MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
HELD June 24, 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

5:31 PM PROCLAMATIONS

1. PARK AND RECREATION MONTH - JULY 2019

Community Services Program Leader, Jessica Tharp accepted the Proclamation and spoke about the variety of activities offered and their benefits.

PRESENTATIONS

2. JUNE SERVICE AWARDS

Robert Cummings	**5 Years**
Corey Lee	**5 Years**
Tom Gillen	**10 Years**

Robert Green 10 Years
Michael Marshall 15 Years
Michael Woodside 15 Years

5:38 PM 3. JUNE EMPLOYEE OF THE MONTH

Fire Chief, Vince Felicione introduced Robert Cummings as the June Employee of the Month.

5:41 PM 4. LEGISLATIVE UPDATE REGARDING IMPACTS ON CITIES BY PATRICIA CHRISTENSEN.

Patricia Christiansen, Treasure Coast League of Cities Executive Director and Advocacy Consultant for the Florida League of Cities. Presented Commissioner Meier with the 2019 Home Rule Hero Award and provided a legislative update including the highlights of CSHB9 CRA bill, vegetable gardens, motorized scooters, etc.

5:50 PM COMMENTS BY CITY COMMISSIONERS

Commissioner Glass Leighton

- **Commented that she is thankful to the City residents for allowing her to continue as a Commissioner for another two years.**
- **Reported that she reached out to Congressman Mast, requesting that he speak to Governor DeSantis on the City's behalf for the Water Appropriation Bill, relaying the importance of the City's water supply. The Governor did not make cuts and she would like the City to send Mast a thank you letter for reaching out to DeSantis.**

5:51 PM Motion: I make a motion that the City, on behalf of all of us send a letter to Congressman Mast office, thanking him for reaching out to the Governor regarding our water appropriation.
Moved by: Commissioner Glass Leighton
Seconded by: Vice Mayor Clarke
Motion passed unanimously.

Commissioner Matheson

- **Announced the upcoming Rivers Coalition Meeting at City Hall on June 27th at 11:00 a.m. and on July 10th, the South Florida Water Management District Workshop at 1 p.m.**

Commissioner Meier

- **Apologized for missing the last Commission Meeting as he was out of the Country.**
- **Commented that he was recently in Savannah, GA and noticed the trees, would like to keep shade trees a priority in Stuart.**

- **Thanked the Mayor, City Manager, and Police Chief for being a part of the panel at the Community Empowerment Forum hosted by the NAACP and ACLU to discuss police and community relations. He heard from many in the audience that they were disappointed that not one of the people on the forum acknowledged that there is an issue between police and communities of color. He recognized there is an issue but the first forum was good and we have more planned, appreciates them taking the initiative to speak from the heart.**

Vice Mayor Clarke

- **Congratulated both Mayor Burner and Commissioner Glass Leighton on their next term.**
- **Commented that she is pleased that the Recreation Center received recognition and offers continued support.**
- **Reported that she attended the NAACP Meeting on June 20th, noting some issues that may need to be discussed and feels that the City's support of the local community groups is important.**

Mayor Bruner

- **Announced the July 4th Event**

6:01 PM COMMENTS BY CITY MANAGER

- **Congratulations to Both Commissioner Glass Leighton and Mayor Bruner for their next two year term.**
- **Introduced Darren Duke, the City's new Information Services Director.**
- **Commented that he would like to invite Ben Hogarth, Communications Liaison, to come forward during his comments to give a quick bullet point status of the river during the summer months of every commission meeting, keeping the Commission and community updated.**

Ben Hogarth briefly commented on the height of Lake Okeechobee and discharges, there is a toxic algae bloom found in parts of the Lake, some blooms are not toxic. Announced upcoming River Cleanup on July 27th from 8 a.m. to 12 p.m. in Shepard Park, register by July 2nd. He also reported that Dr. Edith Widder recently discovered a juvenile giant squid 100 miles off the shores of New Orleans.

APPROVAL OF AGENDA

6:10 PM Motion: I'll move approval of the Agenda.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

6:11 PM COMMENTS FROM THE PUBLIC (5 min. max)

1) **Helen McBride – Flamingo Avenue; Commented to encourage the commissioners to visit the East Stuart Recreation Center and observe the**

children and senior citizen activities for consideration in the budget planning process. She commended the employees of the Center as well.

CONSENT CALENDAR

Vice Mayor Clarke requested to pull Item #7 for explanation purposes.

5. APPROVAL OF 06/06/2019 SCM AND 06/10/2019 CCM MINUTES

6. ADVISORY BOARD APPOINTMENT OF CAMPBELL RICH TO THE LOCAL PLANNING AGENCY/PLANNING ADVISORY BOARD (LPA)

PULLED 7. BUILD ALTERNATIVE 1 US-1 AT SW JOAN JEFFERSON WAY:

RESOLUTION No. 57-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING THE IMPROVEMENTS AS DESCRIBED WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTION'S US-1 AT SW JOAN JEFFERSON WAY PLANNING STUDY FOR BUILD ALTERNATIVE 1, EXCEPT FOR THE IMPROVEMENT MODIFYING THE SAILFISH CIRCLE ROUNDABOUT INTO A SINGLE LANE ROUNDABOUT WITH TRUCK APRON; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

8. AWARD DOW NTOW N RIVERWALK DECKING PROJECT:

RESOLUTION No. 60-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE THE AWARD OF ITB #2019-104, DOWNTOWN RIVERWALK DECKING REPLACEMENT PROJECT TO THE LOWEST, RESPONSIVE, RESPONSIBLE ALTERNATE BIDDER, BROTHERS' CONSTRUCTION, INC. OF STUART, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. BUDGET AMENDMENT No. 9, EARLY COMPLETION INCENTIVE FOR PFC TREATMENT SYSTEM:

RESOLUTION No. 62-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 9 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR A CHANGE ORDER WITH LAWRENCE LEE CONSTRUCTION SERVICES IN THE AMOUNT OF $61,500.00 FOR MEETING THE EARLY COMPLETION INCENTIVE WITHIN ITB #2018-109 FOR THE PER-FLUORINATED CHEMICAL TREATMENT SYSTEM PROJECT. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

10. BUDGET AMENDMENT No. 10 SURFICIAL AQUIFER SYSTEM WELLFIELD EVALUATION:

RESOLUTION No. 63-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING BUDGET AMENDMENT No. 10 TO THE 2018-2019 WATER SEWER FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR A WORK AUTHORIZATION WITH KIMLEY HORN AND

ASSOCIATES, INC. IN THE AMOUNT OF $54,942.00 FOR THE SURFICIAL AQUIFER SYSTEM WELLFIELD EVALUATION. PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:13 PM Motion: I'll move approval of the Consent Agenda with Item #7 being pulled.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Meier
Motion passed unanimously.

7. BUILD ALTERNATIVE 1 US-1 AT SW JOAN JEFFERSON WAY:

RESOLUTION No. 57-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, SUPPORTING THE IMPROVEMENTS AS DESCRIBED WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTION'S US-1 AT SW JOAN JEFFERSON WAY PLANNING STUDY FOR BUILD ALTERNATIVE 1, EXCEPT FOR THE IMPROVEMENT MODIFYING THE SAILFISH CIRCLE ROUNDABOUT INTO A SINGLE LANE ROUNDABOUT WITH TRUCK APRON; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Manager Dyess reported the MPO plan and alternatives and David Peters, Public Works Director stated that the schedule will be added to the City's website.

6:17 PM Motion: I'll move approval of Resolution 57-2019.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Matheson
Motion passed unanimously.

Commissioner Meier congratulated Mr. Rich on his LPA appointment.

6:19 PM COMMISSION ACTION

11. AUTHORIZATION TO PERFECT REAL ESTATE CONTRACT FOR WELLS FARGO BANK BUILDING AND ADJACENT PROPERTIES:

RESOLUTION No. 64-2019; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER OR CITY ATTORNEY TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND COMPLIANCE WITH ALL REAL ESTATE CONTRACT TERMS AS THEY BECOME DUE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Meier commented that we might be facing a recession in the near future and thinks that this is contingent on the path of moving City Hall, which he is in support of. Otherwise, this may not be the most prudent investment [movement].

Commissioner Matheson supports the decision.

Public Comment:

1) **Armond Pasquale – Seminole Street; Opposes City Hall moving from its current location. Commented on the expense of the new Azul Apartments and the price of the Wells Fargo property being too high.**

6:19 AM Motion: Move approval.
Moved by: Commissioner Glass Leighton
Seconded by: Commissioner Matheson
Motion passed 4/1.

Clarke – No
Glass Leighton - Yes
Bruner – Yes
Meier – Yes
Matheson – Yes

Commissioner Meier clarified for the record stating the Azul Apartments are considered luxury and the prices last listed for a 1 bedroom apartment is $1,495.

City Manager Dyess confirmed for the record that there is no tax increase to pay for this building, it is out of property management fund and current leases of the building.

ORDINANCE FIRST READING

ORDINANCE SECOND READING

6:26 PM DISCUSSION AND DELIBERATION

12. RESIDENTIAL FENCE REGULATIONS SPECIFIC TO R-2 ZONED PROPERTY AND/OR DUPLEX HOUSING ONLY.

Stephen Mayer, Development Department Senior Planner, presented on current fence regulations and the aesthetic and safety reasons for regulations. Staff suggested a limited text amendment to change only open fences or fences of any type under 4 feet high in the front yard within the R-2 District if the property is used as a duplex.

Kevin Freeman, Development Director, added that the 4 feet would be a solid fence and the City would allow a 6 foot fence provided the additional 2 feet was open (trellis/lattice). This would be a minor change to the code; the remaining code stays the same.

Discussion on duplex zoning, exceptions, properties in R-2 zoning that would be impacted and non-conforming by this regulation and aesthetics.

6:33 PM Motion: Move that staff bring back an Ordinance to revise the code per your recommendation to allow an open type fence of 6 foot, but no higher than 4 feet of an opaque fence in the R-2 zoning district for duplexes. But I would also like to request that hedges/landscaping not be considered a closed fence.
Meier Restated Ordinance: Move that we have staff bring back an Ordinance per their recommendation for R-2 Duplex zoning if it's possible for us to, sounds like it's impossible for us to limit it to, attached duplex homes.
Moved by: Commissioner Meier
Seconded by: Commissioner Matheson
Motion passed 4/1

Bruner - Yes
Clarke - Yes
Glass Leighton - No
Matheson – Yes
Meier - Yes

6:46 PM ADJOURNMENT

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

Minutes to be approved at the Regular Commission
Meeting this 8th day of July, 2019.