

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **SEPTEMBER 9, 2014**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Eduardo Mujica; Phyllis Castro; Tim O'Connell; Erica Ganzi; Robert Poitier; Eloise Cummings; Marcia Baker; Steve Weaver; Chairman Bob Burdge; John George; Mr. George entered the meeting at 6:05 PM.

Absent: Brian Paul; Mike Dahan

Staff Present: Rebecca Grohall, AICP, Planning Manager
James Walker, Assistant City Attorney
Sandy Ramseth, AICP, Senior Planner
Alicia Rosenthal, Administrative Assistant

4. CONSIDERATION OF ABSENCES

Motion was made by Phyllis Castro, seconded by Tim O'Connell to excuse the absence of Mike Dahan but not Brian Paul.

AYE: Eduardo Mujica, Phyllis Castro, Tim O'Connell, Erica Ganzi, Robert Poitier, Eloise Cummings, John George, Marcia Baker, Steve Weaver, Chairman Bob Burdge

Passed

5. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Weaver participated in discussions and voting.

6. APPROVAL OF MINUTES

a. July 8, 2014 Meeting

Motion was made by Robert Poitier, seconded by John George to approve the minutes for the July 8, 2014 meeting.

AYE: Eduardo Mujica, Phyllis Castro, Tim O'Connell, Erica Ganzi, Robert Poitier, Eloise Cummings, John George, Marcia Baker, Steve Weaver, Chairman Bob Burdge
Passed

7. NEW BUSINESS

- a. The applicant is requesting Conditional Use approval for the Spin Win Adult Arcade. The proposal is to house 50 arcade machines within two adjoining units in the existing Sunrise Plaza Shopping Center located at 511/513 Georgia Avenue.

Ms. Ramseth gave an overview of the application. Erik Pratt, Applicant, answered questions. Hoyt C. Murphy, Jr., Property Owner, and Mike Menard from Cook & Menard Architecture commented. Mr Weaver filled out form 8B and was recused from voting. The board discussed the application.

Regarding whether the arcade was legally licensed with the state of Florida, Mr. Walker, Assistant City Attorney, stated that the parameters of the boards authority are bound by the code of the City of Ft. Pierce and it is not the function of the board to look behind the city's code and to determine for itself whether those provisions are legally sufficient or not. The board makes it decision based upon the code that is in front of it as adopted by the City of Ft. Pierce.

Motion was made by Robert Poitier, seconded by Marcia Baker to approve the conditional use for Spin Win Arcade with the condition that all landscaping, lighting and payment in lieu for the sidewalks are completed prior to final inspection.

AYE: Eloise Cummings, Phyllis Castro, Tim O'Connell, Robert Poitier, John George, Eduardo Mujica, Marcia Baker, Erica Ganzi, Chairman Bob Burdge
Other: Steve Weaver (RECUSE)
Passed

- b. Approval of a City initiated Rezoning from R-1 to PUD for Carriage Pointe Estates.

Ms. Ramseth gave an overview of the application. The board discussed the application. No one in the audience spoke in favor or in opposition of the application.

Motion was made by Steve Weaver, seconded by Robert Poitier to approve the rezoning of Carriage Point Estates from an R-1 zoning district to a PUD zoning district as a scrivener's error.

AYE: Steve Weaver, Erica Ganzi, Marcia Baker, Eduardo Mujica, John George, Robert Poitier, Tim O'Connell, Phyllis Castro, Eloise Cummings, Chairman Bob Burdge
Passed

- c. Approval of proposed amendments to Section 22-40, Planned Unit Development zone (PUD).

Ms. Ramseth gave an overview of the application. Harold Smith, Ft. Pierce resident, commented. Board discussion ensued.

Motion was made by Erica Ganzi, seconded by Robert Poitier to table the vote until next month.

AYE: Phyllis Castro, Robert Poitier, John George, Eduardo Mujica, Erica Ganzi, Eloise Cummings, Chairman Bob Burdge

NAY: Tim O'Connell, Marcia Baker, Steve Weaver

Passed

8. CPTED PRESENTATION

CPTED presentation was given by Officer Glenn-Reed of the Ft. Pierce Police Department. The board discussed the presentation.

9. BOARD COMMENTS

Two former board members have passed away William D. Dannahower and Bill Clancy.

10. ADJOURNMENT

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME WEAVER STEVEN MICHAEL	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PLANNING
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY FORT PIERCE COUNTY	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 9/9/14	NAME OF POLITICAL SUBDIVISION: FORT PIERCE
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Steve Wearn, hereby disclose that on 9/9/14, 20 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, HOYT C. MURPHY REALTORS;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY REAL ESTATE LICENSE IS WITHIN THE BROKERAGE HOYT C. MURPHY REALTORS, APPLICANT/OWNER.

9/9/14
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.