MINUTES

REGULAR MEETING OF THE STUART CITY COMMISSION
OCTOBER 28, 2024
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

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

ROLL CALL

6:02 PM

PRESENT: Mayor Rich, Commissioner Clarke, Commissioner Collins, Commissioner Reed

ABSENT: Commissioner Giobbi

INVOCATION

Pastor James Harp, Stuart Alliance Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Complimented to City Attorney Lee Baggett for all that he does for the Board.
- Commented on the event of Making Strides Against Cancer Walk.
- Commented on the light system at the Board of County Commissioners (BOCC) that is used to speak during a meeting.

City Manager Mortell responded that he had previously looked into such systems and stated it was too costly. He feels that the light system alone might be more feasible and can work.

- Asked about the emails/permits being posted online.

- Announced early voting dates.
- Commented on Public Records information and the Sunshine Law.

Commissioner Clarke

- Thanked Attorney Baggett and commended him for the work he has done thus far.
- Commented on Hurricane Milton and asked all to help their neighbors and those in need.

Mayor Rich

- Commented on the undergrounding project that was approved in the Joint CRA/CRB/CCM Meeting and also spoke on the Form Based Code and all the workshops that took place prior to being adopted. He feels we are going backwards with the ZIP and would like to correct some grievous errors.

6:17 PM Mayor Rich passed the gavel to Commissioner Collins.

Commissioner Reed asked how this would work on those PUD applications, once the code has been changed and shared parking.

City Attorney Baggett stated that any amendment of a PUD has to come before the Board. This motion will limit this exception to PUD's only.

Commissioner Collins commented he is not in agreement to make exceptions, the Board should move forward with ZIP and get it done all together.

Mayor Rich stated he believes these commercial properties should be able to move forward, and the ZIP should not be rushed and should not affect commercial applications.

Commissioners continued discussion on the Zoning in Progress (ZIP).

6:18 PM Motion: Approve to make an exception for any PUD applications that does not have a residential component.
MOVED BY: Campbell Rich
SECONDED BY: Eula Clarke
VOTE: 2/2 - MOTION FAILED
YES: Eula Clake, Campbell Rich
NO: Christopher Collins, Sean Reed

6:30 PM Commissioner Collins returned the gavel to Mayor Rich.

<u>COMMENTS BY CITY MANAGER</u>

City Manager Mortell

- Gave accolades to the City's Engineering Department/Water Department for their study of approximately 5,200 pipes that were underground and the report showed the City is lead free. Peter Kunen, U&E Director, came forward to comment on the project.

- Commented that the City is continuing on Fire Station 3 and the ribbon cutting is scheduled for sometime in November.
- Reported a call received by a resident that there was a pine tree in his yard in the City's right-of-way and during the hurricane, branches damaged his vehicle. Mr. Mortell explained that the City does not plant or maintain trees on private properties. The resident is asking the City to trim the branches and the Manager is informing the Commission in case they receive a call.

APPROVAL OF AGENDA

6:35 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. Ora Solomon - Stuart; Questioned the plan for Guy Davis Park and stated a name change to the Heritage Museum Learning Center and asked the name to be changed immediately.
2. Faye James - Stuart; Commented her disappointment on the "Boss Collins" skate park and how it was rushed and the ESHAC Board was not noticed. Stated name of park should stay.
3. Caryn Hall - Stuart; Spoke on transparency and asked why the City cannot mimic the County and how they show their emails on their website. Spoke about the community as a whole and stated how Downtown is not the only thing the City can make decisions on.
4. Frank McChrystal - Stuart; Thanked the majority of the Commissioners and how they ran their campaigns. Suggested that we show support to the County by moving the Brightline station to the fair grounds.
5. Douette Pryce - Stuart; Shared his disagreement with what the Commission is doing.
6. Albert Brinkley - Stuart; Disgusted with how the skate park got pushed through and the ESHAC Board was not told. Feels as though the Board Members are being used.
7. Betty Brinkley - Stuart; Felt disregard from the Commission and asked why they disregarded the community. Asked why the water bill is so high.
8. Helen McBride - Stuart; Spoke on the history of East Stuart and the different groups.

CONSENT CALENDAR

1. MUTUAL AID AGREEMENT WITH FDLE FOR S.A.F.E. GRANT INVESTIGATIONS (RC):

RESOLUTION No. 107-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CHIEF OF THE STUART POLICE DEPARTMENT TO ENTER INTO A MUTUAL AID AGREEMENT (MAA) WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR STATE ASSISTANCE FOR FENTANYL ERADICATION (S.A.F.E) INITIATIVE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

2. ITB #2024-109 DYER DR DRAINAGE IMPROVEMENTS (RC):

RESOLUTION No. 113-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE AWARD OF INVITATION TO BID #2024-109, CITY OF STUART'S SW DYER DRIVE DRAINAGE IMPROVEMENT PROJECT, TO PRP CONSTRUCTION GROUP, LLC OF INDIANTOWN, FLORIDA, THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF $230,835; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

7:05 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Sean Reed
Motion approved unanimously.

COMMISSION ACTION

DISCUSSION AND DELIBERATION

3. COMMISSIONER CODE OF CONDUCT REVIEW

City Manager Mortell spoke about the Commissioner Code of Conduct, state laws, and public records request. Stated that there was a Commissioner Code of Conduct as they do not fall under the regular employee handbook but do follow Commission on Ethics and Sunshine Law. Spoke on previous suggestions from residents, stated we could do draft edits and bring it back or leave it as is.

Commissioner Collins commented on Public Records Policy and believes this served its purpose back when created, but isn't needed currently and would like to see it expire.

Commissioner Clarke commented it's important that we have guidelines and questioned Attorney Baggett if other Cities have an adopted code of conduct and if there is a civility clause. Stated that the Code of Conduct says 5 minute public comment, and it needs to be changed to 3 minutes. Asked to show clearly how the meetings should be conducted. Does not want the code of conduct to expire and wants it to be updated. Business owners, City staff, and residents have expressed how demoralized they feel due to the Commission.

Mayor Rich spoke on how the Commission should only speak to the City Manager and, if needed to speak with staff, must be in the presence or approved by City Manager.

City Manager informed the Commissioners that we are a strong City Manager form of government.

Commissioner Clarke suggests a retreat where an expert can speak to the Commissioners and how they can work together.

City Manager and Commissioners continued their discussion.

PUBLIC COMMENT:

1. Andy Noble - Stuart; Commented that he has observed the crisis on this Commission and received intimidating remarks from a Commissioner today. Referred to the Brightline meeting and the decorum as being disrespectful.
2. Albert Brinkley - Stuart; Commented he is a minister and stated that everyone at the dias has a responsibility, God put them there.

ADJOURNMENT

7:47 PM

Mary R. Kindel, City Clerk	**Campbell Rich, Mayor**

Minutes to be approved at the Regular Commission Meeting this 12th day of November, 2024.