

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
JANUARY 8, 2024
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

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

ADMINISTRATIVE

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

ROLL CALL

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

INVOCATION

Darrell Ormond, Pastor for the First Baptist Church of Stuart.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - SONG PERFORMANCE BY KAYLEIGH KIVETT

Kayleigh Kivett sang "God Loves The Outcasts" by Chorus Of The Hunchback Of Notre Dame and Heidi Mollenhauer.

PROCLAMATIONS

2. MARTIN LUTHER KING JR. DAY (JANUARY 15)

Martin Luther King Jr. Day Celebration Proclamation was presented to Nina Dooley, President of The Afro African Citizens of East Stuart (AACES). Ms. Dooley thanked the Commission for the Proclamation and spoke on the MLK parade event on Monday, January 15, 2024.

3. ARBOR DAY (JANUARY 19)

Arbor Day Proclamation was presented to Rosita Aristoff, President of The Garden Club of

Stuart Inc. Ms. Aristoff thanked the Commission for their Proclamation, provided them a plant, and spoke on the history of Arbor Day.

4. 75TH ANNIVERSARY OF THE HALAPATIOKEE CHAPTER OF DAUGHTERS OF THE AMERICAN REVOLUTION (JANUARY 20)

Proclamation was presented but recipient Portia Scott, Member of the Daughter of the American Revolution Halapatiokee Chapter, was not present.

5. LITERACY WEEK (JANUARY 22-26)

Proclamation was presented to Kiana Kelly, Children's Services Council, Martin Reads Coordinator, and Laura Haase, Children's Services Council, Director of Program Operations. Ms. Kelly thanked the Commission for their support and read statistics on childhood literacy.

PRESENTATIONS

6. JANUARY SERVICE AWARDS

Jose Francisco	Public Works	5 years	(Not Present)
Eddie Robinson	Public Works	5 years	(Present)
Melissa "Joy" Warren	U&E, Customer Service	5 years	(Present)

COMMENTS BY CITY COMMISSIONERS

Commissioner Collins

- Read a prepared statement regarding growth within the City and stated the Commission's duties. He spoke about his thoughts on development in the City.

Commissioner Clarke

- Commented on the Brightline station proposal and thanked the Treasure Coast Regional Planning Council for their work. Recognized the new business in East Stuart by Althea Wiley and is thankful for small entrepreneurs.
- Thanked those who help with historic preservation of the City.
- Announced the MLK Day Parade on January 15, 2024, and encouraged all residents to join in the activities.

Commissioner McDonald

- Announced that the Boat Show is this weekend and reminded all about the closure of the small bridge until next week.
- Reported that the legislative session begins tomorrow January 9, 2024, in Tallahassee and he will be attending next week.

Vice Mayor Rich

- Announced he will be going to Tallahassee for the Legislative Session with the Treasure Coast Region, Florida League of Cities. Spoke on the updating of the 20-year-old storm

water rule regulations. Another issue being addressed is permit approval in three (3) days.

- Stated he was involved for thirty (30) years in organizational recreation and commented on the ballfield renovations.

Mayor Bruner

- Would like to freshen up the facade of the City's Annex Building, feels it could be improved esthetically.

City Manager Mortell invited Mr. Scott Proctor to speak on the baseball field. Mr. Proctor spoke on the baseball field at Guy Davis Park and how important it is on the impact of our children.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Stated that the Brightline submittal was done on December 20th and announced that the City has been informed it was awarded the mega grant for the railroad bridge.
- Stated a resident spoke to him in regard to the selling of his home and asked if the City was interested in purchasing it. Its location is on Baker Rd. and in the Heart of Haney Creek. He will provide more information to the Board.
- Commented that the Community Redevelopment Agency (CRA) is closing on the Community Development Block Grant (CDBG) grant property - Willie Gary to build a technical school.
- Stated that Allen Marcus approached the City Manager to ask the Commission if they would be interested in a three (3) dimensional sign of "STUART" for Flagler Park as a tourist attraction.
- Stated a tram sign will be added by Kildred Street due to the new business and traffic on that side of town.

APPROVAL OF AGENDA

4:53 PM MOTION: Approve. [AMENDED MOTION] 4:54 PM Approve agenda - moving Item #14 to after the approval of the agenda.

MOVED BY: Troy McDonald

SECONDED BY: Eula Clarke

Motion approved unanimously.

14. APPLICANT REQUESTED A SECOND CONTINUANCE TO A DATE CERTAIN OF 01/22/2024 CCM: 101 S. COLORADO RESTAURANT - REZONE TO URBAN PLANNED UNIT DEVELOPMENT & SITE PLAN APPROVAL (QJ)(RC):

ORDINANCE No. 2524-2023; AN ORDINANCE OF THE CITY OF COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A REZONING FROM URBAN WATERFRONT TO URBAN PLANNED UNIT DEVELOPMENT FOR A 0.234 ACRE PROPERTY, LOCATED AT 101 S. COLORADO AVENUE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE COLORADO WATERFRONT RESTAURANT (UPUD); TO RE-PURPOSE THE EXISTING OFFICE BUILDING FOR A 150-SEAT

RESTAURANT AND PROVIDE RELIEF FROM VARIOUS PARKING REQUIREMENTS; APPROVING A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMEABLE FOR DEVELOPMENT, DECLARING THE PLAN 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 OTHER PURPOSES.

**4:54 PM MOTION: Approve to move to date certain
01/22/2024. MOVED BY: Troy McDonald
SECONDED BY: Christopher Collins Motion
approved unanimously.**

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

1. Inez Van Ravenzwaai - 14th St; Provided an update on Stuart Main Street as Ms. Candace Callahan, Executive Director, is not available. Stated the different workshops that Stuart Mainstreet is hosting. Announced that Stuart Main Street was featured in the publication by the Florida Agricultural Department in Fresh From Florida.
2. Helen McBride - Flamingo Ave; Is concerned about what is happening to City Hall and would like the residents to have some input on what happens to the City.
3. Virginia Sherlock - Madison Ave; Would like the City to take a look at the building on East Ocean and stated it is deteriorating and vacant. Provided a handout.
4. Misty Harris - Alamanda Way; Is concerned about the train/vehicle accident that occurred at Confusion Corner and would like the Commission to see what the solution can be.
5. Ann MacMillan - Harbor Point Dr; Would like the commission to have conversations about our codes and building regulations. Offered her assistance.
6. Robin Cartwright - Hibiscus Ave; Spoke about an article in TC Palm and stated that staff reached out to those who posted the article to repost the edited article and that Commission and staff are selective as to what gets addressed and in what time frame or manner it gets addressed in. Encouraged all residents to make sure voter registration is current.
7. Mark Rogers - Palm City; Spoke on the beauty of downtown Stuart and commented on the growth in Stuart. He is in favor of hotel to have a place for visitors to stay.
8. Loyd Rogers - Palm City; In favor of the Creekside Hotel.
9. Frank McChrystal - Flamingo Ave; Spoke about the tragedy of Brightline and the freightliner and shared a personal story. Believes that the decisions made by the Commission are making things for the City worse.

CONSENT CALENDAR

7. APPROVAL OF 12/11/2023 CCM MINUTES (RC)
8. AWARD OF RFP# 2023-207: TEMPORARY PERSONNEL SERVICES (RC):

RESOLUTION No. 01-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF RFP #2023-207,

TEMPORARY PERSONNEL SERVICES TO THE FOUR TOP RANKED FIRMS; EXPRESS EMPLOYMENT PROFESSIONALS OF PORT SAINT LUCIE, FLORIDA, MANPOWER OF STUART, FLORIDA, BLUE ARBOR, INC., OF PLANTATION, FLORIDA, AND TMDA, LLC OF ST. PETERSBURG, FL ON AN AS NEEDED BASIS, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9. FACSIMILE SIGNATURE BANK (RC):

RESOLUTION No. 02-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE USE OF FACSIMILE SIGNATURES ON CHECKS ISSUED BY THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. BA #5 FOR A DONATION TOWARDS THE BASEBALL BACKSTOP AT GUY DAVIS PARK (RC):

RESOLUTION No. 05-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART AUTHORIZING BUDGET AMENDMENT NO. 5 TO THE FISCAL YEAR 2023-2024 OPERATING BUDGET; ACCEPTING A CONTRIBUTION OF FUNDS FROM M.E.'s TEAM, A 501(c)3 NON-PROFIT ORGANIZATION FOR THE PURPOSE OF REPLACING THE BACKSTOP WITHIN THE BASEBALL FIELD AT GUY DAVIS PARK; AUTHORIZING THE EXPENDITURE OF DONATED FUNDS TOWARDS REPLACING THE BASEBALL FIELD BACKSTOP; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. DEPARTMENT OF HEALTH EMERGENCY SERVICES PROGRAM GRANT (RC):

RESOLUTION No. 06-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY OF STUART TO SUBMIT AN APPLICATION FOR A FLORIDA DEPARTMENT OF HEALTH EMERGENCY MEDICAL SERVICES PROGRAM GRANT TO ACQUIRE EMERGENCY MEDICAL EQUIPMENT; 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; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

**5:16 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.**

COMMISSION ACTION

12. CREEKSIDE HOTEL - MAJOR URBAN CODE CONDITIONAL USE & MAJOR DEVELOPMENT PLAN APPROVAL (QJ)(RC):

RESOLUTION No. 04-2024; REQUESTING APPROVAL OF A MAJOR

DEVELOPMENT PLAN TO CONSTRUCT A 53,600 SQUARE FOOT FOUR-STORY HOTEL (W/ 102-BEDS) AND A DETACHED 5,000 SQUARE FOOT ONE-STORY BUILDING FOR FUTURE RETAIL AND/OR RESTAURANT USE(S), AND CONCURRENT APPROVAL FOR A MAJOR URBAN CODE CONDITIONAL USE TO PROVIDE RELIEF FROM LAND DEVELOPMENT CODE SECTION 6.01.11(B) - LOCATION OF REQUIRED PARKING SPACES, SECTION 3.04.04(C) - BUILDING HEIGHT, AND SECTION 3.04.06(E)(5) - THOROUGHFARE ELEMENTS.

Commissioners provided their ex-parte communication.

City Attorney Lee Baggett placed eight (8) people under oath; Bonnie Brown, Law Offices of Bonnie Brown, Darren Guetiler, Velcon Engineering & Surveying, LLC, Daniel Sorrow, Cotleur & Hearing, Susan O'Rourke, Velcon Engineering & Surveying, Jenna Knobbe, Cotleur & Hearing, Thea Bergerson, Cotleur & Hearing, Kris McCrain, Principal Planner, and one (1) unknown.

Kris McCrain, City Principal Planner, presented on the project and provided staff recommendation.

Daniel Sorrow, Cotleur & Hearing, representative of the applicant, provided a brief introduction to the project.

Jenna Knobbe, Cotleur & Hearing, representative of the applicant, provided a presentation.

Commissioner discussion with applicant included time frame for construction and adjacent parcels.

6:11 PM, City Attorney Baggett swore in Jessica Seymour, Treasure Coast Regional Planning Council, who spoke on form-based code and highlighted some changes that the City recently adopted.

Vice Mayor Rich inquired about the EV charging stations, planting more trees around the retention pond, and if the applicant is willing to apply to the Florida Department of Environmental Protection (FDEP) annually to do minimal mangrove trimming.

Applicant, Mr. Rajesh Patel agreed and stated he would be willing to plant more trees around the pond, but he does not own the parcel the pond is on.

Commissioners continued discussions, questions, and answers with the applicant's representatives.

6:42 PM Commissioner Clarke made a motion, seconded by Commissioner McDonald.

PUBLIC COMMENT:

1. Thomas Hornaman - Channel Ave; Stated he is a neighbor of this project and is in favor of the project.
2. Nancy Smith - Joan Jefferson Way; Embraced what Commissioner Collins has said from the beginning until now. Concerned about height of hotel.
3. Joan Jefferson - Inwood Pines Ln; Provided history of Martin County Commission's

concerns of growth.

4. Michael Jacquin - Ft Pierce; In favor of the project.
5. Brad Gillman - Stuart; Asked to consider the traffic pattern.
6. Alan Marcus - Baker Rd; In favor of the project.
7. Laura Giobbi - Ocean Blvd; In opposition of the project, handed the Clerk her written comments. Stated that there is no concern over what this will create for the 12-month residents and does not believe that this Hilton belongs in downtown Stuart.
8. Larry Dahn - Palm City; In favor of the project.
9. Mike Steppling - Palm City; In favor of the project. Commented he feels it is time and will be a hotel that people will enjoy for years to come.
10. Bill West - San Souci St; In favor of the project.
11. Doug Legler - Palm City; In favor of the project.
12. Josh Steppling - Jensen Beach; In favor of the project.
13. Kristy Byrich - Port Saint Lucie; In favor of the project.
14. Tracy Barnes - Channel Ave; In opposition of the project; stated her reasons for opposition. Commented it is too large of a project should be downsized and feels that there will be a problem with drainage and traffic.
15. Gonzalo Hernandez - 7th St; Stated he is not opposed; his concern is traffic.
16. Robin Cartwright - Hibiscus Ave; In opposition of the project. Stated her concerns; such as, ADA compliance, height, drainage.
17. Joe Hooker - Riverside Dr; Stated he learned about this item today. Commented that the four (4) story building is not necessary.
18. Cristina Maldonado - 7th St; In opposition of this project. The charm of Stuart is the small town business/homegrown.
19. Curt Melengracht - McPherson St; In opposition of this project. The support is not coming from the people that live here.
20. Linda Kay Richards - Cabana Point Cr; Spoke negatively about the Tru brand.
21. Ross Cutler - Osceola St; In favor of this project. Would like a place for his family to stay in downtown Stuart.
22. Don Williams - Riverside Dr; Shared a personal story and is opposed to the hotel. He moved here because of the small town charm, and now there is too much traffic and growth.
23. Frank McChrystal - Flamingo Ave; In opposition of this project. His concerns are drainage and traffic.
24. Stephen Vitale - Colorado Ave; In opposition of this project. Should not be approved in order to preserve our small town charm.
25. Christopher Vitale - Colorado Ave; In opposition of this project. People come here to Stuart because of the small town charm and we need to protect it.
26. Nik Schorth - Palm St; In favor of this project. Commented on Colorado Avenue being reduced to two lanes and the opposition at the time. Stated how well that transition has worked well for the City.
27. Duncan Hurd - River Lights Ct; In favor of this project.
28. Paula Hof - Stafford Dr; In opposition of this project.
29. Carra Crehan - Colorado Ave; Voiced her concerns about parking.
30. Gail Goldy - 12th Terrace; In opposition of the project.
31. Helen McBride - Flamingo Ave; Voiced her concerns on the drainage and traffic.

7:55 PM

Commissioner Clarke invited Joe Capra of Captec Engineering, to review the drainage

system. Joe Capra commented and stated the project meets code and further explained the plans.

6:42 PM MOTION: Approve for discussion.

8:08 PM [AMENDED MOTION] Approve as presented and with a reduction in the EV station to six (6) total stations, two (2) on site and four (4) off site. Applicant must be required on an annual basis to apply to the DEP for minimal mangrove trimming and remove exotics.

MOVED BY: Eula Clarke

SECONDED BY: Troy McDonald

VOTE: MOTION PASSES 4/1.

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

NO: Christopher Collins

ORDINANCE SECOND READING

ORDINANCE FIRST READING

- 13. HCA FREESTANDING EMERGENCY ROOM - MAJOR AMENDMENT TO THE PLANNED UNIT DEVELOPMENT & SITE PLAN (QJ)(RC):**

ORDINANCE No. 2526-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA GRANTING A THIRD MAJOR AMENDMENT TO ORDINANCE NO. 2297-2014, AKA THE 7.24-ACRE, 4-LOT WAWA GAS STATION & CONVENIENCE STORE MASTER COMMERCIAL PLANNED UNIT DEVELOPMENT ("CPUD"), THEREBY APPROVING A MASTER DEVELOPMENT PLAN FOR LOT 3 CONSISTING OF AN 11,570 SQUARE FOOT FREE STANDING EMERGENCY ROOM AND PROVIDING FOR NEW, RESTATED, AND AMENDED DEVELOPMENT CONDITIONS, INCLUDING A TIMETABLE FOR DEVELOPMENT; SAID PROPERTY BEING GENERALLY LOCATED AT THE SOUTH EAST CORNER OF SR 76 & S.E. MONTEREY ROAD, BEING MORE FULLY DESCRIBED BY EXHIBIT "A" ATTACHED; DECLARING THE PROPOSED DEVELOPMENT TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; ACCEPTABLE BY THE APPLICANT; AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

8:24 PM

City Attorney Baggett placed five (5) people under Oath; Michael Barbera, HCA Florida St. Lucie Hospital, Corey Lovelace, HCA Florida St. Lucie Hospital, Andrew Barnett, HCA Corporate St. Lucie Medical Center, Hugh Ross Lucas, Fulmer Lucas Engineering, LLC, and Jodi Nentwick-Kugler, Development Director.

Commissioners provided their ex-parte communication.

Jodi Nentwick-Kugler, Development Director, presented and provided the LPA and staff recommendation.

Audra Creech, applicant representative from Gunster Law Firm, presented.

Ross Lucas, applicant's engineer, Fulmer Lucas Engineering, presented on the project.

There was a brief discussion on freestanding emergency vs. urgent care. Corey Lovelace, CEO of HCA Hospital came forward to comment on the project, signage, and facility requirements.

9:02 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Troy McDonald

Motion approved unanimously.

DISCUSSION AND DELIBERATION

ADJOURNMENT

9:03 PM

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 22nd day of January, 2024.**