City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION
JUNE 13, 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

Agenda items are available on our website at http://www.cityofstuart.us
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.
(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party reg3rding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

ROLL CALL

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - MR. ALESSANDRO ANZALONE PERFORMING VOTRE TOAST, THE TOREADOR SONG FROM CARMEN.

PRESENTATIONS

2. SERVICE AWARDS - JUNE 2022

3. BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY PRESENTATION

4. STUART HOUSING AUTHORITY

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

5. APPROVAL OF 5/23/2022 CCM MINUTES (RC)

6. AID CONTRIBUTION TO THE BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY FOR ECONOMIC DEVELOPMENT (RC):

RESOLUTION No. 52-2022; A RESOLUTION OF THE CITY COMMISSION OF THE

CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF STUART AND THE BUSINESS DEVELOPMENT BOARD OF MARTIN COUNTY CONTRIBUTING AID TO SUPPORT ECONOMIC DEVELOPMENT PROJECTS, PROGRAMS, AND SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

7. RENEWAL OF STUART MAIN STREET ASSOCIATION, INC. 'MARKET ON MAIN' LICENSE AGREEMENT (RC):

RESOLUTION No. 56-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE RENEWAL OF A NON-EXCLUSIVE LICENSE FOR PREVIOUSLY AWARDED RFP #2021-203 FOR THE TERM OF ONE (1) YEAR TO STUART MAIN STREET ASSOCIATION, INC. A DESIGNATED 501(c) ORGANIZATION, FOR THE OPERATION OF A WEEKLY OUTDOOR MARKET PLACE FOR SALES TO THE GENERAL PUBLIC INCLUDING FRESH PRODUCE, GREEN PRODUCTS, BAKED GOODS, PLANTS, ASSORTED FOODS, AND OTHER PRODUCTS AND SERVICES BY INDEPENDENT VENDORS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

ORDINANCE SECOND READING

8. STUART COURTHOUSE (ELIZABETH) UPUD (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2489-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A REZONING FROM URBAN CENTER (UC) TO URBAN PLANNED UNIT DEVELOPMENT (UPUD), PROPERTY LOCATED AT 151 & 191 S.E. OCEAN BLVD, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED; ESTABLISHING THE STUART COURTHOUSE (ELIZABETH) UPUD CONSISTING OF FIFTY-SEVEN (57) RESIDENTIAL UNITS AND 15,521 SQUARE FEET OF OFFICE/COMMERCIAL USE IN ACCORDANCE WITH SECTION 2.07.00 OF THE STUART LAND DEVELOPMENT CODE; ALLOWING A DENSITY OF 29.7 DWELLING UNITS PER ACRE ON A 1.06 ACRE SITE; APPROVING A FINAL SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS INCLUDING A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTANT WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

9. REPEAL & REESTABLISH CHAPTER 36, ARTICLE V, CODE OF ORDINANCES (RC):

ORDINANCE No. 2488-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING AND REESTABLISHING CHAPTER 36, ARTICLE V, COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY, OF THE CITY OF STUART CODE OF ORDINANCES; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTICE OF TRANSFER, SALE, OR ASSIGNMENT

OF ASSETS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE REQUIREMENT OF A PERMIT; PROVIDING FOR APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR INSURANCE AND INDEMNIFICATION; PROVIDING FOR FEES AND TAXES; PROVIDING FOR A RESERVATION OF RIGHTS AND REMEDIES; PROVIDING ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITIES; PROVIDING FOR AN EFFECTIVE DATE.

10. TREE REMOVAL PENALTIES TEXT AMENDMENT (RC):

ORDINANCE No. 2491-2022; AN ORDINANCE OF THE CITY OF STUART, FLORIDA, AMENDING CHAPTER V, RESOURCE PROTECTION STANDARDS OF THE CITY'S LAND DEVELOPMENT CODE; AMENDING SECTION 5.05.08 PENALTIES FOR THE WRONGFUL REMOVAL OF TREES; REPLACING ORDINANCE 2478-2022; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

DISCUSSION AND DELIBERATION

11. ELECTRIC VEHICLE CHARGING STATIONS IN DOWNTOWN STUART DISCUSSION

ADJOURNMENT