

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, NOVEMBER 16, 2015.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Reverend John Quarterman of Triumph the Kingdom of God in Christ 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 Attorney Robert Schwerer

5. **APPROVAL OF MINUTES**

- a. Approval of Minutes from the November 2, 2015 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the Minutes from the November 2, 2015 regular meeting.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a proclamation recognizing the retirement of Liz Roundtree as Fort Pierce Police Department Records Supervisor.

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

- a. Letter from the Government Finance Officers Association awarding the Certificate of Achievement for Excellence in Financial Reporting to the City of Fort Pierce for its Comprehensive Annual Financial Report (CAFR).

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

William McNeely - Item 12h  
Reverend John Lee - Item 12h  
Charlie Frank Matthews - Item 12h

9. **CONSENT AGENDA**

- a. Waive interest, penalties, and administrative fees in the amount of \$545.36 for lot clearing lien against 1105 Avenue D, Ft. Pierce, FL previously owned by Randall Reynolds, 2301 Juanita Avenue, Ft. Pierce, FL 34946 and currently owned by Square Foot Holdings Inc., 3880 N A1A, Apt. 605, Ft. Pierce, FL 34949 contingent upon payment of \$332.85.
- b. Waive interest, penalties, and administrative fees in the amount of \$458.12 for lot clearing lien against 508 Douglas Court, Ft. Pierce, FL previously owned by Mayfive Capital LLC, 8902 N Dale Mabry Hwy #200, Tampa, FL 33614 and currently owned by Durant Properties, LLC, P. O. Box 115, Durant, FL 33530. contingent upon payment of \$194.41 within 60 days.
- c. Approval of travel expenses in the amount of \$642.82 for Commissioner Alexander to attend the FLC Legislative Conference being held November 18 - 20, 2015 in Kissimmee, Florida.
- d. Approval of travel expenses in the amount of \$504.52 for Commissioner Sessions to attend the FLC Legislative Conference being held November 18 - 20, 2015 in Kissimmee, Florida.
- e. Approval of Interlocal Agreement (Development of the Port of Fort Pierce) and Fisherman's Wharf Land Acquisition (Phase 1) Project Agreement with St. Lucie County.
- f. Acknowledge staff's approval of a Minor Amendment to Site Plan, to adjust the on-site loading zone, for the Approved Family Dollar Development at 1210 S 25th Street.
- g. Approval to terminate Lease Agreement with the Fort Pierce Housing Authority for the Williams Center, 3014 Avenue J, Fort Pierce, Florida that was utilized as a sub-station by the Fort Pierce Police Department.
- h. Approval to execute a Memorandum of Understanding with the St. Lucie County Sheriff's Office and the Port St. Lucie Police Department as requested by the Fort Pierce Police Department to enter into a mutual aid agreement.

Commissioner Sessions pulled item **9e**.

Commissioner Perona pulled item **9g**.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the items **9a, 9b, 9c, 9d, 9f, 9h**.

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

Passed

As to item **9e**, Commissioner Sessions wanted to clarify the language in the interlocal agreement that references the City's ability to contribute to the cost of appraisals and land acquisition. Robert Schwerer, City Attorney, confirmed that the agreement allows the City to purchase land and pay appraisal costs.

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

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

Passed

As to item **9g**, Commissioner Perona wanted to more insight into the plan to use the Willie B. Ellis station on Avenue D.

Chief Hopley-Burney stated that she decided to restructure the department as a whole in order to have accountability and efficiency. The Avenue D station has been re-opened and Deputy Chief Norris and Crime Prevention will be housed there. We will continue to work with the Boys and Girls Club. We want the public to know that we are there for them.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **9g**.

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

Passed

## **10. PUBLIC HEARINGS**

- a. Public Hearing and approval of the Consolidated Annual Performance Evaluation Report (CAPER) for Program Year 2014-2015.

Libby Woodruff, Grants Administrator, appeared and was available for questions.

Mayor Hudson opened the public hearing.

Seeing no one, Mayor Hudson closed the public hearing.

- b. Review and approval of an application for a Conditional Use, submitted by Property Owners, Greatfield Development (USA) LLC, Applicant, Sailfish Brewery, and Representative, Mills, Short & Associates to operate a Microbrewery and Taproom at 130 North 2nd Street, Fort Pierce, FL. The property is zoned Central Commercial (C-4), (Parcel ID 2410-503-0055-000-9).

Kori Benton, Senior Planner, gave a brief presentation and was available for questions.

Mayor Hudson opened the public hearing.

Paul Schall, citizen, supports the business coming into downtown.

Wesley Mills, applicant representative, addressed the parking and delivery concerns.

Nick Bishoff, Owner, stated he has no plans to abandon the brewery at its current location.

Seeing no one else, Mayor Hudson closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the conditional use application with the following staff conditions:

- 1) The applicant establishes a shared dumpster agreement, or authorized refuse collection location, prior to Certificate of Occupancy;
- 2) The applicant integrates compatible fenestration on the northern facade that reveals interior activity and encourages interest in the products or services provided, consistent with City Code Section 22-59(g)(3) & (4) prior to occupancy of the taproom.

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

Passed

- c. Ordinance 15-054 Amending Chapter 22, Article 3, Basic Zoning Districts Providing for Multi-Family Building Use as Permitted Use in R-5 Zoning District. SECOND READING

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

Kori Benton, Senior Planner, 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 Edward Becht, seconded by Commissioner Rufus Alexander to approve item **10c**.

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

Passed

- d. Ordinance No. 15-056 amending section 5-267 "Permit Fee Schedule". FIRST READING

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

Marc Meyers, Building Official, appeared, gave a brief presentation, and was available for questions. The need to increase fees is in order to keep up with the cost of doing business. After looking at Indian River and St. Lucie Counties, the new fee schedule would be comparable. Through consultation with staff at the Chamber of Commerce, Treasure Coast Builders' Association, and the Treasure Coast Realtors' Association, it is believed that the members would be comfortable with the increase.

Commission discussion included ensuring that we provide good service for what our consumers are receiving, posting notification of increase in the office and on website, as well as having a comparison chart provided for review at the next meeting.

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 item **10d**.

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

Passed

## 11. MISCELLANEOUS REPORTS & REQUESTS

- a. Presentation of the Go2040 Cost Feasible Plan (CFP) Alternatives by Peter Buchwald, Executive Director, St. Lucie Transportation Planning Organization.

Peter Buchwald appeared, gave a brief presentation, and was available for questions. The development of the Go2040 Long Range Transportation Plan (LRTP) includes the development of a Cost Feasible Plan (CFP) based on the Needs Plan that was adopted by the St. Lucie TPO Board at its August 5th meeting. Consistent with input from the public and other stakeholders including the City Managers and County Administrator for the TPO area, the CFP that is being developed is a multi-modal plan which includes the consideration of walking-biking projects, enhanced bus service, and the operations and maintenance of the existing roadway network in addition to the traditional roadway capacity projects.

The Commission consensus was to continue the discussion and review alternative revenues to fund clearly defined road improvements and maintenance, as well as draft a letter of support to go on record.

## 12. CITY COMMISSION

- a. Resolution 15-R31 Appointing an alternate member to the Code Enforcement Board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve item **12a**.

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

Passed

- b. Resolution 15-R32 Appointing Members to the Historic Preservation Board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve item **12b**.

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

Passed

- c. Submittal of applications for appointment to the Planning Board (alternate member) for consideration. -

This item will come back at the next meeting in the form of a Resolution.

- d. Submittal of applications for appointment to the Communitywide Council. -

This item will come back at the next meeting in the form of a Resolution.

- e. Consideration and approval of consultant to conduct executive search for a City Attorney for the City of Fort Pierce.

Nick Mimms, Deputy City Manager, gave a brief presentation and was available for questions.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to select Colin Baenzinger to conduct executive search for City Attorney.

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

Passed

- f. Discussion on city policy regarding the advertising of job descriptions at the request of Commissioner Becht.

Commissioner Becht requested to defer the discussion. Commissioner Alexander stated that he does not feel like we should have the applications and contact information available.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to postpone the discussion to the December 7, 2015 meeting.

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

Passed

- g. Acceptance of the City Manager's resignation at the request of the City Commission, or if necessary, discussion on the City Manager's contract and continued employment at the request of Commissioner Becht.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to accept the City Manager's resignation.

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

NAY: Commissioner Rufus Alexander

Passed

- h. Resolution 15-R33 appointing an Interim City Manager.

Mayor Hudson stated that she believes that selecting Nick Mimms as Interim City Manager, as well as making the permanent appointment to City Manager, offers stability and leadership to our citizens and staff.

Commissioner Perona stated that he would like have more information and consider a national search.

Commissioner Becht stated that he believes that Mr. Mimms is ready to take the helm and will not support an outside search.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to appoint Mr. Nick Mimms as Interim City Manager.

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

Passed

**13. COMMENTS FROM THE PUBLIC -**

Paul Schall  
Clay Lindstrom

**14. COMMENTS FROM THE CITY MANAGER**

a. City Manager's Departmental Activity Report

Nick Mimms, Interim City Manager, thanked the Commission for their support and kind words. The Chamber of Commerce will host the City of Fort Pierce Update discussing the present and future of the City on Wednesday, December 2, 2015. The Annual Sights and Sounds Parade celebrating the holiday season will be held on Sunday, December 6, 2015. The Indian Hills Recreation Area Phase 2 is taking shape. The Melody Lane Fishing Pier is scheduled to be completed in late December.

Robert Schwerer, City Attorney, announced that on November 12, the Court of Appeals has reversed the class action suit involving storm water activity. This is a clear victory for the City of Fort Pierce, saving the city multi-millions of dollars, and dismissing the class action lawsuit.

**15. COMMENTS FROM THE COMMISSION**

Commissioner Becht welcomed Nick Mimms and stated that he plans to sit down frequently to discuss progress and have a midterm exam. He wished a Happy Thanksgiving and encouraged citizens to shop local for the holiday season.

Commissioner Perona stated that he did a survey at his Surfside Association community picnic and no one was interested in vacation rentals under 6 months.

Commissioner Sessions stated that there has been no progress at the Lincoln Park Theatre in the past three to four weeks, he would like someone to look into the project.

Mayor Linda Hudson wished everyone a Happy Thanksgiving. The Sights and Sounds parade is a great way to start the holiday season. Thank you to the Lions Club and Public Works department for their work in restoring the sacred Indian mound at the Old Fort Park.

**16. ADJOURNMENT**

There being no further business, Mayor Hudson declared the meeting adjourned at 9:32 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER