

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, OCTOBER 6, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Rev. Howard D. Coleman of Mt. Olive 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

Absent: Commissioner Reginald Sessions

Staff Present: City Clerk Linda Cox  
City Manager Robert Bradshaw  
City Attorney Robert Schwerer

Commissioner Reginald Sessions arrived at 6:34 p.m.

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from the September 15, 2014 regular meeting and the minutes of September 22, 2014 special meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve the Minutes of the Regular Meeting on September 22, 2014.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a Proclamation recognizing October as Domestic Violence Awareness Month. It was received by Pastor Ken Hagin of Grace Church.
- b. Mayor Hudson issued a Proclamation recognizing October 7, 2014 as Million Father March Day and Men take their Children to School Day. It was received by Dr. Kevin Perry, St. Lucie County School District.

7. **LETTERS TO COMMISSION** - The following letter will be kept on file in the City Clerk's Office.

- a. Letter of appreciation from Jim Foley, Fort Pierce Home Owner, expressing gratitude to Officer William Blue, Animal Control/Code Enforcement, for his assistance and responsiveness in dealing with an animal problem.

**8. COMMENTS FROM THE PUBLIC**

**Dr. Gina Dean**, 1005 Kentucky Avenue  
**Mr. Dan Kenney**  
**Mr. George Gibson**, 1401 Reynolds Court  
**Mr. Roy Darby**, 619 South 6th Street  
**Ms. Annette Brown**, 3115 West Dixie  
**Mr. John Souza**  
**Mr. Cleaver Hayling**  
**Ms. Dodi Spence**  
**Ms. Irene Szedelmeyer**, 713 Easter Avenue  
**Mr. Craig Mundt**, 5051 A1A  
**Ms. Linda Fasano**  
**Mr. Randolph Wilkerson**  
**Mr. Rick Reed**  
**Rev. John Lee**  
**Mr. John Debus**, 5244 Compass Cove Place  
**Mr. James Claussen**

**9. CONSENT AGENDA**

- a. Rescind Code Enforcement Lien in the amount of \$201,300.00 against 703 N 23rd Street, owned by Milagros Suarez, leaving a balance of \$0.
- b. Waive interest, penalties and administrative fees in the amount of \$3,530.96 for Demolition Lien totaling \$11,275.46 against 703 N 23rd Street, owned by Milagros Suarez and contingent upon payment of \$7,644.50 with a payment plan.
- c. Reduce Code Enforcement Liens totaling \$82,026.58 against 1104 Jasmine Avenue, owned by Frank Gentile and St. Lucie County Community Services, to \$30.00 payable within 60 days.
- d. Reduce Code Enforcement Lien in the amount of \$17,540.00 against 407 S. 24th Street, owned by Benjie Sperling, to \$9,935.48, which is the amount of proceeds from a tax sale.
- e. Approve Modification Number 5 to Subgrant Agreement Number 14HM-2Y-10-66-02-144 pending review as to form and correctness by City Attorney.
- f. Approve Specific Authorization No. 2 to Design Build Contract for RFP No. 2013-26 City Hall Wind Retrofit Project - Expansion with Windtech Products, Inc. in the amount of \$285,333.00 pending review as to form and correctness by the City Attorney.
- g. Approval of the purchase of 22 decorative street sign assemblies in an amount not to exceed \$17,967.00 from Capital StreetScapes for the Lincoln Park Neighborhood Improvement Project.
- h. Approval to piggyback the City of Lakeland, Florida's Contract No. 417 with GT Supplies, Inc., bid award period October 1, 2014 through September 30, 2015, with three one-year renewal options, for the refurbishment of 2 CY, 4 CY, 6 CY, and 8 CY Front-End Loader Containers in accordance with the attached quote, not to exceed \$50,000.00 annually.
- i. Approval of reimbursement in the amount of \$13,331 to the Fort Pierce Utilities Authority for providing weatherization program services to six (6) eligible Fort Pierce citizens.

- j. Approval of Blanket Purchase Orders for FY 2015 for the Police Department.
- k. Approval of Blanket Purchase Orders to vendors on the attached list for products and services for FY2015.
- l. Approval of the requested Blanket Purchase Orders for FY 2015 to ensure efficient maintenance, service and repair of all City owned facilities, amenities and equipment.
- m. Approval of Blanket Purchase Orders for FY 2015 for Sunrise Theatre.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve the Consent Agenda in its entirety.

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

Passed

## 10. PUBLIC HEARINGS

- a. Approval of Selvitz Crossing Subdivision: Preliminary Plat with conditions recommended by staff.

