MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
JULY 28, 2025
AT 5:30 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

6:50 PM

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

ABSENT: Commissioner Reed

INVOCATION

Chaplain Hank Breitenkam, Humanists of the Treasure Coast, gave Invocation.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Giobbi

- Thanked all those who sent good wishes after her surgery.
- Commented on SB180 and a statewide coalition forming to oppose the Bill.

Commissioner Clarke

- Commented on the Treasure Coast Waterway Cleanup, complimented Anne Hawkins, City staff, Hell Gate Sea Dragons Rowing Club, and members of the public who participated.

- Noted that she will be out of office the rest of this week and will miss the Joint City/County/School Board Meeting on 7/31/25.
- Announced that School District Board Member, Christi Li Roberts, dropped off a report of the latest school ratings and that it was good news.
- Commented on the Joint CRA/CRB/CCM Meeting, complimented the City Manager, CRA Director, and all the staff that works together.

Vice Mayor Collins

- Appreciated Commissioner Giobbi's comments with regard to joining the lawsuit to fight SB180, recognized commissioners from municipalities for their courage to stand up to government overreach on home rule; felt it was clear what voters wanted and stated that residents do not have anyone representing them. Feels Stuart would benefit from joining the lawsuit. Would like to have a D&D on this matter.

Mayor Rich

- Participated in the Treasure Coast Waterway Cleanup, commented that the park was "too clean", and commended our Public Works staff.

<u>COMMENTS BY CITY MANAGER</u>

City Manager Mortell

- Commended Ann Hawkins, U&E Project Manager, for organizing the Treasure Coast Waterway Cleanup and thanked the Hell Gate Sea Dragons Rowing Club for their participation.
- Announced the Joint Meeting with the School Board, Martin County and City of Stuart, will not have a quorum, but it is more of a presentation meeting, with no voting expected.
- Announced there will be a Budget Meeting on August 11th before the City Commission meeting and will add a D&D and have the City Attorney add to that discussion regarding the lawsuit.
- Reported on the need for the Finance Director to file a form - DR420 and asked the Commission to give direction on the not-to-exceed 5 millage rate, looking for a motion today. In the event there is no motion, the not-to-exceed rate defaults to the current rate of 5.

PUBLIC COMMENT:

1. Helen McBride - Stuart; Commented on the budget meetings she has attended over the years, and stated that the quality of the City parks and City services are dependent on the millage, suggested leaving it at 5 Mills and for new commissioners to speak with Directors.

Vice Mayor Collins commented on his proposal of 4.75, property values have been double-digit increases each year but are starting to turn the corner to single-digit increases and there is a need to decrease spending, such as operating expenses, personnel decreases, and no raises.

Mayor Rich stated he has no interest in reducing the rate at this time and stated that the City took on the responsibility of an Environmental Attorney which will include a financial responsibility to provide her with the resources she will need.

7:13 PM MOTION: Move to select the not-to-exceed millage rate at 4.75.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
VOTE: 2/2 MOTION FAILED.
YES: Christopher Collins, Laura Giobbi
NO: Eula Clarke, Campbell Rich

APPROVAL OF AGENDA

7:23 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

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

1. David Kehlmann - Stuart; Vice President of Poppleton Creek, would like a future agenda item on pollution issues.
2. Betty Brinkley - Stuart; Commented that the Skate Park is being built for white people and not for the black people in the community; not in favor of Skate Park. Also expressed she received notices to purchase a headstone for her sons grave and she is not ready. [Vice Mayor Collins suggested not to require a headstone until she is ready]
3. Travis Deckers - Stuart; Expressed his concern about the millage rate and provided the numbers of our City's fire rescue staff per vehicle and compared the City's staff to the surrounding Fire Departments.

CONSENT CALENDAR

1. APPROVAL OF 07/14/2025 CCM MINUTES (RC)

2. THIRD PARTY BILLING CONTRACT FOR AMBULANCE / EMS SERVICES (RC):

RESOLUTION No. 73-2025; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING A CONTRACT BETWEEN DIGITECH COMPUTER LLC AND THE CITY OF STUART FOR THIRD PARTY AMBULANCE/EMS BILLING SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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END OF CONSENT CALENDAR

7:40 PM MOTION: Approve Consent Calendar, excluding Item #2 (Items 1 and 3 only).
MOVED BY: Christopher Collins
SECONDED BY: Eula Clarke
Motion approved unanimously.

COMMISSION ACTION

3. AUTHORIZATION TO EXECUTE AMENDMENTS TO LEASES WITH TENANTS AT 301 SE OCEAN BLVD (RC):

RESOLUTION No. 63-2025; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE EXECUTION OF AMENDMENTS TO LEASES WITH TENANTS AT 301 SE OCEAN BLVD. BETWEEN THE CITY OF STUART AND VARIOUS TENANTS TO ALLOW FOR THE TERMINATION OF LEASES IN THE YEAR 2028; TO ALLOW STAFF TO RELOCATE IN ACCORDANCE WITH PRIOR COMMISSION ACTION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Manager Mortell provided information on the leases, and gave a detailed explanation of the changes. The Commission agreed to roll the agenda item to the next meeting. No motion was made; Mayor Rich stated there is no action taken regarding this Item.

ORDINANCE FIRST READING

4. RESCISSION OF CITY OF STUART'S ORDINANCE NO. 2539-2025 (RC):

ORDINANCE No. 2543-2025; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, RESCINDING CITY OF STUART ORDINANCE NUMBER 2539-2025 PURSUANT TO SECTION 28 OF FLORIDA SENATE BILL 180 WHICH WAS ADOPTED AND EFFECTIVE AS OF JULY 1, 2025; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Lee Baggett, City Attorney, reviewed the Ordinance and provided a brief summary of the rescission of the Ordinance. Mr. Baggett read Section 28 of the Florida Senate Bill 180 for clarification. He stated that the rescission would not have any impact on our ability to join the lawsuit, but it would stop any potential lawsuits against our City. He spoke to Attorney, Susan Trevarthen, and she provided him with a proposed Resolution.

Vice Mayor Collins believes we need to fight back and feels it's now or never. Read from the proposed Resolution.

PUBLIC COMMENT:

1. Robin Cartwright - Stuart; Commented on Senate Bill 180, an unfunded bill that resets after every emergency, leaving a chance that the bill may never sunset.
2. Walter Loyd - Stuart; Thanked Ms. Cartwright and commented not to rescind the Ordinance, fight the state, and join any class action lawsuit.

8:13 PM MOTION: Approve to transmit Ordinance No. 2543-2025 to Second Reading.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved unanimously.

DISCUSSION AND DELIBERATION

5. DISCUSSION REGARDING THE MARTIN COUNTY COURTHOUSE PARKING REQUIREMENTS AND PROPOSED BRIGHTLINE FUTURE PARKING

City Manager Mortell provided a historical timeline of the Courthouse, discussed the design of Martin County Gazebo Park, the parking, and the Cultural Center. Gave statistics on the number of spaces that exist today and provided his recommendation.

Vice Mayor Collins requested to review Resolution No. 33-88 and find out what the code was in 1986.

Commissioner Clarke inquired about the standards and why the City seems to be fighting the process.

City Manager Mortell read Resolution No. 33-88 into the record. The discussion continued. Mayor Rich recommended the Vice Mayor meet with the City Manager to clarify the details. Required parking will need to be met.

6. DISCUSSION WITH CITY COMMISSION REGARDING PUBLIC WORKSHOPS FOR 121 SW FLAGLER AVENUE

Discussion included having a moderator. Vice Mayor Collins suggested the City start with existing designs, having Main Street host a workshop and add the discussion to the Community Redevelopment Board (CRB) for their recommendation.

7. DISCUSSION AND DELIBERATION ON THE FUTURE OF THE 1.97 ACRE COMMERCIAL LOT FRONTING NORTH US-1 OPPOSITE NORTH RIVER SHORES BOULEVARD

City Attorney Baggett reviewed the previous discussion on creating a trail head on the 2-acre parcel fronting US1 (backing up to Haney Creek). Reviewed legal documents, an Interlocal Agreement (Funding Agreement) with Martin County in 2011, regarding joint efforts to maintain the parcel; read the 4th Whereas clause into the record. Revenue generated from the parcel and multiple efforts to develop the property over the past 14 years per the referendum in 2011. If the desire of the Commission is to use the property as a park or trail head, changing it from commercial, it would have to go out for referendum.

The direction of the Commission was to bring back to the 2nd meeting in August as an agenda Item; letter, resolution, or a request.

ADJOURNMENT

9:27 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

Minutes to be approved at the Regular Commission Meeting this 11th day of August, 2025.