MINUTES

REGULAR MEETING OF THE STUART CITY COMMISSION
NOVEMBER 12, 2024
AT 4:00 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

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

INVOCATION

Pastor Darrell Orman, First Baptist Church of Stuart, gave Invocation.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - LAYLA FORS, 'STARS OVER STUART' STUDENT SONG PERFORMANCE

Arts Moment cancelled.

PROCLAMATIONS

2. APPRENTICESHIP WEEK - NOVEMBER 17 - 23, 2024

Colleen Gill, Apprenticeship Navigator from Career Source Research Coast accepted the Proclamation, thanked the City and announced their purpose.

3. SOROPTIMIST 70TH ANNIVERSARY MONTH - NOVEMBER

Dr. Mary Ann Searle, President of Soroptimist of Stuart, received the Proclamation and reviewed their club and what they do for the community.

4. HOSPICE & PALLIATIVE CARE MONTH - NOVEMBER

Shannon Cooper of the Treasure Coast Hospice received the Proclamation, thanked the Commission and reported some statistics and that they are celebrating forty (40) years in the community.

5. EPILEPSY AWARENESS MONTH - NOVEMBER

Osmara Maria Fernandez, Community Resource Specialist from Epilepsy Alliance Florida received the Proclamation and provided information on epilepsy and seizers and their organization's goals; encouraged all to wear purple during the month of November for awareness.

PRESENTATIONS

6. SERVICE AWARDS - NOVEMBER 2024

William Reker	Streets Maintenance Team	35 years	Present
Jeremiah Walton	Utilities & Engineering Dept.	30 years	Not Present
Robert Noon	Distribution & Collection Team	5 years	Not Present

7. SANITATION FLEET OVERVIEW

Anne Hawkins, Utilities & Engineering Project Manager, presented the City's Sanitation fleet to include the new artistic designs on the trucks; reviewed the residential, commercial water and recycling, e-waste, composting, Neighborhood Cleanups, as well as Adopot-A-Street programs.

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Attended Veteran's Day Parade and the Friday night Air Show, complimented the event and Community.

Commissioner Giobbi

- Thanked all that reached out with prayers and speedy recovery to her family for their emergency.
- Commented on the negative statements in the Friends and Neighbors newsletters, expressed her concerns and dislike of the comments.

Commissioner Clarke

- Commented on the Air and Drone Show and the hometown feel it gave, noted all the hard work of Ben Hogarth and other committee members.
- Informed the public of Career Resources and links on the website that are offered.
- Commented on the Christmas Caroling with staff and looks forward to interest and participation.
- Referenced Commissioner Giobbi's comment, stated her comments were pertaining to decorum.

Commissioner Collins

- Commented on his attendance at the Martin County Board of County Commissioners Meeting today and stated that Brightline was rushed, as the Board voted 5/0 to change the settlement agreement. Announced that this Commission saved the Stuart taxpayers up to 30 million.

Mayor Rich

- Commented on Commissioners leaving the meetings and taking the City Attorney out of the meeting for discussions; the solution is that if a Commissioner feels the need to leave the meeting, simply request the Mayor to adjourn the meeting so all the community will have the attention of the board.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Announced Zoning in Progress (ZIP) Workshop, to review Chapter 3, Urban Codes, will be on Tuesday, November 19, at 9:00 a.m.
- Announced on Friday, November 15th, 8:30 a.m. is the Treasure Coast League of Cities Elected Official Workshop at the Indian River State College Campus.
- Commented on the Sanitation Presentation and thanked Anne Hawkins.

APPROVAL OF AGENDA

5:02 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. Mac Stuckey - Stuart; Commented he is in support of hiring an Environmental Attorney.
2. Bobby Parsons - Orlando; Introduced himself to the Commission, future applicant.
3. Helen McBride - Stuart; Commented on past meeting decorum and what is happening recently; feels it is best for Clerk to note excused absences during roll call.
4. Marie Kennedy - Stuart; Commented as a Soroptimist, and by supporting women and girls to overcome hardships, it will reflect in the future of the community.
5. Robert Hamilton - Stuart; Commented on the Community Development Block Grant Project and lein placed on his home.
6. Olga Hamilton - Stuart; Commented on funds to be used by the fraudulent loans of $50,000.
7. Gail Goldy - Stuart; Commented on Brightline and would like to thank the Commissioners for rescinding the agreement; hopes the atmosphere in Chambers changes.
8. Frank McChrystal - Stuart; Thanked the Commission for saving the money pertaining to Brightline, looking for improvements to ballfields and parks; commented on the Nov. 5th

election.

CONSENT CALENDAR

8. APPROVAL OF 10/14/2024 CCM MINUTES, 10/24/2024 SCM ZIP WORKSHOP #1 MINUTES, 10/28/2024 CCM MINUTES (RC)

9. CITY/COUNTY EMERGENCY WATER CONNECTION INTERLOCAL AGREEMENT (RC):

RESOLUTION No. 108-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH MARTIN COUNTY TO SELL WATER TO EACH OTHER UNDER EMERGENCY CONDITIONS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

10. CITY/COUNTY EMERGENCY WASTEWATER CONNECTION INTERLOCAL AGREEMENT (RC):

RESOLUTION No. 109-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH MARTIN COUNTY TO PROVIDE WASTEWATER TREATMENT TO EACH OTHER UNDER EMERGENCY CONDITIONS; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

11. AWARD OF ITB #2024-110: SE LONITA STREET DRAINAGE IMPROVEMENT(RC):

RESOLUTION No. 115-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVING THE AWARD OF INVITATION TO BID #2024-110, CITY OF STUART'S SE LONITA STREET DRAINAGE IMPROVEMENT PROJECT TO MTS LAND & CATTLE, LLC OF PALM CITY, FLORIDA, THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF $191,880; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*** **PULLED ITEM #12** ***

12. MOTOROLA LEASE FOR TEN (10) YEARS WITH CITY OF STUART FOR SIXTY-FIVE (65) N70S POLICE HANDHELD RADIOS (RC):

RESOLUTION No. 118-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR A TEN (10) YEAR TERM WITH CELLULAR COSTS FOR SIXTY-FIVE (65) N70S PUBLIC SAFETY HANDHELD POLICE RADIOS;

PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:27 PM MOTION: Approve Consent Calendar pulling Item #12.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

*** **ITEM #12 PULLED FROM CONSENT CALENDAR** ***

12. MOTOROLA LEASE FOR TEN (10) YEARS WITH CITY OF STUART FOR SIXTY-FIVE (65) N70S POLICE HANDHELD RADIOS (RC):

RESOLUTION No. 118-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR A TEN (10) YEAR TERM WITH CELLULAR COSTS FOR SIXTY-FIVE (65) N70S PUBLIC RADIOS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Commissioner Giobbi requested clarification on Resolution No. 118-2024.

Captain Flamur Zenelovic reviewed Item for the Commissioners and the public.

5:29 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

COMMISSION ACTION

13. DEAUTHORIZING PACE PROGRAM AND PROGRAM ADMINISTRATORS IN THE CITY OF STUART (RC):

RESOLUTION No. 117-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING RESOLUTION NUMBER 132-2020 AND DEAUTHORIZING PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS WITHIN THE CORPORATE LIMITS OF THE CITY OF STUART; TERMINATING AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, THE FLORIDA RESILIENCY AND ENERGY DISTRICT, THE FLORIDA PACE FUNDING AGENCY, AND THE GREEN CORRIDOR PACE DISTRICT PURSUANT TO THE PROVISIONS OF CHAPTER 2024-273, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Ben Hogarth, Community Affairs Liaison, communicated the history of this agenda item and why staff took its position.

Brief Commissioner discussion.

PUBLIC COMMENT:

1. Jennifer Rojo Suarez - Miami, PACE Representative; Requested the City defer the item before reauthorizing the program; feels there are several misconceptions.
2. Mark Scheffal - Miami, PACE Representative; Commented on the projects they fund, specialist product for specialized group, asked them to step back and review.
3. Luis Royer - Pembroke Pines; PACE Representative; Requested the Commission to defer this item for further review.
4. James Christie - Port St. Lucie, property in Stuart; Commented on a neighbor's tax bill and loan responsibility.

6:02 PM MOTION: Approve.
MOVED BY: Eula Clarke
SECONDED BY: Sean Reed
Motion approved unanimously.

ORDINANCE SECOND READING

14. 710 SE MARTIN LUTHER KING JR. BOULEVARD - MAJOR AMENDMENT TO THE EXISTING COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DISTRICT (RC):

ORDINANCE No. 2532-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, TO REZONE A 2.4-ACRE PARCEL LOCATED AT 710 SE MARTIN LUTHER KING JR. BOULEVARD, BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FOR MAJOR AMENDMENT TO THE EXISTING COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DESIGNATION TO ALLOW A VOCATIONAL TRAINING FACILITY ONLY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Quasi-Judicial)

Five (5) people sworn; Kris McCrain and Pinal Gandhi-Savdas, City of Stuart, Robert Zaccheo and Christopher Krueger, Project Lift, Peter Van Rens, Kimley-Horn Associates.

Kris McCrain, Principal Planner, presented item.

Pinal Gandhi-Savdas, CRA Director, came forward to review the project details, City partnering with Project LIFT and noted a lease agreement will be drafted.

Robert Zaccheo, Project LIFT addressed the topics discussed.

PUBLIC COMMENT:

1. James Christie - Port St. Lucie; Commented that he approves of Project LIFT but does not approve the location of the project.

City Manager Mortell provided the history of finding and agreeing on bringing the organization Project LIFT to our City.

2. Helen McBride - Stuart; Commented that the program is not just for East Stuart young people, but for all young people; gives a hand-up.

Discussion included project interfacing with other programs in the community, the innovation business hub, and funding for redevelopment, other visions for the property, and this project's opportunities.

6:24 PM MOTION: Approve to move zoning change to Commercial Planned Unit Development to allow for vocational training facility only.
MOVED BY: Eula Clarke
SECONDED BY: Christopher Collins
Motion approved unanimously.

***** 6:34 PM Recess - 15 Minute Break *****
***** 6:45 PM Reconvened *****

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

15. JOB DESCRIPTION FOR ENVIRONMENTAL ATTORNEY POSITION

City Attorney Baggett reviewed the drafted job description and noted he forwarded it for review to the Human Resources Director. Mr. Baggett clarified that some of Mr. Stuckey's presentation points were included, he made some amendments, and added new points.

Commissioner Collins complimented City Attorney Baggett on the description and continued to comment on his discussion with the City Attorney and City Manager on the hiring of an Environmental Attorney without going to referendum and advocated for a hiring committee; proposed committee includes, Ryanne Cavo, Paralegal, City Attorney Lee Baggett, Mac Stuckey, Attorney, and Ed Killer, TC Palm.

Commissioner Clarke commented on having members of the public on the selection committee.

City Manager Mortell reviewed the timeline process to hire the current City Attorney.

Commissioner Clarke commented that perhaps a feasibility study should be done to determine the need, future budgets, regional issues and wanted to make sure we are working with Martin County and using their information.

City Attorney Baggett stated he added Paragraph 12 to include "performs such other related duties and functions as may be assigned by the City Commission, City Attorney or City Manager". The Commissioners requested that City Attorney and City Manager be removed.

Commissioner Collins stated he looks at hiring the Environmental Attorney specifically as an environmental concept, not looking to sue, looking at what is best for the St Lucie River and give direction.

Commissioner Clarke confirmed that the position would include working with the Rivers Coalition and other organizations.

Mayor Rich commented that by hiring an Environmental Attorney, the Army Corps of Engineers would back off from the City. He agrees with Commissioner Clarke to work with other organizations.

Commissioner Reed commented he is not opposed to having a workshop and commented on the current state of the river.

PUBLIC COMMENT:

1. Helen McBride - Stuart; City must do what's best for the City.
2. Mark Brechbill - Stuart; Thinking too small; multi-prong and multi-vocational prong, and it doesn't have to be an attorney; multiple people could assist in concentrating on the job at hand.

Roz Johnson, Human Resource Director, explained that research was done when recruiting for Lee Baggett's position, and that data is still relevant, along with a pay point study, and this information will be gathered for the agenda item.

7:04 PM MOTION: Approve. [Motion to put on the December 9th meeting, so we can then approve that.]
MOVED BY: Laura Giobbi
SECONDED BY: Eula Clarke
Motion approved unanimously. 7:37 PM

ADJOURNMENT

7:37 PM

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

Minutes to be approved at the Regular Commission Meeting this 9th day of December, 2024.