Kori Benton, Historic Preservation Officer, appeared with a presentation. Staff recommends approval with the following condition; the City Engineer and NorthStar Geomatics comments are satisfied with the final plat application to the City of Fort Pierce. He also stated one of the agreements was that there would be a payment lieu of for sidewalks, as there are no direct connections on this plat the applicant would be making the payment to St. Lucie County in lieu of sidewalks upon final plat consideration.

Mr. Benton addressed the Mayor's concerns and responded that the lots on this plat are listed for well and septic. The placement of the lake would be within Tract B and is approximately 40 acres. The depth would be variable, 3 feet along the banks to an average of 10 to 15 feet. This is an opportunity to hold storm water runoff as well as a geographic buffer between the light industrial and residential uses to the east. There is potential use and reuse options for the fill, but will defer the specifics of excavation and removal to the representative. He would also defer the cost associated with water and sewage to the representative as it would be their requirement and their function to provide the infrastructure on their private property.

Mr. Schwerer responded he believes the City Ordinance parrots the State's law in that if the service is available within so many feet of the property line and sanitary wastewater service is available, then there is a mandatory hookup requirement both per City code and State statute.

Mayor Hudson opened the Public Hearing.

Mr. Brian Nolan from Lucido & Associates, representative for the applicant, stated about 20% of the fill will be for Midway Road. The goal for lots 11 and 12 on Selvitz Road ultimately is for those lots to become zoned IL. The applicant would have no issue with conditional approval of the preliminary plat, at the time of the final plat they would file for a rezoning of the lots. If required, they would file for a land use amendment. He stated there will be a sidewalk constructed along Selvitz Road. The lots on Selvitz will be hookups for water and sewer; the lots on Christensen are too far away to require the hookups.

Mr. Butch Beechler, representative for the owner, stated they know the water and sewer are

there, but it is far enough away not to be a requirement. They are looking into doing it anyway; they are still working out the detail

Ms. Irene Szedlemeyer stated it seems as though this preliminary plat is not ready for the Commission's consideration and should be tabled. She stated the size of the lots should not be determined until the decision of whether there will be water and sewer is made. She is supportive of having more water and wastewater and less well and septic and disagrees with no sidewalks in lieu of payment.

Ms. Jane Rowley stated she lives on Christensen Road, does not have water and sewer and that Christensen Road is a milled right of way, not a road. With the houses to be built and the additional traffic generated from development she stated the road will fall into disrepair. She feels the developer should be required to have a bond to keep that road in repair. She wants the road to remain a dead end.

Mr. William McNeely stated developers should pay for the sidewalks, never waive a sidewalk. He recommends the County to do the same.

Ms. Gabriella Clayson stated she lives on Christensen Road and has been involved with the development since 2006 when it initially started. She is concerned about the water management tract changing and becoming something different in the future. She questions the density of the proposal. Currently the lots are 2 to 5 acres with one house per property, she expects future development to be equivalent and mirror what is existing. She wants to make sure it is one house per property consistent with the area and keeping it the way it is. She is also concerned with what happens to the road once the excavations are complete and the building begins. She asked who is going to be repairing the Christensen Road millings.

Seeing no one else, Mayor Hudson closed the Public Hearing.

Commissioner Sessions stated Fort Pierce is ready to grow and he is looking forward to hearing good news from staff in regard to an active annexation policy.

Mr. Benton responded that generally at the final plat recording the tracts and the lots presented are dialed in as far as exact dimensions, their acreage and their dedication and use. The water management tract would be dedicated in perpetuity with the final plat unless a new plat was to be presented changing, replatting or amending the original plat. Future maintenance would be the combined responsibility of property owner and South Florida Water Management.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Preliminary Plat of Selvitz Crossing Subdivision with staff condition.

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

Passed

- b. Ordinance No. 14-022 - Correcting Scrivener's error in Ordinance No. K-308; Correcting zoning status of annexed property and changing same from R-1 (Single Family Low Density) to PUD (Planned Unit Development). FIRST READING

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

Sandy Ramseth, Senior Planner, appeared with a presentation and staff recommendation to approve the rezoning for Carriage Pointe Estates from an R-1 zoning district to a PUD

zoning district to make the subject property consistent with the City of Fort Pierce Land Development Code. Ms. Ramseth clarified the property was previously a county parcel zoned PUD. The City annexed the property in 2004 as an R-1 in error. Ordinance No. 14-022 is correcting this error.

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. 14-022 on first reading.

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

Passed

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

### **a. FY2014 Economic Development Annual Update**

Nick Mimms (Deputy City Manager), Shyanne Helms (Marketing Specialist), Linda Cox (City Clerk), Rebecca Grohall (Planning Manager), Kori Benton (Historic Preservation Planner), Marc Meyers (Building Director) and Paul Thomas (Building Administrator) appeared and gave a presentation highlighting the economic development achievement over the last year and describing the vision and mission of the Economic Development Team.

Commissioner Alexander stated Fort Pierce is a historical city and he inquired about incentives for improvements to the older structures in need of renovation and repair. Ms. Grohall responded the department is trying to have open and honest discussions with developers to streamline the process. We do have a couple of land development amendment codes in the pipeline that are hopefully going to make things easier. She stated they are also looking at modifications to the Comp Plan to try to make things smoother for developers and work with them through the process of what their expectations can be and how they can help them.

Commissioner Sessions stated he would like to hear more of what the caveats are from where he sits and what he needs to do to improve it. You've shared your vision and incentives, nevertheless, it is known that there are a lot of obstacles out there that need to be overcome and it is incumbent upon us to try and remove them so we can grow. He encourages staff to come forward; he would like to hear more about how the Commission can help move forward with improvements and economic development. He stated you don't have to sell him the dream just show him to achieve it.

Mr. Mimms stated that as a group we are extending ourselves to do whatever we can to improve the City's internal and external perceptions. We have to get the businesses here because once they see this beautiful city and once they understand the people that live here they can then understand how their business will thrive. Our mission is to get the people and investors here and make them believe we have a winning formula here.

## **12. CITY COMMISSION**

### **a. Resolution 14-R30 Providing for Publication of Designated Precinct Polling Places for the November 4, 2014 general election.**

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Resolution No. 14-R30.

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

Passed

- b. Communitywide Council recommendations to the City Commission regarding amending the 2014-2015 CDBG Action Plan

Nick Mimms, Deputy City Manager, and Libby Woodruff, Grants Administrator, appeared with a brief presentation. Mr. Mimms stated there is a total allocation of \$680,000, approximately \$167,000 of this amount is rollover funds from previous years. The current year allocation is roughly \$510,000.

Ms. Woodruff stated the Communitywide Council met with several of the citizens that had spoken at prior meetings to hear their comments and address questions. The council came back and stated that while they thoughtfully considered the public comments made, they revisited the 2014-15 CDBG Action Plan allocations; they wanted to reaffirm their support for the original allocations as previously approved. They recommended that Code Enforcement keep the \$100,000 previously approved stating the majority of the funds should be used to remediate dilapidated, vacant structures and clearing of lots. The City should hire Fort Pierce businesses or coordinate with youth based organizations to perform those tasks. Amend the commercial façade program and remove the cash match. Lastly, to establish a mechanism to incorporate Code Enforcement, nuisance abatement hard costs and the property taxes of the individual property owners.

Commissioner Becht responded that he feels there will be more improvements with the cash match in place than the City will see when giving the money away. The customer cares more when about the value of the improvements when they have to match the costs dollar for dollar. He requested more information from Port St. Lucie and their experience with putting hard costs on the property tax bill, he suggests a cap on fines and have the hard costs attached to the tax bill.

In response to Commissioner Alexander, Mr. Schwerer stated he did recall issues with the Grants building in the past, the owner and the City expended monies for the repairs but is unsure if any money is due to the City today. That would be a question for staff.

- c. Submittal of Applications for Reappointment to the Sunrise Theatre Advisory Board.  
City Clerk, Linda Cox, indicated applications are attached and will come back at the next meeting in the form of a Resolution for approval.

Commissioner Becht commented on his attendance at a meeting of the Sunrise Theatre Advisory Board. He stated the attendance of a member of the Commission made him the automatic Chair for the Board and informed the City Manager that he should have been forwarded a notification of the change via email. He informed the Commission the Board members stated they have not seen the budget and is uncertain of the tasks they are charged with doing. He feels there is a disconnect between the Commission and some of its boards.

Mr. Bradshaw responded a review of operational procedures for each of the boards will be conducted and the information will be provided back to the Commission.

- d. Discussion of possible donation of land near Porpoise Beach by St. Lucie County and consideration of funding for possible expansion improvements at this location.

Commissioner Becht stated the County found out they own a piece of property that is one property removed from our Porpoise Beach access. The rough concept is to try and swap the property the county owns with property that is between the City and the County so there would be a larger property for park purposes. It is not a simple process.

Mr. Bradshaw responded the County has not made a decision, but there have been discussions for selling it outright. If they do proceed with the land swap the County is very clear they want to see some in depth improvements and there is a limited budget. He will contact the County and let them know of the City's interest and request an update of their decision on either selling the property or proceeding with a possible land swap.

Mayor Hudson wanted to go the record to state she is interested in the swap if the City is not under the gun about the improvements.

- e. Discussion of Councilwoman Berger's proposal for a collaboration of the City of Fort Pierce, City of Port St. Lucie and St. Lucie County to host Without Walls 4 at the Port St. Lucie Botanical Gardens for eighteen months.

Commissioner Becht stated this is request for a letter of support.

Mr. Justin Council, Assistant for Councilwoman Berger in Port St. Lucie, appeared and stated the councilwoman would like to have the ability to have their City Manager meet with Mr. Bradshaw to iron out some of the details. The letter is from Councilwoman Berger individually, but the City Manager will be conducting the outreach for making the contact.

Concerns were expressed about the cost of moving the sculptures as well as the any damages while completing the relocation. There was a consensus for Mr. Bradshaw to work with Mr. Bremer regarding this request, keeping in mind the expressed concerns.

- f. Discussion on Port Development.

Commissioner Sessions indicated we have received contact from the Department of Transportation regarding the position of the City on the port development. They have taken an interest in the parcels owned by the City at Fisherman's Wharf. He feels it is important to not be stagnant and to pursue some form of development.

Mr. Bradshaw responded FDOT has moved the Fort Pierce Wharf Street Project up to the top ten; it is now high priority with them. They have recognized Fort Pierce as an emerging, strategic intermodal system (SIS) seaport hub. The City is eligible for 25/75 funding through that program. Mr. Bradshaw is looking for a general consensus from the Commission to continue the discussions and move forward and to request each elected official to reach out to the members of the Board of County Commissioners and start the discussion at that level. Consensus was reached to move forward.

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

- a. City Manager's Activity Report

Mr. Bradshaw reminded the Commission the Citizens Academy class #2 will be starting later this month. The City has received the RFP back on the Indian Hills Golf Course and there is an evaluation committee established that is going through the four respondents. The Police Chief search is moving forward. On the Melody Lane fishing pier, the city has received the

second round of funding from FIND. The project is fully funded; the design is started and will be moving forward. The RFP for the construction will be posted later this month.

Mr. Bradshaw is to supply the Commission with additional information on Phase II of the Oaks at Moore's Creek for a future discussion with the expectations to be brought before the CRA Advisory Board. Also to update the City's website concerning Zora Neale Hurston and the Highwaymen flags and banners.

**14. COMMENTS FROM THE COMMISSION**

Commissioner Alexander had no comment.

Commissioner Perona is excited be part of Million Father March and will be attending with a young lady at Weatherbee. He and the Mayor participated in the competition, Are You Smarter Than a Fifth Grader; he stated they both represented the City well and commended her on how well she did. The kids were brilliant; it was a lot of fun with many who attended. Also, PAL wants to partner with the City on a public restroom; they have raised \$50,000 to \$60,000 for a \$120,000 project. They are going to be talking to us about that. It will be on the Conference Agenda at the next meeting.

Commissioner Sessions stated he learned that there is no representative from the City of Fort Pierce on the Lawnwood Regional Medical Hospital Board and he would like to see City representation on that board. He asked the City Manager to contact the board about interest of being a part of that process.

Commissioner Becht requested an action plan be provided to him for first responders encountering Ebola. He also asked that Jack Andrews reach out to the veterans groups that spoke earlier and give them an update on the plan. It's a big project and it looks to be stalled, he would like an update every other month.

Mayor Hudson went to Restoring the Village training and is hoping for great things from that group. She sits on the Roundtable and they are progressing with tasks and goals. She stated the concept came to town as the Comprehensive Gang Model and left town as Restoring the Village. This Friday, October 10, 2014 at Jetson's, there will be the Mary Ann Carroll book signing; she is the only female Highwayman and she will also be there painting. There is an event at the Sunrise Theatre called Breaking the Chain on October 15, 2014 about domestic violence and bullying. She wanted to also let the public know she had a conversation with Mr. Bradshaw about the Environmental Impact Study for All Aboard Florida. Our staff is working with County staff and also the Treasure Coast Regional Planning Council to review the study and see how it impacts Fort Pierce.

**15. ADJOURNMENT**

There being no further business, Mayor Hudson declared the meeting adjourned at 10:37 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER