

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, FEBRUARY 1, 2016.

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

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Edward Becht; Commissioner Reginald Sessions

Absent: Commissioner Thomas Perona

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 19, 2016 meeting.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Edward Becht to approve the Minutes from the January 19, 2016 meeting.

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

Passed

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to excuse Commissioner Perona from the meeting.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a Proclamation declaring February 7-13 as 2-1-1 Awareness Week.
- b. Chief Buddy Emerson, St. Lucie County Fire Board, and Commissioner Alexander presented Commissioner Becht with an award for his outstanding service and dedication to the St. Lucie County Fire Board.

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

- a. Email from Gertrude Walker thanking Libby Woodruff for the wonderful ceremony that honored Highwayman Livingston Roberts on January 21, 2016.

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

9. CONSENT AGENDA

- a. Approval of Subordination of Utility Interest Agreements between the State of Florida Department of Transportation and the City of Fort Pierce, Florida for the use and benefit of Fort Pierce Utilities Authority, for the upcoming Kings Highway Road Widening project.
- b. Waive interest, penalties, and administrative fees in the amount of \$129.90 leaving a balance due of \$91.86, payable in 60 days, against 3109 Avenue B, Ft. Pierce, FL, Parcel ID 2408-506-0019-999-7, which was purchased through a tax deed sale and brought into compliance by Bemnet Yohannes, 3106 Avenue B, Ft. Pierce, FL 34947.
- c. Waive interest, penalties, and administrative fees in the amount of \$175.68, leaving a balance due of \$1,046.08 assessed for emergency repairs against 3109 Avenue B, Ft. Pierce, FL, Parcel ID 2408-506-0019-000-7. The new owner, Bemnet Yohannes, 3106 Avenue B, Ft. Pierce, FL 34947, purchased the property through a tax deed sale. The balance of \$1,046.08 can be paid via a payment plan.
- d. Approval of Brothers Construction, Inc. Change Order No. 1 in the amount of \$10,388.90 providing compensation for additional work completed during the construction of the Melody lane Fishing Pier.
- e. Approval to piggyback the City of Clearwater Agreement for Professional Services (RFQ 13-13) with Walker Parking Consultants/Engineers, Tampa Florida. Not to exceed \$40,000.00
- f. Approval to purchase eleven (11) patrol vehicles: eight (8) Ford Interceptor Sport Utility Vehicles and three (3) Ford Interceptor Sedan vehicles in the amount not to exceed \$365,045.00.
- g. Approval of Bid No. 2016-016 for Furnish and Install Asphaltic Concrete 10-199 Ton, by piggybacking City of PSL Bid No. 20150080 to Lynch Paving and Construction Co., Inc of Okeechobee, FL. for Citywide resurfacing needs in an amount not to exceed \$250,000.00.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve items **9a, 9b, 9c, 9d, 9e, 9f** and **9g** on the Consent Agenda.

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

Passed

10. PUBLIC HEARINGS

- a. Review and approval of a Site Plan and Design Plan submitted by Thomas Engineering Group, LLC to construct a Cumberland Farms convenience store and fueling station at 2009 S 35th Street. Property is zoned C-3, General Commercial. (Parcel ID 2417-343-0005-000-5).

Clarissa Davis, 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 Rufus Alexander, seconded by Commissioner Edward Becht to approve item **10a**.

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

Passed

- b. Review and approval of an application for a Waiver of Distance, submitted by Property Owner and Applicant S&M Smoke Shop LLC, to establish 4COP - Beer, Wine, and Liquor; sale by the drink for consumption on premises and package sales in sealed containers to add a lounge at their existing Tobacco Shop at 1001 S US Highway 1, Fort Pierce, FL. The property is zoned General Commercial (C-3), (Parcel ID 2415-601-0180-000-0).

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 Rufus Alexander to approve item **10b** with staff conditions:

1) The applicant provides a site lighting assessment to ensure the site lighting meets the minimum average of three (3) footcandles, as required by City Code, and upgrade the lighting if necessary, prior to release of the alcohol license; and

2) The applicant completes landscape improvements along the southern property line to bring the site landscaping into compliance, further improving the buffer between the site and abutting residential homes.

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

Passed

- c. Ordinance 16-001 - Modifying Article II, Section 2-29 to include a new item in the order of business for additions, deletions and approval of the agenda.

Linda Cox, City Clerk, introduced the Ordinance on first reading, read by title only, into the record, gave a brief presentation and was available for questions.

Commission discussion included the benefit of using it for time-sensitive items such as letters of support, the possibility of staff not being prepared to discuss and offer guidance, providing proper notice and allowing public comment. Additions and deletions should be used sparsely and staff should be held accountable and ensure protection from abusing the Ordinance.

Robert Schwerer, City Attorney, advised to use caution as FS 286.011 and FS 286.0114 provides that local governments are prohibited from placing any proposition on an agenda where action is to be taken, without providing notice and requirement for public participation. He recommends coming up with a method to handle deletions with the City Manager.

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 Reginald Sessions, Mayor Linda Hudson

Passed

11. MISCELLANEOUS REPORTS & REQUESTS

a. State Housing Initiative Partnership (SHIP) Program Overview 2013-2015

Linda Whalen, Grant Writer, and Libby Woodruff, Urban Redevelopment Manager, gave a brief presentation and was available for questions.

Commission discussion included making sure we collaborate with Code Enforcement and FPUA to get the word out to more people in the community, most of the projects being home rehabilitation, evaluating the data to determine effectiveness and making sure we are prepared for upcoming changes to the department due to Linda Whalen's retirement.

b. Wind Retro-fit Grant Presentation. Use of funds provided by Florida Division of Emergency Management Hazard Mitigation.

Libby Woodruff, Urban Redevelopment Manager, gave a brief presentation and was available for questions.

Commission discussion included seeing cost-savings with recent improvements and putting together a system to disperse the incoming funds in the community.

12. CITY COMMISSION

13. COMMENTS FROM THE PUBLIC

Mike Perri
Rick Reed

14. COMMENTS FROM THE CITY MANAGER

a. City Manager's Departmental Activity Report

Nick Mimms, City Manager, announced the Melody Lane Fishing Pier Ribbon Cutting on February 2, 2016, the Highwaymen Art exhibit on the second floor Planning Department at City Hall throughout the month of February, and the upcoming Conference Agenda items.

15. COMMENTS FROM THE COMMISSION

Commissioner Sessions stated that he was looking forward to the Fishing Pier Ribbon Cutting and discussed the recent cooperation with the County and FPUA to address city street upgrades.

Commissioner Becht stated that he wants to make sure that all citizens are pro-active, engaged, knowledgeable, participating and registered to vote.

Commissioner Alexander inquired about process for street damage repairs on 8th street, recognized Khalil Mack and his NFL accomplishments, as well as the SKA Championship coming to Fort Pierce in November.

Mayor Hudson stated she would write a letter on behalf of the City for the FPUA.

16. ADJOURNMENT - Mayor Hudson declared the meeting adjourned at 8:20 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER