

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, MAY 4, 2015.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 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 the April 20, 2015 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the Minutes of the Regular Meeting on April 20, 2015.

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 May, 2015 as Mental Health Awareness Month. It was received by Deb Pizzimenti from Suncoast Mental Health Center.
- b. Mayor Hudson issued a Proclamation recognizing May 15-22 as Public Works Week. It was received by Paul Bertram, Public Works.
- c. Mayor Hudson issued a Proclamation recognizing Police Week. It was received by Frank Amandro, Interim Police Chief for the City of Fort Pierce.
- d. Mayor Hudson issued a Proclamation recognizing the Boys and Girls Clubs. It was received by Mike Sancho, Chief Executive Officer of the Boys and Girls Club of St. Lucie County.
- e. Mayor Hudson issued a Proclamation recognizing May 2-10, 2015 as Travel and Tourism Week. It was received by Charlotte Bireley, Manager of Tourism and Venues, St. Lucie County.

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

- a. Letter from Sharon Morris, Principal of the Positive Expectations Academy, thanking the Fort Pierce Police Department for their swift response on February 3, 2015, when their school was hit by a car.
- b. Email from Fidel Iglesias-Lopez, Law Offices of Fidel Iglesias-Lopez, recognizing the consideration, efforts, professionalism, and time of Manager Arraiz; Animal Control Officer Gasparre; Investigator Coss; and Police Officers Hall and Spotts, and of law enforcement personnel generally, in their responses to citizens of the Admiral Street Crime Watch neighborhood.

**8. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS**

**Mr. Rick Reed**, Consent Agenda Item 9b

**9. CONSENT AGENDA**

- a. Reduce code enforcement fines in the amount of \$449,820.00 against 449 N 6th St., previously owned by Kermit J. Mullins and Benjamin H. Major of West Palm Beach, FL; currently owned by Jon Neprud of Ft. Pierce, FL to \$2,500.00 payable in 60 days. The balance of the lien is to remain against Mr. Mullins and Mr. Major.
- b. Approval to amend commercial facade grant previously awarded to Bible Way Soul Saving Station, Inc. for 464 N. 9th Street to Save Our Children, Inc. since the 464 N. 9th Street property now belongs to Save Our Children, Inc.
- c. Approval to submit and accept a grant application for Department of Justice funding not to exceed \$30,000 under the Bulletproof Vest Partnership (BVP) Program.
- d. Approval of application of Bill Harris to install an above ground LP tank at 944 Seaway Dr.
- e. Approval of travel expenses in the amount of \$902.46 for Mayor Hudson to attend the 30th Annual National Conference on Preventing Crime in the Black Community being held May 27 - 30, 2015, in Tampa, Florida.

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

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

Passed

**As to item 9b**, Commissioner Sessions questioned the City Attorney if he was aware of this and had the opportunity to verify its validity to move forward.

Mr. Schwerer responded his office reported the dissolution of the non-profit organization that was originally awarded the facade grant. It was then brought to their attention that another organization was going to apply for these funds and make application through the granting source. The deed of the property has a technical deficiency and recommends that if it is determined the Commission would award these funds to the successor and owner of the property, a corrective deed be obtained and filed of record within 15 days of tonight's meeting. One option is to delay until corrective action has been completed, or the Commission may approve tonight with the condition that the applicant obtain and record a corrected deed corrected within a certain period of time to be entitled to these funds.

This item is before the Commission seeking approval for the recommendation of award of the grant and then it will proceed with the process through the City Attorney's office to make sure all ownership documents are filed properly. Staff believes this is a viable organization along the corridor being targeted for improvement and it is their intent to see this project be successful.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to continue pending review with the City Attorney and reconsider once corrections are complete.

Commissioner Alexander asked how the Commission got to this point with all of the questions.

Commissioner Becht wanted to clarify for everyone that the Communitywide Council recognized not this owner, but this property as being worthy of the facade grant. The goal is to get the funds out into the community to improve the properties in areas that have been targeted for improvement. Commissioner Becht stated he is less concerned with who owns the building; he would rather see it improved. He does not understand what would be gained by delaying.

Commissioner Sessions rescinded his motion and Commissioner Alexander rescinded his second.

Mr. Schwerer stated the title to the property needs to be cured. He recommends the Commission place a time limit based on staff recommendations so as not to hold up the process. Mr. Mimms recommended 30 days as sufficient.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Edward Becht to approve Consent Agenda item **9b** with 30 days to transfer assets and assigned contracts to Save Our Children Inc.

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

Passed

## **10. PUBLIC HEARINGS**

- a. Approval of a Site Plan submitted by O'Reilly Automotive Stores, Inc. to construct a 7,941 sq. ft. retail auto parts store located at 2600 Okeechobee Road, Fort Pierce, FL. Property is zoned C-3, General Commercial.

Historic Preservation Officer Kori Benton appeared with a presentation and staff recommendation the City Commission approve the Site Plan with conditions. The applicant is to record the proposed 5 foot right-of-way dedication prior to the issuance of a Certificate of Occupancy and the applicant must integrate a tree mitigation plan into the request for a deceleration lane within the Okeechobee Road right-of-way to offset the removal of 4 palm and 3 oak trees from the County right-of-way. Mr. Benton clarified the structures on site to be razed will not impede development and have no historical value.

Commissioner Perona commented the site plan is 7 spots deficient for parking and questioned the \$2,000 fee amount in lieu of, inquiring if the Planning Board is ready to make recommendations to increase this amount to a more comparable fee amount.

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 Thomas Perona to approve Site Plan at 2600 Okeechobee Road with staff recommendations.

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

Passed

## 11. MISCELLANEOUS REPORTS & REQUESTS

- a. Presentation and acceptance of City Audit on all funds for fiscal year ended September 30, 2014, as prepared by DiBartolomeo, McBee, Hartley & Barnes, P.A.

Mr. Mark Barnes and Mr. Gerry DiBartolomeo of DiBartolomeo, McBee, Hartley & Barnes, P.A. appeared with a presentation. Mr. Barnes started by saying the audit went very well and all reports are unmodified, there were no non-conforming findings.

There was an increase in fixed assets, \$6.5 million of improvements to the City Marina and \$8.1 million on energy conservation and wind mitigation which was funded predominantly by grants. The City saw an increase in ad valorem due to a rise in property values bringing the City back to the values they experienced in 2011. Adding that the City's general governmental expenditures are still lower than they were in 2011, emphasizing the city's efforts at reducing expenditures and controlling costs.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to accept the City Audit for fiscal year ending September 30, 2014.

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

Passed

- b. Presentation by Linda Fasano, Executive Director, Arts & Cultural Alliance of St. Lucie County.

Ms. Linda Fasano, Executive Director of the Arts & Cultural Alliance of St. Lucie County appeared with her presentation. She wanted to say thank you to staff, especially Nick Mimms, Libby Woodruff and Mike Reals. Ms. Fasano believes art is our soul, it's our story and we all need to build and be proud of our story.

Ms. Fasano responded that she has a lot of experience to working with the CRA and bringing art into a district. It is important for communities to support local artists; the idea of studio space with rent control would be beneficial. She stated that art brings good things, it brings people and it brings economic development.

- c. Presentation by Mike Sancho, Chief Executive Officer of the Boys and Girls Club of St. Lucie County.

Mr. Sancho spoke previously when receiving a Proclamation recognizing the Boys and Girls Clubs.

## 12. CITY COMMISSION

a. Reappointment of Communitywide Council Volunteer

City Clerk, Linda Cox, indicated applications are attached and will come back at the next meeting in the form of a Resolution for approval.

b. Reappointment of Fort Pierce Authentic Tours Advisory Board Member to fill the St. Lucie County position.

City Clerk, Linda Cox, indicated applications are attached and will come back at the next meeting in the form of a Resolution for approval.

**13. COMMENTS FROM THE PUBLIC**

Mr. Harvey Lee  
Ms. Lisa Fasnaught

**14. COMMENTS FROM THE CITY MANAGER**

a. City Manager's Departmental Activity Report

Mr. Bradshaw wanted to thank the Commission for their participation in strategic planning and to remind them there will be a follow-up session in 30 days. The City has been notified by the county regarding a change to the local option gas tax inter-local agreement between the City, County and Port St. Lucie. Staff will be meeting late this week and will discuss with the Commission at the Conference Agenda on May 11, 2015. This is a 20 year agreement that is up for renewal with proposed changes that will have a negative impact on the City. Mr. Bradshaw will have staff research Commissioner Becht's request for information on how other counties handle this, particularly those that are favorable to the County seat. Next Friday is the joint workshop on the Port; please let staff know of any additions to the agenda by tomorrow's deadline, he needs specifics. Commissioner Becht stated he is uncomfortable with the composition of the Port Authority, there is no one specific from the City of Fort Pierce and would like to put this on the agenda. Being more specific, a Port Authority Executive Director is needed. Mr. Bradshaw had one last item, the City has established an office within City Hall for the Executive Roundtable and they moved in last Monday.

Mr. Schwerer stated there updates on the Florida League of Cities website and he encourages the Commission to check the website and look at the bills that may be of interest to them. On the Bert Harris Amendment, there is some confusion and it looks to have been just laid on the table. He will get back with the Commission once he can get clarification. It appears that certain petitioners filed with the Florida Supreme Court for an emergency Writ of Mandamus to force the House to come back to session. He found it interesting that even though the court denied the writ based on technical grounds a clear majority of the court found that such circumstances clearly violate the Constitution.

**15. COMMENTS FROM THE COMMISSION**

Commissioner Alexander stated the City should be very critical of the situation in the NW section of Fort Pierce; the neighborhood is going down in the dumps and not being taken serious enough. He wants help for Interim Chief Amandro and the citizens of the community. Commissioner Alexander challenges the Commission to be more critical because no child should have to dodge bullets.

Commissioner Becht encourages anyone with any specific ideas to bring them forward. He stated it is easy to say that he wants everyone to be safe but he needs to know what ideas there may be to accomplish this. He is willing to talk specifics and admits he does not know

what to needs to be done that is new. The City participated in the Gun Buy Back Program, a focused code enforcement program and extensive talks of getting the officers more visible and prominent in the community. A huge part of the solution is for the community to buy in and take their neighborhoods back. In closing, Commissioner Becht stated he wanted to thank staff, Mayor and fellow Commissioners for the two day Strategic Planning Workshop. He left feeling more connected with staff and his fellow commissioners and felt really good about all that was accomplished.

Interim Chief Amandro responded that the Police Department has accomplished a lot but there is still more that needs to be done. The St. Lucie County Sheriff's office has partnered with the City creating an increased law enforcement presence throughout the City. Ms. Hobbey-Burney has already stepped forward, she is committed and on the job even though she does not officially start until June 1, 2015. The City needs the community to come forward, to assist with what needs to be done.

Commissioner Sessions stated he made it a point to watch a broadcast of a Commission meeting in response to a constituent that voiced concerns about visibility and sound of the broadcasts. He feels the broadcasts are very unprofessional, specifically mechanical interference with the microphones and the cameras not focusing on the speaker. According to Commissioner Sessions' constituent, the broadcasts are handled remotely from a location in Texas which may explain the issues and encourages the City Manager to follow up on the City's contract. Furthermore, he wanted to address the problems in the NW section, stating that right now this area is a war zone. The city has a lot of shooting events taking place at 4 or 5 properties within the city limits that continue to happen routinely. Commissioner Sessions stated it is incumbent upon City Government to shut them down. This is a small city with hot spots that are owned by landlords that do not care about what is going on and the City needs to step to the plate, to use each and every resource we have available to stop this activity. There was a peaceful demonstration and he wanted to commend the community for their efforts and trying to come together to eradicate this problem.

Commissioner Perona wanted to thank staff and the Commission for a very informative strategic planning session. It was interesting to revisit the 2011 strategic plan and see what has been accomplished in the last 4 years. He is encouraged by all of the new changes in the community; new Superintendent of School, new Police Chief and new Director of Utilities Authority. He stated this is the Commission's chance to be able to make this community even better and this is an exciting time to be a part of the leadership of the City of Fort Pierce.

Mayor Hudson does not want anyone to think that no one cares about the children. Everyone knows that summer is coming and there are multiple agencies with programs for the children this summer. Percy Peak Gym, the PAL Center, the Sheriff's office, Boys and Girls Club along with the Children's Services Council all have summer programs for the children. A real problem with participation is transportation to and from the facilities so St. Lucie County Transit has made transportation available to children 12 to 16. They can ride the bus free of charge with a student ID or library card. She stated she has been meeting with the Safe Neighborhoods Network working on strategies to reduce kids from participating in the gun and gang life. She wanted to mention a couple of bills that passed legislature that affect municipalities. The bill passed for certified sober homes, Representative Gayle Harrell was a big sponsor of this. Also, Representative Lee's Bill passed to do the pilot program for literacy. In closing Mayor Hudson encourages everyone to volunteer for Keep Fort Pierce Beautiful, the Great American Clean-up on May 16, 2015 at the Riverwalk Center from 8:00 a.m. to noon.

## **16. ADJOURNMENT**

There being no further business, Mayor Hudson called the meeting adjourned at 9:10 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER