

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, JANUARY 6, 2014.

1. Mayor Hudson called the meeting to order at 6:30 p.m.
2. Pastor Mary Carroll, Foundation Revival Center Church of Redemption offered the opening prayer.
3. The Pledge of Allegiance was recited.
4. Upon Roll Call, those present were: Mayor Linda Hudson; Commissioners Rufus Alexander, Edward Becht and Thomas Perona.

Staff present were: City Manager Robert Bradshaw; City Attorney Robert Schwerer; and City Clerk Linda Cox.

Those absent: Reginald Sessions.

Motion was made by Commissioner Becht, seconded by Commissioner Perona to excuse Commissioner Reginald Sessions.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

5. Approval of the Minutes of the Regular Meeting of December 16, 2013.

Motion was made by Commissioner Becht, seconded by Commissioner Perona, to approve the Minutes of the Regular Meeting on December 16, 2013.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

6. Mayor Hudson issued a Proclamation recognizing January as National Mentoring Month. It was received by Sabrina Seme, Volunteer Recruiter, Big Brothers big Sisters.

7. The following letters will be kept on file in the City Clerk's Office:
 - a. Letter from Main Street Fort Pierce thanking the City for their support of the 25th Annual Sights and Sounds on Second Festival and Parade, "Silver Christmas Jubilee" and commending the Fort Pierce Police Department, Public Works and Kiwanis Club for their hard work.
 - b. Letter from Chris Dzadovsky, St. Lucie County Commissioner, thanking Michelle Kubitschek, Fort Pierce River Walk Center, for her assistance with the Open Air Environmental Forum held November 2nd, 2013.

8. Comments from the Public.

Mr. Roy Darby, 619 South 6th Street
Mr. John Divas, 5242 Compass Cove Place
Mr. Patrick Henry, 1123 Granada Street
Ms. Bonnie Howard, Lakewood Park
Rev. John Lee, 1204 Avenue K
Ms. Renee Jordan Wyatt, 2017 Avenue D
Mr. Richard Silvestri, 5708 Buchanan Drive

9. Consent Agenda.

Motion was made by Commissioner Perona, seconded by Commissioner Becht, that the following items on the Consent Agenda be approved:

- a. Approval of Modification Number One to Subgrant Agreement No. 14HM-2Y-10-66-02-144 between the Division of Emergency Management and the City of Fort Pierce for expansion of the scope of work to retrofit additional buildings with impact resistant glass on all exterior windows and doors; extending the period of performance from February 1, 2014 to August 1, 2014.
- b. Approval of Interlocal Agreement between the City of Fort Pierce, City of Port St. Lucie, Martin County and St. Lucie County for construction of sixteen (16) bus shelters along the US 1 corridor, funded through a FDOT grant.
- c. Approval of a reduction in code enforcement lien in the amount of \$422,270.00 to \$500.00 on property owned by Gayle F. Jones, at 2405 Avenue D, Fort Pierce, FL as recommended by the Special Magistrate.
- d. Approval of a request for application fee waiver for a zoning atlas amendment from I-1 to I-3 for property located at 4100 Glades Road and owned by Diamond R Fertilizer Co.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

10. Public Hearing

10 a. ORDINANCE NO. 14-001, an Ordinance by the City Commission of the City of Fort Pierce, Florida, abandoning a portion of an existing 20 foot alleyway, lying adjacent and easterly of Lot 15 and the north 10 feet of Lot 16, Block 8, Pinewood Subdivision within the City of Fort Pierce, Florida; Providing for the reservation of a Utility Easement for all utility purposes unto the City of Fort Pierce, Florida; Repealing all Ordinances or parts of Ordinances in conflict herewith; and providing for an effective date. (FIRST READING)

Ms. Rebecca Grohall, Planning Manager, appeared with a recommendation for approval.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the public hearing.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander to approve Ordinance No. 14-001, abandoning a portion of existing 20 foot alleyway, lying adjacent and easterly of Lot 15 and the north 10 feet of Lot 16, Block 8, Pinewood Subdivision within the City of Fort Pierce, Florida.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

10 b. Notice of Appeal submitted on behalf of Richard A Coke Investments LLC of a decision made by the Historic Preservation Board on October 28, 2013 to approve a Certificate of Appropriateness (COA 13-43) issued for 131 N 2nd Street with the following condition: Replacement of the roofing system must be done with the appropriate clay barrel tile system to match the original match the old in design, color, and texture. The relief sought is the amendment of the decision of the Board to allow the installation of the concrete roofing materials requested by the owner and representative.

Mr. Kori Benton, Historic Preservation Officer, appeared with a presentation outlining the details of the appeal.

Commissioner Perona addressed the economic issue and/or cost factor for this request, asking if there is a procedure where the issue can be looked at from the economical aspect rather than just functional. He stated that had the Historic Preservation Board

seen the whole scope, heard from representatives and addressed the security issues that it probably would not be before commission. He asked if there was a process for economic hardship. Kori Benton stated that per guidelines of the Board there is a process that provides an applicant the ability to provide documentation and plead their case to the board to consider the economic aspects of their decision. He asked if this had been done in the past, Kori stated that it had.

Commissioner Alexander expressed concern about the public safety issue of falling tile. He questioned if the repairs were urgent. Kori stated that there is some damage and that this was brought to the city's attention in September. Commissioner Alexander made comment on the length of time the process had taken for the owners .

Commissioner Becht questioned the type of tiles currently on the City of Fort Pierce's parking garage. Kori Benton stated that per Danny Hawkins, Deputy Building Official, the tiles are clay as per city plans. Commissioner Becht also asked if there were anything other than aesthetics that justifies doubling the cost to the property owner. He states he is disinclined to return this request back to the Board but does not want to make a precedent that future cases will be appealed to the Commission seeking relief from a decision of the Historic Preservation Board.

Mayor Hudson opened the Public Hearing.

Mr. Richard A. Coke appeared and stated that his biggest concern has been with the length of time this process has taken, that if someone gets killed, hurt or maimed that he will lose his lively-hood. He stated that he thought that staff had the ability to approve the request based on a public safety issue and that it didn't have to go to the Historic Preservation Board.

Ms. Christine Coke appeared and stated that this is a public safety issue.

Mr. Rick Reed appeared and spoke on behalf of the applicant. He requested that the city do the right thing and not to delay their decision.

Seeing no one else, the Mayor closed the public hearing.

City Attorney Rob Schwerer requested that it be documented in the record from the applicant or from a representative of the roofing company the cost difference.

Mayor Hudson re-opened the Public Hearing.

Ms. Christine Coke submitted that there is a written estimate from J.A. Taylor Roofing stating that the repair cost for the clay tiles is \$37,300 versus \$13,800 for the concrete.

Commissioner Becht made a motion, seconded by Commissioner Alexander to reverse the Historic Preservation Board's decision and to allow the installation of the concrete roofing materials requested by the owner and representative due to the economic hardship that they presented tonight.

After further discussion Commissioner Becht moved to amend his motion, seconded by Commissioner Alexander to include the urgency for public safety.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

10 c. - Notice of Appeal submitted by Mr. David Cleveland. The relief sought is the reversal of the Historic Preservation Board's decision to deny the Certificate of Appropriateness for replacement of original and non-original windows at Old City Hall and St. Anastasia School Building. (CONTINUED FROM 12/16/2013)

Motion was made by Commissioner Becht, seconded by Commissioner Alexander to continue the Notice of Appeal to the February 3, 2014 meeting.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

11. Miscellaneous Reports & Requests

12. City Commission

a. Selection of Mayor Pro Tem

Motion made by Commission Alexander, seconded by Commissioner Perona to select Commissioner Becht as Mayor Pro Tem.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona and Mayor Hudson. Those opposed: None.

13. Comments from the City manager

14. Comments from the Commission:

Commissioner Perona attended the 31st Anniversary of the Bridge-buster this weekend and he was excited to see that about 160 participants along with family attended. He was pleased that the Kiwanis Club was able to make around \$3000 and complimented the Riverwalk Center for their assistance, stating that they were a great help.

Commissioner Alexander asked Chief of Police, Sean Baldwin, about his meeting with the NAACP as reported in the paper and if the City has any African-American supervisors on the street. Chief Baldwin indicated that a report on the issue is forthcoming.

Commissioner Becht stated that FPUA recently lowered their Power Cost Adjustment about \$2. He also asked staff the Actuarial Study Report would be available. Gloria Johnson responded that it would be within the next 60 days. He also requested an update on the King Power Plant and on the Moore's Creek Seawall from City Manager Robert Bradshaw.

Mayor Hudson also commented on the FPUA stating that the Power Cost Adjustment (PCA) was lowered \$2 in November and \$2 additional in January for a total of \$4 so the PCA will be down to \$1. She wanted everyone to know that the St Lucie Pioneer Families Exhibit opens Saturday, January 18th, from 10 am to 4 pm at the St. Lucie Regional History Center with a history trolley tour. She commented to Commissioner Alexander that his family was one of the families featured at this event. Mayor Hudson said how pleased she was that Fort Pierce Central had a great year in football and that they are now an A school. She was excited to say that Fort Pierce now has two A-listed schools, the only two in the county.

15. Adjournment.

There being no further business, Mayor Hudson declared the meeting adjourned at 8:05 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER