

MINUTES
STUART INDEPENDENT REVIEW BOARD
FEBRUARY 28, 2024
AT 11:00 AM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

BOARD MEMBERS

Chair - Anita Cocoves
Vice Chair - Pearlie B. Clarke
Board Member - Diane "Dee" Gusch
Board Member - Helen McBride
Board Member - Kristin Stanley

ADMINISTRATIVE

Recording Secretary - Mary Kindel

CALL TO ORDER

11:02 AM

ROLL CALL

PRESENT: Chair Cocoves, Vice Chair Clarke, Board Members Stanley, McBride, and Gusch.

APPROVAL OF MINUTES

3. APPROVAL OF 12/14/2022 SIRB MINUTES

11:03 PM MOTION: Approve Minutes.

MOVED BY: Helen McBride

SECONDED BY: Kristin Stanley

Motion approved unanimously.

PLEDGE OF ALLEGIANCE

1. ADVISORY BOARD MEMBER OATHS

City Attorney Lee Baggett provided the swearing in of the SIRB board members. All members took the oath.

APPROVAL OF AGENDA

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

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

ACTION ITEMS

4. REVIEW OF CITIZEN COMPLAINT BY SUZIE HETHERINGTON AGAINST OFFICER HEITFELD

Police Chief Tumminelli provided a brief background of the incident of the complaint filed in August of 2023.

City Manager Mortell came forward and commented that he reviewed the report and agreed with the Police Chief's findings; stated he has worked with Officer Heitfeld over the past 10 years and complimented him as an officer. Though there is no excuse for hanging up the telephone on a resident, and while it was rude and inappropriate, the incident did not cause harm. The officer was counseled and the City is using it as a lesson learned.

A brief discussion followed the presentation.

11:16 PM MOTION: Agree with the council that was done and that the right action was taken.

MOVED BY: Kristin Stanley

SECONDED BY: Diane Gusch

Motion approved unanimously.

5. REVIEW OF CITIZEN COMPLAINT BY LAVERN MULLINGS AGAINST OFFICER LEE

Chief Tumminelli explained the complaint filed in January 2024. He informed the Board that he provided a memo on the case and confirmed his findings in agreement with the investigation and that it was not a bias-related incident. No violations of rules and regulations were violated.

Board Member Stanley requested clarification of the incident and the Board's responsibility in the matter.

City Manager Mortell clarified the incident and that a citation for criminal mischief was given for the complainant to appear in court but stated no punishment was given to the Officer as he had followed procedures.

Board Member Cocoves inquired about a tutorial being done to inform the officers on the rules of public common areas in places such as condos and their HOA's.

11:45 PM MOTION: Agreed that the City took correct action as it was not a racial issue. [Did the right thing and made the right judgement.]

MOVED BY: Kristin Stanley

SECONDED BY: Diane Gusch

Motion approved unanimously.

2. ANNUAL BOARD REORGANIZATION - SELECTION OF CHAIR AND VICE CHAIR

11:51 PM MOTION: Approve Anita Cocoves to continue as as Chair.

MOVED BY: Kristin Stanley

SECONDED BY: Helen McBride

Motion approved unanimously.

11:51 PM MOTION: Approve Kristin Stanley as Vice Chair.

MOVED BY: Diane Gusch

SECONDED BY: Pearlie Clark

Motion approved unanimously.

STAFF UPDATE

City Manager Mortell commented on the process of Citizen Complaint Forms.

ADJOURNMENT

12:02 PM

Final Minutes of SIRB

Mary R. Kindel, City Clerk

SIRB was sunsetted/dissolved on March 25, 2024, per the Stuart City Commission approval of Ordinance No. 2525-2024.