

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
MARCH 25, 2024
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Rebecca S. 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

5:30 PM

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

INVOCATION

Pastor James Harp, Stuart Alliance Church gave the Invocation.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Clarke

- Commented on the Annual Gala (NAACP) and announced she received the humanitarian award.
- Commented that there was a Community Redevelopment Agency (CRA) meeting earlier and stated how successful the Agency is. Commended CRA Director and those who work on the CRA planning.

Mayor Bruner

- Commented that our city would not be what it is if it wasn't for our small businesses.

- Commented on the Boys & Girls Club being a great organization.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Commended Commissioner Clarke on her Humanitarian Award from the NAACP.
- Commented on the ribbon cutting at Poppleton Creek Park.
- Reported on the Water Fest event and noted it was on the same day as the Downtown Art Show.
- Stated he met with the US Department of Transportation and commented on quiet zones and intersections and Milton Leggett, Public Works Director, and Peter Kunen, U&E Director, will do a presentation at our next Commission Meeting on April 8, 2024.

APPROVAL OF AGENDA

5:38 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Campbell Rich

Motion approved unanimously.

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

1. Trevor Sherrard - SE 5th St.; Provided an update on a little league for special needs kids being held on April 4, 2024, it will be their first game and encouraged the community to come out and support the Miracle League of Martin County Organization.
2. Tom Campenni - St. Lucie Crescent; Commended Peter Kunen, U&E Director, for the good work in helping with a water line leak at his home.
3. Candace Callahan - SE Edler Dr.; Provided updates on Stuart Main Street and provided statistics on the public attendance at local events.

CONSENT CALENDAR

1. APPROVAL OF 03/11/2024 CCM MINUTES (RC)
2. ROW DEDICATION LOCATED AT 110 NW DIXIE HWY (INSTALL GATEWAY SIGN) (RC):

RESOLUTION No. 20-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE CONVEYANCE TO THE CITY OF 300 SQUARE FEET RIGHT-OF-WAY ALONG THE SOUTHERN EDGE OF THE PROPERTY LOCATED AT 110 NW DIXIE HIGHWAY TO INSTALL A GATEWAY SIGN; AUTHORIZING THE CITY MANAGER TO EXECUTE A RIGHT-OF-WAY DEED AND OTHER DOCUMENTATION ACCOMPLISHING SAME; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED ITEM #3 *****

3. RFQL #2024-400, CONSTRUCTION MANAGER AT RISK FOR UNDERGROUNDING AND STREETScape PROJECT (RC):

RESOLUTION No. 31-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE AUTHORIZATION TO NEGOTIATE FOR RFQL #2024-400, CONSTRUCTION MANAGER AT RISK FOR UNDERGROUNDING AND STREETScape PROJECT WITH THE ONLY PROPOSER, BURKHARDT CONSTRUCTION, INC.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

4. RATIFICATION OF A CRB & LPA BOARD MEMBER (RC):

RESOLUTION No. 35-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RATIFYING THE ADVISORY BOARD APPOINTMENTS OF A COMMUNITY REDEVELOPMENT BOARD (CRB) AND LOCAL PLANNING AGENCY (LPA) BOARD MEMBER, FULFILLING VACANCIES ON THE BOARDS FOR THE REMAINING CURRENT TERM FROM PRESENT TO DECEMBER 31, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

5. APPLICATION FOR SUPPLEMENTAL FUNDING FOR S.A.F.E. PROGRAM GRANT (RC):

RESOLUTION No. 36-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY TO SUBMIT AN APPLICATION FOR SUPPLEMENTAL FUNDS FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT S.A.F.E. PROGRAM GRANT TO CONDUCT INVESTIGATIONS AND RELATED ACTIONS INTENDED TO COMBAT ILLEGAL FENTANYL ACTIVITY; 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

Commissioner Clarke commented on Item #4 of the Ratification of CRB & LPA Board Members and thanked Chris Lewis for his time on the CRB.

5:47 PM MOTION: Approve consent calendar pulling Item #3.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

***** PULLED ITEM #3 FROM CONSENT CALENDAR *****

3. RFQL #2024-400, CONSTRUCTION MANAGER AT RISK FOR UNDERGROUNDING AND STREETScape PROJECT (RC):

RESOLUTION No. 31-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE AUTHORIZATION TO NEGOTIATE FOR RFQL #2024-400, CONSTRUCTION MANAGER AT RISK FOR UNDERGROUNDING AND STREETScape PROJECT WITH THE ONLY PROPOSER, BURKHARDT CONSTRUCTION, INC.; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Vice Mayor Rich requested Pinal Gandhi-Savdas to show a visual of the streetscape without the undergrounding.

Ms. Pinal Gandhi-Savdas, CRA Director, stated that there would be a whole presentation and visuals presented when the third proposal is brought back to the Commission.

Commissioner McDonald specified he would like an accurate depiction of the light poles.

Commissioners and City Manager had a brief discussion on what the bid is for and how long it will take for the final proposal.

**5:54 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.**

COMMISSION ACTION

6. AUTHORIZATION TO RESCIND HUDSON'S ON THE RIVER VALET PARKING AGREEMENT (RC):

RESOLUTION No. 37-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA RESCINDING THE LICENSE AGREEMENT BETWEEN THE CITY OF STUART AND HUDSON'S ON THE RIVER, LLC TO UTILIZE PARKING LOCATED AT NORTH END OF FLAGLER AVENUE FOR THE PURPOSE OF OPERATING A DOWNTOWN VALET PARKING SERVICES PILOT PROGRAM; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Manager Mortell provided a history of the land where Hudson's on the River and Sunset Bay Marina are located and gave a description of what led to the parking agreement the City has with Hudson's on the River.

Commissioner McDonald commented that three (3) hour parking is in place in that area.

Mayor Bruner stated she wanted to apologize to her fellow Commissioners because she felt like she spoke out of term and explained briefly the discussion she had with the business owner Mr. Menakatis.

Commissioners and City Manager continued discussion on the amount of cones in the parking spaces, building of dedicated parking spaces, construction of the railroad bridge, having signage to specify and making it obvious the free valet is for all people not just patrons.

PUBLIC COMMENT:

1. Helen McBride - SE Flamingo Ave.; Stated the cones are out by 3PM - 3:15PM, requested that signage be placed for complimentary valet parking and stated the residents come to her and express their issues to her so she could bring them to the Commission.
2. Missy Harris - SE Alamanda Way; Provided examples of what they do in Maine.
3. Ben Foster - Director of Operations at Hudson's on the River; Stated there is a sign on the valet stand that says complimentary valet. The valet company requires that the representative from their company park the cars for liability reasons; the valet is directed to park any car that wants to, it does not need to be a patron of the restaurant.

Commissioners continued discussion.

6:16 PM No Motion Made - Resolution - Voided.

ORDINANCE SECOND READING

7. AMENDMENTS TO THE CITY OF STUART'S LAND DEVELOPMENT CODE AND CODE OF ORDINANCES (RC):

ORDINANCE No. 2525-2024; AN ORDINANCE OF THE CITY OF STUART, FLORIDA AMENDING CHAPTER VIII OF THE CITY OF STUART'S LAND DEVELOPMENT CODE (ADMINISTRATION AND ENFORCEMENT); AND AMENDING PART II, CHAPTERS 2 AND 32 OF THE CITY OF STUART'S CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS; INCORPORATION INTO THE CODE; SEVERABILITY; EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:35 PM

Lee Baggett, City Attorney, presented the item and spoke on the House Bill (HB 601) that prohibits any boards from overseeing investigations relating to police misconduct. City Attorney Baggett spoke on the removal of SIRB due to the House Bill.

6:37 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Eula Clarke

Motion approved unanimously.

8. **(WITHDRAWN BY APPLICANT)**
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.

No action taken; Item withdrawn.

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

ADJOURNMENT

6:38 PM

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 8th day of April, 2024.**