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CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **JULY 12, 2016**, 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

Present: **Mike Dahan; Steve Weaver; Frank Creyaufmiller; Charles Hayek; Marcia Baker; John George; Eloise Cumings; Al Bernetti; Tim O'Connell; Bob Burdge, Chairman**

Absent: **Robert Poitier; Brian Paul**

Staff Present: **Jim Messer, City Attorney
Kori Benton, Senior Planner
Vennis Gilmore, Planning Analyst
Alicia Rosenthal, Administrative Assistant**

4. CONSIDERATION OF ABSENCES

Mr. Poitier absence is unexcused.

Motion was made by John George, and seconded by Marcia Baker to excuse Mr. Paul's absence for the June 2016 and July 2016 meetings.

AYE: Mike Dahan, Steve Weaver, Frank Creyaufmiller, Charles Hayek, Marcia Baker, John George, Eloise Cumings, Al Bernetti, Tim O'Connell, Chairman Bob Burdge

Passed

5. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Bernetti and Mr. Weaver were made voting members for the meeting.

6. APPROVAL OF MINUTES

- a. Minutes from the June 14, 2016 meeting

Motion was made by John George, and seconded by Marcia Baker to approve the minutes from the June 14, 2016 meeting.

AYE: John George, Eloise Cumings, Al Bernetti, Tim O'Connell, Mike Dahan, Steve Weaver, Frank Creyaufmiller, Charles Hayek, Marcia Baker, Chairman Bob Burdge
Passed

7. NEW BUSINESS

a. Mayfair at Lawnwood - Request Continuance to the August 9, 2016 Planning Board Meeting

Mr. Benton gave an update on Mayfair at Lawnwood and stated the applicant and staff are requesting the Board to continue the item until the August 9, 2016 meeting.

Motion was made by Marcia Baker, and seconded by John George to move Mayfair at Lawnwood from the table.

AYE: Steve Weaver, Frank Creyaufmiller, Charles Hayek, Marcia Baker, John George, Eloise Cumings, Al Bernetti, Tim O'Connell, Mike Dahan, Chairman Bob Burdge
Passed

Motion was made by Marcia Baker, and seconded by John George to continue Mayfair at Lawnwood until the August 9, 2016 Planning Board meeting.

AYE: Eloise Cumings, Al Bernetti, Tim O'Connell, Mike Dahan, Steve Weaver, Frank Creyaufmiller, Charles Hayek, Marcia Baker, John George, Chairman Bob Burdge
Passed

b. Conditional Use with New Construction - Waste Management Transfer Station Expansion - 3890 Selvitz Road

Mr. Gilmore gave an overview of the application. No one spoke for or against the application.

Motion was made by John George, and seconded by Marcia Baker to forward a recommendation to City Commission to approve the request as presented.

AYE: Frank Creyaufmiller, Charles Hayek, Marcia Baker, John George, Eloise Cumings, Al Bernetti, Tim O'Connell, Mike Dahan, Steve Weaver, Chairman Bob Burdge
Passed

c. Conditional Use with No New Construction - JP Custom Cabinets - 103 N. 13th Street

Mr. Benton gave an overview of the application and answered questions from the Board regarding the traffic pattern, landscaping and irrigation.

David Cleveland, Applicant Representative, provided additional information and answered questions from the Board. Mr. Cleveland stated his clients have no objections of installing some drip lines to the new proposed trees.

Motion was made by John George, and seconded by Charles Hayek to approve the presented request with the condition that the applicant integrates additional landscaping along the west and north property lines pursuant to City Code Section 22-187(6).

AYE: Charles Hayek, Marcia Baker, John George, Eloise Cumings, Al Bernetti, Tim O'Connell, Mike Dahan, Steve Weaver, Frank Creyaufmiller, Chairman Bob Burdge
Passed

d. Conditional Use - Dock - 1703 Sunset Isles Road – Surfside Canal

Mr. Benton gave an overview of the application and answered questions from the Board regarding the floating dock.

Motion was made by Marcia Baker, and seconded by John George to forward a recommendation of approval to the City Commission.

AYE: Marcia Baker, John George, Eloise Cumings, Al Bernetti, Tim O'Connell, Mike Dahan, Frank Creyaufmiller, Charles Hayek, Chairman Bob Burdge
Other: Steve Weaver (RECUSE)
Passed

8. BOARD COMMENTS

9. ADJOURNMENT

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>WEAVER STEVEN</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>FORT PIERCE PLANNING BOARD</i>
MAILING ADDRESS <i>607 MALABAR AVE</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>FORT PIERCE FL ST. LUCIE</i>	NAME OF POLITICAL SUBDIVISION: <i>FORT PIERCE</i>
DATE ON WHICH VOTE OCCURRED <i>7 12 16</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

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 M. WEAVER, hereby disclose that on JULY 12, 2015, 20__ :

(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, VERA MEYER ;
- 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:

DOCK CONDITIONAL USE.
APPLICANT IS A BUSINESS ASSOCIATE.

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.

July 12, 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.