

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, NOVEMBER 7, 2016.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Craig Bridgers, The Crossing Community 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

Absent: Commissioner Reginald Sessions

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney James Messer

Commissioner Sessions arrived at 6:37 p.m.

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from the October 17, 2016 regular meeting.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the minutes of the October 17, 2016 regular meeting.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a proclamation recognizing Nov. 18-19, 2016 as Buddy Bear Weekend.
- b. Mayor Hudson issued a proclamation recognizing November 2016 as National American Indian Heritage Month.

7. **LETTERS TO COMMISSION** - There were no letters to the Commission.

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

Lynne Zacklin - Item 10c
David Moloney - Items 10a, 10b

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona 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. Waive interest, penalties, and administrative fees in the amount of \$7,795.17 associated with the Demolition Lien against 822 Avenue D, Ft. Pierce, FL. Property ID #2410-601-0090-000-7 owned by David Moloney, P. O. Box 882045, Steamboat Springs, CO 80488 contingent upon payment of \$6,200.00 payable within 60 days.
- b. Waive interest, penalties, and administrative fees in the amount of \$237.95 associated with the Lot Clearing Lien against 824 Avenue D, Ft. Pierce, FL. Property ID #2410-601-0089-000-7 owned by David Moloney, P. O. Box 882045, Steamboat Springs, CO 80488 contingent upon payment of \$47.25 payable within 60 days.
- c. Approval of the FY 2017 Humane Society Contract in the amount of \$130,000.00.
- d. Approval of travel expenses for Mayor Hudson in the amount of \$707.26 to attend the Florida League of Cities Annual Legislative Conference in Kissimmee, FL on December 7-9,2016
- e. Approval of travel expenses for Commissioner Alexander in the amount of \$747.26 to attend the Florida League of Cities Annual Legislative Conference in Kissimmee, FL on December 7-9,2016
- f. Approve grant award for Phatz Chick-N-Shack in the amount of \$3,000 as an eligible recipient under the 2015-2016 CDBG Action Plan-Grant Award for Small Business.
- g. Approve contract between the City of Fort Pierce and Save Our Children to allow a community mural on their building located at 464 North 9th Street.
- h. Approve proposal between the City of Fort Pierce and St. Lucie County UF/IFAS Extension Service in the amount of \$10,000 to provide Watershed and Lagoon Life education to the citizens of the City of Fort Pierce to meet the City's National Pollutant Discharge Elimination System (NPDES) educational requirements.
- i. Approve 2014-2017 contract between the City of Fort Pierce and Teamsters Local Union Number 769 in which the union has ratified the negotiated changes to wages and benefits.
- j. Approval to submit and accept a continuation grant to fund the Restoring the Village program from the Department of Justice in the amount of \$327,825.
- k. Approve System License Agreement with Milliman, Inc. for Pension Administration in the amount of \$20,000 annually.

- I. Approve request from Lincoln Park Main Street for a cash advance in the amount of \$12,500 from the approved budget for FY 2017.

Commissioner Alexander pulled item **10c**.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve the items **10a, 10b, 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k** and **10l** on the consent agenda.

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

Passed

As to item **10c**, Commissioner Alexander inquired into considerations taken for fees and impound reimbursements from Humane Society. Commission consensus was to review the Ordinance that list the fees at a future date.

Motion was made by Commissioner Edward Becht, seconded by Commissioner Thomas Perona to approve item **10c**.

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

Passed

11. PUBLIC HEARINGS

- a. Ordinance 16-024 - Abandonment of Alleyway being the remaining portion between Atlantic Avenue and Orange Avenue - Totten Subdivision with payment of \$3,000.00.
SECOND READING

Linda Cox, City Clerk, read the Ordinance, by title only, into the record on second reading.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ABANDONING A PORTION OF AN EXISTING ALLEYWAY, LYING ADJACENT AND SOUTH OF LOTS 1-3, OF THE TOTTEN SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Kori Benton, Senior Planner, gave a brief statement 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 **11a**.

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

Passed

- b. Review and approval of an application for Site Plan, submitted by Property Owner, Cargill Juice N America Inc, applicant, Precast Specialties, LLC. (PCS), and representative Steve Pickett, ASLA of JMorton Planning to construct a Precast Concrete Manufacturing Facility and Yard located at 3798 Selvitz Road, Fort Pierce, FL. The property is zoned IH, Industrial, Heavy. (2432-122-0001-000-5 (75 Acre Portion) & 2432-221-0002-000-6 (Access)).

The Commission decided to hold a joint Public Hearing for items **11b** and **11c**. The rezoning discussion, 11c, will take place before the site plan review, 11b.

- c. Ordinance 16-026 Rezoning property generally located at 3798 Selvitz Road from IH Industrial, Heavy to I-3, Heavy Industrial. FIRST READING

Linda Cox, City Clerk, read the Ordinance, by title only, into the record, on first reading.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING PROPERTY GENERALLY LOCATED AT 3798 SELVITZ ROAD, FROM IH, INDUSTRIAL, HEAVY, A SAINT LUCIE COUNTY ZONING DESIGNATION, TO I-3, HEAVY INDUSTRIAL, A CITY OF FORT PIERCE ZONING DESIGNATION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Kori Benton, Senior Planner, gave a brief presentation in reference to the rezoning and was available for questions.

Commission discussion included the need for an east west connector on 25th street and inquiring about the differences between IH and I-3. They are comparable in consideration of localized uses and transportation impact.

Kori Benton gave a presentation of the site plan review and was available for questions.

Mayor Hudson opened the public hearing.

Jennifer Morton, applicant representative, highlighted key points of phase one and addressed some neighborhood comments. Phase two includes an expansion and will come back before the board. Commission discussion included fencing, dust and noise buffering.

Dean Locke, CEO, Precast Specialties, was available for questions. They have exceeded requirements in place for buffering at this time and would take it into consideration if necessary in the future.

Mark Arnoff spoke in opposition.

Roger Friend spoke in opposition.

Robert Sgarlato spoke in opposition.

Amy Griffin, St. Lucie County ERD, discussed Greenways and Trails.

Marty Sanders, SLCSO Facilities Director, mentioned his concerns.

Pat Lowe spoke in opposition.

Nick Makris spoke in opposition.

Bob Gehrig spoke in support.

John Babbots spoke in opposition.

Dean Locke clarified that there is no use of pneumatic devices and that work does not start extra early.

Mayor Hudson closed the public hearing.

Further Commission discussion included sending Staff to visit site in Pompano to test sound in area before the next meeting and this type of use being the same for over 20 years. The

Ordinance is confirming the list of uses that was allowed with they were annexed into the City.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve item **11c**.

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

Passed

Staff will take a site visit to Pompano facility. Commission discussion included the ability to impose requirements on phase two of the project. Additional conditions may need to be added to address the concerns of dust and noise.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve item **11b** with the following staff conditions:

- 1) Adoption of a typical delivery route for the facility, which deters use of, and minimizes conflicts with residential or non-industrial roadways;
- 2) The potential replacement of the existing chain-link along the water management canal to the south, and fencing at the facility entrance, are completed with a coated chain-link or aluminum fence to more appropriately comply with established design review guidelines;
- 3) The property owner and/or applicant complete the necessary subdivision (plat), prior to issuance of a Certificate of Occupancy;
- 4) The final approval of the concrete batch plant is deferred until a complete design review submittal is provided for this component of Phase II construction; and
- 5) The applicant will post a contact number for inquiries during normal business hours.

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

Passed

- d. Review and approval of an application for Conditional Use, submitted by Property Owner, Motel FP LLC, applicant, Addiction Recovery Community Villas, and representative Michael McCarty, Planner, to establish a establish a Group Living Drug & Alcohol Treatment Center located at 3625 S. US. Highway 1, Fort Pierce, FL. The property is zoned General Commercial (C-3), (Parcel ID 2434-601-0026-000-2).

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

Mayor Hudson opened the public hearing.

Mike McCarty, applicant representative, spoke in support.
Mark Arnoff spoke in opposition.

Mayor Hudson closed the public hearing.

Commission discussion included determining why Fort Pierce is popular for these types of businesses, facility security and the consideration of expanding the notice requirements to surrounding property owners.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve item **11d** with the following staff conditions:

- 1) The improvement plan incorporates designated parking spaces for the two passenger vans identified for operation, as well as an off-street loading space for food deliveries; and
- 2) The improvement plan integrates measures to provide appropriate access to, and screening of, the dumpster location; and
- 3) The incorporation of perimeter fencing (fill where necessary) for security.

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

Passed

12. MISCELLANEOUS REPORTS & REQUESTS

- a. Economic Development Update - Fort Pierce Economic Development Team.

Linda Cox, City Clerk and Economic Development Team Leader, gave an overview of the team members and focus. Recommendations include evaluating the zoning use table, implementing an on-line permit process and exempting parking requirements in the Peacock Arts District (US1 west to 7th Street, Citrus Ave. north to Moore's Creek).

Commission discussion included eliminating impediments to new business, crosswalks and parking, as well as allowing Staff to have the ability to work the strategic plan. Commission consensus was to accept the Economic Development Team recommendations.

- b. Update from Fort Pierce Utilities Authority regarding restoration efforts following the impacts of Hurricane Matthew.

Javier Cisneros, FPUA Supervising Engineer, gave an update on the impact of Hurricane Matthew as well as restoration efforts. Clay Lindstrom, FPUA Director, stated that the call center operation went well and there were many learning opportunities.

- c. Fourth Quarter Financial Report for Month Ending September 30, 2016 Preliminary.

Johnna Morris, Finance Director, gave preliminary numbers on the fourth quarter financial report. All funds with the exception of the Golf Course and Sunrise Theatre are in stable financial positions.

13. CITY COMMISSION

- a. Resolution No. 16-R49 Adopting the St. Lucie County Local Mitigation Strategy Plan in order to remain eligible for FEMA mitigation grant programs.

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, ADOPTING THE ST. LUCIE COUNTY LOCAL MITIGATION STRATEGY PLAN; DIRECTING CITY CLERK TO PROVIDE A COPY TO ST. LUCIE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

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

Passed

- b. Appointment/Reappointment of a regular member and an alternate member to serve on the Treasure Coast Regional Planning Council for a one-year term.

The Commission decided to postpone appointment/reappointment until after the new Commission is seated and the Boards and Committee appointments are reviewed.

14. COMMENTS FROM THE PUBLIC

Ruth Jefferson
Sophia Watkins
Pastor Andrew Jefferson
Rick Reed

15. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Report

Nicholas Mimms, City Manager, spoke about Hurricane Matthew recovery, Dan McCarty Track opening, Maravilla Park playground, the SKA National Fishing Tournament, Veterans Memorial Park grand reopening and Veterans Day ceremony. The parking concern on the west side of Orange Avenue will be addressed at an upcoming meeting.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander spoke about our underutilized baseball and football fields in the city. He also inquired about the uprooted trees in a few areas.

Commissioner Perona mentioned that there are assets at parks that are shut down and it should be addressed.

Commissioner Sessions wants to ensure the information he receives from staff is accurate. He believes he received incorrect information which may affect his decision on approving the Humane Society contract. He would like it to be brought back for discussion with the correct information.

Commissioner Becht inquired about the Christmas lights downtown during the parade, the Farmer's Market is going to be moved to second street due to the SKA tournament, the Square Grouper is now open, the City of Lights contest coming up and the Pic the Fort contest. There is a lot of good things going on and we should focus on positivity.

Mayor Hudson announced that the SKA will be here until Sunday, the Main Street parade is December 4. The St. Lucie Soars program kicked off last week promoting mentors in schools.

- 17. ADJOURNMENT** - There being no further business, Mayor Hudson declared the meeting adjourned at 11:49 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER