

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, OCTOBER 3, 2016.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.

2. **OPENING PRAYER** - Bishop Joseph Kidwell, Greater Grace and Deliverance Ministries, 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 James Messer

5. **APPROVAL OF MINUTES**

a. Approval of Minutes from the September 19, 2016 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the minutes from the September 19, 2016 regular meeting.

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

6. **PROCLAMATIONS**

a. Mayor Hudson issued a proclamation recognizing October 2016 as National Domestic Violence Prevention Month.

b. Mayor Hudson issued a proclamation recognizing October 17, 2016 as Lights on After School Day.

c. Mayor Hudson issued a proclamation recognizing Oct 3 - 7, 2016 as Public Power Week.

7. **LETTERS TO COMMISSION** - A copy of the following letter will be on file with the City Clerk's office.

a. Email from Kim Kenney praising Elizabeth Beck and Kim for going above and beyond to assist her in expediting the closing out of two permits.

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

Rebecca Isaac - Item 13c

9. **ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA**

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve the agenda as is.

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

10. **CONSENT AGENDA**

a. Approve entering into a contract with Florida Department of Corrections Labor Crew in an amount not to exceed \$65,000 to provide additional labor to assist the Parks and Grounds Division in maintaining City rights of ways, properties and parks.

- b. Request approval of FDEP Agreement No. S0696 Amendment No. 2 which extends the agreement time and reallocates funding to different tasks.
- c. Approval of an amendment to the City's annual Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT) pending approval of the City Attorney.
- d. Approve award of Professional Service Agreement for RFQ No. 2016- 014 to Tetra Tech, Inc. pending City Attorney review and approval in an amount not to exceed \$576,939.00.
- e. Request approval of Beemats proposal in the amount of \$10,752 for the installation of three floating vegetated mats within Moore's Creek.
- f. Approve final documents authorized for execution at the September 6, 2016 meeting in the City of Fort Pierce vs. Petroleum Marine Consultants, LLC litigation.
- g. Approval of blanket purchase orders for the Police Department for FY2017 in an amount not to exceed \$365,081.00.
- h. Approval to create a blanket purchase order in an amount not to exceed \$16,319.75 to secure bulletproof vest for its officers through the Department of Justice Bulletproof Vest Partnership (BVP) program.
- i. Approve Grant Award for Ms. OK K Dong, for her business, Seoul Garden, in the amount of \$3,000 as an eligible recipient under the 2015-2016 CDBG Action Plan - Grant Award for Small Business.
- j. Approval of travel expenses in the amount of \$294.66 for Mayor Hudson to attend the Florida League of Cities' Legislative Policy Committee meeting to be held on October 28, 2016 in Kissimmee, Florida.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve all items on the consent agenda.

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

Passed

11. PUBLIC HEARINGS

- a. Review and approval of an application for a Waiver of Distance submitted by Applicant; Wood Fyah Bar & Grill to acquire 2 COP License for Sale of Beer and Wine for Consumption on Premises and Package Sales of Sealed Containers on a parcel located at 2164 North US Highway 1, Fort Pierce, FL. The property is zoned C-3, General Commercial (Parcel ID 1433-440-0009-010-1).

Maria Lewicka, Historic Preservation Officer, 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 item **11a** with staff conditions.

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

Passed

- b. Ordinance 16-021 Amending the Vehicles for Hire Ordinance. FIRST READING

Caleta Scott, Deputy City Clerk, read the Ordinance, by title only, into the record.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 9, LICENSES AND BUSINESS REGULATIONS, ARTICLE II BUSINESS TAX, SEC. 9-30 FEES, (219) TAXICABS and AUTOMOBILE FOR HIRE; AMENDING ARTICLE VIII – VEHICLES FOR HIRE, DIVISION 1 – GENERALLY, SEC. 9-221 DEFINITIONS; DELETING AND RESERVING SEC. 9-222 TO 9-245; AMENDING

DIVISION 2 – CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; AMENDING SEC. 9-256 - REQUIRED; AMENDING SEC. 9-257 – APPLICATION; AMENDING 9-258 – PUBLIC HEARING; DELETING SEC. 9-259 – ISSUANCE; CONTENTS; AMENDING SEC. 9-260 TERRITORY SERVED BY EXISTING CERTIFICATE HOLDER; AMENDING SEC. 9-261 – DISPLAY; AMENDING 9-262 - LIABILITY INSURANCE; AMENDING SEC. 9-263 – TRANSFER; AMENDING 9-264 – SUSPENSION; REVOCATION; ADDING SEC. 9-265 – TRANSFER/ASSIGNABILITY; ADDING SEC. 9-266 – APPEALS; RESERVING SEC. 9-275-9-282; DELETING DIVISION 3 – DRIVER’S PERMIT, SEC. 9-276 – 9-28; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Linda Cox, City Clerk, gave a brief presentation and was available for questions.

Commission discussion included finding alternative inspection methods, requirements for other services such as Uber/Lyft, background checks and how business friendly the process for licensing and registrations.

Mayor Hudson opened the public hearing.

Danielle Robinson inquired about the necessity of background checks. Andrew Waters and Lydia White spoke about procedures for licensing.

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

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Edward Becht to approve item **11b**.

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

Passed

12. MISCELLANEOUS REPORTS & REQUESTS

- a. Summer of Success Presentation and Report - Jodi Hessing, Youth Programs Coordinator, Career Source Research Coast.

Jodi Hessing gave a summary of the 2016 Summer of Success program. The eight week program provided 120 youth, ages 16-21, work readiness training program and paid internships. There were 17 employers representing five different industries that participated in the work experience portion of the program. Jodi thanked the City of Fort Pierce for participating and used 23 interns.

Commission discussion included how this program may help introduce them to a career path and ensuring City of Fort Pierce involvement in the future.

- b. Weatherization Education Outreach Program (WEOP) Update - Eric Winterstein, FPUA and Libby Woodruff, Urban Redevelopment

Eric Winterstein provided a summary of the program which is a collaborative effort between FPUA and the City of Fort Pierce. The income qualifications are the same as the SHIP program. Once qualified, a survey of the house is done and it is reviewed with the homeowner. The average weatherization saves one electric bill per year. The largest component of the program is the education, using conservation to save money.

Commission discussion included costs associated with the program versus savings and appreciation for the City and Utilities Authority working together.

13. CITY COMMISSION

- a. Resolution 16-R45 Appointing a member to the FPUA Board following a voice vote of Mayor and Commissioners.

Linda Cox, City Clerk, read the resolution, by title only, into the record.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF A MEMBER OF THE FORT PIERCE UTILITIES AUTHORITY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

The ballots were distributed and the Mayor and Commission were asked to cast their votes.

At that time, Commissioner Alexander left the meeting and did not cast a vote.

Linda Cox, City Clerk, read the votes from each commissioner; Commissioner Becht - Darryl Bey, Commissioner Perona - Darryl Bey, Commissioner Sessions - Charlie Frank Matthews, Mayor Hudson - Darryl Bey.

Commissioner Sessions stated that there are inequities that need to be addressed and the citizens of District 1 needs to be represented on the FPUA board.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve item **13a**.

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

NAY: Commissioner Reginald Sessions

Passed

- b. Resolution No. 16-R47 Providing for Publication of Precinct Polling Places for the General Election to be held November 8, 2016.

Linda Cox, City Clerk, read the resolution, by title only, into the record.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, PROVIDING FOR PUBLICATION OF THE DESIGNATED PRECINCT POLLING PLACES IN THE CITY OF FORT PIERCE FOR THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Edward Becht to approve item **13b**.

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

Passed

- c. Discussion at the request of Commissioner Sessions regarding camera usage for the Police Department and implementation of policy.

Commissioner Alexander returned to the meeting.

Commissioner Sessions brought into question if police body cameras or dash cameras were used on the night Demarcus Semer was shot. It is the role of the Commission to set policy

Chief Diane Hopley-Burney, Chief of Police, stated that there is an administrative investigation going on right now. All of the documentation from the Sheriff's Office and State Attorney are being reviewed. Body cameras are being researched at the moment and the preliminary findings show that the cost may be anywhere from \$1M to \$2.5M.

Commission discussion included more training, psychological testing and suggesting that there a formal discussion be presented. Nicholas Mimms, City Manager, stated that after the review, he will be happy to present the findings and gave a tentative date of November 21, 2016. Mayor Hudson stated that she is happy to provide the book, "President's Task Force on Policing" initiative that is very helpful and thorough.

14. COMMENTS FROM THE PUBLIC -

Chris Williams
Charlie Frank Matthews
Joyce Jackson
Betty Bradwell
Bishop Joseph Kidwell
Pinky Henley
Rebecca Isaac
Lashonda Henderson
Marjorie Harrell
Vanecia Richard
Al Boettjer
Charles Gannon
Rick Reed
Danielle Robinson
Mike Jacquin
Rusty Crowley

Darryl Bey

15. COMMENTS FROM THE CITY MANAGER

a. City Manager's Report

Nicholas Mimms, City Manager, stated that we hosted Secretary of State Hillary Clinton at the Sunrise Theatre and we were able to successfully park all of the attendees. The event was great publicity for the City of Fort Pierce. We will begin emergency management preparation for Hurricane Matthew. The upcoming Conference Agenda is on Monday, October 10, 2016. The City of Fort Pierce has been very transparent in reference to the Demarcus Semer shooting, distributing all information to the Commission and the public and will continue throughout the administrative review.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander inquired about the hurricane shelter preparedness. Mr. Mimms stated that there are shelters but it is based on the St. Lucie County operations center. The information will soon be distributed to the public. Commissioner Alexander also stated that he was embarrassed for walking out on the vote and stated that it was not a personal attack on Mr. Bey. He asked the City Attorney to look into how we changed the actions for board appointments.

Commissioner Perona stated that he supports the Police Department fully and understands that since the world is changing every day, we should to procure a budget that will promote training and ensure that our citizens are safe. His priority is the police department and the safety of our citizens.

Commissioner Sessions spoke about the hurricane preparedness of the City. He extended gratitude to the Sunrise Theatre staff for the tremendous job handling the Hillary Clinton visit. It put Fort Pierce on the map with a positive story.

Commissioner Becht believes that cultural awareness, sensitivity and deescalation training is essential and self-serving. He spoke of a Rosh Hashanah principle in which we should ask for forgiveness and forgive those who have wronged us.

Mayor Hudson spoke about the Dancing with our PALS event which raised more than \$100,000 and Mike Reals, Public Works Director, won the event. Granny's Kitchen and Detective Jesse Streeter of the Police Department received awards from the St. Lucie County Chamber. At the most recent legislative policy meeting, changes in the state cause changes in regulation of CRA's, impact fees and annexations. She thanked audience members for speaking their mind and the commission will always try to do the right thing.

17. ADJOURNMENT - There being no further business, Mayor Hudson declared the meeting adjourned at 9:29 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER