

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
APRIL 14, 2025
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

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

ADMINISTRATIVE

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

ROLL CALL

4:00 PM

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

INVOCATION

Pastor Jim Brocious, Stuart Alliance Church, gave Invocation.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - CHILDREN OF GERTRUDE WALDEN CHILDCARE CENTER
SINGING A SONG

Children of Gertrude Walden sang an ABC song.

PROCLAMATIONS

2. PUBLIC SAFETY TELECOMMUNICATORS WEEK - APRIL 13–19, 2025

City of Stuart Police Department Dispatchers, Lieutenant Brian Bossio, and Lieutenant Michael Gerwan accepted the Proclamation. Lieutenant Bossio thanked the Commission for the recognition and stated the importance of recognizing our unsung heroes; the telecommunicators.

3. SEXUAL ASSAULT AWARENESS MONTH - APRIL 2025

Marshall Dees, Board of Directors of The Inner Truth Project, accepted the Proclamation and provided the history and efforts of the Inner Truth Project.

4. CHILD ABUSE PREVENTION MONTH - APRIL 2025

Carolyn Moses, Program Manager of Helping People Succeed, accepted the Proclamation and provided statistics on child abuse within Martin County.

5. STAMP OUT HUNGER DAY - MAY 10, 2025

Rob Ranieri, CEO of House of Hope, accepted the Proclamation and provided statistics about the previous stamp out hunger initiatives.

PRESENTATIONS

6. SERVICE AWARDS - APRIL 2025

Drew Edwards 5 Years of Service Fire Not Present

Vice Mayor Collins requested that we move the D&D as the first item after approval of the agenda.

7. LEGISLATIVE UPDATE - 2025 FLORIDA LEGISLATIVE SESSION

Presentation by Ben Hogarth followed after D&D Item #11.

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Asked for an update on the Robert Hamilton Project
- Stated he lives across the street from Terra Fermata and the noise does not bother him.

Commissioner Giobbi

- Read in the record her statement that included the noise ordinance and Costco project.

Commissioner Clarke

- Thanked the police department and community staff for working with them in the Prayer walk that occurred this past weekend.
- Stated she was here when the sound ordinance discussion occurred several years ago, and several studies were done then.

Vice Mayor Collins

- Commented that there have been several complaints about the sound ordinance, but he has no intention of changing the ordinance.
- Stated the discharges have stopped, provided some statistics for the lake and commented that Major Cory Bell is set to matriculate in less than a year, and has put in for an extension. Vice Mayor Collins requested a letter of support for this extension and commended Major Bell for all he has done for the City.
- Requested an update on the policy for By-Right Development Projects of 50,000 square feet.
- Commented he would like to formalize the project that will be on the City Hall site and would like to have a D&D on that item.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Commented on Employee Appreciation Week.
- Expressed that the police officer involved in the shooting on March 29, 2025, is doing well.
- Announced the East Stuart Zoning Meeting will be held this Wednesday at 5 p.m. at the 10th Street Community Center.
- Commented on following the legislative session over the past two weeks and waiting to see where the City stands.

APPROVAL OF AGENDA

4:45 PM MOTION: Approve moving Item 11 before the Consent Calendar.

MOVED BY: Christopher Collins

SECONDED BY: Laura Giobbi

Motion approved unanimously.

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

None.

*****ITEM #11 D&D MOVED BEFORE CONSENT CALENDAR*****

DISCUSSION AND DELIBERATION

11. DISCUSSION AND DELIBERATION OF SOUND ORDINANCE

Lee Baggett, City Attorney, provided history of the sound ordinance, exemptions of sound ordinance, and violations.

Commissioner Giobbi asked that we allow public comment pro or con on this item to be heard.

Vice Mayor Collins stated that people were concerned about Section 21.51, Section 8 and 21.55 Section C and the local business tax (license) in the City of Stuart applying to all bar establishments.

City Manager Mortell provided the history from 2001 to the present and spoke about the business tax, alcohol licenses, outdoor venues, and regulating the decibels.

Vice Mayor Collins stated his position of not wanting to change the ordinance.

PUBLIC COMMENT:

1. Robert Steinberg - Stuart; Stated he is the gentleman who is causing this discussion and provided details about Terra Fermata.
2. Sharon Mason - Palm City; In favor of Terra Fermata.
3. John Callaghan - Juno Beach; Spoke on the noise ordinance and stated that live music belongs under exempt.
4. Walter Loyd - Stuart; In favor of Terra Fermata.
5. Michael Caputo - Palm City; Asked if one letter constitutes a discussion for a meeting.
6. Priscilla Speicher - Fort Pierce; In favor and a good friend of the owner of Terra Fermata and the business is committed to paying more attention to ensure they are doing things to help with the sound.

Commissioners and City Manager Mortell had a brief discussion on the fire code.

*****5:41 PM RECESS*****
*****5:52 PM RECONVENED*****

*****PRESENTATION ON ITEM #7 FOLLOWED ITEM #11 D&D*****

7. LEGISLATIVE UPDATE - 2025 FLORIDA LEGISLATIVE SESSION

Ben Hogarth, Community Affairs Liaison, provided a presentation on the 2025 Florida Legislative Session that included detail information on legislation that relates to the City.

Commissioners had questions and answers throughout the presentation with City Manager Mortell and Mr. Hogarth.

CONSENT CALENDAR

8. APPROVAL OF 03/20/2025 SCM EAST STUART ZONING AND 03/24/2025 CCM MINUTES (RC)

9. SUPPORT OF MUNICIPAL CLERK'S PUBLIC RECORDS EXEMPTION (RC):

RESOLUTION No. 28-2025; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

6:46 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Laura Giobbi

Motion approved unanimously.

COMMISSION ACTION

- 10. RATIFICATION OF EAST STUART HISTORICAL ADVISORY COMMITTEE MEMBER (RC):**

RESOLUTION No. 43-2025; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPOINTING THE ADVISORY BOARD MEMBER, PEARLIE CLARK, FOR THE VACANT POSITION OF THE EAST STUART HISTORICAL ADVISORY COMMITTEE AND ADOPTING THE MEMBER TERM FOR THE REMAINING 2025 CALENDAR YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:47 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

Vice Mayor Collins asked for independent resolutions requesting vote "no" for each of the Bills in the legislation.

Mr. Hogarth suggested Bills SB 943, SB 1535 because they are in early stages.

6:55 PM MOTION: Approve draft letters in the form of resolution for HB 1535, HB 943, and SB1730 individually and its companion bill.

MOVED BY: Christopher Collins

SECONDED BY: Sean Reed

Motion approved unanimously.

***CLERK'S NOTE:** Motion above acknowledged with Resolutions 47-2025, 48-2025 and 49-2025.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

ADJOURNMENT

7:02 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 28th day of April, 2025.**