

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 20, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:31 p.m.
2. **OPENING PRAYER** - Rev. Eddie Oliver of Neighborhood Bible Way Revival Center 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
City Manager Robert Bradshaw
City Attorney Robert Schwerer

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from October 6, 2014 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve the Minutes of the Regular Meeting on October 6, 2014.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a Proclamation declaring October, 2014 as Arts and Humanities Month.
- b. Mayor Hudson issued a Proclamation recognizing National Hispanic Heritage Month. It was received by Jose Cabriales, Latin-American Coalition.
- c. Mayor Hudson issued a Proclamation recognizing the retirement of Police Chief R. Sean Baldwin. It was received Police Chief R. Sean Baldwin.
- d. Recognition of employees with 25, 30 and 35 years of dedicated service to the City of Fort Pierce. The names were read to honor their service.

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

Ms. Dodi Spence

Mr. Roy Darby, 619 South 6th Street

Mr. Patrick Henry, 1123 Granada Street

Mr. Paul Pearson, South 21st Street

Mr. Cleaver Hayling
Rev. John Lee
Ms. Annette Brown
Mr. Richard Price, 1711 Avenue F

9. CONSENT AGENDA

- a. Reduce Code Enforcement Lien in the amount of \$109,540.00 against 2729 S US Highway 1, owned by Juan E. Garcia to \$2,500.00 payable within 30 days.
- b. Request for approval for an extension of time to pay reduced demolition and lot clearing liens totaling \$7,099.78 against 715 N 20th Street by current owner Jeremy Castell.
- c. Request authorization to award RFP 2014-017 Alternative Plans Examiners and Inspectors to GFA International, Port St. Lucie, FL, for a term of one year with the option to be renewed on a yearly basis not to exceed two yearly renewal periods in the amount not to exceed \$120,000 annually.
- d. Approval of \$15,000 payment to VUEWorks, LLC in settlement of software contract claim.
- e. Approval of the City's payment of \$16,748.85, which is the employer portion of the cost, for Commissioner Perona to buy back 3.5833 years of prior service in the City of Fort Pierce Retirement and Benefit System.
- f. Approval of the City's payment of \$21,675.53, which is the employer portion of the cost, for Commissioner Sessions to buy back 14.25 years of prior service in the Fort Pierce Retirement and Benefit System.
- g. Request approval of a change order to Purchase Order # 140045 in the amount of \$58,300.00 for Wind Tech Products, Inc. to abate all lead and asbestos found at St. Anastasia during window removal and installation.
- h. Request to transfer \$200,000 from Solid Waste to the Golf Course to fund operations for FY 2014.
- i. Approval to transfer \$150,000 from FPRA to Sunrise Theatre to fund operations for FY 2014.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander that the following items on the Consent Agenda be approved - **9a, 9b, 9c, 9d, 9g, 9h, 9i**. Commissioner Perona pulled item **9e**. Commissioner Sessions pulled item **9f**.

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

Passed

As to item 9e.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve item **9e**.

Commissioner Perona abstained due to approval resulting in personal benefit and gain and filed Form 8B as required.

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

Passed

As to item 9f.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve item **9f**.

Commissioner Sessions abstained due to approval resulting in personal benefit and gain and filed Form 8B as required.

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

Passed

10. PUBLIC HEARINGS

- a. 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). **SECOND READING**

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

Senior Planner Sandy Ramseth was available for questions.

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 second and final reading.

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

Passed

- b. Public Hearing on Application for Conditional Use submitted by Hoyt C. Murphy, Inc. Realtors for construction of a Spin to Win Adult Arcade to be located at 511/513 Georgia Avenue in the existing Sunrise Plaza Shopping Center; said property zoned C-3, General Commercial.

Senior Planner Sandy Ramseth appeared with a presentation. Staff recommends Commission approval with the following conditions; all landscaping, lighting and payment in lieu of sidewalks are completed prior to final inspection. Ms. Ramseth clarified this is a non-smoking establishment with 50 machines, the patrons will be provided with pre-packaged snacks and non-alcoholic beverages only.

Mayor Hudson opened the Public Hearing.

Mr. Mike Menard of Cook & Menard Architecture, stated this is not the Italian restaurant location; this is the where the Eagles Bar had been for 20 plus years. The unit is currently gutted and the electric and air conditioning are being upgraded in preparation for the proposed new tenant. He stated there will be upgraded site lighting and with the additional landscaping the whole plaza will be up to today's code.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve with discussion Application for Conditional Use with staff conditions for construction of Spin Win Arcade.

Commissioner Becht questioned the fiscal impact of the arcade for the City and asked to be provided with the costs and annual fees to obtain and retain the required City licensing. Ms. Ramseth will forward an email to the Commission with the requested information.

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

Passed

11. MISCELLANEOUS REPORTS & REQUESTS

- a. Veterans Memorial Park design and construction update.

City Engineer Jack Andrews appeared and stated the City met with some of the veterans that were concerned with the design aspects of the park. If their consensus brings forth changes to the park design it will be brought back before the Commission at that time. The first phase of construction, which includes the interior bathrooms and some work to the outside, will be completed with landscaping by Veterans Day.

Mr. Andrews indicated placement of the names on the memorials go through the Veterans Administration of St. Lucie County. The existing monuments are to be preserved but will be relocated for a better display along the flow of the walk. He clarified there will only be a 6 inch rise for the bridge and the span more than 30 feet to accommodate visitors in wheelchairs.

At Commissioner Alexander's request, Mr. Andrews will provide a copy of the current site plan for the park.

- b. Presentation by Dr. Andrew Passeri, Executive Director of the HANDS of St. Lucie County Clinic, a 501(c)(3) organization dedicated to increasing access to health care for low income residents.

Dr. Andrew Passeri appeared and gave a brief presentation of the services provided. The clinic provides primary healthcare, medical care with referrals to specialists who have signed on as volunteers. There are also mental health services and dental care provided as well as educational programs for diabetes and smoking cessation. This clinic is run entirely on grant money and is free of charge for St. Lucie County residents of 6 months or longer, who meet the requirements of 200% poverty level, are adults within the ages of 18 to 64 and have no healthcare insurance. If anyone is interested in finding out more about HANDS or to make a donation they are encouraged to call at (772) 344-2542, stop by the clinic at 3855 South US 1 or to go to their website which is www.handsofslc.org.

- c. Financial Report for Quarter Ending September 30, 2014 (Preliminary)

Finance Director Gloria Johnson appeared with an update of the City's final quarter Financial Report for fiscal year 2013-14. Ms. Johnson stated the Mayor requested a monthly report, there was a consensus to have the monthly report in addition to the quarterly report and it was decided the monthly report will appear as an agenda item on the second meeting of every month.

Chief Accountant Johnna Morris provided an update utilizing a three page form that identifies three classifications of the City's funds; the general, special revenue and enterprise fund.

12. CITY COMMISSION

- a. Resolution No. 14-R25 - Appointing members to the Sunrise Theatre Advisory Board

City Clerk Linda Cox read the resolution into the record by title only.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Resolution No. 14-R25.

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

Passed

- b. Request approval of Resolution No. 14-R32, authorizing the execution of FDOT's Local Agency Program (LAP) Agreement and Federal-Aid Funding Request providing for the construction of sidewalks along Havana Avenue, South 21st Street and Kaufman Avenue.

City Clerk Linda Cox read the resolution into the record by title only.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve with discussion Resolution No. 14-R32.

City Engineer Jack Andrews responded to Commissioner Sessions the Engineering Department was responsible for submitting application and working through the process for this project.

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

Passed

- c. Approval of Resolution 14-R33 to initiate conflict resolution procedures between the City of Fort Pierce and Florida Department of Transportation.

City Clerk Linda Cox read the resolution into the record by title only.

Mr. Schwerer stated this is a legal dispute the City has with the Florida Department of Transportation concerning indemnification and coverage that is to be afforded the City of Fort Pierce as a result of Dickerson vs. City of Fort Pierce lawsuit. This is a contract the City entered into with Dickerson for the paving of A1A roadway and we are now being sued for overages on that contract for which the City does not believe it is responsible. It was not resolved at staff level, next step is conflict resolution.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Resolution No. 14-R33.

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

Passed

13. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Departmental Activity Report

Mr. Bradshaw stated the Citizens Academy Class No. 2, session one begins Thursday, October 30, 2014. The City is finalizing the agreement with the consultant to begin the Police Chief search. The agreement should be ready to execute this week and the formal process will begin. Staff is attempting to schedule a Strategic Planning Session within the first quarter

of 2015. It is a group the City has worked with in the past and they are working with scheduling, shooting for the 1st quarter of next year. As to the port, the City has been working closely with St. Lucie County staff; discussing the continuation of the Maritime Academy, the North 2nd Street project, the proposed improvements for Fisherman's Wharf and the Coast Guard Cutter.

14. COMMENTS FROM THE COMMISSION

Commissioner Sessions wanted the Chief to give an update on the triple shooting at the Elks on 25th Street. He does not want to shut the Elks down; his main objective is to protect the citizens of Fort Pierce by any means necessary. Interim Chief Amandro responded this is the first time in about 5 to 8 years they have had any issues with the Elks Club and the investigation is ongoing. The shooting incident occurred next door after the Elks event had let out. There will be a meeting with the Elks staff to discuss improvements into the future. There is additional staffing out there to hopefully prevent retaliatory shootings.

Commissioner Sessions also stated he would like the cancelling of Annette Brown's event at the PAL center looked into, it is a worthy cause. Interim Chief Amandro stated he met with Ms. Brown prior to this meeting was taken by surprise on what actions were taken by the Police Athletic League Board. He will get an update from Paul Pearson and update the Commission with what transpired.

Commissioner Becht wanted to thank Chief Baldwin on his departure and wish him the best and good luck. He stated he was the first Chief of Police that he saw walk in the Martin Luther King Parade; it was a personal commitment to connect with the community. He is going to be missed.

Commissioner Alexander had no comment.

Commissioner Perona shared that attended the Virginia College Ribbon Cutting ceremony and was amazed to hear the stories from the people the neighborhood that have turned their lives around and now have jobs. He is proud this institution is in the community; that they made this \$5 million investment here in Fort Pierce. He also attended the ribbon cutting at the Linkside Shoppes, newly renovated on South US Highway 1. He feels it is going to be an economic boost for the whole area; he appreciates the City's new business partners. Commissioner Perona attended the Treasure Coast Regional Planning Council on Friday, October 17th where they had a discussion on All Aboard Florida. The Environmental Study draft came out on September 19th and the last opportunity to speak out will be on December 3rd. There are 8 meetings scheduled throughout the Treasure Coast, you can get the meeting dates by going on Treasure Coast Regional Planning Council's website. He stated the Coast Guard has been asked to conduct a survey of the maritime issues, the three waterways that include a rail bridge. He wanted the Commission to know there is a staff meeting on October 23, 2014 in the old City Hall at 315 Avenue A in Fort Pierce. A downside to All Aboard Florida is that if they decide to opt out of the federal rail initiative loan and go to private funding, then the ability to have any say is gone and FEC can run their railway anyway they want.

Mayor Hudson attended the ribbon cutting of Big Brothers, Big Sisters located on North US Highway 1 as well as Virginia College and Linkside Shoppes. Also the applications for the CDBG grants will be available on November 3, 2014 and will be due on December 3, 2014, if any organizations are interested in any of the grants, they should be aware of the time period.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 8:47 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER