MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD March 11, 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

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

PLEDGE OF ALLEGIANCE

Mayor Bruner announced and commented on the passing of Ms. Betty Smith, Government Reporter and friend to the City of Stuart.

PROCLAMATIONS

1. CHILDREN'S WEEK 3/24 - 3/29/19

Marsha Powers, CEO of The Early Learning Coalition came forward to accept the Proclamation and thanked the Commission for their recognition of this important event and looks forward to working with the City in the future.

PRESENTATIONS

2. SECOND PRESENTATION BY THE MARTIN MPO AND MARLIN CONSULTANT REGARDING THE CITY OF STUART DOWNTOWN TRAM SYSTEM AND A 5-YEAR BUSINESS PLAN.

Lisa Maack and Jeffery Weidner of Marlin Engineering and the MPO presented on their second and final presentation on the 5-year business plan of the tram system.

- **Existing funding sources were identified**
- **Positive local support**
- **Current App not being used**
- **Advertising on similar vehicle in other Cities, may maximize revenue**
- **Increasing reliability, efficiency and effectiveness**
- **Plan for the future**

Commission discussion included the tram route, funding, the parking study and various options.

COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton – No comments.

Commissioner Matheson – No comments.

Commissioner Meier

- **Commented on how nice the new bike racks are throughout the City.**
- **Attended Helping People Succeed Kiwanis Luncheon to celebrate the completion of the Kiwanis Parke remodel.**
- **Commented about the Legislative Session and the bills that threaten Home Rule, bills that will undermine our ability of regulate our Cities and Counties. Distributed an Action Alert that he received from the Florida League of Cities (FLC) to all commissioners. The opposition of House Bill 9 is on tonight's agenda. This HB, if passed, will undermine CRA's. Encouraged all to contact their legislators to oppose HB9 and fight for Home Rule.**

Vice Mayor Clarke

- **Commented on the passing of Betty Smith and sends her condolences to Betty's family.**
- **Pull Items #8 and #9 from the Consent Calendar.**
- **Thanked Public Works for the job they do, keeping our streets, sidewalks, and downtown in good condition. Would like flowering trees to replace the trees that are and need to be cut down on East Ocean and other areas.**

COMMENTS BY CITY MANAGER

No comments.

APPROVAL OF AGENDA

 **6:35 PM Motion: Move approval of the Agenda pulling Items #8 and #9.**
Motion by: Commissioner Glass Leighton
Seconded by: Vive Mayor Clarke
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (5 min. max)

1) **David Frohman – Akron Ave.; Opposes changes to the tram program. Willing to pay a fee for the service.**

2) **Mrs. Frohman – Akron Ave.; Commented that the tram is often empty, she has a petition to be turned in at a later date. Opposes the changes to the tram service.**

3) **Jackie Trancynger – NE Acapulco, Jensen Beach; Thanked the LPA for their deliberation on the Savannah Place property, suggested the Commission look at the traffic study again and postpone the yes vote for the people of Jensen Park Estates.**

4) **Jay Bashant – Akron Ave.; Utilizes the tram when friends come to visit, lessening the parking in downtown. Would participate in an annual membership fee. Complemented the tram drivers.**

5) **Kellie Pomfrey – Akron Ave.; Feels the new procedures are not successful and feels the communication is lacking in the tram program. Would participate in an annual membership fee.**

6) **Dr. Julie Bjornson – Riverboat Drive; Thanked the Commission for banning glyphosate. Provided a copy of an article on citrus greening.**

7) **Eric Wickstrom – California; Feels the downtown business owners benefit the most from the tram service and would be willing to contribute to the funding.**

8) **Nik Schroth – Palm St.; President of Stuart Mainstreet and announced they wrote a letter in support of the fixed route tram system.**

9) **Helen McBride – Flamingo Ave.; A paid tram service would have to represent all of Stuart, and the route would have to be expanded, and not available for only those residents who live on certain streets. All citizens need to be treated equally.**

10) **Mark Breckbill – commented on the value of parking for businesses in downtown and the shop owners would bear the brunt of the cost if paid parking is implemented, should be funded over a larger area.**

7:08 PM CONSENT CALENDAR

3. APPROVAL OF 02/25/2019 CCM MINUTES

4. INTERLOCAL AGREEMENT WITH COUNTY FOR FIRE/RESCUE:

RESOLUTION No. 26-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF STUART ("CITY") AND MARTIN COUNTY ("COUNTY") FOR FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES; AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5. BUSINESS DEVELOPMENT BOARD (BDB) GRANT AGREEMENT:

RESOLUTION No. 28-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A GRANT AWARD AGREEMENT BETWEEN THE CITY OF STUART AND THE BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY TO PROVIDE TECHNICAL ASSISTANCE AND OTHER RELATIVE ECONOMIC DEVELOPMENT PROJECTS, PROGRAMS, AND SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6. BUDGET AMENDMENT FOR CHANNEL AND DOLPHIN SEWER:

RESOLUTION No. 30-2019; RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT #6 TO THE 2018-2019 WATER SEWER FUND AUTHORIZING A $98,412.60 TRANSFER FROM SEWER AVAILABILITY FEES TO WATER DISTRIBUTION AND COLLECTION TEAM, INFRASTRUCTURE. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7. BID AWARD FOR CHANNEL AND DOLPHIN SEWER:

RESOLUTION No. 31-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF WORK ORDER NO. 2019-300-W02, CHANNEL AND DOLPHIN LOW PRESSURE SEWER BASINS TO THE LOWEST, MOST RESPONSIVE RESPONSIBLE BIDDER, FELIX AND ASSOCIATES, INC. PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

PULLED 8. OPPOSITION TO HOUSE BILL 9 RELATING TO COMMUNITY REDEVLOPMENT AGENCIES:

RESOLUTION No. 36-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OPPOSING HOUSE BILL 9 RELATING TO COMMUNITY REDEVELOPMENT AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

PULLED 9. SALE OF DIXIE AND MLK PROPERTY:

RESOLUTION No. 32-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A REAL ESTATE SALES AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

Motion: Move approval of Consent, pulling Items 8 and 9.
Motion by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.
8. OPPOSITION TO HOUSE BILL 9 RELATING TO COMMUNITY REDEVLOPMENT AGENCIES:

RESOLUTION No. 36-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, OPPOSING HOUSE BILL 9 RELATING TO COMMUNITY REDEVELOPMENT AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Clarke requested the City Attorney review this resolution relating to the CRA. Mortell gave a brief description of the House Bill and the reasons to oppose it.

7:11 PM Motion: Motion that we submit Resolution No. 36-2019 opposing House Bill #9 which relates to Community Redevelopment Agencies.
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Meier
Motion passed unanimously.

9. SALE OF DIXIE AND MLK PROPERTY:

RESOLUTION No. 32-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A REAL ESTATE SALES AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attorney Mortell reviewed the details of Resolution No. 32-2019.

7:13 PM Motion: I'll make a motion for the sale of the Dixie and Martin Luther King property located at the corner of Dixie and Martin Luther King Jr. Blvd. in accordance with Resolution No. 32-2019.
Matheson: I'd just like to put the stipulation on it, that all net proceeds go to future land acquisitions we're selling City owned land, I think we should do that, or capital improvements. I don't believe this money should be used for operational costs.
Clarke – Yes, I'll amend my motion to put the monies, the $630,000 into an appropriate, the net proceeds, the appropriate sinking fund or something for land acquisition, or capital improvement.
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Matheson
Abstain: Commissioner Meier (Form 8A Completed)
Motion passed unanimously.

7:15 PM COMMISSION ACTION

10. CONTINUED FROM NOVEMBER 26, 2018 - SAILFISH BALLFIELD AND CITY GARAGE PROPERTY:

RFP #2018-204; SALE (OR LONG TERM LEASE) AND DEVELOPMENT OF TWO CITY OWNED PARCELS SAILFISH BALLFIELD AND CITY GARAGE PROPERTY.

Commissioner Matheson commented that he feels it is best to cancel it in the interest of our residents and tax payers.

Commissioner Meier thanked the companies that submitted the proposals. Though he would like to see either project in the City, he agrees with cancelling the RFP as either of these projects is at the right place, at the right time.

Mayor Bruner commented that the property of the ballfields is a beautiful piece of property and would like to have a workshop where the commissions decide what would be best in that space. Our goal is to move the ballparks over to 10th Street. Interested in several workshops and bring developers in.

Commissioner Meier reported that he does not think that neither a ballpark, nor townhouses are the best use for the property. Not interested in cancelling the RFP if it is going to come back up in a year and not interested in selling it to developers anywhere in the near future.

Commissioner Clarke commented that once a plan is developed for 10th Street, good to review.

Commissioner Glass Leighton commented that the City needs to address revenue for the City. Though green space is vital, we need to figure out a way to pay for what we are using and what we will use in the future.

Public Comment:

1) **Mark Breckbill – Commented on the missed revenue on the ballfield property and the expense associated with the process of the proposals submitted.**

2) **Sally Dadko Rose – Riverside Dr.; Joined by Linda Shane of Alamanda Way, commented on a petition she has for the opposition of the sale of the Sailfish Park.**

3) **Armond Pasquale – Seminole St.; In favor of saving the ballfields, likes to see more parks/greenspace.**

4) **Helen McBride – Flamingo Ave.; Commented that she would like to see a park in the location of the ballfield.**

5) **Faye James – Florida St.; Disappointed in the rejection of the affordable housing, in favor of developing a full facility on 10th Street.**

6) **Eric Wickstrom – California; Feels there are plenty of parks, the community needs hotels, housing, new people, create new businesses and an art district. 10th St. facility is a beautiful place for recreation. The development would bring in more tax dollars.**

Commission discussion included the City's role in this process, the value of public land, the plans being developed for the 10 Street Facility, and the time frame to be expected.

7:16 PM Motion: Motion that we do not select either proposal for the sale of the Sailfish Ballfield. [Mortell: Motion to rescind the RFP at this time, to not move forward and not select anyone, but not put it back out, but to end it.]
Motion by: Commissioner Meier
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

11. LETTER OF TRANSMITTAL WITH CITY COMMENTS TO THE U.S. ARMY CORPS OF ENGINEERS FOR THE 2022 LOSOM:

RESOLUTION No. 29-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A LETTER OF TRANSMITTAL AND COMMENTS TO PROVIDE THE UNITED STATES ARMY CORPS OF ENGINEERS DURING THE PUBLIC SCOPING PROCESS FOR THE DEVELOPMENT OF THE 2022 LAKE OKEECHOBEE SYSTEM OPERATING MANUAL, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Commissioner Matheson thanked Mr. Ben Hogarth, Community Affairs Liaison, for drafting the letter. Commissioner Clarke asked if the Commissioner questions were incorporated. Mr. Hogarth explained what was included in the letter. The letter includes a signature from all Commissioners.

Commissioner Matheson asked Commissioner Glass Leighton if she would amend her motion. Commissioner Glass Leighton agreed.

7:56 PM Motion: Move approval.
Amended Motion: To include staff reaching out to the Town of Sewall's Point and Ocean Breeze and other relevant municipalities to see if they would support our written comments and Ben's work.
Motion by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

ORDINANCE FIRST READING

12. SAVANNAH PLACE APARTMENTS RPUD - FLUM AND RE-ZONING (QUASI-JUDICIAL):

ORDINANCE No: 2398-2019: 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 "MULTI-FAMILY RESIDENTIAL" FOR A 15.2 ACRE PARCEL ANNEXED BY ORDINANCE NO. 2348-2017, OWNED BY WERNER BOLS, LOCATED ON THE NORTH SIDE OF THE INTERSECTION OF N.E. SAVANNAH ROAD AND N.E. BAKER ROAD, WEST OF THE HOPE CENTER FOR AUTISM AND SOUTH OF JENSEN PARK ESTATES BOTH IN UNINCORPORATED MARTIN COUNTY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; AND FURTHER PROVIDING THAT SAID LANDS SHALL CONCURRENTLY ESTABLISH THE SAVANNAH PLACE

APARTMENTS RESIDENTIAL PLANNED UNIT DEVELOPMENT RPUD CONSISTING OF TWO HUNDRED EIGHTY (280) MULTI-FAMILY UNITS WITHIN SIX (6) INDIVIDUAL FOUR-STORY APARTMENT BUILDINGS; APPROVING A DEVELOPMENT SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING 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.

