

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 TUESDAY, FEBRUARY 21, 2017.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Craig Bridgers, The Crossings Community Church, gave the opening prayer.
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Jeremiah Johnson; 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 February 6, 2017 meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve the minutes from the February 6, 2017 regular meeting.

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

6. **PROCLAMATIONS** - There were no proclamations.

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

- a. Letter from Pamela E. Carithers, Executive Director, on behalf of the Lincoln Park Main Street Board of Directors expressing their gratitude for the City's continued support of their program activities.
- b. Email from Hans Kraaz commending Paul Thomas, Building Official, for his professionalism and diligence.

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

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

Mayor Hudson requested to move items **12a** and **12b** prior to the Public Hearings.

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

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

## 10. CONSENT AGENDA

- a. Request to reduce code enforcement fines in the amount of \$3,200.00 against 1509 Faber Court, Ft. Pierce, FL, Parcel ID # 2401-605-0058-000-5 which was previously owned by Helen Hall, 1509 Faber Court, Ft. Pierce, FL and currently owned by Florida Beach & Golf Retreats LLC, 7128 Maidstone Drive, Port St. Lucie, FL 34986 to \$1,600.00 payable in 30 days.
- b. Approve request to submit and accept an award for the 2017-2018 VOCA Victim's Advocacy grant by the Fort Pierce Police Department.
- c. Permission to submit grant application and receive grant award from Children Services Council of St. Lucie County to help fund 3rd Annual Summer Jam Basketball Camp.
- d. Approve grant award for Ms. Sonja Johnson, owner of Massage Harmony by Sonja in the amount of \$3,000 as an eligible recipient under the 2016-2017 CDBG Grant Award for Small Business. (Postponed from 2/6/2017 meeting)

As to item **10d**, Commissioner Johnson received the information requested from the previous meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve items **10a**, **10b**, **10c** and **10d**.

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

## 11. PUBLIC HEARINGS - These items took place after items **12a** and **12b**.

- a. Public Hearing and approval of the sale of the following Fort Pierce Redevelopment Agency properties for less than fair value as required by Florida Statutes 163.380(2): 1401 N Second Street and 301 Florida Avenue.

Nicholas Mimms, City Manager, stated that the City Commission must confirm and authorize as a requirement of the state.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **11a**.

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

- b. Review and approve with conditions an application for Site Plan & Design Review submitted by Property Owner(s) S And S Land Company LLC, First Citizens Premises Co Inc, and Representative, Jason Gunther of Thomas Engineering to construct an Aldi Grocery Store at 1412 S US Highway 1, Fort Pierce, FL. The properties are zoned General Commercial (C-3). Parcel IDs: 2415-601-0454-010-5, 2415-601-0450-000-4, 2415-601-0449-000-4, & 2415-601-0448-000-7).

Kori Benton, Senior Planner, gave a brief presentation and was available for questions. Commissioner Johnson inquired about recycling and traffic concerns.

Mayor Hudson opened the public hearing.  
Jason Gunther, applicant representative, addressed concerns.  
Jordan Forum, applicant, addressed concerns.  
Seeing no one else, Mayor Hudson closed the public hearing.

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

- 1.) The applicant enhances the design of the southern facade elevation to include integration of additional enhancements such as shutters, metal awnings, landscape plantings, or other articulation to punctuate this primary elevation pursuant to City Code Section 22-59 – Design Review, (g) – Design Guidelines;
- 2.) The applicant shall record and provide a recorded copy of a Unity of Title combining the subject parcels prior to issuance of a building permit;
- 3.) The applicant shall provide an Owner and Encumbrances title search for the easement dedication and right-of-way presented prior to the issuance of building permit; and
- 4.) The applicant shall record and provide a recorded copy of said dedications prior to the issuance of a Certificate of Occupancy.
- 5.) The developer completes a deceleration turn lane entering the site, pending review and permitting by the Florida Department of Transportation (FDOT).
- 6.) The developer provides a written letter waiving any impact fee credits which may be associated with the subject site(s).
- 7.) The developer continues coordination with the City of Fort Pierce and FDOT in the joint effort to reconfigure the intersection of Ohio Avenue and US Highway 1.

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

Passed

- c. Review and approve with conditions an application for Conditional Use submitted by Property Owners, David and Tiffany Wood, to operate a Dwelling Rental, offering lodging for less than six months, at 1123 Hernando Street, Fort Pierce, FL. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A). Parcel ID: 2401-810-0017-000-6.

Kori Benton, Senior Planner, gave a brief presentation and was available for questions. Commission discussion included vehicle parking and professional onsite management.

Mayor Hudson opened the public hearing.  
Tiffany Wood, applicant, addressed concerns.  
Sharon Scalone spoke in support.  
William Fearn spoke in opposition.  
Jim Altac spoke in opposition.  
Charlene Adair spoke in opposition.  
Rick Ross spoke in opposition.

Lou Meroscal spoke in support.  
Seeing no one else, Mayor Hudson closed the public hearing.

Further Commission discussion included violations and revocation, rental frequency, state parameters, enforcement efforts and being consistent in reviewing applications going forward.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 11c with the following staff conditions:

1. Strict adherence to minimum rental periods of one (1) month.
2. Limitation of occupancy to 5 guests based upon City Code Section 8.5-43, unless verification of interior renovation permits for expansion of the southern unit is provided by the Building Department;
3. Registration of a lead property manager, and secondary property manager, accessible at all times to resolve complaints or violations of City Code;
4. Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;
5. Installation of a sidewalk connection, or payment in-lieu of construction, along the Hernando Property line;
6. Installation of a bicycle rack for guests; and
7. The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within fourteen (14) days of Conditional Use approval.
8. Retention of a state licensed property manager whose business is located within the city limits of Fort Pierce.

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

Passed

- d. Ordinance 17-002 Amending Chapter 22-60 - Off-street Parking, creating an exemption and special area standard for the Peacock Arts District. SECOND READING

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 22, ARTICLE IV, SUPPLEMENTARY REGULATIONS, SECTION 22-60 – OFF-STREET PARKING AND LOADING; CREATING AN EXEMPTION AND SPECIAL AREA STANDARD FOR THE PEACOCK ARTS DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Hudson opened the public hearing.  
Kathy Wassylenko spoke in opposition.  
Steve Tarr spoke about boundary concerns.  
Seeing no one else, Mayor Hudson closed the public hearing.

Commission discussion included the start to a continually evolving Peacock Arts District plan, considering citizen-guided input, revisiting the plan as needed and doing what we can to revitalize the area. Mr. Mimms states that there will be quarterly reports provided. Commissioner Johnson is seeking a better formula for the reduction.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve item **11d**.

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

NAY: Commissioner Jeremiah Johnson

Passed

- e. Ordinance 17-004 Modifying Chapter 9, Peddlers, Solicitors and Canvassers SECOND READING

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 9, ARTICLE IV, "PEDDLERS, SOLICITORS AND CANVASSERS"; AMENDING DIVISION 1, SEC. 9-76 MODIFYING DEFINITIONS, AND; AMENDING DIVISION 2, SEC. 9-91 MODIFYING PERMIT APPLICATION REQUIREMENTS AND REGULATIONS AND SEC. 9-97 MODIFYING REQUESTS FOR VARIANCES AND; AMENDING DIVISION 3, SEC. 9- 111 MODIFYING GENERAL REGULATIONS, AND SEC. 9-114 MODIFYING TENTS FOR SEASONAL SALE VENDORS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the public hearing.

Seeing no one, Mayor Hudson closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item **11e**.

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

Passed

- f. Ordinance 17-005 Amending the Future Land Use Map of the Comprehensive Plan to change the designation of property located at 2496 Edwards Road from from RM, Medium Density Residential to GC, General Commercial. 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 THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY LOCATED AT 2496 EDWARDS ROAD; FROM RM, MEDIUM DENSITY RESIDENTIAL, TO GC, GENERAL COMMERCIAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

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 Reginald Sessions to approve item **11f**.

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

Passed

- g. Ordinance 17-006 Amending the Zoning Atlas to rezone property located at 2496 Edwards Road from Neighborhood Commercial (C-2) to General Commercial (C-3). 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; REZONING PROPERTY LOCATED AT 2496 EDWARDS ROAD, FROM NEIGHBORHOOD COMMERCIAL, C-2, TO GENERAL COMMERCIAL, C-3; 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 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 Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve item **11g**.

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

Passed

**12. MISCELLANEOUS REPORTS & REQUESTS** - Items **12a** and **12b** were prior to the Public Hearings.

- a. St. Lucie County Public Schools Graduation Rate Update, Wayne Gent, Superintendent

Wayne Gent, Superintendent, gave a brief presentation highlighting increased graduation rate gains; the County's average is higher than the state average. Commission discussion included spreading the good word about this achievement.

- b. Boys and Girls Clubs of St. Lucie County Annual Report and Strategic Plan presentation by Will Armstead, CEO, Boys and Girls Clubs of St. Lucie County

Will Armstead, Boys and Girls Clubs of St. Lucie County, gave a brief presentation highlighting their programs, vision and an organizational update.

- c. Monthly Financial Report for the Month ending January 31, 2017

Johnna Morris, Finance Director, gave the monthly financial report for month ending January. All funds, with the exception of the Golf Course, are in stable position.

**13. CITY COMMISSION**

- a. Resolution 17-R03 authorizing the sale of 500 Orange Avenue in the amount of \$139,000 to 4616 Investment LLC.

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

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA AUTHORIZING THE SALE OF REAL PROPERTY NOT NEEDED FOR A PUBLIC PURPOSE, KNOWN AS 500 ORANGE AVENUE, OWNED BY THE CITY OF FORT PIERCE, FL TO 4616 INVESTMENT, LLC FOR

THE PRICE OF \$139,000 AS OUTLINED IN A COMMERCIAL CONTRACT (EXHIBIT A) AND SUBJECT TO PROTECTIVE COVENANTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Nicholas Mimms, City Manager, stated that this property was deeded to the City of Fort Pierce. The restricted covenants have been identified and the buyer has accepted.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **13a** with staff recommendations.

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

Passed

- b. Resolution 17-R06 Certifying Appointments/Reappointments to the Planning Board following a vote.

Ballots were distributed by Linda Cox, City Clerk.

Commissioner Alexander voted for John George, Robert Poitier, Steve Weaver, Charlie Hayek and Al Bernetti.

Commissioner Johnson voted for Charlie Hayek, Tim O'Connell, Robert Poitier, John George and Steve Weaver.

Commissioner Perona voted for Al Bernetti, Charlie Hayek, Tim O'Connell, John George and Robert Poitier.

Commissioner Sessions voted for Steve Weaver, Robert Poitier, Al Bernetti, John George and Tim O'Connell.

Mayor Hudson voted for Timothy O'Connell, Charlie Hayek, John George, Robert Poitier and Michael Broderick.

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/ REAPPOINTMENT OF MEMBERS TO THE CITY PLANNING BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Charlie Hayek will be reappointed, John George will be reappointed, Robert Poiter will be reappointed and Timothy O'Connell will be reappointed. Al Bernetti will be reappointed as an alternate.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item **13b**.

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

Passed

- c. Resolution 17-R07 Certifying Appointments/Reappointments to the Board of Adjustment following a vote.

Ballots were distributed by Linda Cox, City Clerk.

Commissioner Alexander voted for Joyce Calvert, Bill Nunn and Rebecca Isaac.

Commissioner Johnson voted for Joyce Calvert, Bill Nunn and Rebecca Isaac.

Commissioner Perona voted for Bill Nunn, Joyce Calvert and Rebecca Isaac.

Commissioner Sessions voted for Joyce Calvert, Bill Nunn and Rebecca Isaac.  
Mayor Hudson voted for Joyce Calvert, Bill Nunn and Rebecca Isaac.

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 /REAPPOINTMENT OF MEMBERS TO THE BOARD.

Joyce Calvert will be reappointment, Bill Nunn will be reappointed and Rebecca Isaac will be appointed as alternate.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve item **13c**.

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

- d. Resolution 17-R08 Appointing Joseph Hayek to the Communitywide Council.

Linda Cox, 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 OF MEMBERS TO THE COMMUNITYWIDE COUNCIL;  
PROVIDING FOR AN EFFECTIVE DATE.

This item requires no vote because there was only one application. Joseph Hayek will be appointed.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve item **13d**.

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

- e. Appointment/Reappointment to the Construction Board of Adjustments and Appeals - This will come back at the next meeting in the form of a resolution and vote.
- f. Consider issuing a Letter of Support for the UDT - SEAL Museum in their efforts to secure \$500,000.00 in state funding for a 20,000 square foot expansion of the museum.

Mayor Hudson stated that this is a part of the County's legislative priorities and asked by the museum for support.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to issue a Letter of Support for the UDT - Seal Museum.

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

**14. COMMENTS FROM THE PUBLIC**

Doretha Hair Trusdell  
Betty Bradwell  
Mario Wilcox

**15. COMMENTS FROM THE CITY MANAGER**

Nicholas Mimms, City Manager, stated that the Highwaymen festival was wonderful and every year shall get better and better. Lincoln Park Academy and Fort Pierce Central are the top two schools in the Treasure Coast. Indian Hills Recreation Area Grand Opening/Ribbon Cutting on February 23 at 1:30 PM; another successful project. Strategic Planning session continuance will be on February 28. In order to preserve the revenue from the Gas Tax, he will make sure that Fort Pierce is a part of the discussion.

Jim Messer, City Attorney, spoke about Quasi-Judicial cases in reference to short term rental complexities and possibly creating an ordinance to outline conditions.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Alexander announced that he is feeling better and wishes he didn't miss the Highwaymen Festival over the weekend.

Commissioner Johnson mentioned the Town Hall meeting on Feb 24 at 1 PM with Congressman Brian Mast at the Fenn Center. There will be discussion on local and state issues.

Commissioner Sessions complimented the Highwaymen event and loves the history of Fort Pierce. He is proud to hear the high school graduation rates.

Commissioner Perona thanked Nicholas Mimms for participating in the South Beach Association meeting. There needs to be enforcement/signage regarding golf carts on the island as well as public education.

Mayor Hudson said that the Highwaymen Festival was fantastic and thanked the City staff for volunteering their time. Career Source and Veterans' Affairs put on an event for homeless veterans at the Riverwalk Center which was well attended.

**17. ADJOURNMENT** - There being no further business, Mayor Hudson declared the meeting adjourned at 10:13 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER