

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, SEPTEMBER 5, 2017.**

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 6:30 p.m.
2. **OPENING PRAYER** - Pastor Walter Barron, Neighborhood Bible Way Revival Center, 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 Attorney James Messer
City Clerk Linda Cox
City Manager Nicholas Mimms

5. **APPROVAL OF MINUTES**

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve Item 5A.

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

Passed

6. **PROCLAMATIONS**

- a. Mayor Hudson issued a proclamation received by the Cora Stickney Harper Chapter National Society Daughters of the American Revolution proclaiming the week of September 17-23, 2017 as Constitution Week.
- b. Mayor Hudson issued a proclamation received by the Treasure Coast Food Bank proclaiming September 2017 be observed as Hunger Action Month.

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

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

Pastor Ted Rice, Pastor Christopher Fogal, Dr. David Thompson, Pastor Eldrew Baldwin and Mr. Michael Simos all spoke regarding Item 13C.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the agenda with the addition of the Edward Byrne Memorial Justice Assistance Grant Application as Item 13D.

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

Passed

10. **CONSENT AGENDA**

- a. Approval to purchase two (2) custom replacement light poles and fixtures for the Harbor Isle Round-about from Lightworks, Inc., Miami, FL, in accordance to the attached quote #CG17-0111 for an amount not to exceed \$13,200.00.
- b. Approve \$2,600.00 increase in Purchase Order #170961, Summerlin's Marine Construction, Ft. Pierce, Florida to complete emergency repairs to boat ramps.

- c. Authorize the City Attorney to initiate foreclosure action on a code enforcement lien filed against 7131 Okeechobee Road and Ft. Pierce Petroleum LLC.
- d. Approve Increase to Blanket Purchase Order#170149 for i-Heart Media Radio Advertising for the Sunrise Theatre in the amount of \$20,000.
- e. Approve purchase of traffic system test equipment from Econolite in the amount of \$17,915.00. Econolite is the City's sole source supplier for traffic equipment.
- f. Approve Revocable Encroachment Permit to allow 22 F.P. Fisherman's Wharf, LLC, d/b/a 12 A Buoy, to encroach upon city property to maintain and utilize a restaurant deck and to allow the installation of sail shades over such deck.
- g. Notification of Director of Development's approval of a Minor Amendment to Site Plan for Phase 2 of Sunrise's expansion, reducing the dealership facility size from 45,000 sq. ft. to 11,653 sq. ft. and a 2,900 sq. ft. addition to the existing service center, accommodating the modern Volkswagen Dealership design.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve items 10a-10g on the Consent Agenda.

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

11. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance 17-025 Amending Chapter 2, Article II, Sec. 2-29 relating to Order of Business. FIRST 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 PROVISIONS OF FORT PIERCE CODE OF ORDINANCES CHAPTER 2, ADMINISTRATION, ARTICLE II. – CITY COMMISSION, SECTION 2-29 (PROCEDURE-GENERALLY); RELATING TO ORDER OF BUSINESS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Cox indicated the new ordinance would move the Miscellaneous Reports & Requests to occur at the beginning of the Agenda; everything else would remain the same.

Mayor Hudson opened the Public Hearing. Seeing no one she closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve Ordinance 17-025.

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

- b. Legislative Hearing - Ordinance No. 17-026 amending Chapter 10-23 - Parking Regulations. FIRST READING

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

ORDINANCE NO. 17-026 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES CHAPTER 10 – MOTOR VEHICLES AND TRAFFIC, BY AMENDING SEC. 10-23 – REGULATIONS; DELETING SEC. 10-26 – PARKING FINES FOR IMPROPER PARKING IN HANDICAPPED SPACE; DELETING SEC. 10-27 – PARKING FINES FOR IMPROPER PARKING IN FIRE LANES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arriaz, Code Enforcement Manager, addressed issues consisting of moving Fire Lanes and Handicapped Parking into Chapter 10-23. A new provision was included to prohibit parking on city maintained right of ways and a catch-all which is the State Statute 316, thereby, automatically amending our Ordinance if the statute should change in the future; it also provides an exemption for our utility workers doing their job.

Mayor Hudson opened the Public Hearing. Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve Ordinance 17-026.

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

c. Legislative Hearing - Ordinance No. 17-027 amending Chapter 2-259 - Processing Citations. FIRST READING

Linda Cox, City Clerk, introduced the ordinance, read by title only, into the record:

ORDINANCE NO. 17-027 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES CHAPTER 2, ARTICLE XIII.5, ENTITLED "SUPPLEMENTAL MUNICIPAL CODE ENFORCEMENT PROCEDURES"; AMENDING SECTION. 2-259. - PROCESSING CITATIONS; PAYMENT OF FINES; HEARINGS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arraiz, Code Compliance Manager, made a presentation regarding the Ordinance which will transfer unpaid citations to the County Court for their collection efforts.

Mayor Hudson opened the Public Hearing. Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 17-027.

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

d. Legislative Hearing - Ordinance No. 17-028 amending Sec. 5-367 - Securing Vacant Structures and adding Sec. 5-369 - Clean and Safe Community Initiative. FIRST READING

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

ORDINANCE NO. 17-028 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES CHAPTER 5, ARTICLE XIII, SECTION 5-367 TO PROVIDE FOR SECURING VACANT STRUCTURES UTILIZING CLEAR POLYCARBONATE MATERIAL; ADDING CHAPTER 5, ARTICLE XIII, SECTION 5-369 CLEAN AND SAFE COMMUNITY INITIATIVE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arraiz, Code Enforcement Manager, presented the highlights of this initiative. Ms. Arraiz suggested \$1 dollar per month be added to each utility bill, thereby, generating \$282,348 annually and placing these funds, by ordinance and resolution, in a restricted fund to be used only to abate blight and nuisance conditions. It would require an annual audit be conducted and presented to the Commission; this would include a three-year sunset provision. The benefits of moving forward were presented including, but not limited to, less criminal activity, implementing safety in the community, the Police Force and emergency personnel, and bettering the aspect of the city neighborhoods.

Mayor Hudson opened the Public Hearing.
Mike Perri spoke in opposition to including in utility bill.
Rick Reed spoke in opposition to including in utility bill.
Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 17-028.

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

Passed

- e. Legislative Hearing - Ordinance No. 17-029 amending Chapter 15 - Signs and Billboards to correct scrivener's error. FIRST READING

Linda Cox, City Clerk, introduced the ordinance, read by title only, into the record:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES CHAPTER 15 – SIGNS AND BILLBOARDS ADOPTED VIA ORDINANCE NO. 17-019 IN ORDER TO CORRECT SCRIVENERS ERROR IN SEC. 15-7 PERMITTED SIGNS BY CORRECTING THE TEMPORARY SIGN SIZE FOR MULTI-FAMILY RESIDENTIAL ZONES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

The Commission expressed their desire to reassess this matter and acquire more information and recommendations as to sizes of both signs and lots and how it would relate to this issue. As a result, City Manager, Nicholas Mimms, suggested to reconfigure how it is presented and instead of a Scriveners Error it would be presented as a Proposal to Amend the Ordinance and would be reevaluated in approximately 60 days.

Mayor Hudson opened the Public Hearing. Seeing no one, the Mayor closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to deny Ordinance 17-029.

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

Passed

12. MISCELLANEOUS REPORTS & REQUESTS

- a. Annual Report on the Retirement & Benefit System

Johnna Morris, Finance Director, presented the highlights of the Annual Report for the fiscal year ending September 30, 2016, as well as, the criteria for awarding Cost of Living Adjustments (COLA) to retirees.

- b. Monthly Financial Report for the Month Ending July 31 2017.

Johnna Morris, Finance Director, presented the Financial Report for July 31 2017.

13. CITY COMMISSION

- a. Resolution 17-R29 appointing members to the Charter Review Commission.

Gloria Johnson was appointed by Commissioner Rufus Alexander.
Frank Fee, III was appointed by Commissioner Jermemiah Johnson.
Eddie Becht was appointed by Commissioner Thomas Perona.
Darrell Drummond was appointed by Commissioner Reginald Session.
Ben Bryan, Jr. was appointed by Commissioner Mayor Linda Hudson.
The alternates selected after voting were Harold Smyth and Bob Burdge.

Linda Cox, City Clerk, introduced the resolution, read by title only, into the record:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW COMMISSION; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve Resolution 17-R29.

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

Passed

- b. Submittal of applications to serve on the FPUA Board. The first term of Glynda Cavalcanti expires on September 30, 2017.

City Clerk, Linda Cox, expressed applications may be submitted until the Agenda is published and the Commission will vote at the next meeting.

- c. Discussion of the possible renaming of 13th Street from Orange Avenue north to the City limits.

Commissioner Jeremiah Johnson suggested 13th Street be renamed down to where it intersects with Sunrise Blvd., thereby, extending through City Limits of Fort Pierce, renaming across the entire city from Zephyr Avenue to the Canal right of way by means of a Resolution.

- d. ADD ON: Approval of Memorandum of Understanding with St. Lucie County for submission of the 2017 Edward Byrne Memorial Justice Assistance Grant.

City Clerk, Linda Cox presented this item for approval.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Item 13D.

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

14. COMMENTS FROM THE PUBLIC

Pastor Tim May spoke on Hurricane Harvey Care Packages.
Ms. Linda Jones with Parents of Murdered Children spoke of the National Day of Remembrance.
Reverend Kenny Mills thanked the Mayor and the Commission for mentoring future leaders.

15. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Report

Nicholas Mimms, City Manager, addressed the projections of Hurricane Irma and the preparations being made for emergency operations, and shelters provided as safe havens.

16. COMMENTS FROM THE COMMISSION

Commissioner Rufus Alexander encouraged prayers.
Commissioner Thomas Perona advised if winds exceeded 50 mph the emergency responders would cease operations.
Commissioner Reginald Sessions exhorted people to take media reports on Hurricane Irma seriously and be safe.
Commissioner Jeremiah Johnson asked the public to be cautious about post-storm activity.
Mayor Linda Hudson encouraged Fort Pierce representation of the Jessica Clinton Heart Health screenings for kids on November 4, 2017 on Milner & Midway Road.

17. ADJOURNMENT

ATTEST:

CITY CLERK

MAYOR COMMISSIONER