

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **SEPTEMBER 15, 2015**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Mr. Walker, Assistant City Attorney, joined the meeting at 7:48 PM.

Present: **Marcia Baker; Mike Dahan; Brian Paul; Tim O'Connell; Charles Hayek; John George; Eloise Cumings; Robert Poitier; Steve Weaver; Bob Burdge, Chairman**

Absent: **Erica Klevers; Eduardo Mujica**

Staff Present: **Rebecca Grohall, AICP, Planning Manager  
James Walker, Assistant City Attorney (late)  
Kori Benton, Senior Planner  
Clarissa Davis, Planner  
Alicia Rosenthal, Administrative Assistant**

4. **CONSIDERATION OF ABSENCES**

Ms. Klevers and Mr. Mujica notified staff they would not be in attendance. Ms. Klevers submitted her resignation letter from the Board and her permanent position will be replaced by Mr. Weaver, who is the senior alternate.

5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**

Mr. Poitier and Mr. Weaver were made active members for the meeting.

6. **APPROVAL OF MINUTES**

- a. Minutes of the August 11, 2015 meeting

**Motion was made by John George, and seconded by Charles Hayek to approve the minutes from the August 11, 2015 meeting.**

**AYE: Mike Dahan, Brian Paul, Tim O'Connell, Charles Hayek, John George, Eloise Cumings, Robert Poitier, Steve Weaver, Marcia Baker, Chairman Bob Burdge**

Passed

## **7. NEW BUSINESS**

Staff asked for the order of new business be changed to accommodate the applicants who want to speak.

### **a. Conditional Use - The Perky Puppy - 509 Georgia Avenue**

Mr. Benton gave an overview of the application and answered questions from the Board. Hoyt Murphy Jr., Plaza Owner, spoke about the turf and sound barriers in the plaza and gave his support for the Perky Puppy. Debra Webb, Owner of Perky Puppy, answered questions from the Board and elaborated on the boarding space for the dogs.

**Motion was made by Brian Paul, and seconded by John George to forward a recommendation to the City Commission for approval of the request.**

**AYE: Brian Paul, Tim O'Connell, Charles Hayek, John George, Eloise Cumings, Robert Poitier, Steve Weaver, Marcia Baker, Mike Dahan, Chairman Bob Burdge**

Passed

### **b. Conditional Use - Tropical Recycling - 1450 Bell Avenue**

Mr. Weaver recused himself because he has an ongoing business relationship with one of the property owners.

Mr. Benton gave an overview of the application and answered questions from the Board. Stef Matthes, Representative, from Culpepper and Terpening, addressed questions about the truck route, size of trucks and the trucks being covered. Brian Katz, President of Tropical Recycling, provided further information about the recycling business and answered questions from the Board.

**Motion was made by John George, and seconded by Brian Paul to forward a recommendation to the City Commission for approval of the request based upon the designated truck route, approaching Oleander Avenue via Midway Road or Edwards Road.**

**AYE: Eloise Cumings, Robert Poitier, Steve Weaver, Marcia Baker, Mike Dahan, Brian Paul, Tim O'Connell, Charles Hayek, John George, Chairman Bob Burdge**

Passed

### **c. Annexation - 5550 S US Hwy 1 and Smallwood Avenue (5300 S US Hwy 1)**

Ms. Davis gave an overview of the annexations and explained that annexations are being handled through FPUA service agreements.

**Motion was made by Charles Hayek, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission to annex the parcels into Fort Pierce city limits.**

AYE: **Mike Dahan, Brian Paul, Tim O'Connell, Charles Hayek, John George, Eloise Cumings, Robert Poitier, Steve Weaver, Marcia Baker, Chairman Bob Burdge**

Passed

- d. **Zoning Text Amendment - "Multi-Dwelling Building" as a permitted use within the R-5, High Density Residential zone.**

Ms. Davis gave an overview of the Zoning Text Amendment and answered questions about Mixed-Use in the R-5 Zoning.

**Motion was made by John George, and seconded by Charles Hayek to forward a recommendation of approval to the City Commission.**

AYE: **Charles Hayek, John George, Eloise Cumings, Robert Poitier, Steve Weaver, Marcia Baker, Mike Dahan, Brian Paul, Tim O'Connell, Chairman Bob Burdge**

Passed

## **8. BOARD COMMENTS**

Due to Ms. Klevers resigning, an election for Vice-Chair will be held at the next regular meeting. The Board asked Mr. Walker to present information, at the next meeting, for a suggested amendment to Rule 15 to allow for an election at the next meeting if the Secretary or Vice-Chair vacates his/her office before his/her term is complete.

Mr. Walker apologized for being late due to a family emergency.

## **9. ADJOURNMENT**

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>WEAVER STEVEN M.</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>FORT PIERCE PLANNING BOARD</b>
MAILING ADDRESS <b>607 MALABAR AVE</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <b>FORT PIERCE FL</b>	NAME OF POLITICAL SUBDIVISION: <b>FORT PIERCE</b>
DATE ON WHICH VOTE OCCURRED <b>SEPT 15 2015.</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, STEVEN WEAVER SR., hereby disclose that on SEPT 15, 20 15:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, JOAN KATSOCK / RAILSIDE LLC.
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I HAVE WORKED AS A GENERAL CONTRACTOR. AND CONTINUE TO WORK ON OCCASION FOR THE PROPERTY OWNERS JOHN KATSOCK JR / RAILSIDE LLC.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Sept 15, 2015  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.