

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, MARCH 6, 2017.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Tim May, First United Methodist 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

Absent: Commissioner Reginald Sessions

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

Commissioner Sessions arrived at 6:35 p.m.

5. **APPROVAL OF MINUTES**

- a. Approval of minutes from the February 21, 2017 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes of the February 21, 2017 regular meeting.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a proclamation recognizing March as American Red Cross Month.
- b. Mayor Hudson presented a Key to the City to Aleshia A. Johnson, 2017 Youth of the Year, Boys & Girls Clubs of St. Lucie County.

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

- a. Email from Scott Smith, Director of Career Development, Virginia College, expressing his appreciation of the hard work and great job of transforming the City into a 'happening' place.
- b. Email from Highwaymen A J Brown thanking Libby Woodruff, Urban Redevelopment Manager, and the City of Fort Pierce for the "smashing success" of the 2nd Annual Highwaymen Art Show, which was a prime example of progress.

- c. Letter from Kathy McDonald, President, Sebastian Area Historical Society Inc., thanking Libby Woodruff for her wonderful presentation of "The Florida Highwayman Artists".

The Society appreciates Libby's generosity and willingness to share her knowledge and stated she did a fantastic job and everyone had a delightful time.

- d. Letter from Boys and Girls Club, Youth of the Year Candidates and Committee thanking Michael Gillian for driving the trolley during their 2017 Youth of the Year Leadership Day.

They stated they cant wait to see Mr. Gillian again when they announce the Youth of the Year winner.

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

John Parry supports item 13b
Delores Hogan Johnson supports item 13b
Aileen Kochinski supports item 13b
Sharon Cooper supports item 13b
Lynne Zaklin supports item 13b
Susan Izes supports item 13b
Wendy Austin supports item 13b
David Lynch supports item item 13b

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 Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions, Mayor Linda Hudson

Passed

10. CONSENT AGENDA

- a. Approve grant award for Geraldine Clark, for her business, HyShe Boutique and Furniture Consignment in the amount of \$3,000, as an eligible recipient under the 2016-2017 CDBG Action Plan - Grant Award for Small Business.
- b. Approve grant award for Andy Truong, owner of Pho 16 Vietnamese Cuisine in the amount of \$3,000 as an eligible recipient under the 2016-2017 CDBG Action Plan.
- c. Approve grant award for William & Johnson, Inc., owner of Jackson Hewitt Tax Service in the amount of \$3,000 as an eligible recipient under the 2016-2017 CDBG Grant Award for Small Business
- d. Approve grant award for Harriet Staley, owner of E&H Handyman Services in the amount of \$3,000 as an elible recipient under the 2016-17 CDBG Grant Award for Small Business.
- e. Approval of a twenty-four (24) month Lease Extension Agreement between the City of Fort Pierce and FP-DW, LLC and FP-DX, LLC for certain parcels along Indian River Drive, that are being utilized to provide additional parking spaces for the public.

- f. Approve the Police Department's request to purchase one (1) 2016 Ford Interceptor Utility (demo unit) from Bartow Ford in the amount not to exceed \$29,572.00 pursuant to Bid # 2015000418.
- g. Approval of travel expenses in the amount of \$809.68 for Commissioner Alexander to attend the FBC-LEO Spring Conference on March 16 - 18, 2017 in Miramar, Florida.
- h. Approval of travel expenses in the amount of \$809.68 for Commissioner Sessions to attend the FBC-LEO Spring Conference on March 16 - 18, 2017 in Miramar, Florida.

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

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

Passed

11. PUBLIC HEARINGS

- a. Approve a request for waiver of distance from Sec. 9-111(b)(1) submitted by Adolfin Avellaneda to operate a food truck ("Taqueria Dos Hermanos") at 1702 Delaware Ave, Fort Pierce.

Miriam Garcia, Deputy City Clerk, 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 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. Approve with conditions an application for Conditional Use with no new construction submitted by property owners, First United Methodist Church of Fort Pierce Inc., and applicant, Sherria Baptiste, to operate a Kindergarten through 8th grade private Christian Academy that will accommodate 135 students at 616 Orange Avenue, Fort Pierce, FL. The property is zoned General Commercial, C-3. Parcel ID: 2410-606-0007-000-4.

Brandon Creagan, Planner, gave a brief presentation and was available for questions.

Commission discussion included green space, crosswalks and pedestrian signage.

Mayor Hudson opened the public hearing.

Sherria Baptiste, applicant, spoke in support.

Tim May spoke in support.

Richard Shoy spoke in support.

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

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

- 1) Landscape improvements must be made to the property to bring the site into compliance with City Code 22-187 (4). This improvement must be completed prior to receiving a Certificate of Occupancy.
- 2) A pavement marking plan that implements the traffic flow plan must be submitted with the building permit.
- 3) A lighting plan or photometric survey must be submitted that verifies lighting in the parking lot in accordance with City Code 22-60 (j). This plan must be submitted with the building permit.
- 4) Signed and sealed drawings that are to scale must be submitted with the building permit that shows the change to an "E" occupancy.
- 5) The applicant coordinates and permits appropriate crosswalk and school zone signs along the Avenue A corridor to notify drivers of an active school zone. This must be completed before a Certificate of Occupancy can be issued.

