

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
OCTOBER 27, 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

5:40 PM

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

INVOCATION

Pastor Stanley Allen, Jr. of Redeemer Lutheran Church, gave the Invocation.

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Reed

- Requested a fifteen (15) minute recess before Item #4.
- Commented that he has been chastised for bringing up the issue (Item #4), has received backlash for bringing awareness to important public business, and has experienced and reported threats and intimidation. Stated he had to file a police report last week. Offered his cell phone number to the public and stated that he tries to be transparent; attacks are uncalled for.

Commissioner Giobbi

- Commended Commissioner Reed for his commitment to the community.

- Thanked everyone for being here and hopes all will conduct themselves and hear both sides of the story.

Commissioner Clarke

- Commented on the active and unprecedented Hurricane Melissa that her homeland was experiencing, she asked that all think of others at this time.
- Retreated her comment from the Community Redevelopment Agency Meeting (CRA) this evening and the issues of homeless and affordable housing in Stuart.

Vice Mayor Collins

- Commented in hopes that all participating in the meeting would remain civil and neighborly.
- Stated he appreciates and supports Mike Mortell, no matter how he votes this evening.

Mayor Rich

- Commented on the local legislative action days, which allow open dialog for communities to review important issues. Disappointed in the lack of attendance from fellow Commissioners City manager Mortell and himself were the only City representatives.
- Thanked Commissioner Reed, Commissioner Clarke, and himself for taking the time to meet with the Department Heads prior to this meeting.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Reported on the loss of a Stuart team member, Mr. James Allen, Supervisor of the Water Reclamation Facility, as well as the loss of past Martin County Sheriff Crowder last week; he was the longest serving Sheriff in Martin County.
- Announced the successful Halloween event hosted by the City's Community Services Department.
- Stated he received an email complimenting the Stuart Police Department regarding the traffic around 10th Street and speed reduction.

APPROVAL OF AGENDA

5:58 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. Walter Loyd - Stuart; Commented on the River Coalition Meeting held last week,

thanked them all and found the meeting inspiring.

APPROVAL OF CONSENT CALENDAR

1. APPROVAL OF 10/13/2025 CCM MINUTES

END OF CONSENT CALENDAR

6:01 PM MOTION: Approve.

MOVED BY: Christopher Collins

SECONDED BY: Eula Clarke

Motion approved unanimously.

COMMISSION ACTION

2. FPL EASEMENT FOR "CAPTAIN ADAMS PARK" PARCEL AT CONFUSION CORNER (RC):

RESOLUTION No. 103-2025; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT BETWEEN THE CITY OF STUART, FLORIDA AND FLORIDA POWER & LIGHT COMPANY FOR THE PURPOSES OF PLACEMENT AND MAINTENANCE OF CONDUIT ON THE CITY-OWNED PARCEL KNOWN AS CAPTAIN ADAMS PARK LOCATED AT CONFUSION CORNER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Michael Mortell, City Manager, reviewed the Resolution, noted that part of the undergrounding of power lines on both Seminole St. and Flagler Avenue, to connect to main power grid, there is a need of a separate easement.

6:03 PM MOTION: Approve.

MOVED BY: Christopher Collins

SECONDED BY: Eula Clarke

Motion approved unanimously.

3. TRAFFIC CALMING MEASUREMENTS WITHIN THE 10TH STREET RESIDENTIAL AREA (RC):

RESOLUTION No. 72-2025; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING THE INSTALLATION OF ADDITIONAL STOP SIGNS ALONG S.E. KRUEGER PARKWAY, S.E. PARKWAY DRIVE, S.E. MADISON AVENUE, S.E. DOLPHIN DRIVE, AND S.E. FLAMINGO AVENUE BETWEEN S.E. OCEAN BOULEVARD AND 10TH STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mechelle Arbuzow, Planner I, co-presented with the Development Director, Jodi Kugler, on the traffic-calming measures proposed project.

Police Chief Zenelovic added comments pertaining to the options available.

Commissioners' discussion included cameras, stop signs, and involved CRB Board Member, Bonnie Moser and Captec Engineering, Joe Capra, to offer solutions and a request for Bonnie Moser to return with input at the next CRA Meeting.

PUBLIC COMMENT:

1. Bonnie Moser - Stuart; Thanked Stuart Police Department for their efforts and is happy to work with City staff for better short and long-term solutions. Noted that City-wide, when making decisions, the Manual on Uniform Traffic Control Devices (MUTCD) states that stop signs should not be used.

6:23 PM MOTION: Table to a date uncertain.

MOVED BY: Eula Clarke

SECONDED BY: Laura Giobbi

Motion approved unanimously.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

DISCUSSION AND DELIBERATION

***** 6:30 PM RECESS *****

***** 6:46 PM RECONVENED *****

4. CONTINUED DISCUSSION AND DELIBERATION OF CITY MANAGER'S EMPLOYMENT CONTRACT

City Attorney, Lee Baggett, provided a review and advice pertaining to the City Manager's contract, noted paragraph 5 states termination is with or without cause. Mr. Baggett provided examples referred to in Florida Statute 100.361, which is grounds for removal of a Commissioner under state law. The seven (7) grounds for removal include:

1. Malfeasance — Performance of an act that is legally unjustified, harmful or contrary to law, especially by a public official or a person in a position of public trust. Performance of act completely illegal or wrongful act by an elected official.
2. Misfeasance — Transgression, especially the wrongful exercise of lawful authority. It's the performance of a lawful action, in an illegal or improper manner, the improper performance of a lawful act resulting in harm or injury to another person or entity.
3. Neglect of duty.
4. Drunkenness.
5. Incompetence.
6. Permanent inability to perform official duties.
7. Conviction of a felony involving moral turpitude.

Mr. Baggett continued by pointing out differences in the Employee Handbook, Chapter 26, with the Contract, that the Florida law states when there is an employee policy vs. employee contract, the employee contract will prevail. Therefore, Mr. Mortell will be entitled to 20 weeks of severance without cause. In his opinion, if the Commission wants to terminate for cause, the Commission would need to provide one or more of the seven identified grounds along with a factual basis in support of the violation, witnesses or any documents of the assertion of the violation. The City gives a similar process to all employees terminated with cause. If due process on a cause finding isn't done, it could

potentially expose the City to another claim for not providing procedural due process. After identifying this information, his suggestion would be to schedule a special meeting the following week to give Mr. Mortell an opportunity to address allegations. Baggett offered a reliable source, Sec. 2-22 Code of Ordinances; Investigation by Commissioners of charges of wrong doing by Charter employees. Mr. Baggett identified the different courses of action:

- Allow Mr. Mortell to continue to work or place him on paid administrative leave until such hearing.
- Mr. Mortell may resign with 45 days written notice, but would not be entitled to severance.
- Mr. Mortell can be terminated with cause, and would not be entitled to severance.
- The Commission could perform a performance evaluation, provide a personal improvement plan, and the opportunity to correct.

Mr. Baggett stated that depending on the course of action, an interim City Manager must be appointed.

Commissioner Reed clarified with Attorney Baggett, the potential effect on future employment between termination with cause or resignation. Attorney Baggett stated that termination with cause could affect future employment for Mr. Mortell. Commissioner Reed reiterated his Commissioner Comments, stated he has been chastised and whether it is the right decision or not, he had concerns about things brought to his attention, whether it meets cause, that direction would prolong the situation. Commissioner Reed reported his concerns as a lot split brought before the Commission, a traffic citation and traffic stop, and certain agenda items being misrepresented, in particular "Brightline." Out of respect for Mr. Mortell, those were his reasons for bringing this forward.

6:58 PM

Commissioner Reed made a motion to terminate Mr. Mortell without cause and put Joly (Boglioli) as Interim City Manager for the time being.
The motion was seconded by Commissioner Giobbi.

PUBLIC COMMENT:

1. Raj Patel - Palm City; Read from his daughter's essay on, "Characteristics of a Leader You Admire", that she wrote about City Manager Mortell.
2. Jimmy Smith - Stuart; Commented on the history of the City and said a prayer.
3. Althea Stoudemier - Stuart; Spoke in favor of City Manager. Questioned the reasoning and how someone with one-year on the board knows so much. Stated Mr. Mortell has a heart and the experience.
4. Karen Steger - Stuart; Commented she has known Mike Mortell for 30 years, stated with confidence, he is an honest person; due process doesn't seem to matter anymore, search our souls because someday it will be you.
5. Helen McBride - Stuart; Commented on her history and past involvement in the City; never called police when people bothered her after her voice was heard at public meetings. Commissioners are misusing the Police Department and felt public officials should answer their phones.
6. Marge Bonomo - Stuart; Stated she has known Mike Mortell for 30 years, shocked to let go of such institutional knowledge and love from the community.

7. Walter Loyd - Stuart; Stated he believes that truth prevails, and noted that the item should have been noticed, in favor of motion.
8. Nina Denton - Stuart; Commented that she works for the Clerk of Court who has tried to contact the Commissioners to voice her feelings to no avail, and it is her opinion to retain Mr. Mortell.
9. Paula Nicoletti - Stuart; Asked Commission to consider their lack of professionalism. It is not what Stuart deserves; the idea of bringing in a new manager every few years simply to be a part of the hiring process is ridiculous. Serious issues in our community and the City needs Mike Mortell, well-educated and knowledgeable.
10. Jim Gallegos - Stuart; Commented on his support of Mike Mortell, Stuart has a superman in Mr. Mortell; asked for his many values to be weighed tonight.
11. Bob Daniels - Town Manager of Sewall's Point; Commented in support of Mike Mortell, suggested other avenues where there are different viewpoints; give him an opportunity to meet any bars set for him; urged them to reconsider the motion.
12. Lila Wood - Stuart; Commented that she is a neighbor of Mike Mortell and relies on him, represents a number of friends that could not attend today, deeply disturbed by the freshmen Commission. Mike and the citizens deserve consideration, and the people who voted for you did not expect this and will not vote for them again, unless a change is in their motion.
13. David Sharfi - Stuart; Read the definition of a "circus" and "theater" that he feels is taking place.
14. Joseph Cooper - Stuart; Commented on being a Christian nation and following Christ, redemption, if fault is found in someone, you should redeem them; Mike Mortell's institutional knowledge; those who are without sin, cast the first stone. Suggested, they give him a plan and the community will appreciate it.
15. Michael Ponte - Jensen Beach; Stated that, on behalf of the Martin County Realtors Association, Martin County Tax Payers Association, NAACP, Treasure Coast Builders Association and the Martin County Chamber of Commerce, respectfully requested that a policy of regularly providing updates including costs, taxpayers dollars, about the City's ongoing litigation against the State of Florida on SB 180.
16. John Gonzalez - Stuart; Begged the Commission not to fire Mike Mortell, and asked that they apply the Golden Rule, do unto others as you would have them do unto you.
17. Nick Blount - Stuart; Item is a discussion and deliberation, wondering how a vote could be done; in time, he served as a Commissioner, gained respect for the job of a City Manager, Mike Mortell has consistently served as a leader.
18. Mark Brechbill - Stuart; Commented the job of a Commissioner is a leader and doing what they are elected to do. Offer a plan of action; it is easier to work with Mike Mortell rather than bring someone new in. Be the leaders you are.
19. Bill West - Stuart; Asked the Commission to think of the Community and Mike Mortell's family, and shared a verse.
20. William Rudge - Stuart; Stated the formal notification of City vs. Rudge, commented on inconsistencies by Mike Mortell; 11th Circuit has formally opened the case and is under federal review; requesting submitting with cause for termination of the City Manager, requests formal review by the commission.
21. Kathy Cabre Peters - Stuart; Privilege of working with Mike Mortell since the start and was outraged that, after a short term, you know better than those before you.
22. Ed Lucente - Stuart; Commented on process, how we govern and how we decide.

The Commission is voting on a matter of increasing friction between Mike Mortell and the repeated alignment with each other over the experienced members of the Commission. Stated the member with the least experience requesting the resignation of the City's most experienced leader because of differing ideas and opinions, a leadership paradox.

23. Dennis Steelman - Stuart; Commented on his positive past dealings with Mike Mortell; his availability and extensive knowledge has saved the City millions of dollars over the past years. As a manager, he has never moved to fire a person.
24. Jeff Dougherty - Stuart; Commented on his long-term history and involvement in the City, pattern from past City Managers, that local knowledge is invaluable; dealt with Mike Mortell in each held position, he is available, professional and knowledgeable.
25. Robin Cartwright - Stuart; Commented on past manager, Mr. Ross, who felt Mike Mortell has used his position for preferential treatment, stated if Mr. Mortell is the leader that all state he is, the staff and services will continue without him. Tonight's decision is about the totality of the behavior and what we expect from a leader.
26. Caryn Hall - Stuart; Commented that Mike Mortell has not done this on his own and noted she felt there is a network, uses the law as a weapon and loved Mr. Mortell as a person, but may he be kept away from the City.
27. Audra Creech - Stuart; Commented that the Commissioners are seeing something that does not exist because they want it to exist.
28. Margaret Bromfield - Stuart; Thanked the City Manager for showing up. Have you ever intentionally put your pen to the paper to defraud the City? She sees a man that shows up and engages with the people with an open mind. Read a scripture.
29. Robert Stancavich - Stuart; Commented about a pension freeze for Mr. Mortell, Mr. Nicoletti and Mr. Killbride and stated Mortell was responsible for his divorce and hundreds of thousands of dollars in fines. Provided a packet to Commission and audience members.
30. Clay Scherer - Stuart; Urged the Commission to reconsider the motion; fairness, due process, transparency, asked them to keep that in mind. Serves on the Community Redevelopment Board with Mr. Brechbill and agreed with his comments; surely feels there is a better way to deal with Mr. Mortell, demonstrate that you hear us and listen to the citizens.
31. Lucie McGuire - Port St. Lucie; Commented on her service to the community, though she lives in Port St. Lucie, is a native citizen, and she is so disappointed with the Board and the childish behavior by the Commissioners. Stated that leadership is not to make decisions, regardless of right or wrong. He has more experience than all the Board combined. It will cost our city financially and cost our integrity.
32. Tim Hernandez - Delray Beach; Commented on Mr. Mortell's intellect, his best interests are for the City,
33. Olga Hamilton - Stuart; Commented on the job of the City Manager and all laws must be followed, felt Mr. Mortell participated in mismanagement and fraudulent documents, demands transparency.
34. Robert Hamilton - Stuart; Commented on truth and accountability, felt Mr. Mortell did not follow the directive from the State of Florida, stated there was no roof ridge vent installed and Mr. Mortell lied on October 13th, their 130-year-old building has been damaged, but this is about leadership.
35. Lucas Latham - Stuart; Commented on the four (4) story building that looms over Seaside Homes.

36. Frank McChrystal - Stuart; Encouraged all to view the Metropolitan Planning Organization meeting from this morning to see Commissioner Reed in action; if you feel the City Manager is not working with you, if he is impeding your actions, you have a job to do.
37. Robert Haas - Stuart; Commented on the false communications about him and his property, provided his property history, stated Mr. Mortell had a case against him and did not help him or do him any favors, but knows that he was honest and in 25 years, bound to make some residents angry.
38. Steven Vitale - Stuart; Commented that firing a City manager via trial by Facebook is wrong. They have made many comments about families that are pillars in the community, reported on a historical property, advocated for City Manager Mortell. Stated Ephesians 4; Body of Christ; all have different talents, we need to work together, slowly becoming a dysfunctional City.

***** 9:12 PM RECESS *****

***** 9:23 PM RECONVENE *****

City Manager Mortell expressed humility and gratitude toward the community while acknowledging criticism received. He addressed accusations related to the Hamilton Project, outlining the City's actions, the discovery of fraudulent behavior of the homeowner, and his commitment to honesty. He emphasized that his role is to implement the City Commission's directives and cited examples such as Costco, Zoning in Progress, SB 180, and budget reductions. Mr. Mortell questioned the transparency surrounding the review of his contract, noting that termination discussions were not communicated to him or the media. He commented on instances where the Commission engaged in administrative matters which he believes violated state law. He mentioned rallies organized in his support, initially opposing them but later expressing appreciation for the community's encouragement. He stated the situation could have been avoided with transparency from Commissioner Reed, calling the process an "ambush" and a violation of the Code of Conduct. He denied allegations related to a property lot sale and discussed ethical concerns regarding Commissioner Reed's interactions with union members. Mr. Mortell reflected on his 25 years of service, expressing gratitude to both supporters and critics for fostering balance. He reaffirmed his love for the City of Stuart and admiration for residents' civic engagement. He encouraged a return to transparency, professionalism, and adherence to the City Charter, emphasizing that the Commission should focus on policy while staff carry out implementation. He concluded by thanking the community for the opportunity to serve and expressed hope that Stuart continues to uphold integrity and effective governance.

Commissioner Clarke stated that as the longest-standing commissioner, she appreciated Commissioner Reed's desire to participate in what he considered to be his job, but she hadn't envisioned the request to review the contract would turn into this. She stated knowing him as a Commissioner, City Attorney, and City Manager, and didn't see the need to investigate Mr. Mortell. She met with all department heads for two to three days last week and not one spoke in a negative manner of Mr. Mortell or his performance. She expressed concern about what will happen with the City of Stuart once he is gone. Commissioner Clarke asked the Commission to pull back and come up with a plan to have Mr. Mortell meet with the Commissioners and heal our City before it is broken. They owe it to themselves and the residents. She asked Commissioner Reed to withdraw his motion.

Commissioner Clarke spoke directly to Mike Mortell and told him she appreciated his work, thanked him for what he has done for the City and commended him for his grace and his appropriate response, that it showed leadership.

Commissioner Reed stated he was not willing to withdraw his motion, that some things were thrown out of context, and they can agree to disagree. They have different perspectives.

Mayor Rich commented on loyalty and staff morale, stated that it was a grossly unfair decision. He met with department heads and there were no complaints about Mr. Mortell, but only their concern about whether it could happen to them as well.

Commissioner Reed stated he met with all department heads, and more than one told him he was on the right path, and stated there were three (3) complaints in the personnel file and when the news made a request, there were none.

*CLERK'S NOTE: For the record, it was noted that the public records requests in question were submitted with different parameters. The initial request covered the period of 2013 to present and resulted in the production of two (2) complaint records. The subsequent request specified a timeframe beginning in March of 2023, during the tenure of City Manager, and produced no responsive records.

6:58 PM MOTION: Terminate the City Manager without cause and put Joly (Boglioli) as Interim City Manager for the time being.

MOVED BY: Sean Reed

SECONDED BY: Laura Giobbi

VOTE: MOTION PASSED 3/2; 10:15 PM

YES: Christopher Collins, Laura Giobbi, Sean Reed

NO: Campbell Rich, Eula Clarke

ADJOURNMENT

10:15 PM

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 10th day of November, 2025.**