

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
DECEMBER 11, 2023
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald
Vice Mayor Becky Bruner
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Campbell Rich

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

4:02 PM

PRESENT: Mayor McDonald, Vice Mayor Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

INVOCATION

Bishop Edward J. Skiba, the Stuart Police Chaplain said the Invocation.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - RAMONA FLORIDOR-WHITE SONG PERFORMANCE OF "HAVE YOURSELF A MERRY LITTLE CHRISTMAS"

Ramona Floridor-White performed a song for the holidays.

2. SELECTION OF MAYOR AND VICE MAYOR

Mayor McDonald received a gift as Mayor, the City thanking him for his service. He reflected on the accomplishments of the past year, including Fire Station #3 Groundbreaking, the 3M litigation, and the current process of the Brightline train. He is hopeful to keep the momentum going and is so happy to be a part of this City. Thanked his wife for her support.

4:13 PM MOTION: Approve Becky Bruner as Mayor.
MOVED BY: Campbell Rich
SECONDED BY: Eula Clarke
Motion approved unanimously.

Commissioner Rich commented on Mr. McDonald's Mayorship and complimented him for the assistance he provided to him and Commissioner Collins when they were new to the board.

Newly appointed Mayor Bruner echoed Commissioner Rich's comments and thanked the Board for selecting her as Mayor.

4:16 PM MOTION: Approve Campbell Rich as Vice Mayor.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

***** Mayor - Rebecca S. Bruner *****
***** Vice Mayor - Campbell Rich *****

PROCLAMATIONS

3. WORLD AIDS DAY (DECEMBER 1, 2023)

Richardo Jackson, CEO of Campbell Health Solutions and Syneitha Coaxum, Program Manager not present to accept the Proclamation but did arrive at end of meeting to collect the Proclamation.

4. WREATHS ACROSS AMERICA DAY (DECEMBER 16, 2023)

Shirley Rearick, President of the American Legion Harold Johns Auxiliary, and Karen Zook, Volunteer Coordinator of Forest Hills Memorial Park, received the Proclamation and thanked the City for its recognition.

5. SCOTT EARL RETIREMENT

Scott Earl, Water Treatment Plant Operator of the City's Utilities and Engineering Department, received Proclamation and thanked the City.

PRESENTATIONS

6. SERVICE AWARDS - DECEMBER 2023

Diane Kirkland	Police	25 years	Not Present
John LaPadula	Building Maintenance	20 years	Present
Nicholas Briglia	Police	20 years	Not Present
Jameca Wyche	Building Maintenance	5 years	Present

COMMENTS BY CITY COMMISSIONERS

Commissioner McDonald

- Recognized County Administrators in the audience, Don Donaldson and George Stokus.

- Commented on the Santa's City Lights event in Memorial Park, happy to see so many people come out for the various events.
- Attended the Hanukkah Memorial Lighting Celebration and noted that this year's event was more solemn, and security was needed. Sadened that anyone should feel security is needed in celebrating their religion.
- Stated he would like to look at possibly moving crosswalk thirty (30) feet to the north, it is a potential problem for traffic and pedestrians.

Commissioner Clarke

- Echoed Commissioner McDonald's comments on events.
- Commented on the crosswalk at A1A, the left on Decker creates a backup after a train, feels the railroad crossings and crosswalks should be reviewed; asked for all to be patient as the number of trains have increased.
- Congratulated the new Mayor and Vice Mayor.
- Thanked Scott Earl for giving the City of Stuart forty-two (42) years on the night shift at the Water Plant.
- Passed out an ornament gift to the Commissioners and Administration.

Commissioner Collins

- Commented on a Tampa Bay Times article, read parts of the article and commented on the removal of home rule and allowing voters to decide how their town is developed.
- Congratulated Becky Bruner as Mayor.

Vice Mayor Rich

- Commented on the nice activities as a Commissioner, such as the Parade and Tree Lighting event.
- Commented that he and his wife moved here in the 1980's and that it is a very different community than it was then. Stated he recognized that the decisions they make affect the community long-term and asked the Commission to keep in mind as they make decisions in the future, who can benefit on a long-term basis.

Mayor Bruner

- Commented that Santa's City Lights event is nice and would like to see it expand.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Commented that Santa's City Lights tree event has grown and that the trees will be kept up until after the new year for all to visit at the park. He would like to see it grow and believes it will increase over time.

APPROVAL OF AGENDA

4:48 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Eula Clarke

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

1. Trevor Sherard - 5th Street; Attorney and father of three; has a special needs child and has not found a special needs sports program locally, but found such a program in Palm Beach called the Miracle League. The Miracle League of Martin County is now established and working with special needs. This is a free program and asked that the community step up to be a part of it. He provided a handout to the Commissioners with his personal contact information.
2. Robin Cartwright - Hibiscus Avenue; Stated that she is a member of the Society of Wetlands Scientists and commented on the Brightline project being voted on today. Requested better questions, acceptable answers and a workshop so the community can understand what the City is agreeing on to use the resident tax dollars on.
3. Laura Giobbi - Ocean Avenue; Commented that many have voiced their opinions, but the Commission continues to vote for building that the public does not want. She does not see starter homes. People want homes to raise their families in, not condos and townhouses.
4. Rusty O'Connor - via Zoom; Respect the women from the Daughters of the Revolution, loves Florida.

(Clerks Note: Zoom comment shut down by Commission. Zoom participant caused question as a legitimate comment. Commission determined to end the call.)

CONSENT CALENDAR

7. APPROVAL OF 11/27/2023 CCM MINUTES (RC)
8. APPROVAL OF THE 2024 MEETING CALENDAR (RC)
9. AUTHORIZING PUBLIC WORKS TO APPLY FOR INDIAN RIVER LAGOON COUNCIL GRANT, EXECUTE AGREEMENT, AND MINOR MODIFICATIONS (RC):

RESOLUTION No. 122-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO SUBMIT AN APPLICATION FOR AN INDIAN RIVER LAGOON COUNCIL AND INDIAN RIVER LAGOON COUNCIL NATIONAL ESTUARY PROGRAM GRANT TO CONDUCT WATER QUALITY RESTORATION PROJECTS; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT IF AWARDED; AND FURTHER AUTHORIZING ANY MINOR AMENDMENTS TO THE GRANT AGREEMENT TO FACILITATE THE PROGRAM AS APPROPRIATE; AND IF GRANTED; PROVIDING AN

EFFECTIVE DATE, AND FOR OTHER PURPOSES.

- 10. AFFILIATION AGREEMENT WITH TREASURE COAST MEDICAL INSTITUTE FOR TRAINING OF EMT AND PARAMEDIC STUDENTS (RC):**

RESOLUTION No. 125-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO SIGN AN AFFILIATION AGREEMENT WITH TREASURE COAST MEDICAL INSTITUTE, INC. (TCMI), FOR THE TRAINING OF EMERGENCY MEDICAL TECHNICIAN (EMT) AND PARAMEDIC STUDENTS; AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:02 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Campbell Rich

Motion approved unanimously.

COMMISSION ACTION

- 11. INTERLOCAL AGREEMENT WITH MARTIN COUNTY REGARDING THE RFP TERMS FOR A BRIGHTLINE STATION (RC):**

RESOLUTION No. 120-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT WITH MARTIN COUNTY PROVIDING THE RESPONSIBILITIES OF THE PARTIES IN THE EVENT A PASSENGER RAIL STATION IS CONSTRUCTED ON FLAGLER AVENUE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Manager Mortell reviewed the history of the passenger rail in Stuart.

- Some time ago, the City was in the process of rewriting the City codes to realign the Urban Code and they adopted the Comprehensive Plan.
- Stated that over the years, there have been projects actively pursued, and many public meetings held in regard to the desire and what should be done to restore passenger rail. The recession came and it did not work out as planned.
- In 2014, All Aboard Florida came on the scene and extensive studies, at least five (5) public workshops and two different surveys were established. Sixty-five (65) percent were in favor of station in both surveys.
- Stated a Comprehensive Plan was adopted to prioritize and find ways to restore passenger rail. There are three (3) different references within the plan about how the City should prioritize to bring returning passenger rail and in addition to that, viral impact studies were done.
- There was a negative response against the idea of Brightline coming through, we held meetings here in the City Chambers and at the Lyric Theater and still the vast majority of the public was in favor.
- Public Hearings and Resolutions passed in 2014 - 2018, and the Commission

supported Brightline in 2022 and 2023.

- Many organizations support the City and Martin County working together to meet the standards.

City Manager stated that tonight's vote is to enter into an Interlocal Agreement between the City and Martin County. Martin County agrees to work with the City to do the application and joint submittal for the response to the Brightline RFP, include the County to deed a parking lot on the west side of Flagler Avenue, and join the City in any funding the County receives.

Commissioner Collins requested clarification on Paragraph 6, #1 and #2.

City Manager stated that the Resolution before them was to have City and County submit RFP for Brightline to select the City for the station. If approved, a document will come back before Commission.

Commissioner McDonald thanked City Manager Mortell for his explanation. He commented that back in 2012 or 2013, he traveled to Cocoa Beach in efforts to get Amtrack in Stuart, then being All Aboard Florida, and stated we are now here where trains are going through our town and it is not as bad as we had feared. Thanked the County staff for putting together the agreement and feels this is a historical moment.

PUBLIC COMMENT:

1. Laura Giobbi - Ocean Ave; Commented that Stuart is more built up today and stated she wanted a train station because it may slow trains down coming through, but noted she recently witnessed a freight train going through that held up everything; wondered about how emergency vehicles could pass in such situations.

2. Lisa Ammons - 3261 Skyline, Jensen Beach; Stuart resident since 1977, opposed to a train station in Stuart, it will erode the charm of this town.

3. Kathy Dewindt -Zoom; commented that a Brightline station would be a benefit to Stuart, in favor of the local agreement.

Commissioner Collins thanked City Attorney Baggett and City Manager Mortell for working with Martin County. On the financial side, is it possible that Brightline could come back to negotiate the RFP.

Tom Lanahan, Treasure Coast Regional Planning Council (TCRPC), reviewed the process. Explained the RFP requires specificity regarding a few things, one being control over the land. The RFP response must address the framework of what is being offered.

Commissioner Collins noted the concerns he has with the financial side. Rhetorically, asked what the cap is in negotiations; what's the max exposure the County or City resident is going to be paying and is there no limit, is it a blank check? Not comfortable and will vote no.

Vice Mayor Rich commented that Commissioner Collins' questions reveal that this is the

only opportunity to get into the process, but it will not be the only option to get out.

City Manager Mortell clarified that we are agreeing to the parking garage at this time.

George Stokus, Assistant County Administrator, commented that Martin County is applying for an \$8.4 million dollar grant for design. Once we get to that term, we will have harder numbers and the City of Stuart and Martin County can collaboratively work on this agreement. The City of Stuart is not signing a blank check.

Vice Mayor Rich stated with the exception of clean water, he has never spoken with more people with such a clear consensus that are in favor of the train station. For the quality of life, wants our City to be more walkable, and to bring people to town by public transportation. Feels the unique opportunity needs to be taken advantage of for the future. Commissioner McDonald stated that this is our one and only opportunity. We will not have this opportunity again and if we want to be connected to transportation networks in the future, we have to act now.

Commissioner Clarke commented on Commissioner Collins' statement of clearly identifying where the funding is coming from and requested Mr. Tom Lanahan, of the TCRPC, to state again to the public what is expected.

Mr. Lanahan stated key points:

- The deadline to submit is Dec 22, 2023.
- The concept in the RFP - Brightline reviewing submittals - coming back in the first quarter of next year 2024 with the next step.
- A site choice.
- A decision.
- Negotiation for lease of land and terms.
- Station opening in the first quarter of 2028.

Mr. Lanahan continued to comment that the concept and proposal is that communities will be providing the funding to Brightline and Brightline will be doing the construction, operations and maintenance of the facility to the station, track and garage. The Boca Raton station of Brightline is the concept being used and is what the RFP is suggesting.

6:02 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Eula Clarke

VOTE: 4/1 - Motion passed.

YES: Troy McDonald, Becky Bruner, Eula Clarke, Campbell Rich

NO: Christopher Collins

12. AUTHORIZATION TO PLACE STUART HERITAGE ON A REFERENDUM FOR A LONG TERM LEASE (RC):

RESOLUTION No. 124-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, PROVIDING FOR A REFERENDUM UNDER CITY CHARTER SECTION 9.05 SEEKING VOTER APPROVAL FOR THE CITY

TO LEASE, FOR MORE THAN 10 YEARS THE PROPERTY KNOWN AS STUART HERITAGE MUSEUM LOCATED AT 161 SW FLAGLER AVENUE; SAID LOT ADJOINS CITY PROPERTY FRONTING THE ST. LUCIE RIVER, PROVIDING FOR CONFLICTS, SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6:05 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Campbell Rich
Motion approved unanimously.

13. ADVISORY BOARD MEMBER APPOINTMENTS / RATIFICATION TERMS (RC):

RESOLUTION No. 121-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPOINTING AND RATIFYING THE MEMBERSHIP OF THE ADVISORY BOARD MEMBERS AND ADOPTING THE MEMBER TERMS FOR THE 2024 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:05 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Christopher Collins
Motion approved unanimously.

14. APPOINTMENTS OF CITY COMMISSIONERS TO COMMUNITY BOARDS

6:08 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Christopher Collins
Motion approved unanimously.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

15. STATUS OF PROPERTY LOCATED AT 400 SW FEDERAL HIGHWAY

City Manager Mortell briefly provided the status of the building, known as Duffy Boats and formally the Chamber of Commerce building; the building needs aesthetic renovations. There is a limitation to what can operate there. He feels that with the limited land use, he sees a recreational facility or government office occupying this space. As long as it is a lease for only ten (10) years, any business will not invest in improving or maintaining the property. He suggested that the City do a second (2nd) referendum to extend the lease term, and the Feed Store Lease as the first (1st) referendum.

Commissioner McDonald commented that he did a walk through and found there were some nice features, but work was necessary. He feels there are opportunities for recreational use, and can see a value in turning it into parks and recreation offices.

Commissioner Collins commented that he liked the idea of a state representative office being local. Asked if City Manager Mortell would reach out to John Snyder to see if he

had any interest.

City Manager Mortell read an excerpt from the lease terms. Seeking direction to bring back the referendum language.

ADJOURNMENT

6:20 PM

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

Minutes to be approved at the Regular Commission Meeting this 8th day of January, 2023.