

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 TUESDAY, JANUARY 20, 2015.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Rev. Wayman Dixon of St. Paul African Methodist Episcopal 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
City Manager Robert Bradshaw
City Attorney Robert Schwerer

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from the January 5, 2015 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve the Minutes of the Regular Meeting on January 5, 2015.

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

Passed

6. **PROCLAMATIONS**

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

- a. Letter from Reverend John E. Quarterman thanking the Public Works Department for clearing the lot located on North 29th Street.

8. **COMMENTS FROM THE PUBLIC**

Mr. George Gibson, 1401 Reynolds Court
Ms. Dodi Spence
Mr. Robert Brown

9. **CONSENT AGENDA**

- a. Approval of the proposed scope of services provided by Kessler Consulting Inc. for a Multi-family/Commercial Recycling program and Non-Ad Valorem Assessment in an amount not to exceed \$36,150.00.

- b. Approval of the purchase of playground equipment for Maravilla Park from Miracle Recreation Equipment Company in the amount of \$27,000.00, which was allocated in the 2014-15 CDBG Action Plan.
- c. Request for Site Plan and Conditional Use Extension for Mount Bethel Baptist Church, South 25th Street, east of Fort Pierce Central High School until January 21, 2017.
- e. Approval of a contribution from the Law Enforcement Trust Fund to the Roundtable of St. Lucie County, Inc. in the amount of \$1,500.00.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht that the following items on the Consent Agenda be approved - **9b, 9c, 9e**. Mayor Hudson pulled item **9a**.

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

Passed

As to item 9a, Mayor Hudson questioned if this study will lead to Solid Waste being put on the tax bill and if there was a possibility of the Solid Waste fees being revamped.

Mr. Mike Reals, Public Works Director, responded they are not proposing anything at this time. They are proposing a study to be conducting by Kessler Consulting Inc. to provide hard facts of possibilities. Possible change in fees will be part of this proposal with Kessler, as well as collection of fees via tax bill. The whole operation will be looked at in the study; this will come back before the Commission with the representatives from Kessler giving a formal presentation. At that point, it will be up to the Commission to decide which route to go or keep what is currently in place.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Consent Agenda Item **9a**.

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

NAY: Commissioner Reginald Sessions

Passed

10. PUBLIC HEARINGS

- a. Ordinance No. 15-003 - Creating a Disability Review Committee at the request of the City of Fort Pierce Retirement Board. FIRST READING

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

Ms. Gloria Johnson, Finance Director, appeared and stated this ordinance is to establish a committee that will assist the retirement board to review retirees that are applying for disability retirement. It is basically setting up a review board allocating different members from the Utilities Authority and the City to evaluate participants. The people assigned have knowledge and the expertise needed when dealing with confidential information pertinent to the applicants.

Commissioner Perona responded that at the end of the day the Retirement Board wants to be as fair as they possibly can and be able to uphold the requirements of the retirement system as it has been set forth. He stated they also want to hear the applicants and be able to move forward in a fair and organized fashion.

Mr. Robert Schwerer, City Attorney, identified himself as the legal advisor for the board and stated that from a legal standpoint this is seen as streamlining the application process.

Mayor Hudson opened the Public Hearing.

Ms. Dodi Spence stated everyone on the current list is all administrative; there are no union reps or front line staff members. Ms. Spence made the recommendation the board put a volunteer or one of the City's front line staff, she believes there are too many upper management personnel on the list for this committee.

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

Mr. Schwerer asked to clarify an interlineation change to item A5. Ms. Johnson responded that instead of stating a Human Resource Administrator from the Police Department it should state a Designated Representative of the Police Department. Mr. Schwerer stated the change will come back in a redrafted format for the second reading. It was suggested this representative be chosen by the Chief of Police.

Ms. Johnson explained the purpose of this committee is to make sure the applicants have met all of the qualifications they need and that everything is in place in order for the retirement board to make a decision. The committee will provide a recommendation; however, the board will be making the decision.

Commissioner Becht asked for consideration on having a non-professional become part of this committee, specifically someone sympathetic with the disability applicant not just the rules and regulations process to create balance and legitimacy.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance No. 15-003 on first reading with the change to 13-38(a)5 to read Designated Representative.

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

Passed

- b. Conditional Use application submitted by Florida Department of Agriculture and Consumer Services to construct a 2,409 sq. ft. metal, pre-engineered structure at 3503 S US Hwy 1 - State Farmer's Market.

Ms. Clarissa Davis, Planner, appeared with a presentation. Staff recommends the Commission approve with the condition that the applicant comply with TRC comments from the Planning Department. Ms. Davis responded the Commission is strictly, independently looking at conditional use, the allowance to enable the use of a farm stand.

Mayor Hudson opened the Public Hearing.

Ms. Marsha Baker stated there were some miscommunications at the Planning Board meeting as to the process that should be followed. Ms. Baker identified she was informed by Mr. Brown that the farmer's market was granted a conditional use allowing for a farmer's market. Upon researching further she stated there was a planning board meeting on August 14, 2012 where a farmer market definition was allowed on publicly owned land as a permitted use. She questions why this is a conditional use based on what was approved 3 years prior. She feels this is a mistake.

Mr. Mike Brown, Senior Market Manager at the Fort Pierce State Farmer's Market stated he had an email from the City dated November 5, 2012 stating this was passed. He stated he employs many people from Fort Pierce and expressed hopes from the Commission to help get this project built.

Commissioner Becht stated it was his recollection the Commission did adopt an ordinance that would allow for reconstruction of metal buildings at this site after the storms in 2004 and 2005. He requested of staff that the Commission be provided the previously passed ordinances in reference to the Farmer's Market.

Mr. Rick Reed stated he was involved and met with Senior Staff on a group of properties on Seaway Drive that went to the Planning Board and passed on second reading exactly two months to the date from start to finish. He said the process was flawless and seamless, that it was a joy working with that staff. He compliments them and in all fairness they deserve praise.

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

Ms. Grohall responded there is typically a Conditional Use fee, for the process; the applicant was charged only for the design review. There was no charge for the Conditional Use in this case.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Conditional Use application for 3503 South US Highway 1 with the staff recommendations (listed below) with comment.

- * Pedestrian access way to be implemented from ROW side walk to front entrance of the structure
- * Implementation of shrubs/hedges along property line at work area
- * Re-stripe existing parking, delineating (1) handicapped parking space

Commissioner Becht asked if the Commission has the ability to drop one of the conditions. Mr. Schwerer responded it would require further research of the code. Commissioner Becht stated it is not his wish to hold this up.

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

Passed

Ms. Grohall is to research earlier ordinances and draft an updated ordinance to bring back before the Commission. She stated there will be approximately a 60 day turn around due to having to go before the Planning Board for their input.

11. MISCELLANEOUS REPORTS & REQUESTS

- a. Update on the St. Lucie County International Airport by John Wiatrak, Airport Manager.

Mr. John Waitrak, Airport Manager, appeared with a presentation of current projects at St. Lucie County International Airport. He stated that for 6 years in a row the airport's customs has been voted #1 nationally in aviation customs. Customs is one of the pillars that hold the airport up and they will be beginning the \$1.9 million renovations with the help of a state grant that covers 80% of the costs. The next project is their business and marketing plan with the assistance of an outside consultant. Things are going well and improving, but the revenue base needs to grow. He stated they need to determine what the demand is, what the identity of the airport needs to be and then target those industries. The airport wants to be ready for

commercial airlines. The largest project will be our \$3.5 million runway connector beginning this summer and funded by FDOT grant funds. The design is complete and currently in the permitting stage.

- b. Quarterly Financial Report for period ending December 31, 2014.

Ms. Gloria Johnson and Ms. Johnna Morris from the Finance Department appeared with a brief presentation.

Commissioner Becht requested an update on the expansion and possible rental impact of the Marina from Mr. Dean Kubitschek at the next Commission meeting on February 2, 2014.

Mr. Bradshaw offered an update on the City's golf course, in that an RFP for management services was issued 4 months ago. The responses have been received; the evaluation committee met and have ranked the responses. The City Manager's office will have the final report within the next 60 days, at that time there will be a policy decision made about management there.

12. CITY COMMISSION

- a. Request to Release Unity of Title

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve with discussion.

Ms. Grohall clarified this is seen as a housekeeping matter. In 2006, the church sold this property to the Pelican Center and the unity of title was not cleared at the time of sale. The City Attorney has the request from the property owner and staff is recommending approval to help a local business move forward with plans for a redevelopment project.

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 that according to the City's consultants the search for the new Police Chief is right on schedule, the closing date is February 6, 2015. He had a good follow up visit on the proposed workshop with the County to discuss Port development. The County Administrator is putting this on their February informal agenda for them to commit to a date for a March workshop. He had a quick reminder that the Strategic Planning session is scheduled for April 27 thru 29, any comments or issues should be forwarded to the City Manager to get them to the consultants. A last item is that the City has run into a slight hurdle with annexation agreements, they have been running into problems with the documentation on the agreements as well as missing agreements on parcels receiving service.

Commissioner Becht responded his understanding was to direct or authorize the City Manager in conjunction with the City Attorney to send a letter to FPUA stating the City's expectation for the UA to follow the City's ordinance and send out demand letters to the businesses that receive our water and may have not signed the necessary annexation agreement.

Ms. Grohall stated there are parcels being served with water with the absence of an annexation agreement and that with her conversations with staff at FPUA that are unwilling to go back and ask for the agreements. Staff is asking to elevate this for the policy makers.

Mr. Schwerer added there is recourse; it is to disconnect the water if there is no annexation agreement for the service being received.

14. COMMENTS FROM THE COMMISSION

Commissioner Perona stated there was an accident that happened this past weekend that brought a lot of attention to South Beach. St. Lucie County, along with Fort Pierce PD, assisted Martin County in apprehending a hit and run that ended in suicide. This accident closed the bridge down for 3 hours and created such a panic to the island. He said it would be nice to know if the City has an emergency plan for the island and to communicate it to the people who live there, or visit there or who own businesses there. This will help them to know that law enforcement will do everything they can and as fast as they possibly can to restore the normal traffic patterns.

Interim Chief Amandro responded there are policies and practices in place. Most of the times the situation is quickly resolved. For the long term issues, the City does annual exercises with other law enforcement agencies. Mutual aid agreements are in place. When seeking information, the quickest response will be by calling the Police Department directly. If it is after hours, any inquiries will be through the 911 Call Center. He stated the call center will always be abreast of the critical situations and have a protocol in place.

Commissioner Sessions had no comment.

Commissioner Alexander inquired about the status of annexations, legislative and otherwise.

Commissioner Becht commented there is no apparent annexation agreement for BJ's and he just wanted to mention that. He stated that with all of the frustration on not being able to go over the bridge to South Beach there was a silver lining, more people stayed for the Farmer's Market and to visit the downtown establishments.

Mayor Hudson had a call from one of the physicians at Physician's Immediate Care and she inquired on the status of the contract. Mr. Bradshaw responded it is out of legal and in the Finance Department for final review then it will probably be in the City Manager's office this week. She stated she attended the Kids At Hope Training in Port St. Lucie; it illustrated the importance of a caring adult in a child's life. This is National Mentoring Month and that it is not difficult to be a good example for a child and encourages everyone to consider the importance of a child having someone in their corner. This is an important contribution to the children of this city. She also attended the celebration at Francis K. Sweet Elementary School. This was a surprise award for a teacher for her excellence; the award was one of forty given nationally and the only one given in Florida. Mayor Hudson offered congratulations to the teacher, the school and the school district; this is a great thing for Fort Pierce.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 9:16 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER