MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD April 22, 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

5:40 PM Roll Call.
Present: Mayor Bruner, Vice Mayor Clarke, Commissioner Glass Leighton, Commissioner Matheson, Commissioner Meier.

5:40 PM PLEDGE OF ALLEGIANCE

PROCLAMATIONS

5:41 PM 1. STAMP OUT HUNGER DAY - MAY 11, 2019

Rob Ranieri, Director of House of Hope along with Postal Service Mail Carrier, Star Hunter and Branch Manager, Veronica Flores Osborne graciously accepted the Proclamation and announced that the one day food drive is the largest effort of its kind throughout the world and in Martin County collects over 60,000 lbs. of food to help support the community.

5:47 PM 2. MENTAL HEALTH AWARENESS MONTH - MAY 2019

Tiara Weethee, Director of Marketing Communications from Suncoast Mental Health Center accepted the Proclamation, thanked the Commission and invited all to attend

the Mental Health Awareness Brown Bag Lecture on May 15th at 11 a.m. at the IRSC Main Campus and provided a flyer for the Commissioners.

5:51 PM 3. FOSTER CARE AWARENESS MONTH - MAY 2019

Erica Brenson and Sabrina Brenson graciously accepted the Proclamation and announced the need for volunteers and awareness.

5:54 PM 4. LYME DISEASE AWAREMENSS MONTH - MAY 2019

Jan Foselli, accepted the Proclamation and reported on a few facts about Lyme's Disease and why it's important to be aware of the symptoms, and how it is contracted.

5:58 PM 5. 50TH ANNIVERSARY OF MUNICIPAL CLERKS WEEK - MAY 5-11, 2019

Mary Kindel, City Clerk, accepted the Proclamation and thanked the Commission.

PRESENTATIONS

6:00 PM 6. APRIL SERVICE AWARDS

Robert Carlson, Fire Department – 5 Years
Bobby Bolden, Public Works – 15 Years

6:02 PM 7. EMPLOYEE OF THE MONTH - APRIL 2019

David Peters, Public Works Director, announced and introduced Ms. Anne Ellig, Recycling and Conservation Coordinator as Employee of the Month in recognition of her efforts in the coordination of Water Fest.

6:05 PM 8. PRESENTATION BY THE EXTERNAL AUDITING FIRM OF MOORE STEPHENS LOVELACE, PA OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDED 09/30/2018.

Mr. Bill Blend of Moore Stephens Lovelace, presented on the September 30, 2018 Comprehensive Annual Financial Report.

6:11 PM 9. ORCA MONITORING SYSTEM PRESENTATION BY DR. EDITH WIDDER.

Dr. Edith Widder presented on the monitoring data of algae blooms in the St. Lucie River.

Commissioner Meier thanked Dr. Widder and requested continued research in the correlation between oxygen and phosphorus.

Commissioner Matheson also thanked Dr. Widder and asked various questions pertaining to her data.

6:36 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **No Comments.**

Commissioner Matheson

- **Wished all a Happy Earth Day.**
- **Thanked staff and the City Manager for the hard work being done as a result of the computer ransom attack.**

Commission Meier

- **Happy Earth Day to the audience.**
- **Thanked staff for their work in water conservation and environmental actions.**
- **Condolences to the families of victims in the Sri Lanka attacks on Easter.**
- **Requested the City Manager provide an update on the computer hacking.**

Vice Mayor Clarke

- **Reminded all about the Special Commission Meeting Workshop on April 25, 2019 at 6:30pm at 10th Street Community Center.**
- **Announced that Historic Preservation Month is coming up.**
- **Thanked the Police Department for their community outreach.**
- **Requested the City Manager to invite the Stuart Housing Authority to present on what they do, how they do it, and the services they provide.**

Mayor Bruner

- **Commented that she is looking forward to the Stuart Air Show participation in this year's upcoming 4th of July celebration.**

6:41 PM COMMENTS BY CITY MANAGER

City Manager Dyess

- **Commented on the Audit Report that all Commissioners have in front of them for their review.**
- **Provided a ransomware attack update.**

APPROVAL OF AGENDA

6:43 PM Motion: Move approval of the Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

6:43 PM COMMENTS FROM THE PUBLIC (5 min. max)

1) **Helen McBride – Flamingo Avenue; Green Market Concerns; feels the vendors have expanded beyond the original planned parking lot space and curious about them all pulling permits and the use of banana flags. Wants to keep the historic beauty of downtown Stuart.**

City Manager Dyess reported that the Green Market applies each week for a permit and a specific number of vendors are allowed to stay to a later time when the Rockin' Riverwalk is there. The City will check on the banana flags as they are not permitted.

6:49 PM CONSENT CALENDAR

10. APPROVAL OF 04/08/2019 CCM MINUTES

11. REAPPOINTMENT OF STUART HOUSING AUTHORITY BOARD MEMBERS, BARBARA DOTSON AND DEBORAH LANGSTON FOR FOUR (4) YEAR TERMS.

12. SUPPORT FOR HB 219 AND SB 370 RELATING TO VICTIMS OF HUMAN TRAFFICKING:

RESOLUTION No. 43-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING HOUSE BILL 219 AND SENATE BILL 370, AMENDING FLORIDA STATUTE, SECTION 796.07 REQUIRING A MANDATORY MINIMUM PERIOD OF INCARCERATION FOR PROSTITUTION OFFENCES INVOLVING VICTIMS OF "HUMAN TRAFFICKING;" AND PROVIDING FOR AN EFFECTIVE DATE.

END OF CONSENT CALENDAR

6:49 PM Motion: Move approval of the Consent Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

COMMISSION ACTION

6:50 PM 13. NORTHPOINT MAJOR URBAN CONDITIONAL USE - NORTH STUART ACQUISITION AND DEVELOPMENT:

RESOLUTION No. 16-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A CONDITIONAL USE APPROVAL TO NORTH STUART ACQUISITION AND DEVELOPMENT, LLC, OWNER OF PROPERTY LOCATED BETWEEN OLD DIXIE HIGHWAY AND THE FEC RAILROAD, NORTH OF THE ST. LUCIE RIVER, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; GRANTING APPROVAL FOR MIXED USE DEVELOPMENT OF A 27,300 SQUARE FOOT OFFICE BUILDING WITH 1,338 SQUARE FEET OF RETAIL SPACE, A 200 SEAT RESTAURANT AND A 18-SPACE PARKING GARAGE ON A 2.73-ACRE SITE; TO ALLOW FOR PARKING WITHIN THE BUILDING ENVELOPE, FOR A CONTINUOUS BUILDING FAÇADE OF MORE THAN 100 FEET IN WIDTH WITHOUT PROVIDING AN ADDITIONAL VISTA, FOR REDUCTION IN WIDTH OF THE SIDE VISTAS, FOR AN INCREASE IN

ALLOWABLE BUILDING HEIGHT, FOR REDUCTION IN LANDSCAPE BUFFERSAND A REDUCTION OF SETBACKS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

Quasi-Judicial
Four (4) people sworn in.
Kevin Freeman and Stephen Mayer of the City of Stuart Development Department, Richard Geisinger of North Stuart Acquisition, and Bob Raynes of Gunster Florida Law.

Stephen Mayer, Senior Planner, gave a review of the Northpoint status.

Richard Geisinger presented on the sidewalk, landscaping, and building updates. Applicant has requested an extension of the closing deadline to June 10, 2019.

7:15 PM Motion: Based on Item #13 as presented to us, Resolution No. 16-2019, I move approval and include the extension of time for them to respond to us up to June 10th and to include all of the staff comments as well as the items that they have committed that they're taking care of, or already taken care of.
Moved by: Commissioner Clarke
Seconded by: Commissioner Matheson.
Motion passed unanimously.

ORDINANCE FIRST READING

7:17 PM 14. MEMORIAL MARKER SIGNS:

ORDINANCE No. 2399-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING SECTION 6.11.13., SPECIAL PURPOSE SIGNS AND SIGNING IN CHAPTER VI OF THE LAND DEVELOPMENT CODE TO INCLUDE MEMORIAL MARKER SIGN STANDARDS WITHIN CITY OF STUART ROAD RIGHTS-OF-WAY; PROVIDING FOR A SEVERABILITY CLAUSE AND A CONFLICT CLAUSE; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Mr. David Peters, Public Works Director presented on the recommended amendments to the City's code to established a Memorial Marker Sign Program to commemorate those who have died as a result of a vehicle related accident on a City roadway.

7:20 PM **Motion: Move approval of Ordinance No. 2399-2019.**
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Matheson.
Motion passed unanimously.

ORDINANCE SECOND READING

7:21 PM 15. SECOND READING: AUTHORIZING PENALTIES AGAINST UNLICENSED CONTRACTORS:

ORDINANCE No. 2404-2019; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING CHAPTER 10, ARTICLE VIII, SECTION 10-200 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7:21 PM Motion: Move approval of Ordinance No. 2404-2019 on Second Reading.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Clarke
Motion passed unanimously.

7:22 PM 16. SECOND READING: ST. LUCIE ESTATES ROW ABANDONMENT (QUASI-JUDICIAL):

ORDINANCE No. 2405-2019; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO PROVIDE FOR THE ABANDONMENT OF CERTAIN PUBLIC RIGHTOF-WAY WITHIN THE CITY BEING THAT CERTAIN 30-FOOT RIGHT-OF-WAY, AS SET FORTH ON THE PLAT OF ST. LUCIE ESTATES, AS RECORDED IN PLAT BOOK 10, PAGE 70, PALM BEACH (NOW MARTIN) COUNTY, FLORIDA PUBLIC RECORDS RUNNING NORTH TO SOUTH THROUGH THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR PAYMENT OF A PRIVILEGE FEE: PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7:22 PM Motion: Move approval of Ordinance No. 2405-2019 on Second Reading.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Clarke.
Motion passed unanimously.

DISCUSSION AND DELIBERATION

7:25 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 13th day of May, 2019.