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

Passed

- c. Review and approval of a Conceptual Development Plan submitted by property owners, 604 Midway LLC. and representative Mike McCarty of McCarty & Associates, which conceptualizes establishment of a Drug and Alcohol Treatment Center at 604 Midway Road, Fort Pierce, FL. The property is zoned Neighborhood Commercial, C-2, and concurrently being considered for rezoning to Office Commercial, C-1. Parcel ID: 3403-243-0001-000-0.

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

Mayor Hudson opened the public hearing.

Mike McCarty, applicant representative.

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 **11c**.

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

Passed

- d. 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. SECOND 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.

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

Mayor Hudson opened the public hearing.

Dennis Murphy spoke of concerns about change of zoning and land use; referencing items **11d** and **11e**. He presented photos relating to the property.

Brett McCain spoke in support.

Carroll and Janet Collins spoke about the property history and future plans.

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

Commission discussion included future staff review, future classification changes and the landscape/marketability of the area.

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

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

Passed

- e. 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). SECOND 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.

Dennis Murphy presented photos relating to the property and spoke about concerns of zoning and land use; referencing items **11d** and **11e**.

Seeing no one, Mayor Hudson closed the public hearing.

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

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

Passed

- f. Ordinance 17-007 - An Ordinance by the City Commission of the City of Fort Pierce, FL rezoning property located at 604 Midway Road from C-2, Neighborhood Commercial to C-1, Office 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; REZONING PROPERTY LOCATED AT 604 MIDWAY ROAD, FROM NEIGHBORHOOD COMMERCIAL, C-2, TO OFFICE COMMERCIAL, C-1; 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.

Mike McCarty, applicant representative, was available for questions.

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 **11f**.

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

Passed

- g. Ordinance 17-008 - Extending the territorial limits of the City of Fort Pierce, Florida to include property located at 2498 Edwards Road. **FIRST READING**

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

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT 2498 EDWARDS ROAD, SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2017; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE 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 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 Rufus Alexander, seconded by Commissioner Reginald Sessions 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 - There were no reports or requests.

13. CITY COMMISSION

- a. Resolution 17-R10 Authorizing the purchase of South Depot Drive in the amount of \$30,000.00.

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, A FLORIDA MUNICIPAL CORPORATION, APPROVE THE PURCHASE OF A 0.86 ACRE PARCEL KNOWN AS SOUTH DEPOT DRIVE FROM FDG RAIL HOLDINGS 17 LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

Nicholas Mimms, City Manager, stated that the City has handled the maintenance of the property for a time. This acquisition may address future needs of citizens in regards to transportation design.

Commission discussion included pricing negotiations, preservation/use of the property and the ability to control the flow of downtown area.

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

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

Passed

- b. Consideration of issuing a Letter of Support for United for Animals to seek a grant for the Trap, Neuter and Return (TNR) program.

Nicholas Mimms, City Manager, spoke about the consensus from previous Conference Agenda meetings to give support to United 4 Animals and appreciation to their commitment to the community. After reviewing the draft grant application by Mr. Parry, the City will then determine if a partnership will develop. At this time, the City can offer support before submission.

Commission discussion included supporting the concept and the program, obligating the City staff beyond their current capacity and the program being a long-term investment into the community.

Motion was made by Commissioner Thomas Perona, 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

14. COMMENTS FROM THE PUBLIC

Harold Pitts
Damian Townsley
June Raymond
David Lynch

15. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Report

Nicholas Mimms, City Manager, spoke about being proud of Aleshia Johnson's involvement in the City of Fort Pierce, the Chick-fil-A and Indian Hills Recreation ribbon cutting. The March 13 Conference Agenda will highlight quasi-judicial training and recommendations from the City Attorney's office. Chief Diane Holey-Burney announced that the Fort Pierce Police Department has received reaccreditation for the next three (3) years.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander inquired about the introduction of TNR discussion and grease trap inspection contractors.

Commissioner Perona spoke about his Congressman Mast meeting and upcoming Fire District attorney selection.

Commissioner Sessions is looking forward to the Chick-fil-A opening.

Commissioner Johnson spoke briefly about his meeting with Congressman Mast, educating the public about dogs on the beach and the Complete Streets program in conjunction with the FDOT.

Mayor Hudson mentioned re-enforcing the positive things in Fort Pierce, the Boys and Girls Clubs of St. Lucie County program, all of the Youth of the Year candidates being awesome and she will be going to Tallahassee with the Treasure Coast Regional League of Cities to discuss issued that affect the City of Fort Pierce.

17. ADJOURNMENT - There being no further business, Mayor Hudson declared the meeting adjourned at 9:18 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER