BUY THE PROPERTY.

Attorney Mortell reviewed the status and conditions of the property, previously identified as 7-Eleven.

Discussion pertaining to an appraisal, property condition, the electronic billboard, and option of lease vs. sale of property.

Public Comment:

1) **Helen McBride – Flamingo Ave.; commented whether the City can put this out for bid.**

Attorney Mortell responded that the City cannot because it is on a 20 year lease. He briefly explained the history of the property.

6:55 PM Motion: Motion that we move forward with allowing the City Attorney to pursue this opportunity.
Motion by: Commissioner Glass Leighton
Seconded by: Commissioner Matheson
Motion passed unanimously.

6:58 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission
Meeting this 11th day of February, 2019.