City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION
OCTOBER 14, 2024
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich
Commissioner Eula R. Clarke
Commissioner Christopher Collins
Commissioner Laura Giobbi
Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
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.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

1. NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH - OCTOBER

2. BREAST CANCER AWARENESS MONTH - OCTOBER

3. FLORIDA CITY GOVERNMENT WEEK - OCTOBER 21 - 27, 2024

4. 24TH ANNUAL BIBLE READING MARATHON - NOVEMBER 4 - 8, 2024

PRESENTATIONS

5. ENVIRONMENTAL ATTORNEY PRESENTATION BY JAMES "MAC" STUCKEY

6. CYBERSECURITY AWARENESS PRESENTATION

7. ZONING IN PROGRESS (THE DUANY PLAN) PRESENTATION

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

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

CONSENT CALENDAR

8. APPROVAL OF 09/16/2024 SCM MINUTES, 9/23/2024 CCM MINUTES, AND 09/23/2024 SCM FINAL MILLAGE AND FINAL BUDGET MINUTES (RC)

9. BUDGET AMENDMENT No. 1 - CHILDRENS SERVICES COUNCIL OF MARTIN COUNTY (RC):

RESOLUTION No. 88-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, AUTHORIZING BUDGET AMENDMENT NO. 1 TO THE FISCAL YEAR 2025 OPERATING BUDGET; AUTHORIZING RECEIPT AND APPROPRIATION AND ACCEPTING AN INCREASE CONTRIBUTION IN THE AMOUNT OF $6,438.00 FROM THE CHILDREN'S SERVICES COUNCIL OF MARTIN COUNTY FOR THE YOUTH CRIME PREVENTION/INTERVENTION PROGRAM GRANT; AUTHORIZING THE EXPENDITURE OF THE NEW GRANT CONTRIBUTION IN ACCORDANCE WITH THE TERMS OF THE GRANT AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

10. 2024 VNA CHRISTMAS PARADE ROAD CLOSURE (RC):

RESOLUTION No. 110-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, APPROVING A ROAD CLOSURE FOR THE ANNUAL VISITING NURSE ASSOCIATION'S STUART CHRISTMAS PARADE ON FRIDAY, DECEMBER 6, 2024, BEGINNING AT S. E. MONTEREY ROAD TRAVELING WEST ON S.E. OCEAN BLVD. TO CONFUSION CORNER INTERSECTION; AUTHORIZING

THE CITY MANAGER OF THE CITY OF STUART TO SIGN THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMIT FOR THE TEMPORARY CLOSING OF A STATE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11. M&M KANNER CPUD FINAL PLAT (RC):

RESOLUTION No. 111-2024, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A PLAT TITLED "M & M KANNER CPUD", BEING A REPLAT OF A SUBDIVISION OF A PORTION OF LOT 2, ALL OF LOTS 3, AND ALL OF LOT 4 OF STUART FARMS AS RECORDED IN PLAT BOOK 1, PAGE 63 OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND PORTIONS OF GOVERNMENT LOTS 5, 6, AND 7 ALL LYING IN SECTION 16, TOWNSHIP 38 SOUTH, RANGE 42 EAST AND HANSON GRANT, WITHIN THE CITY OF STUART, MARTIN COUNTY, MARTIN COUNTY, FLORIDA, CITY OF STUART, MARTIN COUNTY, FLORIDA, CONTAINING 48.99 ACRES, MORE OR LESS PREPARED BY MICHAEL T. OWEN, AND FLORIDA MAPPER NO. 5556 FOR M&M KANNER CPUD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

12. COLLABORATION WITH FEMA UNDER BRIC PROGRAM (RC):

RESOLUTION No. 83-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY OF STUART TO ENTER A NON-FINANCIAL DIRECT TECHNICAL ASSISTANCE AGREEMENT TO COLLABORATE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UNDER THE BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) PROGRAM; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

13. LEASE AGREEMENT WITH STUART HERITAGE, INC. FOR CITY PROPERTY LOCATED AT 161 SW FLAGLER AVENUE (RC):

RESOLUTION No. 102-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE CITY OF STUART TO ENTER INTO A LONG-TERM LEASE AGREEMENT WITH STUART HERITAGE, INC. FOR THE CITY OWNED PROPERTY KNOWN AS THE STUART FEED STORE, LOCATED AT 161 SW FLAGLER AVENUE, STUART, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

14. SCOPE OF WORK AMENDMENT FOR SKATE PARK DESIGN (RC):

RESOLUTION No. 106-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING AN AMENDMENT TO THE SCOPE OF WORK TO THE ENGINEERING SERVICES CONTRACT WITH CALVIN, GIORDANO & ASSOCIATES, INC. TO INCLUDE THE CONCEPTUAL AND FINAL DESIGN FOR A SKATE PARK INTO THE OVERALL GUY DAVIS COMMUNITY PARK DESIGN OF IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

15. EMERGENCY REPAIR FOR CHILLER AT COURTHOUSE COMMONS (RC):

RESOLUTION No. 112-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET AMENDMENT NO. 2 TO THE FY 2025 BUDGET; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR EMERGENCY REPAIRS FOR CHILLER AT COURTHOUSE COMMONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

16. TEXT AMENDMENT TO THE LAND DEVELOPMENT CODE SECTION 2.6.23 - NON-MEDICAL MARIJUANA DISPENSARIES (RC):

ORDINANCE No. 2531-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AMENDING AND RESTATING THE CITY'S LAND DEVELOPMENT CODE; MORE SPECIFICALLY AMENDING SECTION 2.06.03 ENTITLED "RESERVED" AND INSERTING SUPPLEMENTAL USE STANDARDS FOR NON-MEDICAL MARIJUANA DISPENSARIES; AMENDING THE LAND USE TABLE IN SECTION 2.02.02 TO INCLUDE NON-MEDICAL MARIJUANA DISPENSARY AS AN ALLOWABLE USE UNDER CERTAIN CONDITIONS; AMENDING CHAPTER XII DEFINITIONS FOR CONFORMING TERMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE FIRST READING

17. 710 SE MARTIN LUTHER KING JR. BOULEVARD - MAJOR AMENDMENT TO THE EXISTING COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DISTRICT (RC):

ORDINANCE No. 2532-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP, TO REZONE A 2.4-ACRE PARCEL LOCATED AT 710 SE MARTIN LUTHER KING JR. BOULEVARD, BEING MORE DESCRIBED IN EXHIBIT "A" ATTACHED, FOR MAJOR AMENDMENT TO THE EXISTING COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) ZONING DESIGNATION TO ALLOW A VOCATIONAL TRAINING FACILITY ONLY; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

DISCUSSION AND DELIBERATION

ADJOURNMENT

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 regarding 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.

INVOCATION: Any invocation that may be offered at the opening of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.