

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, DECEMBER 19, 2016.

1. Westwood High School Brass Quartet played holiday tunes prior to the start of the meeting.
2. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
3. **OPENING PRAYER** - Pastor Kenny Mills of Save Our Children, Inc., read a declaration for the community. Pastor Chris Fogal gave the opening prayer.

4. **PLEDGE OF ALLEGIANCE**

5. **ROLL CALL**

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Jeremiah Johnson; 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 6:38 p.m.

6. **APPROVAL OF MINUTES**

- a. Approval of minutes from the December 5, 2016 Regular meeting and December 5, 2016 Special meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve the minutes of the December 5, 2016 regular meeting and the December 5, 2016 special meeting.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Mayor Linda Hudson

Passed

7. **PROCLAMATIONS** - There were no proclamations.
8. **LETTERS TO COMMISSION** - Copies of the following letters will be kept on file at the City Clerk's office.
 - a. Email from Bruce Murray, COP District 9 Leader, South Hutchinson Island commending Officer Darius Holmes #538 for his professionalism, exceptional work and projection of a positive image of the Fort Pierce Police Department.
 - b.

Email from Linda Fasano expressing her appreciation of the hard working staff at the Public Works Department for the display of holiday lights on the island and downtown.

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

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

Mayor Hudson requested to move item **13a** up to right before the Public Hearings.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve the agenda as amended.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Mayor Linda Hudson

Passed

11. **CONSENT AGENDA**

- a. Approve purchase of ten (10) In-Car Video Camera systems from Watch Guard in the amount not to exceed \$55,450.00 for the Fort Pierce Police Department.
- b. Approve purchase of radios from Motorola Solutions, Inc. in the amount not to exceed \$1,429,586.00 for the Fort Pierce Police Department.
- c. Approve purchase of MILO Training Simulator in the total amount of \$56,035.00.
- d. Approval to submit and accept a 2016-2017 continuation of the VOCA victims advocacy grant program in the amount of \$36,694.58.
- e. Approve grant award for Ms. Michelle McClendon, for her business, StarGirlz Wedding & Event Planning in the amount of \$3,000 as an eligible recipient under the 2016-2017 CDBG Action Plan - Grant Award for Small Business.
- f. Approve grant award for Ms. Debra Ball, for her business, Golden Minds Learning Center, Inc., in the amount of \$3,000 as an eligible recipient under the 2015-2016 CDBG Action Plan - Grant Award for Small Business.
- g. Approve grant award for Mr. Ishmael Brunson for his business, 2Legit Athletic Performance, Inc., in the amount of \$3,000 as an eligible recipient under the 2016-2017 CDBG Action Plan-Grant Award for Small Business.
- h. Approve Contractual Agreement for Main Street Fort Pierce to receive funding through Community Development Block Grant funds as approved in the 2016-2017 CDBG Action Plan in the total amount of \$50,000.

- i. Approve proposal from Shenandoah Construction, Inc. in the amount of \$20,900.00 for an emergency drainage repair required for an outfall through a seawall located at 1705 Sunset Isle Road.
- j. Approve Contractual Agreement for Lincoln Park Main Street to receive funding through Community Development Block Grant funds as approved in 2016-2017 CDBG Action Plan in the total amount of \$50,000.
- k. Waive interest, penalties, and administrative fees in the amount of \$472.96 associated with lot clearing lien against 325 South 13th Street, Fort Pierce, FL 34950 Parcel ID Number 2409-424-0003-000-4 owned by Jean M. Dantilus, 325 South 13th Street, Fort Pierce, FL 34950 contingent upon payment of \$153.47.
- l. Approve execution of an Easement for Unintended Encroachments/Revocable Encroachment Permit for loading dock located at 130 N 2nd Street.
- m. Approval of travel expenses in the amount of \$1181.38 for Commissioner Perona to attend the FPPTA Trustee School in Orlando, Florida on January 29 - February 1, 2017.
- n. Request for approval of a \$75 holiday bonus pay to each employee.

Commissioner Perona pulled item **11n**.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve items **11a, 11b, 11c, 11d, 11e, 11f, 11g, 11h, 11i, 11j, 11k, 11l** and **11m**.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Mayor Linda Hudson

Passed

As to item **11n**, Commissioner Perona requested to exempt the City Commission from receiving the bonus. Nicholas Mimms, City Manager, exempted himself, James Messer, City Attorney exempted himself and Linda Cox, City Clerk, exempted herself.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **11n** and exempt the Charter Officers and City Manager.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor
Linda Hudson

Passed

Item **13a** was moved before Public Hearings.

12. PUBLIC HEARINGS

- a.

An application submitted by Dora Granados to operate a food truck ("Pupuseria La Salvadorena") at 2228 Okeechobee Road, Fort Pierce. Said use requires a variance from Sec. 9-111(b)(1) to operate within 500 feet from a similar type of business. **This item took place after item 13a.**

Vennis Gilmore, Planner, gave a presentation and was available for questions.

Mayor Hudson opened the public hearing.

Kenneth Jackson spoke in opposition.

Tony Wilder spoke in support.

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

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

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor
Linda Hudson

Passed

- b. 2015-2016 Consolidated Annual Performance Evaluation Report (CAPER) Presentation and Public Hearing.

Elizabeth Woodruff, Urban Redevelopment Manager, gave an presentation of the report, highlighting CBDG programs and other public services. Commission discussion included promoting cultural heritage events and tourism.

Mayor Hudson opened the public hearing.

Seeing no one, Mayor Hudson closed the public hearing.

- c. Ordinance 16-022 Amending the current Alarm Ordinance. FIRST READING

Linda Cox, City Clerk, read the Ordinance, by title only, into the record as follows.

AN ORDINANCE OF THE CITY COMMISSION AMENDING CHAPTER 14, ARTICLE II, ALARM SYSTEMS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, BY AMENDING SECTION 14-18 DEFINITIONS TO ADD CERTAIN DEFINITIONS; AMENDING SECTION 14-19 AUTOMATIC DIALING DEVICE; INTERCONNECTING TO TRUNKLINES TO PROVIDE FOR ISSUANCE OF CEASE AND DESIST ORDERS NOTICES; AMENDING SECTION 14-23 ALARM PERMIT-REQUIRED TO PROVIDE FOR THIRD PARTY ADMINISTRATOR TO ADMINISTER THE PERMIT PROCESS AND AMENDING THE PERMIT TERM TO ONE YEAR AND IDENTIFYING ALARM SYSTEM INFORMATION AS EXEMPT UNDER FLORIDA LAW; AMENDING SECTION 14-24 EXCESSIVE FALSE ALARM SIGNALS TO REQUIRE EXISTING SYSTEMS TO COME INTO COMPLIANCE, TO ESTABLISH INSTALLATION REQUIREMENTS AND DUTIES OF ALARM OWNERS AND ALARM COMPANIES; AMENDING SECTION 14-25 FALSE ALARM SERVICE CHARGE

TO PROVIDE FOR REVISED AND SEPARATE SERVICE CHARGE SCHEDULES FOR RESIDENTIAL AND COMMERCIAL PROPERTIES, ESTABLISHING PROCEDURE FOR DETERMINATION OF FALSE ALARM AND NOTICE TO ALARM USER AND/OR RECORD TITLE OWNER, REQUIRING THAT ALL ALARMS BE REPORTED, AMENDING THE APPEAL PROCESS TO INCLUDE HEARING OF APPEALS BY SPECIAL MAGISTRATE; AMENDING SECTION 14- 26 PENALTIES CHANGING CITY ENFORCEMENT TO THE SPECIAL MAGISTRATE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Deputy Chief Amandro gave a presentation and was available for questions. Commission discussion included alarm classes, vendor and registration fees. The goal is to reduce the time that the police department has to spend on false alarms.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve item **12c**.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor Linda Hudson

Passed

d.

Ordinance 16- 025 Adopting the International Property Maintenance Code (IPMC) as the Fort Pierce Housing Code and Property Maintenance Code with local amendments. FIRST READING

Linda Cox, City Clerk, read the Ordinance, by title only, into the record as follows.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5 - BUILDINGS AND BUILDING REGULATIONS, ARTICLE III (BUILDING NUMBERING), SEC. 5-66 BY AMENDING PENALTIES FOR THIS ARTICLE; AMENDING SEC. 5-73 TO CLARIFY REQUIREMENTS FOR ASSIGNMENT, PROCUREMENT AND INSTALLATION OF HOUSE NUMBERS; REPEALING ARTICLE XII (HOUSING CODE), SEC. 5-350 TO 5-352; AMENDING ARTICLE XIII (PROPERTY MAINTENANCE), SEC. 5-361 TO INCORPORATE THE HOUSING CODE; AMENDING, SEC. 5-364 PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; AMENDING SEC. 5-365 REPEALING BUILDING SURVEYS ADDING LANGUAGE TO CONFORM WITH AND ADOPT SPECIFIC PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; AMENDING SEC. 5-366 CLARIFYING DUTIES OF EMPLOYEES; AMENDING SEC. 5-367 BY REPEALING DUTY OF THE OWNER AND OCCUPANT AND PROVIDING FOR REQUIREMENTS OF VACANT BUILDINGS; AMENDING SEC. 5-368 BY REPEALING MAINTENANCE OF BUILDINGS AND STRUCTURES AND PROVIDING FOR REQUIREMENTS FOR OCCUPANCY OF UNITS; AMENDING SEC. 5-369 BY REPEALING REQUIREMENTS OF VACANT BUILDINGS; AMENDING SEC. 5-371 REPEALING EXTERIOR AREAS AND PROVIDING FOR ENFORCEMENT OF

THIS ARTICLE; AMENDING SEC. 5-372 REPEALING REQUIREMENTS FOR REPLACEMENT OF STORE FRONTS AND PROVIDING PROVISIONS FOR VIOLATIONS RELATED TO ACTS OR OMISSIONS BY TENANTS; AMENDING SEC. 5-373 REPEALING OCCUPANCY OF VACANT UNITS; AMENDING SEC. 5-374 REPEALING ENFORCEMENT OF THIS ARTICLE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Paul Thomas, Interim Building Official, spoke about the reasons for updating the outdated and obsolete property maintenance code. The IPMC allows for local amendments and provides broad range of authority. Shaun Coss, Building Investigator, gave a presentation summarizing the changes. Commission discussion included certification process, the continuation of weeds being cited, egregious life-threatening situations and enforcement.

Mayor Hudson opened the public hearing.

June Raymond

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

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

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor Linda Hudson

Passed

13. MISCELLANEOUS REPORTS & REQUESTS

- a. Presentation and Approval to purchase a subscription for one hundred (100) Body Worn Cameras from VIEVU, a Brand of the Safariland Group in the amount not to exceed \$450,000. The proposal is a five (5) year term that costs \$90,000 per year. **This item was presented after the Consent Agenda.**

Jerry Wiseman, VIEVU representative, gave a presentation on the Body Worn Cameras. He highlighted security features, storage capabilities, training and gave a visual simulation. Commission discussion included video retention periods, maintenance, technology upgrades.

Chief Hopley-Burney stated that the public will have a chance to review and if approved, implementation should be within six months. Further Commission discussion included the draft policy review and follow up reporting after 12 months.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve item **13a**.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor Linda Hudson

Passed

- b. Monthly Financial Report for the Month Ending October 31, 2016.

Johnna Morris, Finance Director, gave a brief presentation and was available for questions. All funds are positive with the exception of the Golf Course and Sunrise Theatre.

14. CITY COMMISSION

- a. Resolution 16-R58 appointing a member to the Police Officers' Retirement Trust Fund Board following a vote.

Commissioner Alexander voted for Melissa Alexander.

Commissioner Johnson voted for Carlos Diaz.

Commissioner Perona voted for Carlos Diaz.

Commissioner Sessions voted for Carlos Diaz.

Mayor Hudson voted for Carlos Diaz

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OR REAPPOINTMENT OF A MEMBER TO THE POLICE OFFICERS RETIREMENT FUND BOARD OF TRUSTEES; PROVIDING FOR AN EFFECTIVE DATE.

Carlos Diaz will be appointed based on vote.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve item **14a**.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor
Linda Hudson

Passed

- b. Resolution 16-R59 allowing the City to enter into a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for the operation and maintenance of traffic equipment and intersections on the State Highway System.

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, STATING THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) ARE DESIROUS OF ENTERING INTO A JOINT PARTICIPATION AGREEMENT (JPA) FOR THE OPERATION AND MAINTENANCE OF THE TRAFFIC CONTROL SYSTEM AND INTERSECTIONS ON THE STATE HIGHWAY SYSTEM WITHIN THE LIMITS OF THE CITY OF FORT PIERCE AND AUTHORIZING THE MAYOR, CITY CLERK AND CITY ATTORNEY TO ENTER AND EXECUTE SAID AGREEMENT ON THE PART OF

THE CITY; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item **14b**.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor
Linda Hudson

Passed

- c. Request for letter in support of Walton Acquisitions FL, LLC's application for a variance from FDOT for a 516 acre project located in the City of Fort Pierce known as the Village at Midway project.

Jack Andrews, City Engineer, stated that this assists in avoiding a utility conflict.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item **14c**.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor
Linda Hudson

Passed

15. COMMENTS FROM THE PUBLIC

Robert Gegrig
Tony Wilder
June Raymond

16. COMMENTS FROM THE CITY MANAGER

Nicholas Mimms, City Manager, mentioned the school and youth group performances, the City of Lights decorating contest and Indian Hills Recreation Area ribbon cutting in January.

James Messer, City Attorney, wished everyone a Merry Christmas.

17. COMMENTS FROM THE COMMISSION

Commissioner Alexander wished the whole city Happy Holidays. He thanked employees for Christmas on Moore's Creek event.

Commissioner Perona mentioned the Budweiser Clydesdale's visit and wished everyone a Happy Holiday. In reference to Precast Specialties concerns, going forward, he feels it should be strongly recommended for builders/developers to have community meetings with the surrounding neighbors. Commissioner Johnson recommended having a larger notification boundary for heavier use.

Commissioner Sessions spoke about the Orange Avenue parking opposition. He was ashamed that some of the comments from the Planning board. He is grateful to Staff's role in inviting new business to Fort Pierce. The Wastewater Treatment Plant movement plan has been stagnant and hopes we can come together to make it happen. He wishes everyone a Merry Christmas and Happy New Year.

Commissioner Johnson said he is proud of the City of Fort Pierce and his honor to serve in this capacity. He encourages people to stay involved and wished everyone a Merry Christmas and Happy Holidays.

Mayor Hudson mentioned South Beach and Moore's Creek neighborhood clean up initiatives over the weekend and the SLC Public School District's graduation rate improvement is up 12% and Westwood High School increased 20%. She is proud of the City and plans to be keep being positive about Fort Pierce.

18. ADJOURNMENT

ATTEST:

CITY CLERK

MAYOR COMMISSIONER

