MINUTES
SPECIAL COMMISSION MEETING OF THE STUART CITY COMMISSION
SEPTEMBER 16, 2024
AT 5:30 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

ROLL CALL

5:30 PM

PRESENT: Mayor Rich, Commissioner Collins, Commissioner Giobbi, and Commissioner Reed
ABSENT: Commissioner Clarke

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

Commissioner Collins

- Expressed his disappointment in a blog that was posted by a Board Member of the Community Redevelopment Board (CRB) and requested discussion among the Commissioners to put an item on the agenda for Monday's City Commission Meeting (CCM) regarding Board Member Campenni's appointment.

City Manager Mortell confirmed Board consensus to bring back an agenda item to review At Large Board Members at the September 23, 2024 City Commission Meeting.

Mayor Rich

- Commented on his disappointment with what occurred at the prior meeting and gave an

explanation of proper agenda and motion procedures.

COMMENTS BY CITY MANAGER

City Manager Mortell

- Stated he spoke to Martin County and is seeking direction from the Commmissioners on moving forward with scheduling or discussions on Brightline.

After a brief Commission discussion, City Manager Mortell stated he would have a D&D on the agenda for Monday, September 23rd meeting.

APPROVAL OF AGENDA

5:49 PM MOTION: Approve.
MOVED BY: Christopher Collins
SECONDED BY: Laura Giobbi
Motion approved unanimously.

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

1. Steven Swann - Stuart; Highlighted the worsening of our City over time and provided a gift of Wizard of Oz puppets.
2. Edward Lucente - Stuart; Commented that a petition has been started to request the approval of Brightline and will provide it to the Commissioners.
3. Helen McBride - Stuart; Commented that she was appalled at the way the City Commissioners behaved at the September 9th meeting, the County Commissioners commented at their last meeting on how our Commissioners acted. Stated the Commissioners have to read Roberts Rules of Order.
4. Martin Bielike - Stuart; Asked the Commission to reconsider their vote on Brightline.
5. Valerie Jones - Vero Beach; Stated she felt fearful going to her car due to the tension in City Hall's last meeting; asked people to think of their values and being able to get along.
6. Bill Moore - Stuart; Commented on the payment of Brightline and stated it is the residents, businesses and the CRA.
7. Joe Hartowski - Stuart; Commented on what occurred at the Commission meeting on September 9th and requested Commissioners renegotiate in good faith.
8. Micah Hartowski - Stuart; Is in favor of Brightline.
9. Frank McChrystal -Stuart; Commented he took a poll among the common people, not in favor.
10. Christopher Vitale - Stuart; Commented in favor of Brightline and urges the Commissioners to renegotiate the deal.
11. Sherry Lee - Stuart; In favor of Brightline and spoke on the losses the City will suffer.
12. Ellen Murphy - Stuart; Urged the Commissioners to renegotiate the Brightline; in favor.
13. Rick Olsen - Stuart; In favor of Brightline.
14. Raj Patel - Palm City; Stated facts about Brightline as a company; in favor.
15. Steven Vitale - Stuart; Provided history of his family and spoke about the 2018 settlement with the County and Brightline; in favor.
16. Douette Pryce - Stuart; Commented about the way the City Commission handle themselves.

17. Josh Marino - Stuart; In favor of Brightline and urged Commissioners.
18. Gail Goldy - Stuart; Commented that this Brightline deal was not transparent.

COMMISSION ACTION

1. 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.

City Manager Mortell presented the item, stated that the Resolution is authorizing the Mayor to enter into the BRIC program, further explained what the program entails and how entering into this program can be a benefit to the City.

City Attorney Baggett gave an explanation of the Memorandum of Understanding and explained it gives broad terms and if the City were to inquire to get FEMA funds, the City would enter into a separate agreement.

6:50 PM MOTION: Not Approved.
MOVED BY: Sean Reed
SECONDED BY: None
VOTE: Died for a lack of a second.

2. DECLARATION OF ZONING IN PROGRESS (RC):

   RESOLUTION No. 95-2024; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DECLARING "ZONING IN PROGRESS" UNDER SECTION 1.04.04, STUART LAND DEVELOPMENT CODE, FOR NEW DEVELOPMENT EXCEPT FOR SINGLE-FAMILY DWELLINGS OR REQUESTS THAT DO NOT INCREASE THE DENSITY OR INTENSITY OF AN EXISTING USE OR STRUCTURE; DIRECTING CITY STAFF TO REVIEW AND PROPOSE CERTAIN AMENDMENTS TO THE STUART LAND DEVELOPMENT CODE, THE COMPREHESIVE PLAN AND THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

City Manager Mortell explained how the Zoning in Progress (ZIP) works and provided different hypothetical scenarios. He explained it as a ninety (90) day process allowing the Commission time to review the code, and the Commission may extend for another ninety (90) days totalling 180 days. If changes are made to the code, the new submissions must comply.

Commissioner Reed asked if this ZIP applied to applicants that had a pre-application meeting and has not submitted a full application.

City Manager stated it applies to anybody that has not submitted an application.

PUBLIC COMMENT:

1. Rosi Shepard - Stuart; not in favor.
2. Joan Jefferson - Palm City; Spoke on the Duany Plan and property rights.
3. Jeff Dougherty - Stuart; Building Department Director of Martin County, and stated they have an application for an expansion and will lose the money they received. He asked the Commissioners to exclude government entities from the ZIP.
4. Neil Efron - Palm Beach Gardens; Owner of a shopping plaza and is afraid that if there are vacancies in tenants, they will not be allowed to fill those vacancies because of the ZIP.
5. Matt Scott - Fort Lauderdale; Attorney for a Floor and Decor and commented that they would like to submit an application and was told they could not submit their application.
6. Marcela Camblor - Stuart; Requested that the resolution be rescinded as it is overstepping the Land Development Code.
7. Douette Pryce - Stuart; In opposition to the ZIP.
8. Walter Oden - Stuart; In opposition to the ZIP.
9. Paul Skyers - Stuartt; In opposition to the ZIP.
10. Jeremy LaMaster - Palm City; Owner of three (3) properties in Stuart and is in opposition of the ZIP.
11. Nik Schroth - Stuart; Thanked City Manager for clarification of ZIP, In opposition.
12. Frank McChrystal - Stuart; In favor of the ZIP.
13. Joseph Cooper - Stuart; Commented that Commissioner Clarke has a background in planning and this matter should not have been heard in her absence, in opposition to the ZIP.

7:02 PM MOTION: Approve. [Amend Resolution 95-2024 - Zoning In Progress in addition to single family dwellings with exemption of government buildings.]
MOVED BY: Christopher Collins
SECONDED BY: Sean Reed
VOTE: Passed 3/1 7:48 PM
YES: Sean Reed, Laura Giobbi, Christopher Collins
NO: Campbell Rich

DISCUSSION AND DELIBERATION

ADJOURNMENT

7:48 PM

Mary R. Kindel

Mary R. Kindel, City Clerk

Campbell Rich, Mayor

Minutes to be approved at the Regular Commission Meeting this 14th day of October, 2024.