

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, MAY 15, 2017.

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

2. **OPENING PRAYER** - Deputy Chief Kenny Norris 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 6:33 p.m.

5. **APPROVAL OF MINUTES**

a. Approval of minutes from the May 1, 2017 regular meeting.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve the minutes of the May 1, 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 declaring May 14 - 20, 2017 as Police Week.

b. Mayor Hudson issued a proclamation declaring May 21 - 27, 2017 as National Public Works Week.

c. Mayor Hudson issued a proclamation declaring May 20 - 26, 2017 as National Safe Boating Week.

d. Mayor Hudson issued a proclamation declaring May 7 - 13, 2017 as Drinking Water Week.

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

a. Letter from Carroll and Janet Collins in appreciation of the Planning & Zoning Department staff's willingness to meet often with them to discuss their property, and for their excellent service.

- b. ActiveCaptain Reviews from Sum Escape and Captainwjm with a 5 star and almost a 5 star reviews of the City Marina.
- c. Letter from Pastor Andrew Jefferson expressing his thanks and appreciation for the City Manager's assistance for Rock Church International.

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 switch the order of Public Hearings, considering item **11b** first.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson 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. Approval of travel expenses in the amount of \$354.81 for Mayor Hudson to attend the FLC Legislative Policy Meeting being held on June 15 - 16, 2017 in Orlando, Florida.
- b. Approval to submit and accept grant application to Allegany Franciscan Ministries to cover 75% of salary and fringe benefits for new Lincoln Park Revitalization Coordinator City staff position for three (3) years with potential to renew for two (2) additional years.
- c. Approve Gentile Corporation as the lowest responsive bidder to RFP #2017-016 for an amount not to exceed \$16,900 for rehabilitation of 2110 Valencia Avenue funded through the State Housing Initiatives Partnership (SHIP) program.
- d. Request approval of engineering design services for by Kimley-Horn and Associates, Specific Authorization No. 3 in the amount not to exceed \$55,110 for Surfside Park Residential Street Drainage Improvements.
- e. Approve Request for a Two (2) Year Site Plan Extension for the Oak Alley Office Park Planned Non-Residential Development located at 4431 & 4441 S. 25th Street with a new expiration date of April 5th, 2019.
- f. Waive interest and penalties in the amount of \$1,584.72 associated with demolition lien against 515 N 12th Street, Fort Pierce, FL Parcel ID #2409-501-0062-000-1 previously owned by Johnny B. Wilson, 515 N 12th Street, Fort Pierce, FL and currently owned by Parmanand Persaud, 11 Glebe Crescent Brampton, Ontario L651E9. contingent upon payment of \$711.62 within 30 days.
- g. Reduce code enforcement lien associated with 505 S 8th Street, Ft. Pierce, FL, Parcel ID #2410-709-0011-000-1 owned by Gary & Lisa White, 1250 Shinn Road, Ft. Pierce, FL 34945 in the amount of \$3,840.00 (\$40.00 recording fees) to \$750.00 contingent upon payment of the reduced amount in 60 days.

- h. Approve the payment of \$45,000 to FrankCrum HR Outsourcing to cover personnel charges for the Restoring the Village Outreach workers in year one (2016-2017) as outlined in the grant award.
- i. Approval application by Amerigas to install an above ground L.P. Tank at 1230 Bonefish Ct.

Commissioner Perona requested to pull item **10e**. Commissioner Johnson requested to pull item **10f**.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve items **10a, 10b, 10c, 10d, 10g, 10h** and **10i**.

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

Passed

As to item **10e**, Commissioner Perona wanted to know if the GHO activity is working as planned. Kori Benton, Senior Planner, stated that the building permit should be collected in the next few weeks and the project is on track.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **10e**.

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

Passed

As to item **10f**, Commissioner Johnson inquired into the length of time of ownership and wanted to reduce the amount waived to increase the amount to be paid from \$711.62 to \$869.58. The hard costs do not reimburse the City for admin fees, interest and penalties that have been incurred since they have owned the parcel. The investment of City dollars should be considered. Peggy Arraiz, Code Compliance Manager, stated that the owner was previously misinformed about the fees. Commission discussion included staying consistent in the decisions to waive, consideration of staff time, and receiving consistent staff recommendations.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to increase the amount to be paid from \$711.62 to \$869.58.

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

Passed

11. PUBLIC HEARINGS - Item 11b was presented before item 11a.

- a. Ordinance 17-017 Abolishing the Code Enforcement Board. FIRST READING (postponed from April 17, 2017 meeting) **This item was presented after item 11b.**

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

AN ORDINANCE AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES, CHAPTER 2, ARTICLE XIII AND CHAPTER 2, ARTICLE XIII.5 SECTION 2-253 BY ABOLISHING THE FORT PIERCE MUNICIPAL CODE ENFORCEMENT BOARD,

TRANSFERRING ALL DUTIES OF THE CODE ENFORCEMENT BOARD TO THE SPECIAL MAGISTRATE, AND DELETING REFERENCES THEREIN TO THE CODE ENFORCEMENT BOARD; REPEALING CHAPTER 2, ARTICLE XIII.5 SECTION 2-253.5; AMENDING CHAPTER 2, ARTICLE XX, SECTION 2-331; CHAPTER 8.5, ARTICLE III, SECTION 8.5-48; CHAPTER 9, ARTICLE XIII, SECTION 9-371 (a); CHAPTER 11.5, ARTICLE I, SECTION 11.5-6; CHAPTER 11.5, ARTICLE II, SECTIONS 11.5-28(b) AND 11.5-29; CHAPTER 16, ARTICLE III, SECTIONS 16-51, 16- 54, AND 16-55(b); CHAPTER 22, ARTICLE XII, DIVISION 1, SECTION 22-181; AND CHAPTER 23, ARTICLE VII, DIVISION 3, SECTION 23-119(c) BY DELETING REFERENCES TO THE CODE ENFORCEMENT BOARD AND SUBSTITUTING SPECIAL MAGISTRATE; AMENDING CHAPTER 7, ARTICLE III, SECTION 7-33; CHAPTER 9, ARTICLE II, SECTION 9-27(c); CHAPTER 10, ARTICLE III, SECTIONS 10-305(a)(11), 10-306(b), 10-307(d), 10- 307(f); AND CHAPTER 17, ARTICLE III, SECTION 17-60 BY DELETING REFERENCES TO THE CODE ENFORCEMENT BOARD; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

James Messer, City Attorney, stated that in focusing on the key business objective to review how quasi-judicial hearings are handled, he has recommended transferring functions of Code Enforcement Board to a Special Magistrate. This decision may have incidental benefits including having decisions made by legally trained people, having a record created that can be upheld by a circuit court judge, and the City Attorney's ability to represent department heads instead of representing boards. He noted that by going in this direction, other boards that currently have quasi-judicial hearings may also be eliminated.

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

Commission discussion included the creation of the boards and why Special Magistrates were created. Commissioner Perona stated that after visiting Special Magistrate hearings, he felt the laws were upheld and the hearings were handled with compassion, proper instruction and education. Further discussion included thanking the volunteers that have been on boards for many years and noting that we are not in the same world as years ago. This decision does not reflect negatively on the board members. A change to Special Magistrate on these issues is a way to be an efficient government and create good services for our citizens.

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

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

Passed

- b. Review and conditional approval of an application for Final Plat, submitted by Property Owner(s) Landings Ft. Pierce, LLC and Applicant, Jorge Cepero, Director of Entitlement (Prime Group), to subdivide 18.85 acres of land for the Portofino Landings Apartments located at 4712 Okeechobee Road, Fort Pierce, FL. **This item was heard before item 11a.**

Vennis Gilmore, Planning Analyst, gave a brief presentation and was available for questions.

Mayor Hudson opened the public hearing.
Jorge Cepero, applicant, was available for questions.
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**.

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

12. MISCELLANEOUS REPORTS & REQUESTS

a. Second Quarter Financial Report

Johnna Morris, Finance Director, gave a presentation and was available for questions. All funds, with the exception of the Sunrise Theatre and Golf Course, have positive total available resources at the end of the second quarter. Commission discussion included not messing with success, allocation of funds, and operating expenditures for FPRA.

13. CITY COMMISSION

14. COMMENTS FROM THE PUBLIC - There were no comments from the public.

15. COMMENTS FROM THE CITY MANAGER

Nicholas Mimms, City Manager, highlighted the Old Fort Park renovation and thanked Lion's Club as community partner, the Peacock Arts District energy should create development west of US1, the WRAC committee will update the Commission on June 19, 2017 regular meeting. The FIND (Florida Inland Navigation District) is working together with the County and City to get the dredging done in a cost efficient manor. City and County staff will meet with FEC (Florida East Coast) and All Aboard Florida to discuss railway and safety concerns. Budget workshop date is scheduled for July 6 and individual budget meetings will be scheduled.

16. COMMENTS FROM THE COMMISSION

Commissioner Perona had no comments.

Commissioner Sessions had no comments.

Commissioner Alexander had no comments.

Commissioner Johnson announced the Law Enforcement Memorial Service on May 18th at St. Bernadette's.

Mayor Hudson announced St. Paul AME Church program to celebrate law enforcement on May 28 at 10:00 am. On June 2, St. Lucie Reads will be at the Mets game and children will receive a free book.

17. ADJOURNMENT - There being no further business, Mayor Hudson adjourned the meeting at 7:58 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER