

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, JULY 3, 2017.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Minister Tony Washington, Good News Missionary Baptist Church, offered 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 June 19, 2017 regular meeting

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve the minutes of the June 19, 2017 regular meeting.

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

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a proclamation recognizing Hosely Gibson.

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

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

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander 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. Approval for payment to the SLC Board of County Commissioners for the annual maintenance of the Public Safety Multi-Agency CAD System in an amount not to exceed \$50,032.00.
- b. Approval to submit and accept the 2017 Bulletproof Vest Program grant in an amount not to exceed \$45,000.
- c. Approval for the purchase of two (2) hybrid License Plate Readers (\$44,480) and one (1) ALPR Trailer (\$35,340), piggyback GSA Contract No. GS-07F-089CA, from Morganelli & Associates, Deland, FL, for a total cost not to exceed \$79,820.
- d. Approve purchase of three (3) Matrix Surveillance Pole Cameras in the amount of \$10,566.10 each, totaling \$31,698.30, five (5) Covert Pedestal Cameras at a cost of \$10,944.10, totaling \$54,970.50, and a Splice Block Covert Camera at a cost of \$9,988.00, from Tactical Video, Inc., Naperville, IL, for a total purchase of \$89,998.30. The total cost of these items are part of the line item and match funding previously approved by the City Commission.
- f. Approve purchase of a total of 20 firearms for the police department which include fifteen (15) - Glock 21 and five (5) Glock 30 SF's from G.T. Distributors Inc., Jacksonville, FL, in an amount not to exceed \$10,833.80.
- g. Approve the sole source purchase of seventy-five (75) X-2 Taser, from Axon Enterprise, Inc., Scottsdale, AZ, utilizing a five (5) year purchase plan with annual installments in the amount of \$36,414.48 , for a total cost not to exceed \$182,072.00.
- h. Approve an increase of the current Verizon Blanket Purchase Order 170529 by \$55,476.00 for an added Mifi Router account
- i. Approval to purchase nine (9) DELL Rugged Laptop computers at a cost of \$1,659.78 each, piggyback U.S. Communities Contract No. 43211500-WSCA-15-ACS, from Dell Computers, Round Rock, TX, for a total not to exceed \$15,000.00.
- j. Approve request of Circle of Life Educational Center, Inc., DBA Club Utilitas, to allow them to sub-lease the building located at 1002 Avenue L to Green Shoots Academy, for the purpose of operating a child care, preschool and VPK. City Commission approval is required under the terms of their lease with the City of Fort Pierce.
- k. Approve grant award for Ms. Sonja Johnson for her business, Massage Harmony by Sonja, LLC in the amount of \$3,000 as an eligible recipient under the 2016-17 CDBG Action Plan-Grant Award for Small Business
- l. Approve LF Staffing contract for 7 employees to staff 3rd Annual Summer Jam Basketball Camp for 8 weeks in an amount not to exceed \$18,352.14. Of the amount, \$10,000 will be paid through a grant from Children Services Council of St. Lucie County.

Commissioner Johnson requested to pull item **10j**.

Commissioner Perona requested to hear from City Manager regarding the amenities and purchases by the police department.

Nicholas Mimms, City Manager, spoke briefly about the effort by the police department to obtain grants and additional funding to purchase equipment needed. Frank Amandro, Deputy Chief of Police, spoke about the equipment challenges of the past and the need for the enhancements.

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

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

As to item **10j**, Commissioner Johnson inquired about monies received, insurance, agreements and any expenditures that are associated the lease. Nicholas Mimms, City Manager, stated that there is insurance on all properties owned by City of Fort Pierce and that maintenance is handled by the lessee.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item **10j**.

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

## 11. PUBLIC HEARINGS

- a. Quasi-Judicial Hearing - Review and approval of a Preliminary Plat, submitted by Property Owner(s) Premier Hospitality Inc. and Applicant, Richard Laventure, PE,, to subdivide a 5.28 acre parcel of land into four (4) tracts, located at 6505 Metal Drive, Fort Pierce, FL. The property is zoned General Commercial (C-3), Parcel: 2324-341-0002-000-3.

Kori Benton, Senior Planner, stated that the applicant has waived their right to a quasi-judicial hearing, staff is unaware of any objectors, and was available for questions.

Mayor Hudson opened the public hearing.

Richard Laventure, owner representative, was available for questions.  
Seeing no one else, Mayor Hudson closed the public hearing.

The City Commission waived the quasi-judicial hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve item **11a** with staff condition that the Final Plat incorporates the installation of, or a renewable surety for, a sidewalk connection along Metal Drive within 24 months, as required by City Code Section 22-62(b) & (d).

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

- b. Quasi-Judicial Hearing - Review and approval of an application for Final Plat (Replat), submitted by Property Owner(s) LGFTP I LLC, and Applicant, Jason M. Gunther, P.E. of Thomas Engineering, to replat a portion of Block 30, Pinewood Subdivision, According to the Plat thereof as recorded in Plat Book 5, Page 24. The proposed replat seeking to consolidate LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 21, 21A, 22, 22A, 23, 23A, 24, 24A, 25, 25A, 26, 26A, 27, 27A, 28, 28A, 29, 29A, 30 AND 30A, that park of the vacated alleyway lying between said lots, less US 1 right-of-way, and less the south 30 feet of Lots 1 and 30A, into two (2) lots, located at 1412 S US 1 HWY, Fort Pierce, FL. The property is zoned General Commercial (C-3) 2415-601-0448-000-7.

Kori Benton, Senior Planner, stated that the applicant has waived their right to the quasi-judicial hearing. The City Commission waived the quasi-judicial hearing.

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

The City Commission waived the quasi-judicial hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item **11b** with the staff condition that the applicant completes installation of, or filing of a surety for, the remaining sidewalk connection along S. 3rd Street prior to recording of the Plat, in accordance with City Code Section 18-13.

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

- c. Presentation and First of Two (2) Public Hearings for 2017-2018 CDBG Annual Action Plan.

Libby Woodruff, Grants Administrator, gave a presentation on the 2017 Annual Action Plan, which is the 2nd year in the 5-year Consolidated Plan.

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

- d. Legislative Hearing - Ordinance No. 17-020 amending Chapter 4 to establish procedures for keeping backyard chickens. **FIRST READING**

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

AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA ADOPTING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 4 – ANIMALS; AMENDING SEC. 4-2 – PROHIBITED ANIMALS BY ALLOWING FOR THE ISSUANCE OF SPECIAL EXEMPTION PERMITS FOR BACKYARD CHICKENS; AND CREATING SEC. 4-33 – BACKYARD CHICKENS TO ESTABLISH REGULATIONS FOR THE KEEPING OF BACKYARD CHICKENS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arraiz, Code Compliance Manager, presented the ordinance highlights including the allowance of a maximum of six (6) hens and the prohibition of roosters. The chickens must be kept in an enclosure and the sale of chickens is prohibited.

Mayor Hudson opened the public hearing.  
Bob Burdge spoke in opposition  
Robert Hall spoke in support  
Henry Frank spoke in support  
Jim Foley spoke in opposition  
Seeing no one else, Mayor Hudson closed the public hearing.

Commission discussion included proper protection, providing educational materials, and permit fees. Peggy Arraiz spoke about the previous requests for traps and stated that the biggest impact has been with the bounty of \$5 per chicken. Further Commission discussion

included other options for coup construction, education, and close monitoring of the program. Commissioner Sessions believes that the ordinance is counterproductive to fixing the problem. He has received many complaints about the chickens in District One (1).

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

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

NAY: Commissioner Rufus Alexander, Commissioner Reginald Sessions  
Passed

- e. Legislative Hearing - Ordinance No. 17-021 transferring the duties of the Fort Pierce (Zoning) Board of Adjustment to the Special Magistrate. FIRST READING

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 VIII, SECTION 2- 142(2) AND (3); CHAPTER 2, ARTICLE XI, SECTION 2-201(a); CHAPTER 22, ARTICLE III, SECTIONS 22-28.1(d)(2)(a)(7) AND 22- 40(b)(9); CHAPTER 22, ARTICLE IV, SECTIONS 22-59(d)(2) AND 22-62(l); CHAPTER 22, ARTICLE VII, SECTIONS 22-102.1 AND 22- 105.1; CHAPTER 22, ARTICLE VIII, SECTIONS 22-107, 22-109 – 22-112, AND 22-114 – 22-115; CHAPTER 22, ARTICLE X, SECTIONS 22-138, 22-140, 22-143(f), 22-143(g), AND 22-147; CHAPTER 22, ARTICLE XII, SECTION 22-182; CHAPTER 22, ARTICLE XIV, SECTION 22-218(c)(1)(c); CHAPTER 22, ARTICLE XV, SECTION 22-310; AND CHAPTER 23, ARTICLE VI, SECTION 23-61; ABOLISHING THE FORT PIERCE (ZONING) BOARD OF ADJUSTMENT, TRANSFERRING ALL DUTIES OF THE (ZONING) BOARD OF ADJUSTMENT TO THE SPECIAL MAGISTRATE, AND DELETING REFERENCES THEREIN TO THE (ZONING) BOARD OF ADJUSTMENT AND SUBSTITUTING SPECIAL MAGISTRATE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the public hearing.

Bret McCain spoke in opposition.

Bill Nunn spoke in opposition.

Joyce Calvert spoke in opposition.

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

Commission discussion included staff time and frequency of meetings, consideration of the board members' expertise, and how this recommendation protects the City Commission. The Board of Adjustment decisions go straight to Circuit Court. James Messer, City Attorney, opined that a Special Magistrate is better equipped to make decisions in a quasi-judicial hearing.

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

AYE: Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions

NAY: Commissioner Rufus Alexander, Mayor Linda Hudson  
Passed

**12. MISCELLANEOUS REPORTS & REQUESTS**

- a. Monthly Financial Report for the Month Ending May 31, 2017

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

**13. CITY COMMISSION**

**14. COMMENTS FROM THE PUBLIC**

Mike Perri  
Robert Hall  
Quincy Barr  
Tina Lomax  
Charlie Frank Matthews  
Rick Reed  
John Lee  
Roger Burgess

**15. COMMENTS FROM THE CITY MANAGER**

- a. City Manager's Report

Nicholas Mimms, City Manager, mentioned highlights from the City Managers report; we are participating in the Chili Cook Off with a team, Youth Council beach cleanup and youth symposium, free summer movies at the Sunrise Theatre. He announced the Budget Workshop on July 6, Conference Agenda on July 10, and that there has been interest in utilizing the Percy Peek Gymnasium on a full time basis.

- b. City Attorney's Report (report was presented at the meeting and attached hereto after the meeting concluded)

James Messer, City Attorney, stated that there will be no change in the level of service to any boards. He has provided the first annual City Attorney's report to the City Clerk for the record. Happy Fourth of July to everyone.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Alexander spoke about the successful youth from our community. He doesn't like TC Palm displaying photos of our children. He supports Clay Lindstrom at the FPUA and not happy to hear about board members making money off of the City.

Commissioner Perona thanked the Commission for sending him to the American Public Power Association conference. There are a lot of changes happening in the world in reference to electric power. It is important that our local utilities are stable and he is happy with the direction we are moving.

Commissioner Sessions stated that the chickens are creating a blight and it needs to be removed to create economic growth. He hopes that Northside Bat & Ball comes back with a championship and he is looking forward to hearing more positive things about the kickball festival. He believes that if there is a change in administration at FPUA, there would be a tremendous impact and he hopes the board investigates those issues. Happy Fourth of July to everyone attending the events in the City.

Commissioner Johnson encouraged the Commission to reach out to the FPUA board members other than the Mayor. He has spoken to Clay and other members of the community. He can only recommend that communication is the key. The public safety expenditures bring a proud moment for the City. He supports and is proud of Northside Bat & Ball for making it to the championship.

Mayor Hudson wished everyone a happy Fourth of July. The Air National Guard Band of the South performed at Sunrise on Sunday and there WWII vets were honored. The band will play on July 4 at the City Marina at 6 p.m. and the fireworks begin at 9 p.m.

- 17. ADJOURNMENT** - There being no further business, Mayor Hudson declared adjourned at 9:16 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER