

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 TUESDAY, JANUARY 19, 2016.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Reverend Dr. Pauline Williams of St. Paul AME 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 Nicholas Mimms  
City Attorney Robert Schwerer

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from the January 4, 2016 regular meeting.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the Minutes from the January 4, 2016 regular meeting.

AYE: Commissioner Rufus Alexander, 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 at the City Clerk's office.

- a. Letter from Mr. Carlos Diaz in appreciation of Office H. Aguila's exemplary performance and Detective Diego Palacio's highest level of professionalism in response to a burglary.

8. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT REQUIRING PUBLIC HEARINGS** - There were no comments from the public.

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9. **CONSENT AGENDA** - There were no items on the Consent Agenda.

10. **PUBLIC HEARINGS**

- a. Review and approval with conditions of an application for Major Amendment to an Approved Site Plan & Conditional Use, submitted by Property Owner, Mount Bethel Baptist Church, and representative, David Baggett, E.I. of Engineering Design & Construction, Inc. (EDC) to expand the approved church facility by 8,000 square feet, and complete additional support parking and drainage at 4150 South 25th Street, Fort Pierce.

Kori Benton, Senior Planner, gave a brief presentation 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 Thomas Perona to approve the application for major amendment to the approved site plan and conditional use, with the following conditions:

1.) The applicant shall complete all of the required off-site improvements, prior to the issuance of a Certificate of Occupancy (C.O.).

2.) The applicant shall remove all listed exotic plant species from the project limits, in accordance with Section 22-187(1)e. of the City Code, prior to the issuance of a Certificate of Occupancy (C.O.).

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

Passed

- b. Review of an application for a Conditional Use submitted by Property Owners, James & Margery Foster, to operate a Dwelling Rental at 1916 Rio Vista Drive, Fort Pierce, FL. The property is zoned Single-Family Intermediate Density zone (R-2), (Parcel ID 2412-503-0039-000-7).

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

Mayor Hudson opened the public hearing.

Jim Foster, applicant, gave his background, mentioned improvements to the property, and addressed concerns from neighborhood including noise complaints, property maintenance and trash.

Carole Mushier spoke in opposition.

Carole Lusher spoke in opposition.

August Hile spoke in opposition.

Charlene Adair spoke in opposition.

Upon a show of hands, three individuals in the audience were in favor of the application and approximately 10 were in opposition.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to deny the Conditional Use application.

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

Passed

- c. Ordinance No. 15-058 - Amending Code Section 13-73 (c) to allow the Retirement Board to select their own attorney with the approval of the City Commission. FIRST READING - Postponed from 12/21/2015 meeting - staff recommends postponing this item indefinitely - No vote taken.

## 11. MISCELLANEOUS REPORTS & REQUESTS

- a. Veterans Memorial Park Construction Project Update

Tracy Telle, Assistant City Engineer, gave a brief update on the Veteran's Memorial Park construction. The improvements are to include storm water treatment, retention pond, pedestrian bridge, paver parking and walkways, as well as landscaping and irrigation. Additional improvements may include decorative benches, memorial walkway and brick plaza area, a dedication monument and informational kiosks. The anticipated completion date is on or around Veteran's Day 2016.

Commission discussion included maximizing the use for the area, facilities planning for future use, amending legislative priorities, and reaching out to Senator Negron for funding support.

- b. First Quarter Financial Report

Johnna Morris, Finance Director, presented the Fund Evaluation Report for the Quarter Ending December 31 2015. All funds with the exception of the golf course have positive stable positions. There are no shortages or overages at this time.

- c. Presentation of City's Financial Transparency Portal

Johnna Morris, Finance Director, presented the Fiscal Transparency Portal that allows the public to have access and the ability to see all of the City's financial information. There is a link on the City's website. All budgeted information for five years including current fiscal year is available. The information is able to be downloaded into an excel spreadsheet and will be updated on a monthly basis.

- d. Update on City Marina Operations - This update was postponed to the February 15, 2016 regular meeting.

## 12. CITY COMMISSION

- a. Resolution 16-R02 appointing Jane B. Zezeck and Shyanne Helms to the Keep Fort Pierce Beautiful Committee.

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

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

Passed

- b. Resolution 16-R03 appointing Lisa Fasnacht and Andy Brady to Fort Pierce Authentic Tours Advisory Board.

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

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

Passed

- c. Extension of Agreement for Interim Legal Services which ends on January 31, 2016. Agreement may be extended by mutual consent.

Robert Schwerer, City Attorney, stated that the timing for the selection of a new City Attorney has reached a point where we need to extend the interim legal services agreement to provide for continuous legal representation of the City. Mr. Schwerer's firm has agreed to extend services through the interim period and work with new attorney(s) and assist with acclimation of duties.

Nick Mimms, City Manager, stated that the extension is required at this time to ensure that the transition is seamless and covers all aspects of City government. The finalist interviews are anticipated for March 10, 2016 with a possible selection at the March 21, 2016 City Commission meeting.

Commission discussion included understanding the missing factors at this point, fairness to the current legal team, and ensuring that adequate provisions are made to protect the City and the City's ability to do the City's work. Mayor Hudson requested a status of all cases from the current legal team.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to extend the interim legal services agreement and upon bilateral contract signing for City Attorney, the City Commission or law firm may provide 30 to 60 day notice of contract termination.

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

Passed

- 13. COMMENTS FROM THE PUBLIC** - There were no comments from the public.

**14. COMMENTS FROM THE CITY MANAGER**

- a. City Manager's Departmental Activity Report

Nick Mimms, City Manager, reported that there were over 46 vendors at the first annual Fort Pierce Job Fair and roughly 500 job seekers; it was a fantastic event that should be held every year. There will soon be an update on Home Rehabilitation and Wind Mitigation projects. The Melody Lane Fishing Pier will have a ribbon cutting on February 2, 2016. Citizen's Academy begins on February 11, 2016.

Commissioner Alexander inquired about the Citizens on Patrol and Chief Hobley-Burney explained that the program is an expanded version of the Neighborhood Watch. If anything suspicious is noticed, they will contact the police department. They are looking for more citizen volunteers.

**15. COMMENTS FROM THE COMMISSION**

Commissioner Alexander stated that the MLK parade was well attended and thanked all for the efforts in making the parade safe for our citizens.

Commissioner Perona reported that the FPUA passed the new power cost adjustment, which

is a \$7 credit on utility bills. The anti-tethering ordinance will be addressed soon. He also inquired about the activity at Fisherman's Wharf.

Commissioner Sessions stated that the MLK parade was a beautiful day without incident. He is proud of the City of Fort Pierce and it is an example of what we can do when we all work together.

Commissioner Becht stated that visiting relatives noticed the decorative benches as a nice addition to our city.

Mayor Hudson noted the newly passed power cost adjustment and that FPUA used economic incentives. On January 23, Groovin' and Tastin' event will be held on top of the parking garage. The Farmer's Market is also celebrating their 19th anniversary on January 23, 2016. Congratulations to St. Lucie County Public Schools on the graduation rate increasing by 2.3%.

- 16. ADJOURNMENT** - There being no further business, the meeting was declared adjourned at 9:15 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER