MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
APRIL 22, 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

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

INVOCATION

Pastor James Brocious of Stuart Alliance Church gave Invocation.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. DEVELOPMENT DEPARTMENT PROJECT UPDATE

City Manager Mike Mortell noted to the Board that he requested the Development Director to provide a monthly update to the Commission, but the presentation will typically be presented at the first meeting of the month (on the 2nd Monday of every month).

Jodi Kugler, Development Director, presented the Department's quarterly review, introduced staff, and reported the Department's responsibilities, duties and current projects.

COMMENTS BY CITY COMMISSIONERS

Commissioner McDonald

- Commented that ten (10) years ago, the City became sister-cities with Hope Town Bahamas, and during that time, learned that Abacos is the only portion of the Bahamas that has a local government. Reported that one of the Hope Town Councillors passed away and asked the Commission to send a letter of condolence from the City.
- Excited that USA Today named the City of Stuart as the best Coastal Town in the country.

Commissioner Clarke

- Requested to pull Item numbers 4, 5, 6, 7, 8, and 9 from the consent calendar.
- Announced that a Town Hall Meeting on May 30th is being planned to talk about the East Stuart Historic Advisory Committee and recreational opportunities.
- Commented that she was invited and accepted to be at the Indian River Lagoon Task Force meeting to be held on May 29th.
- Commented on how much she appreciated the offices of the City Clerk and the City Manager.
- Noted the Ethics Training she attended last week and thanked the Treasure Coast League of Cities.

Vice Mayor Rich

- Commented on his attendance of the four (4) hour ethics training and noted that he learned more about social media and that it, and all its comments are public record.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Announced that Commissioners Clarke, Rich, and Bruner, celebrated birthdays recently.

APPROVAL OF AGENDA

5:54 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

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

1. Travis Deckers - Stuart; On behalf of the Stuart Fire Rescue, announced a new event, Inaugural Stuart Firefighters Pumper Pull, to raise money for mental health.
2. Robin Bender - Stuart; Commented on behalf of 650 SE Indian Street, a medical facility located in the plaza across the street from the proposed rehab and is not in favor of the Clarity Pointe project.
3. Lorrie McKenna - Stuart; Dislikes location, feels there will be patients in the street; not in favor of Clarity Pointe project.

4. Stacy Lasardo - Palm City; Is not in favor of Clarity Pointe project, concerned about the size, the facility not being locked down, and what happens when patients leave the facility.
5. Wendy Rivers - CFO Coastal Detox; Gave a description of patients and incidents that have occurred in their thirty-five (35) bed facility, stated the proposed facility is too large; not in favor of Clarity Pointe project.
6. Jim Haviland - Stuart; Driver for Coastal Detox and shared experiences with patients; not in favor of Clarity Pointe project.
7. Kristopher Garrigus - Stuart; Stated he has been in recovery for ten (10) years and shared his personal experiences; not in favor of Clarity Pointe project.
8. Walter Loyd - Stuart; Asked that the Land Use Code not get changed; not in favor of Clarity Pointe project.
9. Jill Brotherton - Palm City; Formerly a business owner in City of Stuart, considered moving to Stuart but when walking her dog past the existing rehab center, was harassed daily; not in favor of Clarity Pointe project.
10. Valerie Ferrara - Palm City; Owner of New Day Psychiatry and a Nurse in this community, feels project is too large for this City; not in favor of Clarity Pointe project.
11. Joseph O'Grady, owner of Coastal Detox; Gave a brief description of his business and gave points as to why he is not in favor of Clarity Pointe project.
12. Christina Tucker - owner of Coastal Detox; Shared reasons she feels the facility will be a detriment to the public and is not in favor of Clarity Pointe project.
13. Gail Goldy - Stuart; Is not in favor of Clarity Pointe project, talked about the one hundred thirty-five (135) beds in the new facility and stated Delray facilities of the same size went out of business.
14. Bob Shane - Stuart; Resident of forty-five (45) years in Stuart and is not in favor of Clarity Pointe project.
15. Joseph Favata - Stuart; Runs the kitchen for Coastal Detox and gave examples of what happens when patients leave the facility; not in favor of Clarity Pointe project.
16. Jeannie Jones - Stuart; Works as mental health counselor for the school district of Port St. Lucie and feels there is not enough outpatient facilities; not in favor of Clarity Pointe project.

6:37 PM

CONSENT CALENDAR

2. APPROVAL OF 04/08/2024 CCM MINUTES (RC)

3. HOUSING AUTHORITY OF THE CITY OF STUART, FLORIDA RE-APPOINTMENTS OF TWO (2) BOARD MEMBERS (RC):

RESOLUTION No. 33-2024: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RATIFYING THE RE-APPOINTMENTS OF TWO (2) BOARD MEMBERS OF THE HOUSING AUTHORITY OF THE CITY OF STUART, FLORIDA FOR A FOUR (4) YEAR TERM FROM MAY 21, 2024 THROUGH MAY 21, 2028; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED ITEM #4 *****

4. SAILFISH CAY FINAL PLAT (REPLAT OF TOWNE PARK) (RC):

RESOLUTION No. 39-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED, "REPLAT NO. 1 OF TOWNE PARK", BEING A REPLAT OF TOWNE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 85, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING AND BEING IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST, CITY OF STUART, MARTIN COUNTY, FLORIDA, CONTAINING 4.88 ACRES, MORE OR LESS PREPARED BY MICHAEL T. OWEN OF ENGINEERING DESIGN & CONSTRUCTION, INC, AND MAPPER NO. 5556 FOR SAILFISH CAY RPUD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED ITEM #5 *****

5. OLD CITY LANDFILL EXTENSION (RC):

RESOLUTION No. 46-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA EXTENDING THE DUE DILIGENCE PERIOD AT THE OLD CITY OF STUART LANDFILL FROM APRIL 30, 2024 TO SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED ITEM #6 *****

6. REFERENDUM LEASE AGREEMENT REQUEST FROM STUART HERITAGE MUSEUM (RC):

RESOLUTION No. 47-2024; 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 THE STUART FEED STORE, LOCATED AT 161 SW FLAGLER AVENUE TO THE STUART HERITAGE MUSEUM; SAID LOT ADJOINS CITY PROPERTY FRONTING THE ST. LUCIE RIVER, PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

***** PULLED ITEM #7 *****

7. LEASE AGREEMENT WITH MARINE INDUSTRY ASSOCIATION FOR THE CITY OWNED PROPERTY LOCATED AT 401 SW FEDERAL HIGHWAY, STUART, FL (RC):

RESOLUTION No. 48-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH AN ELECTED OFFICIAL, MARINE INDUSTRIES ASSOCIATION OF THE TREASURE COAST, OR ANOTHER NON-PROFIT AGENCY FOR THE CITY OWNED PROPERTY LOCATED AT 401 SW FEDERAL HIGHWAY, STUART, FL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

***** PULLED ITEM #8 *****

8. APPLICATION OF CYBERSECURITY GRANT AGREEMENT (RC):

RESOLUTION No. 49-2024: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING SUBMISSION OF A FLORIDA DEPARTMENT OF MANAGEMENT SERVICES DIGITAL SERVICE CYBERSECURITY PROGRAM GRANT TO CONTINUE ENHANCING AND SUPPORTING THE CITY'S CYBERSECURITY FRAMEWORK, TO MITIGATE RISK, AND TO PROTECT INFRASTRUCTURE; 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.

***** PULLED ITEM #9 *****

9. SITE PLAN APPROVAL AND FUTURE LAND USE AMENDMENT APPLICATIONS FOR GARAGE FACILITY RELOCATION (RC):

RESOLUTION No. 50-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT SITE PLAN APPROVAL AND FUTURE LAND USE AMENDMENT APPLICATIONS NECESSARY TO RELOCATE THE CITY OF STUART GARAGE FACILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

<u>END OF CONSENT CALENDAR</u>

6:38 PM MOTION: Approve Consent Calendar Items #2 and #3.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

***** PULLED ITEM #4 FROM CONSENT CALENDAR *****

4. SAILFISH CAY FINAL PLAT (REPLAT OF TOWNE PARK) (RC):

RESOLUTION No. 39-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED, "REPLAT NO. 1 OF TOWNE PARK", BEING A REPLAT OF TOWNE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 85, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, ALL LYING AND BEING IN SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST, CITY OF STUART, MARTIN COUNTY, FLORIDA, CONTAINTIANING 4.88 ACRES, MORE OR LESS PREPARED BY MICHAEL T. OWEN OF ENGINEERING DESIGN & CONSTRUCTION, INC. AND MAPPER NO. 5556 FOR SAILFISH CAY RPUD; PROVIDNG AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Clarke requested clarification from Jodi Kugler, Development Director.

City Manager Mortell and Jodi Kugler provided a response.

6:41 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Troy McDonald
VOTE: Motion Passed 4/1
YES: Troy McDonald, Becky Bruner, Eula Clarke, Campbell Rich
NO: Christopher Collins

***** PULLED ITEM #5 FROM CONSENT CALENDAR *****

5. OLD CITY LANDFILL EXTENSION (RC):

RESOLUTION No. 46-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA EXTENDING THE DUE DILIGENCE PERIOD AT THE OLD CITY OF STUART LANDFILL FROM APRIL 30, 2024 TO SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Mortell reviewed the extension.

6:42 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

***** PULLED ITEM #6 FROM CONSENT CALENDAR*****

6. REFERENDUM LEASE AGREEMENT REQUEST FROM STUART HERITAGE MUSEUM (RC):

RESOLUTION No. 47-2024; 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 THE STUART FEED STORE, LOCATED AT 161 SW FLAGLER AVENUE TO THE STUART HERITAGE MUSEUM; SAID LOT ADJOINS CITY PROPERTY FRONTING THE ST. LUCIE RIVER, PROVIDING FOR CONFLICTS; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Manager Mortell provided a brief history of the agenda item and Commissioner Clarke read the ballot into the record.

PUBLIC COMMENT:

1. Gary Maxwell - President of the Stuart Heritage Museum; commented on the referendum and stated they are pleased with the partnership with the City.

6:49 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

***** PULLED ITEM # 7 FROM CONSENT CALENDAR *****

7. LEASE AGREEMENT WITH MARINE INDUSTRY ASSOCIATION FOR THE CITY OWNED PROPERTY LOCATED AT 401 SW FEDERAL HIGHWAY, STUART, FL (RC):

RESOLUTION No. 48-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH AN ELECTED OFFICIAL, MARINE INDUSTRIES ASSOCIATION OF THE TREASURE COAST, OR ANOTHER NON-PROFIT AGENCY FOR THE CITY OWNED PROPERTY LOCATED AT 401 SW FEDERAL HIGHWAY, STUART, FL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Mortell provided a brief history of the property and the lease agreement for approval.

6:54 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

***** PULLED ITEM #8 FROM CONSENT CALENDAR *****

8. APPLICATION OF CYBERSECURITY GRANT AGREEMENT (RC):

RESOLUTION No. 49-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING SUBMISSION OF A FLORIDA DEPARTMENT OF MANAGEMENT SERVICES DIGITAL SERVICE CYBERSECURITY PROGRAM GRANT TO CONTINUE ENHANCING AND SUPPORTING THE CITY'S CYBERSECURITY FRAMEWORK, TO MITIGATE RISK, AND TO PROTECT INFRASTRUCTURE; AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT IF AWARDED; AND FURTHER AUTHORIZING ANY MINOR AMENDMENTS TO THE GRANT AGREEMENT OT FACILITATE THE PROGRAM AS APPROPRIATE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

7:01 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Campbell Rich
Motion approved unanimously.

***** PULLED ITEM #9 FROM CONSENT CALENDAR *****

9. SITE PLAN APPROVAL AND FUTURE LAND USE AMENDMENT APPLICATIONS FOR GARAGE FACILITY RELOCATION (RC):

RESOLUTION No. 50-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT SITE PLAN APPROVAL AND FUTURE LAND USE AMENDMENT APPLICATIONS NECESSARY TO RELOCATE THE CITY OF STUART GARAGE FACILITY, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Mortell briefly explained that the Resolution is an authorization for the City Manager to submit the actual site plan to the Development Department.

7:05 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

COMMISSION ACTION

10. FISCAL YEAR 2024 MIDYEAR BUDGET ADJUSTMENT (RC):

RESOLUTION No. 40-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT NO. 9 TO THE 2023-2024 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS TO ACCOUNT FOR ADDITIONAL REVENUES AND APPROPRIATIONS IDENTIFIED AT THE MIDYEAR; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Louis (Joly) Boglioli, Finance Director, presented the City's mid-year status of the annual budget.

A brief discussion ensued with the Commissioners and the Finance Director.

7:10 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Troy McDonald
Motion approved unanimously.

11. (INFORMATIONAL ONLY)
CLARITY POINTE PUD - SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT LOCATED AT 500 SE INDIAN STREET (LEGISLATIVE) (RC):

ORDINANCE No. 2529-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REQUESTS FOR A SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT AS DEFINED IN F.S.§163.3187; AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR AN APPROXIMATE 9.46-ACRE PARCEL OF LAND FROM MULTI-FAMILY RESIDENTIAL TO THE COMMERCIAL FUTURE LAND USE DESIGNATION; AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE, AND OTHER PURPOSES.

City Manager Mortell announced that Items #11 and #12 have been requested to be continued to the May 13th Commission Meeting; recommended the Board set the item to a time certain for the publication benefit.

7:21 PM MOTION: Approve to move both Items (Item #11 and #12) to continue to May 13.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

12. CLARITY POINTE PUD - REZONE FROM THE CITY OF STUART OFFICIAL ZONING ATLAS FROM RESIDENTIAL PLANNED DEVELOPMENT (RPUD) TO THE MIXED-USE PLANNED UNIT DEVELOPMENT (MXPUD) ZONING DESIGNATION LOCATED AT 500 SE INDIAN STREET (QJ)(RC):

ORDINANCE No. 2530-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REQUESTING TO REZONE FROM THE CITY OF STUART OFFICIAL ZONING ATLAS FROM RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) TO THE MIXED-USE PLANNED UNIT DEVELOPMENT (MXPUD) DESIGNATION FOR AN APPROXIMATELY 9.46 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF SE INDIAN STREET AND APPROXIMATELY 540 FEET EAST OF KANNER HIGHWAY, TO CONVERT THE EXISTING 84-BED ASSISTED LIVING FACILITY (ALF) WITH MEMORY CARE KNOWN AS CLARITY POINTE TO ALLOW FOR AN INPATIENT PRIMARY MENTAL HEALTH AND RESIDENTIAL DRUG AND ALCOHOL FACILITY WITH MEDICAL DETOX; PROVIDING FOR MASTER SITE PLAN APPROVAL; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SPECIFIED COMMERCIAL USES; PROVIDING FOR SIGNAGE REQUIREMENTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE; AND OTHER PURPOSES.

DISCUSSION AND DELIBERATION

ADJOURNMENT

7:23 PM

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

Minutes to be approved at the Regular Commission Meeting this 13th day of May, 2024.