Quasi-Judicial
6 People sworn; Kevin Freeman and Tom Reetz of the City of Stuart, Steve Gravett of Kimley-Horn, Doug Fitzwater of Lucido and Associates, Terry McCarthy, Steve Marquart of Captec. Mr. Jim Goldasich of Goldasich Environmental and Associates arrived late and was not sworn.

Tom Reetz, Senior Planner, briefly presented on the Savannah Place Apartments RPUD.

Doug Fitzwater presented on the application. Jim Goldasich presented on the environmental impacts and wetlands, exotics removal and the preservation area. Steve Marquart reviewed the stormwater management plan.

Commission and applicant discussion.

Public Comment:

1) **Henry Pruitt – St. Lucie Blvd.; Building owner neighboring the property, area has drainage issues, density concerns and recommends the Commission vote this project down.**

2) **Suzy Hutchenson – Sunset Trace Circle; Helping People Succeed located there and commented on concerns of density and the footage between buildings and increased crime.**

3) **Kristin Ruceolo – NE Lima Vias; Commented on concern on loss of privacy.**

4) **Denise Dow – NE Vanda Terr.; Retired to the area and is concerned about the extra 1,000 people coming to live, the environmental effects on the turtles and birds, and the affordable housing and added crime.**

5) **Lindsay Campbell – NE Lima Vias; opposes having their home exposed to three story buildings. Understands the property should be built, but would like to see it reduced; concerns of school availability and environmental impacts.**
6) **Michael Getlic – NE Elm Terr.; Commented that though the project is down to three stories, there is another building behind it that is four stories. Suggests the project be built in another area of town.**

8:59 PM Motion: Move approval of Item 12 with staffs comment, staff's recommendation.
Motion by: Commissioner Meier
Seconded by: Commissioner Glass Leighton
Motion passed unanimously.

13. ESTABLISH BICYCLE PARKING AND DESIGN STANDARDS:

ORDINANCE No. 2396-2019; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION OF CHAPTER VI ENTITLED "6.01.05 BICYLE AND PEDESTRIAN ACCESS FOR LARGE COMMERCIAL DEVELOPMENTS" AND CREATING A SECTION OF CHAPTER VI ENTITLED "6.01.20. BICYCLE PARKING" THEREBY ESTABLISHING BICYCLE PARKING AND BICYCLE RACKS DESIGN STANDARDS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Pinal Gandhi-Savdas presented on Ordinance No. 2396-2019.

Motion: Move approval.
Motion by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

14. AMENDMENT TO LAND DEVELOPMENT CODE TO CREATE URBAN PUD AND EAST STUART PUD ZONING DESIGNATIONS (QUASI-JUDICIAL):

ORDINANCE No. 2401-2019; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION OF CHAPTER II ENTITLED "ZONING DISTRCTS USES ALLOWED, DENSITY, INTENSITY" AND CREATING ADDITIONAL ZONING DISTRICT DESIGNATIONS OF URBAN PLANNED UNIT DEVELOPMENT AND EAST STUART PLANNED UNIT DEVELOPMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Vice Mayor Clarke requested to Table Ordinance No. 2401-2019 to the next meeting and have it further up on the Agenda so people can be there and have the option to comment early.

9:32 PM Motion: Table it until the next meeting, put it closer up to the front of the Agenda.
Motion by: Vice Mayor Clarke
Seconded by: Commissioner Meier
Motion passed 4/1.

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

ORDINANCE SECOND READING

DISCUSSION AND DELIBERATION

9:34 PM ADJOURNMENT

_____ **_____**

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

Minutes to be approved at the Regular Commission Meeting this 25th day of March, 2019.