

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, MAY 19, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Reverend Jonathan Ingram of Saint Mark Missionary Baptist Church offered the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Edward Becht; Commissioner Thomas Perona; Commissioner Reginald Sessions

Staff Present: City Clerk Linda Cox  
Deputy City Manager Nicholas Mimms  
City Attorney Robert Schwerer

5. **APPROVAL OF MINUTES**

- a. Approval of Minutes from May 5, 2014 regular meeting and the May 12, 2014 special meeting.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Minutes of the Regular Meeting May 5, 2014 and the Special Meeting on May 12, 2014.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

6. **LETTERS TO COMMISSION**

7. **PROCLAMATIONS**

- a. Mayor Hudson issued a Proclamation declaring the month of May, 2014, as Community Action Month. It was received by Christine Samuel and Marjorie Gaskins representing The Agricultural and Labor Program, Inc.

8. **COMMENTS FROM THE PUBLIC**

**Mr. Aaron Richardson**, 300 North 40th Street  
**Mr. Jonathan Ingram**, 511 North 11th Street  
**Rev. John Lee**, 1204 Avenue K  
**Mr. George Gibson**, World of Unite Muslim  
**Mr. Rick Reed**

9. **CONSENT AGENDA**

- a. Waive interest, penalties, and administrative fees for Lot Clearing Lien in the amount of \$125.00 against 1007-1009 N. 16th St, owned by LeRoy Bennett, Jr., contingent upon payment of \$25.00 within 60 days.
- b. Reconsideration of Lot Clearing Lien against 1113 Avenue F owned by Aaron Richardson that was previously reduced from \$251.50 to \$150.00 payable in 60 days on April 7, 2014.
- c. Approval to submit and accept the Florida Division of Cultural Affairs for General Operating Support Grant in the amount of \$150,000.00 for the Sunrise Theatre.
- d. Approval of travel expenses in the amount of \$1,305.54 for Commissioner Perona to attend the FMEA-FMPA Annual Conference 2014 being held July 15 - 18, 2014, in Naples, Florida.
- e. Approval of travel expenses in the amount of \$523.67 for Mayor Linda Hudson to attend the Florida League of Cities 2014 Institute for Elected Municipal Officials. This training will take place June 13 - 15, 2014 in Delray Beach, Florida.
- f. Approval of Johnson and Davis's Change Order No. 1 in the amount of \$164,237.27 for additional construction services required to finalize the Park Trails Drainage Improvement Project.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Edward Becht that the following items on the Consent Agenda be approved - **9a, 9c, 9d, 9e, 9f**. Commissioner Alexander pulled item **9b**.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

As to item **9b**, Ms. Peggy Arraiz, Code Enforcement Manager, appeared and was available for questions. She reported that this property was part of their lot clearing project. She stated they have checked their files and verified the work on this site was completed a vendor for the City, Mr. Richardson had done some of the work, but not all of the clearing required. Unfortunately, they did not have Mr. Richardson's contact information until after the vendor had completed the rest of the work.

The \$150 in question is a hard cost to the City. Staff recommended to waive all soft costs, including administrative fees and that recommendation was approved at a prior commission meeting. Ms. Johnson responded to Commissioner Perona there is the possibility of a refund in the event that Mr. Richards pays this fine and it is found the City has erred and incorrectly billed this lot.

Motion was made by Commissioner Thomas Perona to approve the \$150 charge as staff recommended, Commissioner Edward Becht seconded for discussion.

City Attorney, Mr. Schwerer, explained to the Commission that before them is a request for re-consideration of a previously reduced lot clearing lien. The Commission has already taken that action to waive the administrative fees, interest and penalties. Mr. Richards is now asking to reconsider the final lien and say that he owes nothing. There is an appeal process if there is a challenge that a lot clearing took place on a specific lot, not for the fees or fines. But that is before a different board on a different day. The Commission can reconsider to impose the entire lien or deny the consideration without prejudice to determine whether he can go back and have an appeal before the correct board.

Commissioner Becht requested Mr. Richards be provided information to make this appeal

before the correct board. He does not want the Commission to become the appellate board.

Commissioner Perona withdrew his motion. No additional action was taken.

## **10. PUBLIC HEARINGS**

- a. Ordinance No. 14-015 - Providing a five percent (5%) increase in Business Tax Receipts.  
FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

Ms. Cox indicated the consensus of the Commission was to move forward with this 5 percent increase for local businesses as previously discussed at the March 10, 2014 Conference Agenda. The additional revenue to the general fund for the City is estimated to be \$13,300.

Mayor Hudson opened the Public Hearing.

Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Ordinance No. 14-015 on first reading.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht,  
Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

## **11. MISCELLANEOUS REPORTS & REQUESTS**

## **12. CITY COMMISSION**

- a. Approval of Resolution 14-R18 appointing members to the Fort Pierce Authentic Tours Advisory Board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution 14-R18.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht,  
Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

## **13. COMMENTS FROM THE CITY MANAGER**

- a. Deputy City Manager Nick Mimms stated there was a fantastic turnout on Saturday for the Keep Fort Pierce Beautiful Great American Clean-up. There were roughly about 200 participants that planted, painted and did some graffiti removal. He stated the City was also recently notified that we received the Visit Florida Grant which is going to help the Fort Pierce Authentic Tours program promote and continue with their networking and advertising for those businesses enrolled in the FPAT. Every Florida welcome center will have promotional materials for the City of Fort Pierce.

**14. COMMENTS FROM THE COMMISSION**

Commissioner Perona wanted to thank the Commission for approving his FMPA travel. In 2009, Fort Pierce was at the highest in electric rates, he stated he has taken this on as a special project. He travels to Orlando several times a year dealing with the issues on the committees and making sure the FMPA keeps their costs within a competitive nature. The FPUA is very close to what the state providers are doing and he feels it is working very well. It's a very serious conference and it is important to our community to have representation there. At the Treasure Coast Regional Planning meeting Congressman Pat Murphy spoke about All Aboard Florida. Commissioner Perona would like to ask the Commission to join other communities and draft a letter to Governor Rick Scott to request the FRA, Federal Rail Association, to extend the public comment on the draft EIS, Environmental Impact Study, originally set for 45 days to be extended to 90 days.

Commissioner Alexander attended the Tourist Development Council meeting and wanted to mention the opening of additional ball fields that will allow more activities in the community. He mentioned the Board's concern about a request with the City to support them in putting webcams at the Marina and Jetty. He asked what the delay was and requested that it be worked out quickly. Mr. Mimms responded the City is fully supportive of the webcams. We have worked with St. Lucie County on the strategic location of the cameras, there are just a couple of contractual issues that are being worked through. Commissioner Alexander thought the the Mazzella Smith case was over and wondered why the documents are still sealed. Mr. Schwerer explained the litigation is not legally concluded while the time of re-hearing is still open.

Commissioner Sessions stated he is getting calls about the use of the Percy Peake Gymnasium and they are being told they cannot use it because of the floors. He does not want small things standing in the way of what is needed, activities for our young people. We need to utilize the facility to the upmost. He also commented about the St. Mark Missionary Baptist's alleyway concerns. We have a church that sees this alley as a nuisance based on the usage of the property, we need to assess what is necessary to address the problem. Mr. Mimms responded they would be happy to revisit this, both the City Manager's Office as well as the Planning Department are very familiar with this alleyway.

Commissioner Becht asked of Mr. Mimms when the Budget Workshop meetings are to be scheduled, he stated it will take generally 30 - 45 days to get everyone's schedule coordinated. As the process begins to reset the budget he would like to revisit the previous budget cut of the EDC.

Mayor Hudson wanted to let everyone know that if you are looking for a job, Aegis is hiring. They are looking to fill 300 full time positions with benefits. They will be taking applications May 21 -23, 2014 from 11:00 a.m. to 6:00 p.m. In addition to attending the Keep Fort Pierce Beautiful Great American Clean-up she also went to the 50th anniversary of Lincoln Park Academy's graduating class from 1964. It was a beautiful, fun time and a great school.

**15. ADJOURNMENT**

There being no further business, Mayor Hudson declared the meeting adjourned at 7:48 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER