

MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
MAY 8, 2023
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Troy McDonald
Vice Mayor Becky Bruner
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Campbell Rich

ADMINISTRATIVE

Interim City Manager, Michael J. Mortell
Interim City Attorney, Paul J. Nicoletti
City Clerk, Mary R. Kindel

ROLL CALL

4:00 PM

PRESENT: Mayor McDonald, Vice Mayor Bruner, Commissioner Clarke, Commissioner Collins, Commissioner Rich

INVOCATION

Pastor Dr. Darrell Orman of the First Baptist Church of Stuart

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - JACQUI MAY TO PRESENT A VARIETY OF HER ORIGINAL ARTWORK

Jacqui May invited two Commissioners and audience member, Jimmy Smith, to participate in creating an art collage while presenting a brief power point.

PROCLAMATIONS

2. POLICE MEMORIAL WEEK - MAY 9-20, 2023

Chief Joseph Tummineli, Stuart Police Department, accepted the Proclamation, introduced the staff and commented that on May 15th the Stuart Police Department will be honoring all fallen officers beginning at 10 a.m.

3. STAMP OUT HUNGER DAY - MAY 13, 2023

Deidra Kinnaman, Director of Operations at the House of Hope, accepted the Proclamation and announced the yellow bag that the community can expect to see in their mailbox; asked all to fill the bag for the food drive and thanked the Commission.

4. FLORIDA EMANCIPATION DAY - MAY 20, 2023

Jimmy Smith, NAACP President, accepted the Proclamation and thanked God that they are free at last, giving honor to God and that all human beings matter; thanked the City for the Proclamation.

5. SAFE BOATING WEEK - MAY 20-26, 2023

Marcus Kiriakow, Flotilla Commander, Sheryl O'Neil, Vice Flotilla Commander, Hank Cushard, Auxiliary Public Affairs Specialist I, Diane Riggan, Auxiliary Public Affairs Specialist Iii and Wilson Riggan, Jr., Flotilla Staff Officer Member Training, accepted the Proclamation and took a group photo with the Mayor.

6. HISTORIC PRESERVATION MONTH - MAY 2023

Sherry Lee, Martin County Historic Preservation Board Chair, accepted the Proclamation and provided a copy of the board's schedule and announced some of their upcoming tours and events.

7. MENTAL HEALTH AWARENESS MONTH - HELPING PEOPLE SUCCEED - MAY 2023

Suzy Hutcheson, CEO of Helping People Succeed, accepted the Proclamation and provided a gift to the Commission and encouraged all to help children, families and adults because each Commission or individual that shows support makes a difference.

8. KEEP MARTIN BEAUTIFUL GREAT AMERICAN CLEANUP - MARCH 20 - JUNE 20, 2023

Jennifer Stull-Wise, VP and Treasurer of Keep Martin Beautiful (KMB) and Anne Ellig, City employee and Board Secretary of KMB, accepted the Proclamation and thanked the City and Jennifer noted that she and her family have lived in Stuart since 1989 and is proud to call it home.

9. GARDEN WEEK - JUNE 4-10, 2023

Rosita Aristoff, President of the Garden Club of Stuart, accepted the Proclamation and commented on the celebration of Garden Week and what happens during this celebration; floral arrangements will be placed at all Martin County Public Libraries, and commented that anyone who has time for drama is simply not gardening enough.

4:38 PM

PRESENTATIONS

10. CITY OF STUART DRAFT STRATEGIC PLAN

Jim Karas, Consultant, Planner/Facilitator, presented the Strategic Plan process that was recently performed with the Commission and City leadership staff. The presentation

reviewed "how did we get here?", the elements and style, goals and performance measures, charting a vision, and action strategies. Mr. Karas recommends the City participate in a full Charette to review the issues that have been discussed for years, ie: parking, name branding for neighborhoods, City Hall location, and more. Mr. Karas reviewed health and public safety, support of St. Lucie River and the financial status of Memorial Park final phase with Ampitheater, complete Guy Davis "Central" Park, rebuild of Central Community Center and a living shoreline along Flagler Park. Mr. Karas ended with Goals for Financial Security.

Commissioner Clarke thanked Mr. Karas and asked about a monetary plan which encourages to match certain goals. It was explained that every item includes an estimated cost/price and if it does not show a funding source that's more definitive, the best analysis is provided.

The Strategic Plan will be brought back before the Commission at the first meeting in June.

COMMENTS BY CITY COMMISSIONERS

Vice Mayor Bruner

- Commented on her attendance of the "Meet Frederick Douglas in the Park" at the Old Salerno Colored School House and the history of such buildings; local Historian, Julie Priest, attended as well and expressed concern about the Commission and Community continuing to recognize the history of Stuart and would like those now and after them to remember it.

Commissioner Clarke

- Announced the Historic Preservation Month kick-off on May 1st at the Stuart Feed Store, to recognize the naming of Luckhardt Lane; Mr. Luckhardt has been busy, but we have dedicated a lot to Alice, honoring Alice and Loyde Jones as the first black person in the County to be recognized as a Martin County historian.
- Commented on the Emancipation Day Proclamation and noted it is being celebrated on May 20th each year and at Mars Hill in Jensen Beach, there will be a Church service at 11 a.m., also at the Friendly Hearts Community Garden, County Line Road at 1:00 p.m.
- Mount Calvary Baptist Church is celebrating their 109th birthday at 11 a.m., May 21st.
- Requested whether there will be a Shade Meeting on the trial or other lawsuits.

Interim City Manager Mortell said that the trial (North Point) is beginning tomorrow and provided a brief explanation; a settlement discussion could occur but only if there is a global solution for all water providers involved. The PFOA case is pending and it does not look like there will be a settlement before it starts on June 4 in Charleston, SC. Another pending case is the Cartwright Appeal.

Commissioner Clarke continued to further state that she attended the Ethic Session and gave a very big compliment to the City Clerk, Mary Kindel, about her involvement and commitment to the City of Stuart along with her commitment to her daily activities as the City Clerk.

Interim City Manager followed up on a statement Commissioner Bruner made with regard to buying a table at the Flagler Center 80th Anniversary Celebration. Direction is needed from the Commission.

5:16 PM MOTION: Motion to support the Historical Board and purchase tickets for one table for Commission to attend the 80th anniversary at the Flagler Center.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

Commissioner Rich

- Cookies with Rookies, had the opportunity to meet the newly hired Deputies and Firefighters.
- Read from a prepared statement pertaining to Robert's Rules and Procedure. Specifically, Section 2-54 under Parliamentary Rules in our Ordinance signifies that the City Commission shall follow Robert's Rule of Order for the conduct of its meetings. The number one rule of any meeting is the Chair (Mayor) controls the floor. No member may speak unless recognized by the Chair and may not speak twice with a single motion. Commissioner Rich suggests we adhere to this more strictly moving forward. Also commented that all Commissioners be recognized in order. This should be an opportunity to demonstrate that our discussions can proceed smoothly, fairly and respectfully, even when decisions are contentious ones. That is the basis of democracy.

Mayor McDonald

- Attended the MPO state meeting in Orlando and reported that they indicated that new legislation is coming to protect municipalities from a transportation perspective. SB1604 addressing Land Use and Development regulations, the EAR amendment process, removed the ability to lose architectural control of projects. There are penalties for failing to change some of these amendment periods that the Mayor showed concern over.
- Reported on something that came out of the legislation, MPO is required to work with SpaceCoast to improve transportation.
- Commented on the Police Memorial Ceremony Day and not being able to attend as he will have an MPO Meeting.
- Ethics class, new Financial Disclosure Forms.
- Announced that he participated in the National Day of Prayer.

COMMENTS BY CITY MANAGER

Interim City Manager Mortell

- Commented on the Senate Bill and has not had an opportunity to review it all, but noted that it is his understanding that it is a retaliation bill that came from Reedy Creek and referred to Page 12 and provided interpretation and clarification.
- Mayor McDonald commented that he has attended the court proceedings and is glad Mike is on our side. He is a skilled litigator.

- Economic Development - Dave Holcome of Code Compliance in Martin County, he drafted a letter to thank him. The letter was read into record and requested approval from the Commission to send.

5:32 PM MOTION: Approval to send thank you letter to Mr. Holcome.

MOVED BY: Becky Bruner

SECONDED BY: Christopher Collins

Motion approved unanimously.

APPROVAL OF AGENDA

5:34 P.M. MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Campbell Rich

Motion approved unanimously.

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

CONSENT CALENDAR

11. APPROVAL OF 04/24/2023 CCM MINUTES (RC)

12. MUTUAL AID AGREEMENT - SOUTH FLORIDA TASK FORCE BURGLARY APPREHENSION AND VEHICLE CRIMES UNIT (RC):

RESOLUTION No. 35-2023; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY OF STUART POLICE DEPARTMENT TO ENTER INTO A MUTUAL AID AGREEMENT WITH THE SOUTH FLORIDA TASK FORCE (COORDINATED BY THE PALM BEACH COUNTY SHERIFF'S OFFICE) TO COMBAT CRIMINAL ACTIVITIES RELATED TO BURGLARY OFFENSES, AUTO THEFT, AND OTHER ORGANIZED CRIMES IN SOUTH FLORIDA. THIS RESOLUTION ALSO AUTHORIZES THE ACCEPTANCE AND ADOPTION OF THE PROVISIONS OF THE PROGRAM AND PROVIDES AN IMMEDIATE EFFECTIVE DATE.

END OF CONSENT CALENDAR

5:34 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Christopher Collins

Motion approved unanimously.

COMMISSION ACTION

None.

ORDINANCE SECOND READING

None.

ORDINANCE FIRST READING

None.

DISCUSSION AND DELIBERATION

13. LIVE LOCAL ACT 2023 (SB 102)

Jodi Nentwick-Kugler, Development Director, presented the background, purpose and intent, including eligibility for the Live Local Senate Bill 102 that will be effective July 21, 2023. The Department is requesting input on the procedures for implementation of the Live Local Act.

Commission discussion included looking into the City codes and the passing this before July 1st.

- LPA in June, first reading to the CCM at the end of June - adopted in July.
- The statute takes place on July 1st but noted the Development Director would create a policy for adoption - to make it easier for the public. In addition, how the taxation or ad velorum applies, though we don't set the tax rate, the purpose of the language is for explanatory purposes.

Mayor McDonald noted that the DEO will be implementing a series of rules and we will have to deal with that.

Commissioner Clarke commented on reviewing the current policies. Are we going to CRB and LPA to get their input on policies?

Interim City Manager Mortell commented that the law states that no provisions can be made.

Commissioner Clarke asks if CRB can be invited to the meeting.

Commissioner Rich commented that we need to become experts in this law.

Interim City Manager Mortell provided insight.

PUBLIC COMMENT:

1. Nick Blount - Sandpiper Lane; Chair of Housing Solutions Council. An item related to this Senate Bill 102 is that on June 22, right before the bill goes into effect, our organization in conjunction with Treasure Coast Regional Planning Council is conducting a Housing Summit at Indian River State College from 8 a.m. to 12 p.m. There will be representatives from the Florida Housing Coalition as well as other people around the State that have an interest in Affordable Housing. This will give an opportunity for questions to be answered.

ADJOURNMENT

6:04 PM

Mary R. Kindel, City Clerk

Troy McDonald, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 22nd day of May, 2023.**