

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, AUGUST 3, 2015.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Charles Hendley of Greater Mt. Pleasant Primitive 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; 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 July 20, 2015 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the Minutes of the Regular Meeting held on July 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 Florida Water Professionals Week on August 9-15, 2015. It was received by Phil Donovan, Publicity Chair of Florida Water & Pollution Control Operators Association.

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

- a. Letter from Sword Outreach Mentoring and Resource Center thanking the City for Paul Bertram's assistance with the Parkland Court Clean-up event held May 23, 2015.
- b. Letter from Kathleen Frederick, A.E. Backus Museum & Gallery, commending the outstanding performance and assistance by the Fort Pierce Police Department as they evacuated their building as a result of a fire alarm and smoke filled building. The officers assisted staff with removing the art and providing security until they were able to reenter the building, at such time as the officers continued to assist staff.

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

David Buryanek - Consent Agenda items **9a, 9b**

9. CONSENT AGENDA

- a. Request to reduce two code enforcement fines in the amount of \$110,580.00 against 1815 S. 30th Street previously owned by Custodio & Monica Pereira, Jr., 1815 S 30th Street, Ft. Pierce, FL 34947 and currently owned by David Buryanek, 1811 S. 30th Street, Ft. Pierce, FL 34948 to \$2,066.60 payable in 10 months.
- b. Waive interest, penalties, and administrative fees in the amount of \$346.33 for lot clearing lien in the amount of \$779.73 against 1815 S 30th Street, Ft. Pierce, FL previously owned by Custodio & Monica Pereira, Jr., 1815 S 30th Street, Ft. Pierce, FL and currently owned by David Buryanek, 1811 S 30th Street, Ft. Pierce, FL contingent upon payment of \$433.40 payable in 10 months.
- c. Approval of increase in the amount of \$18,887.00 on Purchase Order #150314 - Day Dreams for the purchase of Outer Vest Carriers and Under Vest Shirts.
- d. Approval of increase in the amount of \$1,500.00 on Purchase Order #150086 - Grimes Heating & Air Conditioning as requested by the Sunrise Theatre.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Reginald Sessions to approve the Consent Agenda in its entirety, items **9a, 9b, 9c, 9d**.

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

Passed

10. PUBLIC HEARINGS

- a. Public Hearing on Proposed Allocations for CDBG 2015-2016 Action Plan

Grants Administrator Libby Woodruff was available for any questions.

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 proposed allocations for CDBG 2015-2016 Action Plan on second and final reading.

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

Passed

- b. Ordinance 15-008 abandoning remaining Alleyway located between Georgia Avenue and Hayes Road. SECOND READING

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

Senior Planner Kori Benton was available for any questions.

Mayor Hudson opened the Public Hearing.

Mr. Michael Jacquin of Jacquin Construction stated he was available for questions.

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. 15-008 on second and final hearing.

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

Passed

- c. Ordinance No. 15-048 - Approval of a Zoning Atlas Amendment (Rezoning) from R-4A, Hutchinson Island Medium Density, to PD, Planned Development, along with Planned Development Plan for the Inlet Palms Townhomes located at 1502 Seaway Drive, Fort Pierce, FL. FIRST READING

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

Planner Clarissa Davis appeared with a presentation, stating that items 10c and 10d will be presented concurrently with independent motions for each item. Staff recommendation is that the City Commission approve Zoning Atlas Amendment and the Planned Development Plan conditioned upon the approval of the Final Plat. Staff also recommends that the City Commission approve the Preliminary Plat application. She stated the separation of approximately 7 feet 3 inches between the buildings on the plat is a requirement. Clarifying this parcel will be purely residential, there is to be no commercial activity.

Mayor Hudson opened the Public Hearing.

Mr. Bill Stoddard wanted to thank staff for all of their hard work on this project, stating this is a perfect example of what can be done with the new PD ordinance. He stated he was available for any questions the Commission may have. There will be 7 townhomes that will range in square footage from 3000 to 4400.

President of Foglia Homes, Mr. Joe Foglia, stated this is his foray into Fort Pierce and he is looking forward to a successful project. He clarified they are working on presales, they are currently in the reservation process until they get through the approval process.

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

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve Ordinance No. 15-048 on first reading.

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

Passed

- d. Approval of preliminary plat submitted by the property owner, Foglia Contracting Corp., for the development of the Inlet Palms Townhome project. The site is located at 1502 Seaway Drive, Fort Pierce, FL. Property is currently zoned R4A, Hutchinson Island Residential.

Planner Clarissa Davis appeared and was available for questions.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve preliminary plat for Inlet Palms Townhomes project.

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. Resolution No. 15-R13 authorizing the Transfer of Surplus Property located at 903 S 3rd Street, between Georgia Avenue and Hayes Road.

Senior Planner Kori Benton appeared with a presentation. Stating the transfer of surplus property in exchange for improvements to a prospective Fort Pierce Police Memorial Park presents an opportunity for economic growth and business development. Staff recommends approval of the requested transfer with the conditions listed:

1. Approval and execution of, and adherence to all of the terms and conditions of the proposed Property Disposition and Development Agreement.
2. The completion of a parcel combination for the overall development

Commissioner Becht wanted to compliment the applicant and staff on a creative way to turn some property into parkland. He is excited with the creativity that has been shown here for taking a piece of arid property and turning it into nice.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve Resolution No. 15-R13 contingent upon staff recommendation of approval and execution of property disposition development agreement and completion of parcel combination for the overall development.

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

Passed

13. COMMENTS FROM THE PUBLIC

Mr. Michael Jacquin
Mr. John Foster
Ms. Renee Jordan Wyatt
Mr. Ja-Keem Jordan

Ms. Dodi Spence

14. COMMENTS FROM THE CITY MANAGER

a. City Manager's Departmental Activity Report

Mr. Bradshaw wanted to remind the Commission of the 2nd Budget Workshop scheduled for Thursday August 6th in the Commission Chambers from 9:00 till noon. He stated that staff is following up on the Charter school issue, he believes the new superintendent will meet with the City at the Conference Agenda in September. The Superintendent will be scheduling individual meetings with the Commission before the September meeting. On the strategic planning follow up, staff will be getting delivery within the next couple of weeks of all of the follow up materials.

Commissioner Alexander commented about the Honor Flight being listed as a budget item and inquired if this is of interest to the other members of the Commission. Mr. Bradshaw believes there has been a donation of \$100 as discussed. If it is the Commission's pleasure, they can discuss supplementing this amount. Mayor Hudson added there is the opportunity for the public and the Commission to attend Big Apple Pizza and Pasta on Thursday night to help raise money for Honor Flight for October. Commissioner Becht shared that Dr. Singh has offered to contribute and match donations up to \$10,000.00 giving the community the opportunity to raise up to \$20,000.00, asking staff who is tracking the donations. He has made a donation and encourages everyone to do so. City Clerk Linda Cox stated she would be happy to contact Honor Flight and Dr. Singh to get the necessary details and track the donations. Checks can be sent to the City Clerk with checks made payable to Southeast Honor Flight.

15. COMMENTS FROM THE COMMISSION

Commissioner Perona attended the FMPA/FMEA conference. He spoke to Nick Ariella, the Director of FMPA, and he has agreed to set up a meeting in Fort Pierce to talk about the audit, plus all of the new things that are happening with the FMPA. The Liaison Advisory Board got a nomination from someone else from Fort Pierce to make Mike Perri the Chairman of the Board, sharing that Clay Lindstrom was moved up to Vice President of FMEA. FMEA is part of our legislation actions with municipal electrical, they work hand in hand to provide information that is needed to run a safe, cost effective utility in our own communities. The convention went really well, stating he will report individually to the Commission at a later date.

Commissioner Alexander is still receiving calls and emails about the dogs in the community and today he saw a pitbull in the street eating a chicken. There is so much confusion and negative comments about what is being done about the dogs that are running loose. He has a high matter of concern and confusion concerning the spay and neuter program process, asking Mr. Bradshaw to please get it resolved. His next concern is city lawsuits, stating the amount of lawsuits the city is facing is ridiculous. One case that stood out to him was with the Police Department concerning discrimination. He is getting tired of the City of Fort Pierce being accused of this. He welcomes the new Chief but does not want to put that burden upon her, stating he hopes she can come up out of the ashes and make this a better city. Lastly, he commented on Ms. Spence speaking at every meeting and questions why the City can't resolve her issue. It is another issue that needs to be resolved.

Commissioner Becht stated that tonight they got to see one of the first new projects on the inlet and fortunately it included a sight alley or breeze way. He appreciates the passageway between the buildings, stating the importance of this feature and encompassing this requirement into the LDR. In his opinion, this would be good planning. On the southwest

corner of Edwards Road and 25th Street is a big chunk of property that is getting developed with the County, stating that once they turn on a faucet it will become the City. He wanted to challenge staff to encourage incentives for the developers to bring those projects into the City for us to approve with the knowledge that once they are enfolded into the City a lot of their problems will then be city problems. Questioning the ability to enter into a deferred annexation agreement with the property developers, stating the City has a vision in place and needs to be proactive to prevent inheriting the county's building codes requirements and vision. The county is different from the City with their set policies, their vision.

Mr. Schwerer stated it is his understanding that the City worked with the Utilities Authority hand in hand on this. Whenever concurrency requirements needed to document water and wastewater to a project that the annexation agreement needed to be signed and if they were contiguous the annexation would occur at that time. Concurrency occurs very early in the project, the plans have to show there are water and wastewater facilities for the project. Clarifying it is not like it was in the past, when the water was turned on, it is now upon concurrency.

Ms. Grohall responded the parcel is contiguous on the southern boundary of the parcel. Stating that as far as she can tell there is no signed water and sewer agreement. The Planning Department will be working with the County and the UA to make that happen. The developer maintains that they are just land clearing at this time; there is an approved PD plan from 2006 where at time of approval the signing of the water and sewer agreement was deferred.

Commissioner Sessions asked when a meeting is being set with the County to discuss annexations. Mr. Bradshaw responded the City will be having their discussion on annexation at the next Conference Agenda on August 10, 2015. After this meeting, the City will proceed to meet with the County. Commissioner Sessions stated there is an organization known as United for Animals that has made an effort that has helped the City tremendously in addressing the stray animal issues. District 1 had a serious problem with stray animals; it is his understanding that this organization that promotes spay and neutering has met with some opposition by way of City Hall. Stating whatever the opposition is, he hopes it can be worked out because this organization assists the animal owners with the spay and neuter by provided the transport to and from the facility for the procedure. This assistance helps the City tremendously and he encourages staff to work with United for Animals for a remedy to whatever opposition they are experiencing. It is his understanding this same organization gave forth their grant dollars for spay and neuter and encourages the City to help out. Commissioner Perona agrees and added this service is not just vital, it's needed. Strays are not limited to an individual district and a lot of the people this organization helps do not feel comfortable coming into City Hall, if they can get here at all. The citizens depend on this group; United for Animals also gives out food and medication. He thinks this small group has done more for animal control and the happiness of the pet owners; he is all for doing whatever the City can do to clear the way and let them do more good for the community. Further stating that if it gets to be a big problem or policy decisions he would like to hear what the issues are so the Commission can make the decisions as a policy body. Also voicing his concern about chickens running loose in the City, stating when Fort Pierce is trying to promote and host visitors he finds them to be an embarrassment. The chickens are getting out of hand, something needs to be done. Lastly, he noted a new command member attending the meeting encouraging Chief Hopley-Burney to introduce the newest member to the Fort Pierce Police Department.

Chief Hopley-Burney introduced newly sworn Deputy Chief Kenny Norris. Mr. Norris brings 27 years of experience from the Tampa Police Department serving on different task forces. He has worked with gang and gun violence task forces, the FBI and a number of other specialties, stating the skill base that he brings will prove to enhance the City even more. He will augment

and bring the type of leadership to make the Police more successful, to make Fort Pierce a safer place to come. They are looking to change the reputation of the city; Chief Hobbey-Burney stated she stands behind that statement.

Deputy Chief Kenny Norris thanked the Commission for allowing him to serve in Fort Pierce. He stated he has served on numerous tasks forces including federal agencies and secret service. One thing he wanted the Commission to understand, he did not hesitate to consider and apply for the position. He understood the challenges before him, he knows the Chief's expectations and he knew with the experience of working with Tampa Police and accomplished missions he wanted to move forth and accomplish those missions in Fort Pierce. He thanked the Commission for the opportunity.

Mayor Hudson wanted to remind everyone about the fund raiser for Honor Flight on August 6th from 4:00 to 10:00 p.m. at Big Apple Pizza being sponsored by City of Fort Pierce, City of Port St. Lucie and the Board of County Commissioners. Dr. Singh will be there, it is her understanding the money raised will be part of his dollar match. She attended the reopening of the Williams Center stating it was a great event with a noticeable turnout of local and surrounding police agencies, the Boys and Girls Club and the PAL Center are back. She is proud of what was accomplished with the quick work done by everyone. She wanted to thank the Fort Pierce Police Department for their efforts with the lost boys at sea; they helped to search the grid daily, continuing the search on their own time. She is glad to know the City did their part.

Commissioner Alexander was concerned he was unaware of the Williams Center reopening.

16. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 7:45 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER