

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
MAY 9, 2022
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Merritt Matheson
Vice Mayor Troy McDonald
Commissioner Becky Bruner
Commissioner Eula R. Clarke
Commissioner Mike Meier

ADMINISTRATIVE

City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel

ROLL CALL

4:00 PM

PRESENT: Mayor Matheson, Vice Mayor McDonald, Commissioner Bruner, Commissioner Clarke, Commissioner Meier.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - "THE FOLDING CITY" - A PRESENTATION BY CARSON KATRI OF CLARK ADVANCED LEARNING CENTER

Dr. Danisha Bonds, Career Coordinator at Clark Advanced Learning Center, spoke about the Clark Advanced Learning Center and introduced one of her students, Carson Katri. Carson presented a step by step on how he was able to make the City of Stuart digitally fold in half and showed the video he made of Downtown Stuart folding in half.

2. CERTIFICATE OF RECOGNITION FOR STEVAN WEISS

Roz Johnson, Director of Human Resources for The City of Stuart, gave an introduction about the internship program we had with Clark Advanced Learning Center and introduced Stevan Weiss, Intern with The City. Mr. Weiss thanked the City of Stuart and Ms. Johnson for his time here.

PROCLAMATIONS

4:14 PM

3. MINORITY HEALTH MONTH - APRIL 2022

Patsy Lindo-Wood, Program Administrator from the Department of Health accepted the Proclamation. Ms. Lindo-Wood expressed her gratitude for the Proclamation and spoke about Minority Health Month.

4. LETTER CARRIERS' *STAMP OUT HUNGER* FOOD DRIVE DAY - MAY 14, 2022

Diane Grant, House of Hope Development & Outreach Coordinator and Amy Belisle, House of Hope Development Manager accepted the Proclamation and announced recent accomplishments of the House of Hope.

5. SAFE BOATING WEEK - MAY 17-22, 2022

Volunteers from US Coast Guard Auxiliary Flotilla 59 accepted the Proclamation. Ms. Sherri O'Neil, Vice Commander of Flotilla 59 thanked the City and provided statistics from the Coast Guard Auxiliary. In addition, they awarded Mayor Matheson with the Bravo Zulu Award.

6. FLORIDA EMANCIPATION DAY - MAY 20, 2022

Jimmy Smith, President of the NAACP, accepted the Proclamation. Mr. Smith thanked all the Commissioners, City Manager, and City Attorney and spoke on the history of Emancipation Day. Invited everyone to join the Emancipation Day event on May 20, 2022 to the Love Temple Church of God.

7. HISTORIC PRESERVATION MONTH - MAY 2022

Sherry Lee, Martin County Historic Preservation Board Member, accepted the Proclamation, thanked the Commissioners and announced the ongoing events in May at the historic properties throughout the City and County.

8. MENTAL HEALTH AWARENESS MONTH - MAY 2022; NATIONAL ALLIANCE ON MENTAL ILLNESS (NAMI)

Recipient not present to accept Proclamation.

9. MENTAL HEALTH AWARENESS MONTH - MAY 2022; NEW HORIZONS

Recipient not present to accept Proclamation.

10. GARDEN WEEK - JUNE 5-11, 2022

Mary Jane DuCoin, 2nd Vice President of the Garden Club of Stuart and Ann McCormick, Garden Week Chairman, accepted the Proclamation. Ms. DuCoin spoke about the history of the Garden Club, thanked the City for acknowledging Garden Week and presented the City with a beautiful bouquet of flowers.

PRESENTATIONS

4:50 PM

11. STUART MAIN STREET ANNUAL UPDATE

Candance Callahan, Executive Director of Stuart Main Street, provided a presentation on the history of Stuart Main Street and their accomplishments, the history of The Flagler Center, the various events they host and organize, future plans, and reporting.

Questions and discussions took place between the Commissioners and Ms. Callahan.

- State Main Street is taking place in Stuart in the Spring of 2024.
- The Lyrics, 6 week Summer Camp.
- Special weekends when Main Street doesn't operate.
- Any changes in the parking due to the new specialized parking from Hudson's on The River Restaurant.

COMMENTS BY CITY COMMISSIONERS

5:10 PM

Commissioner Meier

- Congratulated Mayor Matheson on receiving the Bravo Zulu Award from the US Coast Guard Auxiliary Flotilla 59.
- Spoke on the Affordable Connectivity Program as part of the bipartisan infrastructure bill. Mentioned that the government is pushing all major internet companies to provide 100mb per second internet service at no more than \$30 a month. To see the income limit, you can go to www.getinternet.gov. Wanted to ensure that staff is aware and would like to spread the word on our social media so our residents who are entitled to it can take advantage of it.

Commissioner Clarke

- Commented on how pleased she was with the Arbor Day planting event at Gertrude Walden.
- Noted safety concerns about the curb at the railroad tracks on Florida St.
- Asked if we contacted the County Administrator and Airport Manager for a date certain for a presentation about airport noise.
- Mentioned that May 1 was Law Day and spoke about the Law Justice event at St Monica Episcopal Church - Sunday, May 15, 2022 at 11:00 AM.
- Thanked the Mayor for celebrating Emancipation day and stated the event at the Love Temple Church of God.

Vice Mayor McDonald

- Happy to hear the Governor vetoed the rooftop solar bill.
- Requested an update on Fire Station #3.

Mayor Matheson

- Stated he spoke to Lieutenant Cornal Polk of the Army Corp to set up another boat tour in the South fork tentative date is June 9, 2022.
- Would like to contribute some of the Mayor's budget funds to assist in the Emancipation

day event and thanked Commissioner Clarke for continuing the Emancipation event.

- Stated he would also like to use the Mayor's funds for himself and pay for half of his Martin County Leadership class.

Mr. Dyess stated that those funds are not meant for personal use and would like feedback from other Commissioners on the subject.

Commissioners discussed how the budget should be used and spoke about education training.

Commissioners stated they would wait and consider it.

COMMENTS BY CITY MANAGER

5:25 PM

David Dyess, City Manager

- Stated that the Airport Noise Advisory Committee (ANAC) presentation will be at the first meeting in July.

Vice Mayor McDonald requested the records for the proposed 60 DNL Interlocal agreement, and would like it sent out to Commissioners prior to the meeting.

Commissioner Clarke wanted to know the history of proposals from ANAC.

- Commented that Milton Leggett, Director of Public Works, has an onsite meeting at the railroad crossing on Florida St.
- Stated that the site plan for Station 3 has been completed and is awaiting on the design portion.
- Mr. Rick Walker, a citizen, contributed a mini free library in Oleander Park.
- Announced that the City was notified that we were awarded a grant of City Wide Vulnerability Assessment in Resiliency plan.
- Pulled Item #15 and mentioned that there is a scheduled conference call and after the call takes place we will know if the item needs to come before the Commission.

APPROVAL OF AGENDA

5:31 PM MOTION: Approve pulling Item #15.

MOVED BY: Eula Clarke

SECONDED BY: Troy McDonald

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1.) Jimmy Smith - SE Apache Ave.; Spoke on Atlantic Point Marina project and is in favor of the project.

2.) Tom Whittington - SE St. Lucie Blvd.; Stated he is in favor of the Atlantic Point Marina project.

3.) Gwendolyn Hall-Brinkley - SW Majorca Ave, PSL.; Recommended everyone to attend any events put on by the Black Heritage Initiative group of Martin County. Spoke about the event that happened in the One Room Colored School House. Also commented on the Eula Clarke

Mother's Day Basketball Tournament.

CONSENT CALENDAR

12. APPROVAL OF 04/25/2022 CCM MINUTES (RC)

13. BUDGET AMENDMENT FOR WALMART DONATION TO PUBLIC SAFETY (RC):

RESOLUTION NO. 09-2022; BA #3-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT NUMBER 3 TO THE 2022 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION OF A DONATION FROM WALMART CORPORATION AUTHORIZING THE EXPENDITURE OF FUNDS FOR POLICE COMMUNITY EVENTS; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

14. AWARD OF ITB #2022-109: DOWNTOWN FLOATING DOCK REPLACEMENT PROJECT (RC):

RESOLUTION No. 51-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA APPROVES THE AWARD OF ITB #2022-109, DOWNTOWN FLOATING DOCK REPLACEMENT PROJECT TO THE LOWEST, RESPONSIVE, AND RESPONSIBLE BIDDER WITH A TOTAL UNIT PRICE OF \$49,690.00 TO UNDERWATER ENGINEERING SERVICES, INC. OF FORT PIERCE, FLORIDA PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

5:40 PM MOTION: Move Approval.

MOVED BY: Mike Meier

SECONDED BY: Troy McDonald

Motion approved unanimously.

COMMISSION ACTION

15. CITY OF STUART COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION PROGRAM CONFLICT DISCLOSURE (RC)

PULLED FROM AGENDA.

16. LAND USE CHANGE TO CONSERVATION WITHIN AVONLEA (RC):

RESOLUTION No. 50-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO REQUEST AUTHORIZATION FOR STAFF TO COMMENCE A CITY INITIATED PROCESS TO DESIGNATE A CITY FUTURE LAND USE OF CONSERVATION ON CERTAIN TRACTS IDENTIFIED WITHIN THE NEW AVONLEA PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5:42 PM

Kev Freeman, Director of Development, presented the project and spoke about the subjected parcels to be put into conservation.

5:43 PM MOTION: Move for approval.

MOVED BY: Troy McDonald

SECONDED BY: Becky Bruner

Motion approved unanimously.

Commissioner Meier asked if this resolution would require a re-plat or what level of investment of time would be on staff.

Mr. Freeman stated what staff's involvement would be.

17. ATLANTIC POINT MARINA – MAJOR URBAN CODE CONDITIONAL USE APPROVAL – (REQUEST FOR CONTINUANCE TO A DATE CERTAIN OF MAY 23, 2022 CCM)

RESOLUTION No. 43–2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, GRANTING A MAJOR URBAN CODE CONDITIONAL USE APPROVAL FOR MIDDLE ISLAND MANAGEMENT AND DEVELOPMENT, LLC OWNER OF PROPERTY LOCATED AT 75 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; ALLOWING URBAN DESIGN VARIANCES TO THE URBAN WATERFRONT DISTRICT SUCH AS THE MAXIMUM CUMULATIVE FRONT BUILDING FAÇADE WIDTH OF 160 FEET, THE REQUIREMENT TO PROVIDE ADDITIONAL VISTA REQUIREMENTS FOR A BUILDING FAÇADE 100 FEET OR MORE IN WIDTH, MAXIMUM BUILDING HEIGHT OF THREE STORIES AND 35 FEET, THE REQUIREMENT TO PROVIDE BALCONIES ON THE WATERFRONT SIDE OF A BUILDING, FROM CERTAIN ARCHITECTURAL STANDARDS AND REGULATIONS AND SIDE SETBACKS OF NOT LESS THAN 10 FEET ON EACH SIDE; IN ORDER TO BUILD A BOAT BARN, RESTAURANT, SHIP STORE, BOAT SLIPS, AND ASSOCIATED MARINA USES. PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A TIMETABLE OF DEVELOPMENT; PROVIDING FOR CONDITIONS OF APPROVAL; AND FOR OTHER PURPOSES.

5:47 PM MOTION: Move for Approval
MOVED BY: Eula Clarke
SECONDED BY: Troy McDonald
Motion approved unanimously.

ORDINANCE SECOND READING

None.

ORDINANCE FIRST READING

18. INDIAN STREET SELF STORAGE DEVELOPMENT (RC):

ORDINANCE No. 2482-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A MAJOR AMENDMENT TO A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) FOR A 6.59-ACRE PROPERTY AT 1053 SOUTHEAST INDIAN STREET; LOCATED APPROXIMATELY ONE-HALF MILE EAST OF THE INTERSECTION AT WILLOUGHBY ROAD AND SE INDIAN STREET ON THE NORTH SIDE OF THE ROAD, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE BEE SAFE STORAGE CPUD CONSISTING OF ONE, THREE-STORY, 135,000-SQUARE-FOOT SELF STORAGE BUILDING AND EIGHT, ONE-STORY STORAGE BUILDINGS; PROVIDING FOR CERTAIN DEVELOPMENT DOCUMENTS AND CONDITIONS; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5:49 PM

Erin Wohlitka, Senior Planner, gave a brief history of the site, spoke about the access and traffic patterns, landscaping, architecture, stormwater, and listed the 3 requested waivers.

Morris Crady, Lucido & Associates, presented the project and gave some insight on what the project entails.

Al Leonard, President of Bee Safe Storage spoke about the history of Bee Safe and handed out a packet with pictures of the inside of the facility.

Mayor Matheson spoke about the project and stated he is looking for the 1ft in the sidewalks.

Commissioner Bruner stated that she is in favor of this project.

Commissioner Clarke requested staff to speak on the vote about this project in LPA.

Mrs. Wohlitka stated the 3 reasons why LPA recommended denying the project.

Commissioners and staff continued discussion and questions.

6:24 PM MOTION: Move per staff recommendation.

MOVED BY: Troy McDonald

SECONDED BY: Becky Bruner

Motion approved unanimously.

- 19. ATLANTIC POINT MARINA - FUTURE LAND USE MAP CHANGE - MIDDLE ISLAND MANAGEMENT & DEVELOPMENT, LLC (RC):**

ORDINANCE No. 2485-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "INDUSTRIAL" TO "MARINE INDUSTRIAL" FOR MIDDLE ISLAND MANAGEMENT AND DEVELOPMENT, LLC OWNER OF PROPERTY LOCATED AT 75 NW FLAGLER AVENUE, ADJACENT TO THE ST. LUCIE RIVER, PARALLEL TO NW FLAGLER AVENUE, NORTH DIXIE HIGHWAY, AND THE FEC RAILWAY, AS DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6:25 PM

Mayor Matheson passed the gavel to Vice Mayor McDonald.

City Attorney Mike Mortell placed 2 people under oath: Kev Freeman, Director of Development, and Don Cuzzo, Applicant representative.

Mr. Dyess spoke about a citizen sighting a Bald Eagle nest in Haney Creek and spoke about what is being done.

Mr. Freeman gave a presentation on the site and stated the land use, data and analysis, and provided staff recommendations.

Mr. Cuzzo presented aerial shots of the site, maps, existing future land use, spoke about the proposed future land use - Marine Industrial, and requested the Commissioners' approval on the land use change.

Commissioner Meier asked if he could have a determination level of service for Flagler before the second reading.

Commissioner Clarke asked what amount of waterfront is industrial marine that we currently have now in our comp plan.

Mr. Freeman responded that we currently have 12.6 acres of marine industrial.

Commissioners discussed the change of land use.

6:51 PM

- 1.) Joan Goodrich - SE Monterey Commons Blvd.; In favor of the land use change.
- 2.) Brent Waddel - NE Kubin Ave.; In favor of the land use change.
- 3.) Jimmy Smith - SE Apache Ave.; In favor of the land use change and project.
- 4.) Douette Price - SE Fourwinds Dr.; In favor of the land use change and project.
- 5.) Robin Cartwright - SE Hibiscus Ave.; In favor of the land use change, spoke on the CBP, made mention of a discrepancy in the max buildout, mentioned the citizens appreciate that the Commission is now looking at the future land use separately from the site plan.
- 6.) Helen McBride - SE Flamingo Ave.; In favor of the land use change.

6:57 PM

Mr. Freeman addressed the maximum build out.

6:49 PM MOTION: Approve.

MOVED BY: Mike Meier

SECONDED BY: Eula Clarke

Motion approved unanimously.

DISCUSSION AND DELIBERATION

None.

ADJOURNMENT

6:59 PM

Mary R. Kindel, City Clerk

Merritt Matheson, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 23rd day of May, 2022.**