

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 7, 2015.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Reverend Eldrew Baldwin of First Bethel Missionary Baptist Church offered the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**

Present: Mayor Linda Hudson; Commissioner Edward Becht; Commissioner Thomas Perona; Commissioner Reginald Sessions

Absent: Commissioner Rufus Alexander

Staff Present: City Clerk Linda Cox  
Interim City Manager Nicholas Mimms  
City Attorney Robert Schwerer

Commissioner Rufus Alexander arrived at 6:34 p.m.

5. **APPROVAL OF MINUTES**

- a. Approval of Minutes from the November 16, 2015 Out of the Sunshine meeting and the November 16, 2015 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve the Minutes from the November 16, 2015 Out of the Sunshine meeting and the November 16, 2015 Regular Meeting.

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

Passed

6. **PROCLAMATIONS** - There were no proclamations.
7. **LETTERS TO COMMISSION** - The following letter will be kept on file in the City Clerk's office.
  - a. Commendation Letter for Kim West and Mechelle Arbuzow, from Mr. Jerry Curci, Fairview Terrace Mobile Home Park

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

London Reeves - Item 12D

9. **CONSENT AGENDA**

- a. Request to reduce code enforcement fines in the amount of \$108,530.00 against 2014 Delaware Avenue (PID 2409-313-0014-000/3) which was previously owned by Pierina Montano, 15751 SW 139th Street, Miami, FL 33196 and currently owned by Simon P. Castor, 207 Dixieland Drive, Ft. Pierce, FL 34982 to \$1,512.01.
- b. Request to reduce code enforcement fines in the amount of \$2030.00 against 3204 Ohio Avenue (PID 2417-505-0021-000/9) owned by Systec LLC, 1175 NW 17th Avenue, Delray Beach, FL 33445 and occupied by Charles Pitt, 5303 Palmetto Avenue, Ft. Pierce, FL 34982 to \$750.00 payable in 60 days.
- c. Approval of contract award to Playcore Wisconsin DBA Game Time, Longwood, Florida, in the amount of \$25,000 to purchase playground equipment for Maravilla Park.
- d. Approve Site Plan extension for Sunrise Heights Senior Housing Center located at 707 North 7th Street until December 16, 2017.
- e. Approval of Professional Services Agreement with Colin Baenziger & Associates for the purpose of selecting and hiring a professional in-house City Attorney for the City of Fort Pierce for an amount not to exceed \$24,750.
- f. Approval to award RFP No. 2015-051 for Realtor Services to the highest ranked respondent.

Mayor Hudson pulled items **9e** and **9f**.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve items **9a, 9b, 9c, 9d**.

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

Passed

As to item **9e**, Mayor Hudson wanted to discuss if the applicant will be required to live within the City's limits within a certain time frame and if the option for the county reception should be removed. The consensus was that the reception will be removed and that the residency details will be ironed out during consultation with Colin Baezinger & Associates.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve item **9e**.

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

Passed

As to item **9f**, Mayor Hudson questioned why we would give the highest points possible to an applicant that did not provide a complete proposal.

Tony Barnes, Director of Administrative Services, stated that in order to re-rank the applicants, the RFP will need to be sent out for bid again. The process will take 30 days.

Nicholas Mimms, Interim City Manager, stated that based on the CRA comments and the fact that the current hot properties are zoned commercial, this will be sent out for re-bid.

Commission discussion included the ranking procedure being reviewed, updating the criterion

that commercial experience is desired, splitting the bid up to differentiate between commercial and residential properties, and the possibility to allow the selected firm take care of properties for the CRA as well as the entire City.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to deny item **9f**, send for re-bid and update the criterion to include commercial experience.

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

Passed

## 10. PUBLIC HEARINGS

- a. Approve with conditions a Conditional Use application to allow Harbor Community Bank to operate administrative offices within an I1, Light Industrial Zone, at 600 Edwards Road, Fort Pierce, FL.

Clarissa Davis, Planner, gave a brief presentation and was available for questions.

Mayor Hudson opened the public hearing.

Michael Brown Jr, EVP Harbor Community, appeared and was available for questions. They have agreed to comply with all conditions.

Mayor Hudson closed the public hearing.

Commissioner Perona stated that he would like to have the applicant request that the county designate the sidewalk funds are used in the City of Fort Pierce.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the conditional use application with conditions:

1. Applicant to provide sidewalk along Edwards Road right-of-way. Applicant may submit "payment in lieu of" to St. Lucie County.
2. Applicant to install required shrubs.
3. Applicant to provide three additional parking spaces or "payment in lieu of" to the City.
4. Applicant to suggest that the county use the "payment in lieu of" sidewalk funds within the City of Fort Pierce.

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

Passed

- b. Approval with conditions an application for Conditional Use, submitted by Property Owners; Orange Blossom Investment, LLC, and applicant; St. James Christian Academy to expand the operation of a private school located at 4300 Okeechobee Road, Fort Pierce, FL. The property is zoned C-3, General Commercial (Parcel ID 2418-431-0001-000-0).

Vennis Gilmore, Planning Analyst, gave a brief presentation and was available for questions.

Mayor Hudson opened the public hearing.

Don Bergman, applicant representative, addressed the landscaping question.

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

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the conditional use application with staff conditions.

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

Passed

- c. Ordinance No. 15-049 - Comprehensive Plan Text Amendment to eliminate the 40% total floor area minimum requirement for residential uses, reduce the required number of uses from three (3) to two (2) and modify the open and green space requirements.

Staff recommends that this be postponed until the January 4, 2016 City Commission meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to postpone item **10c** to January 4, 2016.

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". SECOND READING -

Staff recommends that this be postponed until the January 4, 2016 City Commission meeting.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to postpone item **10d** to January 4, 2016.

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

Passed

- e. Ordinance No. 15- 057 voluntarily annexing property located on Oleander Avenue just north of Kanner Drive (parcel number 2427-601-0010-000-5). FIRST READING

Clarissa Davis, Planner, gave a brief presentation and was available for questions.

Mayor Hudson opened the public hearing.

Richard LaVenture, applicant representative, appeared and was available for questions.

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

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve item **10e**.

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

Passed

## 11. MISCELLANEOUS REPORTS & REQUESTS

- a. Greenway & Trails Update by St. Lucie County Environmental Resource Team

Charles Barrowclough, St. Lucie County Environmental Land Coordinator, appeared and provided an update on the initiative, current challenges, and long range plans of the Greenways & Trails Master Plan. The coordination of land acquisition, easements, and funding to complete the connection preserves via public greenways and trails has been ongoing for 14 years. The Greenways & Trails initiative implements pedestrian, bicycle, and equestrian greenways and trails throughout St. Lucie County to connect natural resources, parks, and neighborhoods.

- b. Monthly Financial Report for the Month Ending October 31, 2015

Johnna Morris, Finance Director, presented the Monthly Financial Report for the Month Ending October 31, 2015. Total available resources are 4,481,025, minus reserves, the unrestricted resources are \$629,205.

## 12. CITY COMMISSION

- a. Resolution 15-R34 Appointing Gwendolyn Taylor to the Communitywide Council.

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

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

Passed

- b. Resolution 15-R35 Appointing Frank Creyaufmiller to the Planning Board as an alternate.

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

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

Passed

- c. Resolution 15-R36 re-appointing JoAnn Parrish to the Housing Authority Board.

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

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

Passed

- d. Discussion and consideration of the appointment of Nicholas Mimms as City Manager.

Commissioner Perona stated that he is an advocate for a nationwide search because of the past success. It does not mean that he feels Mr. Mimms is not a good candidate.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to appoint Nicholas Mimms as the City Manager, using the previous City Manager contract as a baseline, and to include salary and severance details.

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

Passed

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

Commissioner Becht stated that he believes the City has a problem with the hiring and firing process. He requested that Mr. Mimms come back within 30 days to address the concern.

Mr. Mimms stated that he will come back with a report within 30 days, as well as solutions to improve upon the hiring and termination process. It will be best to discuss at a Conference Agenda meeting.

### 13. COMMENTS FROM THE PUBLIC

Rick Reed  
Reverend Shaw

### 14. COMMENTS FROM THE CITY MANAGER

- a. Interim City Manager's Departmental Activity Report

Nick Mimms, City Manager, reported that the Sights and Sounds parade was a tremendous success; Main Street and Kiwanis Club should be commended. Main Street Fort Pierce has been designated Florida Main Street of the Month. Fort Pierce's Main Street was named #1 in the country. The negative stigma about Fort Pierce is being surpassed. The ED Team delivered the Update to the Chamber and it was successful and we received lots of positive feedback. Veterans' Park storm water improvements have commenced, it will help with the protection of the Indian River Lagoon. The December 14, 2015 Conference Agenda topics were outlined.

### 15. COMMENTS FROM THE COMMISSION

Commissioner Alexander apologized for missing the parade. He will not be in attendance at the upcoming Commission meeting.

Commissioner Perona stated that he looks forward to working with Mr. Mimms. He would like to work towards a solution on the boats that are being moored in the waterways. He recently attended a Violence Connection workshop for animals that was very interesting and he would like to have this type of education available to all.

Commissioner Sessions congratulated Mr. Mimms and stated that he believes that he is ready to handle the issues of unemployment, poverty and crime within the City.

Commissioner Becht also congratulated Mr. Mimms and looks forward to working with him. The parade was diverse and well attended, noticing that there were many children enjoying the festivities. He encouraged citizens to shop local. The private sector businesses are making an investment in Fort Pierce, highlighting Harbor Federal relocation, and the St. James school expansion. He encouraged citizens to shop local to keep small businesses open.

Mayor Hudson stated that she was looking forward to working with Mr. Mimms. The Boat Parade is scheduled for December 12 and Santa will be coming downtown on the train on Saturday afternoon, December 12, 2015.

**16. ADJOURNMENT**

There being no further business, Mayor Hudson declared the meeting adjourned at 8:41 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER