

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, DECEMBER 1, 2014.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Howard Riley of Palm Vista Church of God offered the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
 - a. City Clerk, Linda Cox, issued the Oath of Office to City Commissioner District 1, Rufus Alexander and City Commissioner District 2, Thomas Perona.

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 the November 17, 2014 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the Minutes of the Regular Meeting on November 17, 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 recognizing World Aids Day on December 1. It was received by Judi Backof and Norciss Plummer, St. Lucie County HIV Prevention Planning Group.

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

Ms. Dodi Spence
Mr. Roy Darby, 619 South 6th Street
Mr. Cleaver Hayling, 913 North 17th Street
Mr. Ramesh Kundu
Mr. Mark Alley, 206 North 18th Street
Mr. Tom Smith, 1002 Seaway Drive
Mr. Paul Parker, 1630 Seaway Drive
Ms. Annette Brown, 111 Bedford Drive

9. CONSENT AGENDA

- a. Approval of \$15,000 payable to Main Street Fort Pierce, Inc. for the sponsorship of 2014 Sights and Sounds on Second as budgeted.
- b. Approve the purchase of tourism rack card distribution services for a term of one-year in an amount not to exceed \$9,108.00.
- c. Approve entering into a phased contract with Swagit, LLC, to Create, Host, and Deliver Broadcast Live and On-Demand Audio/Video Content in an amount not to exceed \$97,078.98.
- d. Approve entering into a Professional Consulting Services Agreement with the International Municipal Lawyers Association, Inc. for the purpose of evaluating the efficiencies and associated costs of legal services provided by the City Attorney's office for an amount not to exceed \$7,500.00.
- e. Reduce Code Enforcement Lien in the amount of \$110,290.00 of which \$40.00 is recording fees against 1160 S. Ocean Drive, Ft. Pierce, FL currently owned by Steve Tarr, 4521 PGA Blvd., Palm Beach Gardens, FL 33418 to \$1,800.00 contingent upon payment in 60 days.
- f. Reduce Code Enforcement Lien in the amount of \$1,810.00 against the previous owner, Raymond Romanski, 1008 Hispana Avenue, Ft. Pierce, FL and purchased by the current owner, Marisol Morales, 1126 Rosedale Avenue, Ft. Pierce, FL to \$.00.
- g. Reduce Code Enforcement Lien in the amount of \$178,750.00 against 436 N 7th Street, Ft. Pierce, FL previously owned by Pegue Beausejour, 436 N. 7th Street and currently owned by Cindi O'Connell, 420 N. 2nd Street to \$1,000.00 contingent upon payment in 60 days.

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

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

Passed

As to item 9c, Commissioner Sessions was concerned that with cost savings there might be a loss of services or visibility for the citizens.

Mr. Bradshaw stated this would be an upgrade as well as a cost saver for the City.

Ms. Gaskin responded the City will have its own station, not partnered with St. Lucie County. In the future there will be more mobility with the ability to televise any event; broadcasts will not be limited to the Commission Chamber meetings. This will increase the City's visibility to the citizens.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Consent Agenda item **9c**.

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

Passed

As to item 9d, Commissioner Alexander asked for clarity on the order the consultants would be meeting with both the elected officials and the City's managing staff.

Mayor Hudson responded the consultants will meet with the members of the Commission before meeting for discussion with the City Manager and City Attorney.

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

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

Passed

10. PUBLIC HEARINGS

- a. Ordinance No. 14-033, revising City of Fort Pierce Code of Ordinances, Chapter 11, Sections 11-48 and 11-52 with respect to noise control. **SECOND READING**

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

Interim Chief Amandro presented the Commission with an additional layer to the violation process, as was discussed at the November 17th meeting. There will be a four step process when addressing noise violations on a property location that receives multiple complaints within a 24 hour period. Interim Chief Amandro gave a brief explanation of the process. He explained to the Commission the differences with the noise ordinance as it pertains to vehicular noise, traveling or sitting still, and a violation from a property location.

Mr. Schwerer explained there are a number of exceptions within the ordinance, a special event permit is one that can be secured and avoid the violation process.

Mayor Hudson opened the Public Hearing.

Mr. Tom Smith stated he works in a restaurant business that takes great consideration when they play their music. When he leaves from work there are other venues that can be heard from Pelican Seafood. The restaurant establishments have been in the general area and have been there for a very long time so this needs to be considered when relocating to those areas. Mr. Smith stated when you move to an area, know what you are moving around and into.

Mr. Cleaver Hayling stated he has concerns with the way the ordinance is written. The ordinance is relying on a person to make a complaint without the complaint being substantiated. He questions if you have an irate neighbor and they are just calling to harass you. There needs to be some validation of the actual violation written into the ordinance.

Mr. Roger Couture stated he can validate the noise from Guadalajara and commends the Commission for looking at this ordinance and giving clarity to it.

Ms. Betty Bradwell does not have a problem with the ordinance. She stated there is not a problem with music, there is a problem with gunfire and is more concerned with that issue. Think of the gunshots, not the music.

Mr. Paul Parker stated he used to own a pub where the music was held within the building. Here in Fort Pierce, you have music out on the beach and that affects the community until 2 or 3 in morning. The noise and the music starts problems, if we all work together we can get this problem solved.

Mr. Steve Bauer stated businesses can have music; it just doesn't have to be so loud. He questions the 24 hour period, is there mention of repeat offenders and how many decibel meters are there for the City. Mayor Hudson explained his questions will be addressed after public comment.

Mr. Jeffery Thompson agrees with the complaints the Commission is receiving from the citizens. He respectfully requests the Commission reconsider their vote on the first reading. He feels the effect it will have on the lives and peace of the residents should be their number one priority and does not agree with the times stated within the ordinance. He asks the Commission to do the right thing and vote no on this ordinance as it is written.

Mr. George Harriton stated the police have to earn trust in the community for them to stop the cars with loud music.

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

Interim Chief Amandro responded there are two machines available for the monitoring of noise and all complaints will be validated. He confirmed the new ordinance will be enforceable and that their number one priority is violent crime.

Mayor Hudson wished to remind the Commission and the public that this is not something the Police Department would like to consider a number one priority. We are actually trying to reduce the time the police have to pay attention to something that may not seem important to many; there are very few establishments who are breaking these rules. This is a growing city and sometimes these establishments end up in residential areas; what the Commission is trying to do is spend less time on noise and focus more on the violent crime. That is the number one priority.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Ordinance No. 14-033 including the modification to Sec. 11-52.22 regarding penalties as provided to the City Clerk and incorporated into the final Ordinance on the second and final reading.

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

Passed

- b. Public and City Commission review and comment on the 2013-2014 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) containing a summary of programmatic activities. Second of Two Public Hearings.

Mayor Hudson opened the Public Hearing.

Mr. Rick Reed expressed concern about a recipient of funds and their organization. He stated he does not want to see his tax money spent, except under the parameters it is supposed to be for.

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

- c. Application for Conditional use submitted by Jeff McCauley of Franklin Construction as Representative to allow a portion of a new deck to be constructed seaward of the Coastal Construction Control Line (CCCL) on an existing structure located at 1913 Surfside Drive, Fort Pierce, Florida.

Alison Rutkowski, Planning Systems Analyst, appeared with a presentation and a staff recommendation for approval.

Commissioner Perona stated the deck has been constructed, all but the railings. Commissioner Perona wanted to make sure that when the Commission has been given the authority to weigh in on an issue that action doesn't take place prior to their decisions and motion. His concern was that staff and the contractor doesn't get ahead of the Commission and make sure it doesn't get built until the Commission has given their approval.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Application for Conditional Use.

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

- d. Application for Conditional Use submitted by Dora E. Duran to operate a child day care, Dora's Learning Center at 1905 Okeechobee Road, zoned C-3, subject to conditions.

Sandy Ramseth, Senior Planner, appeared with a presentation and staff recommendation to approve with the condition that all landscaping be completed prior to final inspection and Certificate of Occupancy with all parking lot lighting up to code.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve Application for Conditional Use for Dora's Learning Center.

Commissioner Becht abstained from the vote because he represents the applicant requesting the conditional use and filed Form 8B as required.

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

- e. Application for Conditional Use with no new construction submitted by Charles Pitt, Americast, allowing Light Industrial use in C-3 Zoning District for property located at 3204 Ohio Avenue, subject to conditions.

Sandy Ramseth, Senior Planner, appeared with a presentation and staff recommendation the City Commission approve with the conditions that all code compliance issues be

resolved including operating a business without a business tax receipt, outside storage, lot clearing and maintenance of fence. Furthermore, there is a Planning Department condition that the landscaping per Section 22-67(e)5 shall be provided along the fence on Nebraska Avenue.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve with conditions Application for Conditional Use for Americast.

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

Passed

- f. Approval of a Site Plan submitted by La Cabana, LLC to construct a 10,000 square foot Family Dollar retail facility at Orange Avenue and 17th Street. Property is zoned C-3, General Commercial.

Ms. Clarissa Davis, Planner, appeared with a presentation and staff recommendation for the Commission to approve. She stated this will replace the Family Dollar currently located three streets down and the property will be owned by the Corporation, not leased as the previous location is at this time.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Site Plan for Family Dollar.

Commissioner Becht abstained from the vote because he represents the property owner and filed Form 8B as required.

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

Passed

- g. Ordinance No. 14-035 - Zoning Atlas Amendment for Eight Parcels on Seaway Drive from C-5 Tourist Commercial to R-4A Hutchinson Island Medium Density Residential Zone.
FIRST READING

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

Ms. Clarissa Davis, Planner, appeared with a presentation. Staff recommends that the City Commission approve the Zoning Atlas Amendment application.

Mayor Hudson opened the Public Hearing.

Mr. Bill Stoddard stated he represents the homeowners of the properties listed. They are well maintained and none of the owners have currently expressed any wish in redeveloping their properties as commercial. He stated the real risk the homeowners have does not lie with the zoning, it lies within the future comprehensive land use plan. To allow the homeowners to have the assurance that they can continue to enjoy their property in the

future they are asking the Commission to approve 10f and 10g.

Ms. Rebecca Towne was requesting more information. She asked who applied for the rezoning of the parcels identified and what would be the impact on traffic, water and sewer if this is to be rezoned for more than single family. She also inquired what the difference in cost of insurance will be between the existing zoning and what is being proposed.

Ms. Davis responded that this was a joint application from all of the property owners, all of the owners combined onto one application. These parcels have always been a residential use so there would be no changes to the water and sewage uses. She was unable to speak on the taxes.

Mr. Paul Parker expressed concern about the surrounding land owners not receiving the notification letters and he requested they be clearer, to please put them in layman's terms. A big concern is how it will affect them.

Mr. Blades Robinson stated the homeowners are trying to preserve their way of life and be known as good neighbors. He stated he is a new resident with the City; he would rather not have a bar or restaurant next to the property even though he knew it was potential risk when he purchased his home.

Mr. Mike Abinanti stated he has been in the community for over 12 years now and believes in being a good steward. Many years ago he granted the City an easement for the amount of \$10; he has yet to receive payment. His intent is to build a couple of really nice homes, not condos.

Mr. Leon Pultz thanked the Commission for cleaning up the uncertainties so that the property owners can go ahead and improve the properties, it is greatly appreciated.

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

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve Ordinance No. 14-035 on first reading.

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

NAY: Commissioner Thomas Perona

Passed

- h. Ordinance No. 14-036 - Future Land Use Amendment for Eight Parcels on Seaway Drive to change the designation of properties from GC, General Commercial to HIR, Hutchinson Island Residential. FIRST READING

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

Ms. Clarissa Davis, Planner, appeared and gave a presentation with a staff recommendation the City Commission approve the application.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Ms. Davis indicated R-4A zoning allows for multi-family as well as single family homes and would allow 8 to 10 units with a height not to exceed 4 stories without requiring a conditional use. She stated if a property owner were to buy all of these properties and unify them they

would be able to do a maximum of 18 units per acre.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Edward Becht to approve Ordinance No. 14-036 on first reading.

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

NAY: Commissioner Thomas Perona

Passed

- i. Ordinance No. 14-023, Extending the territorial limits of the City to include 3006 Lost Tree. (Owned by: Sterling Olsen) FIRST READING

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

Ms. Clarissa Davis, Planner, appeared with a presentation. Staff recommends that the City Commission approve annexation of these parcels into the Fort Pierce City Limits.

Ms. Davis responded to Commissioner Alexander's concerns about the lack of recent annexations in District 1. She stated they are attempting to open a dialogue and create an inter-local agreement with St. Lucie County that will allow the City to square off boundaries and avoid the checkerboard effect that has arisen with annexation agreements. Until this happens the City will have to continue with the process that is in place and annex by contiguous FPUA agreements. The City is actively looking for solutions and better ways to accomplish their goal and expand. She wanted it to be clear that once a more efficient process is in place there will be many more parcels from the District 1 area.

Commissioner Sessions feels to continue annexing properties in the manner the City has been is not going to accomplish the end goal. He stated as a representative of District 1 they want to contribute to the tax base of the City, but in order to do that the boundaries need to expand.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve Ordinance No. 14-023 on first reading.

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

Passed

- j. Ordinance No. 14-024, Extending the territorial limits of the City to include 530 S Market Avenue. (Owned by: Lantis Mfg Co) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Ordinance No. 14-024 on first reading.

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

Passed

- k. Ordinance No. 14-025, Extending the territorial limits of the City to include 811 Edwards Road. (Owned by: McGee Professional Properties) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Edward Becht with discussion to approve Ordinance No. 14-025 on first reading.

Commissioner Becht stated the value of the property is undervalued for an industrial property and there may need to be a discussion with Mr. Pruitt, St. Lucie County Property Appraiser.

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

Passed

- l. Ordinance 14-026, Extending the territorial limits of the City to include 903 S Market Avenue. (Owned by: William Sax) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Ordinance No. 14-027 on first reading.

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

Passed

- m. Ordinance No. 14-027, Extending the territorial limits of the City to include 991-995 Edwards Road. (Owned by: Alexander Johnson) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve Ordinance No. 14-027 on first reading.

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

Passed

- n. Ordinance No. 14-028, Extending the territorial limits of the City to include 3794 Oleander Avenue (Owned by: Faith Baptist Church of FP) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions with discussion to approve Ordinance No. 14-028 on first reading.

Commissioner Sessions inquired on the collection of taxes, staff responded church property is tax exempt.

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

- o. Ordinance No. 14-029, Extending the territorial limits of the City to include 4306 S US Hwy 1. (Owned by: Cartom Inc) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve Ordinance No. 14-029 on first reading.

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

- p. Ordinance No. 14-030, Extending the territorial limits of the City to include Briargate Subdivision, excluding 5728 Briargate Lane. (Owned by: Alyssa J Maloy, Emile W Thomas, Daniel F Ochse, David McIntire, Damodar Bodhoo, Jack L Bridges, Scott J O`Keefe, Mark A Wade, Michael L Landon, Hector Luna, Augustine M Gonzales, William Marinko, Eva I Garcia, Robert B Ogle,) FIRST READING

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

Mayor Hudson opened the Public Hearing.

Mr. David McIntyre stated he is not here to speak against annexation, he is here to learn the mechanics of the process.

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

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve Ordinance No. 14-030 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. Discussion requested by Mayor Hudson seeking a letter of support to the U.S. Army Corps of Engineers for the inclusion of modifications to the Fort Pierce, FL Shore Protection Project in the Annual Congressional Report to be issued in February, 2015.

Mayor Hudson stated the County is sending a similar letter and they are requesting the City do the same. This will help the County and the City get more shoreline protection.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the letter of support to the Army Corps of Engineers.

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

Passed

- b. Discussion requested by Commissioner Perona regarding Public Comment at City Commission meetings.

Commissioner Perona suggested having public comment at the beginning of the meeting to pertain to agenda items only. Public comments give the citizens the opportunity to speak on the items that are not part of a public hearing forum, thus allowing the citizens to give the Commission pertinent comments and information before they make their decisions. He feels to allow for general comments towards the end just before City Manager's Report can make the public hearing portion of the meetings more functional. He feels there are a lot of public comments that are in general not correct or lacking information and if the Commission is not to engage gives the appearance of being condoned as true. It is the Commissioner's hope to have a better public comment, not to restrict it in any way.

Commissioner Becht quoted the Commission is there to do the people's business, which is what they are elected to do. There is a constitutional right to free speech, but there is not one that permits dominating a public meeting with diatribe and negative talk.

Mayor Hudson likes the idea of splitting public comment and stated the idea should be explored, to make it more efficient and more courteous to the people present in the audience for a specific agenda item. She stated public comment is neither the time nor place to have a dialogue.

Mr. Schwerer responded to Commissioner Alexander that F.S. 286.0114 was adopted and effected October 1, 2013; public input is on matters that local government is going to take action on. It provides a reasonable opportunity for the public to be heard on a proposition or subject matter before official action is taken by the local body. It does not mean public comment on generally anything.

Commission Sessions stated the City has to be careful when limiting individuals to be able to exercise their 1st Amendment rights.

- c. Submittal of applications for Keep Fort Pierce Beautiful 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.

- d. Consideration of Planning Board alternate appointment to fill a vacancy.

It was stated the vacancy is due to a resignation. There are two alternates that were appointed to the Planning Board at the same time that are eligible.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to submit by ballot for consideration.

Ms. Cox clarified that in the past the longest serving alternate automatically moved into any vacant position. This is a situation where both alternates were appointed at the same time with only one vacant position to be filled. Applications will come back to the Commission to fill the soon to be vacant alternate position.

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 Police Chief search process has begun. Representatives from PERF will be in the City on December 10th and 11th, appointment times are on the Commission's calendars. The Legislative Delegation meeting is Monday, December 8th, he asked the Commission to please have any additional items to the City Manager's office by December 3rd. He thanked the City Clerk for stepping up and getting golf carts for the officials of the City to ride in the Christmas parade this year. Lastly, Mr. Bradshaw stated there will be an item on the December 15, 2014 agenda for the Commission's consideration to present staff with a \$35.00 bonus this year. Commissioner Becht, Commissioner Alexander and Mayor Hudson declined the bonus.

14. COMMENTS FROM THE COMMISSION

Commissioner Perona asked the Clerk to share the summary of the Treasure Coast Regional Planning comments pertaining to the draft study of All Aboard Florida with the Commission. It is very interesting sitting around the table with Stuart, Vero, Fort Pierce and West Palm Beach. West Palm is very much trying to be team players but there is a great economic benefits and development coming from this so it is difficult for them to weigh in on the subject. He asks the Commission members to please review the information. He stated the Environmental Impact Study failed to include the local and regional issues. He feels that Martin, St. Lucie and Indian River Counties were considered collateral damage. We don't want to appear like we are against this form of mass public transit, but we do want to make sure we are not going to ruin something that took years to create.

Mayor Hudson added she attended the county discussion of their document and stated it appeared that St. Lucie County did not exist. Ms. Grohall responded the City comments were forwarded to Treasure Coast Regional Planning Commission and FRA and would provide a copy of the documents to the Mayor.

Commissioner Sessions asked Mr. Bradshaw if there was any word received by Lawnwood Regional Medical Center as to a spot on their Board and expressing interest for a seat. Mayor Hudson stated it is a private board and there are no specific seats for a City or County Commissioner and they should talk to current board members if it is believed their representation should be included. Commissioner Sessions stated the Immigration Bill will

have a great impact on the City. Knowing the makeup of the City he thinks it is going to impact the population by at least 25%, if not greater. In response to a previous public comment nothing is more important than a human life and they are taking steps to try and eradicate that. But, by the same token they cannot downplay a person's right to be peaceful in his property. A neighborhood with a lot of noise effects the housing stock, thus effecting property values which dictate taxable dollars that help the City to procure police officers to enforce the laws and stop the crime.

Commissioner Alexander wanted to say to the City of Fort Pierce that he loves his City. He is proud to serve as a Commissioner of the City and demands respect for this seat in District 1. He wanted to let everyone know this City is beautiful and to remember those behind the scenes that work every day to keep it that way.

Commissioner Becht felt it was overall a good evening. The agenda had a lot of good economic development projects on it. The Sunrise Theatre had a full house for the Melissa Etheridge concert and next Sunday the City has the downtown parade.

Mayor Hudson stated the parade begins at 4:30 p.m. and will work its way down and around to the Christmas tree which will be lit around 5:30 p.m. The City Clerk has made arrangements for golf carts for the Commission and it should be fun. She encourages everyone to attend.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 10:21 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER