MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
MAY 13, 2024
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

CITY COMMISSION

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

ADMINISTRATIVE

City Manager, Michael J. Mortell
City Attorney, Lee J. Baggett
City Clerk, Mary R. Kindel

ROLL CALL

4:03 PM

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

INVOCATION

Edward Skiba, Stuart Police Chaplain gave the Invocation.

PLEDGE OF ALLEGIANCE

1. ARTS MOMENT - NATALIA CARABALLO SONG PERFORMANCE

Ms. Caraballo sang "When I am Laid in Earth" by Henry Purcell.

Clerks Note: Mayor Bruner announced that Service Awards will be presented before Proclamations.

PRESENTATIONS

11. SERVICE AWARDS - MAY 2024

Matthew Reeder	Police	5 years	(Present)
Tyler Bovee	Police	10 years	(Absent)
Eileen Finley	Police	10 years	(Absent)

PROCLAMATIONS

2. POLICE MEMORIAL WEEK - MAY 12-18, 2024

Police Chief, Joe Tumminelli, accepted the Proclamation. Mayor Bruner announced that two officers had been recently sworn in and thanked the Police Department for a recent solving of an investigation involving a hit and run.

3. WOMAN'S CLUB OF STUART 110TH ANNIVERSARY

Cecilia Lewis, President of the Woman's Club, received the Proclamation.

4. BOYS & GIRLS CLUB YOUTH OF THE YEAR - JOMAR ZELAYA

Jomar Zelaya, Youth of the Year winner, and Meghan Shirley of Boys & Girls Club, accepted the Proclamation.

5. FLORIDA EMANCIPATION DAY - MAY 20, 2024

Jimmy Smith, President of the National Association for the Advancement of Colored People (NAACP), accepted the Proclamation and invited the public to the Church of God to celebrate Emancipation Day, on May 20th at 5:00 p.m.

6. SAFE BOATING WEEK - MAY 18-25, 2024

Sheryl O'Neil, Flotilla Commander, Markus Kiriakaw, Division 5 Commander, Dianne Riggin, along with Hank Cushard, Gary Bowerman, Ray Preiksaitis, and Bryan Buckley, accepted the Proclamation and took a group photo with the Commission, wearing life jackets; invited all to three upcoming boating safety events.

7. PUBLIC WORKS WEEK - MAY 19-25, 2024

Milton Leggett, Public Works Director, thanked the Commission for the Proclamation and proudly stated, "No one works like Public Works!"

8. MENTAL HEALTH AWARENESS MONTH - MAY 2024

Suzy Hutcheson, Chief Executive Officer of Helping People Succeed, accepted the first Mental Health Awareness Proclamation, and noted progress made in the community.

Janice Greller, Executive Director of the National Alliance on Mental Illness of Treasure Coast, accepted the second Mental Health Awareness Month Proclamation and announced various programs offered.

9. HISTORIC PRESERVATION MONTH - MAY 2024

Joette Lorion Rice, of the Martin County Historic Preservation Board, accepted the Proclamation, thanked the City for its support, and announced some of the planned events.

10. GARDEN WEEK - JUNE 2-8, 2024

Rosita Aristoff, President of the Garden Club, received the Proclamation and presented the

City with a flower arrangement.

COMMENTS BY CITY COMMISSIONERS

Commissioner Clarke

- Commented on the recent Ribbon Cutting Ceremony for the City's Reverse Osmosis Water Treatment Facility and invited Peter Kunen, Utilities & Engineering Director, to the podium to announce information on the treatment facility.
- Encouraged the public to participate in the various events for Historic Preservation Month and to learn more about Emancipation Day.
- Announced an upcoming Town Hall at the East 10th Street Community Center on June 13th at 6:00 PM.
- Commented on Memorial Day, noted that the next Commission Meeting will be on Tuesday at 5:30 PM.
- Congratulated Milton Leggett and his staff on Public Works Week.

Commissioner Collins

- Thanked Sheriff William Snyder for his input into our community as well as the members of the public.

Vice Mayor Rich

- Commented on a South Florida Water Management District (SFWMD) board meeting that culminated with the Water Treatment Plant ceremony.
- Reported that he attended the Treasure Coast Council of Local Government (TCCLG) meeting and noted a presentation focused on stormwater issues.
- Thanked the SFWMD for attending a reception at the Florida Oceanographic Society (FOS).
- Reported that he attended the Rivers Coalition Meeting and commented on a constitutional amendment to be placed on the ballot for the right to clean and healthy waters. He read the amendment into the record and noted that a link, therighttocleanwater.com, could possibly be added to the City's website; asked for public support.

Commissioner McDonald

- Commented that the opening of the Reverse Osmosis Water Treatment Plant was a monumental event; recognized all who were part of the project.

Mayor Bruner

- Commented on DAR and the anniversary of D-Day. Announced there will be an open house for the 80th anniversary at the Road to Victory Museum.
- Inquired on previous comment on the 7th street traffic/4 way stop.

City Manager Mortell stated the stop sign was installed the week following the original request.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Commented that the Florida East Coast Railroad (FECR) is applying for a CRISI Grant and the City will be preparing a letter from the Mayor for the railroad bridge.
- Commented, as noted by Commissioner Rich, a couple of weeks ago, employee Anne Hawkins was awarded the Wendy Lee Parker Award, and the City also received the Environment Education Award for its composting program.
- Read a letter received thanking the Police Department for their ride-along learning experience.
- Reported that the Commission has moved forward with a new program for parking tickets.
- Commented that Eve Samples, Executive Director of the Friends of the Everglades, asked the City to join them to set levels for cyanotoxins in the water. The petition needs to be filed by May 23rd, requested a motion to authorize the Mayor to participate, and it will be on the May 28th City Commission Meeting as a formal item on the agenda.

Ms. Samples came forward to provide a brief explanation.

5:25 PM MOTION: Approve. [To authorize the Mayor to participate in the filing of a petition.]
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

City Manager Mortell (continued)

- Commented that he asked the City Attorney to report on the processes of quasi-judicial and quasi- legislative on the agenda items in this meeting to provide clear direction to the Commission and participants. City Attorney Lee Bagget provided direction.

APPROVAL OF AGENDA

5:31 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Campbell Rich
Motion approved unanimously.

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

1. Sheriff William Snyder - Stuart; Commented that as a member of law enforcement, he feels obligated to speak on the issue of rehabilitation centers and the issues they face with such facilities; opposed to the project.
2. Jack Nafpliotis - Stuart; Concerned about the transients coming to the City as patients of the rehab facility.
3. Caryn Hall Yost-Rudge - Stuart; Commented that public comment should be on the agenda before Commissioner Comments; stated some issues she has with the Commission.

4. Robin Cartwright - Stuart; Commented on conflicts of interest and ethics, pertaining to campaign accounts.

CONSENT CALENDAR

12. APPROVAL OF 04/22/2024 CCM MINUTES (RC)

5:48 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

END OF CONSENT CALENDAR

COMMISSION ACTION

13. (INFORMATIONAL ONLY)
CLARITY POINTE PUD - SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT LOCATED AT 500 SE INDIAN STREET (LEGISLATIVE) (RC):

ORDINANCE No. 2529-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR AN APPROXIMATE 9.46-ACRE PARCEL OF LAND FROM MULTI-FAMILY RESIDENTIAL TO THE COMMERCIAL FUTURE LAND USE DESIGNATION; AMENDING THE FUTURE LAND USE MAP; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE; AND OTHER PURPOSES.

Jodi Kugler, Development Director, presented, for informational purposes only, the Clarity Pointe Future Land Use Map Amendment.

The applicant, Brad Currie, briefly presented to confirm the consistency with the Comprehensive Plan and request approval when the item is returned to the Commission for Second Reading.

Vice Mayor Rich commented on the Comprehensive Plan and gave statistics on the vacant land in the City. Reports state the City needs more affordable housing and cannot support a change to the land use.

Commissioner Collins agreed with Commissioner Rich and does not support moving forward with changing the land use.

Commissioner Clarke commented on the Comprehensive Plan and the need for discussion pertaining to residential vs. commercial. Stated she spoke with people from the Local Planning Agency (LPA) and reviewed the vote on both the land use and the zoning.

PUBLIC COMMENT:

1. Larry Dombrow - Stuart; Commented on the zoning and is opposed to the project.

6:09 PM MOTION: Approve.
MOVED BY: Campbell Rich
SECONDED BY: Troy McDonald
Motion approved unanimously.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

14. CLARITY POINTE PUD - REZONE FROM THE CITY OF STUART OFFICIAL ZONING ATLAS FROM RESIDENTIAL PLANNED DEVELOPMENT (RPUD) TO THE MIXED-USE PLANNED UNIT DEVELOPMENT (MXPUD) ZONING DESIGNATION LOCATED AT 500 SE INDIAN STREET (QJ)(RC):

ORDINANCE No. 2530-2024; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REZONING THE CITY OF STUART OFFICIAL ZONING ATLAS FROM RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) TO THE MIXED-USE PLANNED UNIT DEVELOPMENT (MXPUD) DESIGNATION FOR AN APPROXIMATELY 9.46 ACRE PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF SE INDIAN STREET AND APPROXIMATELY 540 FEET EAST OF KANNER HIGHWAY, TO CONVERT THE EXISTING 84-BED ASSISTED LIVING FACILITY (ALF) WITH MEMORY CARE KNOWN AS CLARITY POINTE TO ALLOW FOR AN INPATIENT PRIMARY MENTAL HEALTH AND RESIDENTIAL DRUG AND ALCOHOL FACILITY WITH MEDICAL DETOX; PROVIDING FOR MASTER SITE PLAN APPROVAL; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SPECIFIED COMMERCIAL USES; PROVIDING FOR SIGNAGE REQUIREMENTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE; AND OTHER PURPOSES.

Mayor Bruner requested ex-parte communications from the Commission. Commissioners disclosed all communications.

Four (4) people sworn; Jodi Kugler, City of Stuart Development Director, Brad Currie, Engineering Design & Construction, Michael Gauger, Retired Deputy Chief of Palm Beach County Sheriff's Department, Jason Ackner, resident.

Jodi Kugler, Development Director, presented Agenda Item #14.

Michael Gauger, retired Chief Deputy of the Palm Beach County Sheriff's Department for nearly fifty (50) years, spoke about the need for treatment, a program he started called "Another Way", and his support of this professional organization.

Brad Currie, Engineering Design & Construction, presented on the facility.

Applicant, Jason Ackner, a Martin County resident, gave a presentation with specifics and clarified misinformation that had been disseminated. Provided facility details, insurance, and scholarship information that assists with homeless issues.

Commissioners briefly reviewed and discussed the number of beds, calls, and the facility layout.

PUBLIC COMMENT:
1. Dr. Karen Dodge; Port St. Lucie; A Doctor of this Rehab facility, commented on the statistics of number of beds in facilities and the treatments; in favor of the project.
2. Cynthia Coprash - Stuart; Opposed to the project; concerned about the number of beds and homeless after treatment.
3. James Gordon - Boca Raton; Commented that he is an addict who struggled with opioid addiction and received treatment; in favor of project.
4. Dr. Sofia Georgaoulias - Port St. Lucie; Doctor of substance abuse; advocated for treatment; in favor of project.
5. Louisa Levy - Stuart; Learned a lot from presentations and posed questions to be considered. Feels there is a real need for mental health.
6. Michael Craig - Stuart: Commented on zoning changes; opposed to project.
7. Cynthia Wroble - Stuart; Concerned about the facility being close to her elderly parents.
8. Barbara Petitt - Stuart; Commented at the LPA, lives within 300 feet of the proposed project; expressed concerns; opposed to project.
9. Rich Pettit - Stuart; Stated he lives close to proposed rehab, concerned about the land use change; opposed to the project.
10. Douglas Ashley - Jensen Beach; Commented that with all the numbers presented tonight; it's confusing; encouraged the commission to do their homework.
11. Harriet Shapiro - Stuart; Has office near proposed facility and concerned about her safety; opposed to the project.

Applicant, Jason Ackner, addressed points made by the public.

8:20 PM MOTION: Approval to close the hearing.
MOVED BY: Troy McDonald
SECONDED BY: Campbell Rich
Motion approved unanimously.

DISCUSSION AND DELIBERATION

ADJOURNMENT

8:21 PM

Mary R. Kindel, City Clerk

Rebecca S. Bruner, Mayor

Minutes to be approved at the Regular Commission Meeting this 28th day of May, 2024.