MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
JULY 11, 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

4:01 PM

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

City Attorney Mortell attended the Commission Meeting via ZOOM Telecommunications; not present in person.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - AUDOBON OF MARTIN COUNTY BIRD PHOTOGRAPHY BY JOHN NELSON

John Nelson presented photographs taken of birds throughout Martin County, describing the various species and what they are known for.

PROCLAMATIONS

2. TREASURE COAST WATERWAY CLEANUP WEEK - JULY 16-24, 2022

Mimi Adkins, Site Leader for the Indian Riverside Park and Tom Whittington, Owner of Manatee Pocket Yacht Sales and President of the Marine Industries Association of the Treasure Coast accepted the Proclamation, distributed items for the cleanup to the Commissioners, announced information, and invited all to participate.

3. PARKS AND RECREATION MONTH - JULY 2022

Jim Chrulski, Community Service Director, Milton Leggett, Public Works Director, Jessica Tharp and Michael Redstone of Community Services accepted the Proclamation.

PRESENTATIONS

4:20 PM

4. LEGISLATIVE APPROPRIATION PRESENTATION CHECK FOR ALTERNATIVE WATER SUPPLY PROJECT

Representative Toby Overdorf, Representative John Snyder, and Jordan Conners came forward and presented the check to the City.

The Commission thanked Representative Toby Overdorf, Representative John Snyder, and Jordan Conners, City of Stuart Lobbyist, for everything they've done for the City.

Mr. Jordan Conners thanked Representative Overdof for his leadership on the PFOA and PFAS issues, while Representative Overdorf thanked the City for their leadership and the example they have set for all of Florida for the Alternative Water Supply Project.

5. SERVICE AWARDS - JULY 2022

Michael (Mick) Jacobson	Technology Services	20 Years
Alaina Knofla	Procurement & Contracting Services	10 Years
Joseph Ponte	Police	5 Years

No City employees were able to be present to accept their service award.

6. BRIGHTLINE UPDATE

4:27 PM

Ali Soule, VP, Community Relations of Brightline, presented Brightline's major milestones, the timeline review for the Treasure Coast, summarized the Phase 2 scope, and reviewed the existing St. Lucie River Bridge rehabilitation and mitigation.

Scott Gammon, Senior Vice President of Construction with Brightline continued with information on St. Lucie River Bridge Potential Replacement and the proposed next steps in funding, design and permitting, and support.

Ms. Soule reported on the safety efforts being made by Brightline. She reported that they have partnered with Martin County School District and look forward to working with the City and Martin County to get the message out to the public.

Commissioners participated in a comment/question and answer period with Brightline. Discussions included safety, education, the intersection at Florida Avenue, and the possibility of a Stuart station, which discussions will begin next year. The Commission thanked Brightline for coming.

COMMENTS BY CITY COMMISSIONERS

5:18 PM

Mayor Matheson

- Provided an update on Lake Okeechobee.

Commissioner Clarke

- Commented on the loss of CRA Board Member, past City Commissioner and Mayor, Mr. Pete Walson, thanking him for his service to the City and announcing he was Mayor three times while he was a Commissioner for more than 15 years. He also opened and owned the McDonalds restaurant on US1 in Stuart many years ago and commented that his service is greatly appreciated and he will be missed.

Vice Mayor McDonald

- Echoed Commissioner Clarke's comments about Pete Walson and stated he was sorry he did not get to know him better but knows he truly will be missed.

COMMENTS BY CITY MANAGER

City Manager David Dyess

- Request to continue Item #11 to the July 25, 2022 CCM meeting.

Commissioner Meier requested to pull Item #8 from the Consent Calendar.

APPROVAL OF AGENDA

5:22 PM MOTION: Approve pulling Item #8 from Consent Calendar and continuing Item #11 to July 25th CCM.
MOVED BY: Eula Clarke
SECONDED BY: Mike Meier
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

5:22 PM

1) Betty Brinkley - Nassau Ave; Commented about how ridiculous and bad Florida Avenue and Park St. are.
2) Bethany Smykay - Palm City; Commented on the boat traffic that will be held up at the rail bridge and the environmental impacts; announced an awareness event this Saturday.
3) Gween Brinkly - Port St. Lucie; Questions on the Brightline crossing at Florida Avenue, and MLK Park is included in the redesign.

City Manager Dyess addressed Ms.Brinkly's questions.

4) Althea Stoudmire - Commented that Brightline has the Commission "by the balls" and is not happy about the speed of the train and spoke on Florida Ave and Park St. intersection.
5) Rob Raniari - Thanked the Commission on the House of Hope Community Garden that is on the agenda.
6) Frank McChrystal - Flamingo Ave.; Commented on opposition to the Brightline train.

CONSENT CALENDAR

7. APPROVAL OF 06/27/2022 CCM MINUTES (RC)

END OF CONSENT CALENDAR

5:45 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

COMMISSION ACTION

8. LICENSE AGREEMENT - HOUSE OF HOPE COMMUNITY GARDEN (RC):

RESOLUTION No. 62-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE LICENSE AGREEMENT RENEWAL NO. 2 BETWEEN THE CITY OF STUART AND HOUSE OF HOPE FOR THE OPERATION OF A COMMUNITY GARDEN ON CITY OWNED PROPERTY AT 520 SE FLORIDA STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED FROM CONSENT)

Commissioner Meier stated he is abstaining from voting due to a conflict and will submit Form 8B.

5:46 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Becky Bruner
VOTE:
YES: Becky Bruner, Merritt Matheson, Eula Clarke, Troy McDonald
NO: None
ABSTAIN: Mike Meier

9. DAR REQUEST FOR AUTHORIZATION TO PLACE AMERICA 250 MARKER (RC):

RESOLUTION No. 63-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE LOCATION OF AN AMERICA 250 MARKER WITHIN THE CITY OF STUART'S MEMORIAL PARK, GIVEN THE PHYSICAL FORMAT AND CONTEXT OF THE MARKER WILL BE IN COMPLIANCE WITH REGULATIONS AND STANDARDS OF THE OFFICE OF

THE HISTORIAN GENERAL, THROUGH A PARTNERSHIP WITH THE HALPATIOKEE CHAPTER OF THE DAUGHERS OF THE AMERICAN REVOLUTION.

City Manager Dyess noted a correction to the Resolution. He stated that it is to be within Gazebo Park, not Memorial Park as stated in the Resolution title.

5:49 PM MOTION: Approve. (With the correction to the title of the Resolution being Gazebo Park, not Memorial Park)
MOVED BY: Troy McDonald
SECONDED BY: Becky Bruner
Motion approved unanimously.

ORDINANCE SECOND READING

10. PROPERTY MAINTENANCE CODE CHANGES (RC):

ORDINANCE No. 2496-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION 10-59 THROUGH 10-84; SECTION 26-30; AND SECTIONS 42-38 THROUGH 42-305; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5:53 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Mike Meier
Motion approved unanimously.

ORDINANCE FIRST READING

11. 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.

City Manager Dyess explained that the attachment that was attached to this item is incorrect, as City Attorney Mike Mortell wholesale changed the whole Ordinance and in the process of changing the Ordinance the incorrect attachment was added.

5:53 PM MOTION: Move to Continue to a Date Certain of July 25th.
MOVED BY: Mike Meier
SECONDED BY: Eula Clarke
Motion approved unanimously.

DISCUSSION AND DELIBERATION

ADJOURNMENT

5:55 PM

Mary R. Kindel, City Clerk

Merritt Matheson, Mayor

Minutes to be approved at the Regular Commission Meeting this 25th day of July, 2022.