

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, SEPTEMBER 18, 2017**

1. CALL TO ORDER

- 2. OPENING PRAYER** - Dr. Craig Cramer, Senior Pastor, Westside 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 Attorney James Messer
City Clerk Linda Cox
City Manager Nicholas Mimms

5. APPROVAL OF MINUTES

- a. Approval of the minutes from the September 5, 2017 Special Budget Hearing.

Motion was made by Commissioner Jeremiah Johnson, 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. Mr. Keith Davis, Principal of Performance-Based Preparatory Academy, presented a Certificate of Appreciation to Sheritta Johnson, Risk Manager, and the City of Fort Pierce.
- b. Mayor Hudson issued a proclamation for Suicide Prevention Awareness Month being received by New Horizons Mental Health, Primary Care and Substance Abuse and Suncoast Mental Health Center. Ms. Heather Hero Wells recited her poem, "Louder Than A Bomb".

7. LETTERS TO COMMISSION

- a. Letter from Don Bestor, President, Fort Pierce Jazz & Blues Society, thanking John Wilkes, Sharon Engle, Thomas Taylor and Michael with the Sunrise Theatre for their contribution to the success of this year's Summer Jazz Camp.
- b. Letter from Pam Bondi, Attorney General, thanking Chief Hobley-Burney for her contribution to the success of the 32nd National Conference on Preventing Crime in the Black Community on June 1-2, 2017.
- c. Letter from Anna Lai and Matt Munsell thanking Michelle Kubitschek and Joyce Kobbe for their assistance with planning their wedding at the River Walk Center.

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

Howard Tipton, County Administrator of St. Lucie County, spoke about residents recovering post-Irma. He expressed his appreciation for all the employees of the City of Fort Pierce helping during this event. Additionally, he invited the Commission to the County Commissioners Meeting of Thursday, September 21, 2017 at 3 p.m. in the Commission Chambers on Virginia Avenue in order to discuss the Port of Fort Pierce.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the Agenda.

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

Passed

10. CONSENT AGENDA

- a. Approval of a one (1) year extension of a Site Plan for Wawa Fueling Station located at 5575 Okeechobee Road, until September 6th, 2018.
- b. Notification of Director of Development's approval of a Minor Amendment to Site Plan & Design Review for the Wawa Fueling Station approved for 5575 Okeechobee Road. The Minor Amendment accommodates access and retention adjustments required with permitting by the Florida Department of Transportation (FDOT) & South Florida Water Management District (SFWMD).
- c. Approval of a 6-month extension to Dunn's Tractor Service contract which will provide canal and recreation maintenance through March 31, 2018 in the amount of \$131,510.00.
- d. Approve the purchase and installation of hardware and software upgrades to the security system for City Hall from Securitas Electronic Security, Inc. in an amount not to exceed \$54,821.95.
- e. Approval of travel expenses in the amount of \$1,282.98 for Commissioner Perona to attend the FPPTA Annual Conference on October 8-11, 2017 in Tampa, FL.
- f. Approve small business grant award for Ms. Patricia Adams for her small business, Patricia B. Adams, in the amount of \$3,000 as an eligible recipient under the 2015-2016 CDBG Action Plan - Grant Award for Small Business.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Items 10a - 10f.

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. SECOND READING

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

ORDINANCE NO. 17-025 - 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.

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 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. SECOND READING

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

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.

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 Rufus Alexander 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. SECOND READING

City Clerk, Linda Cox, 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 Enforcement Manager, expressed the Code Enforcement Department will take action on demolishing abandoned homes on a case by case basis.

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 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. SECOND READING

City Clerk, Linda Cox, 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.

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 17-028.

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

- e. Ordinance 17-030 Levying and collecting taxes for Fiscal Year beginning October 1, 2017 and ending September 30, 2017; adopting Final Millage Rate. FIRST READING

City Clerk, Linda Cox, introduced the ordinance, read in its entirety, into the record.

AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR THE **LEVYING AND COLLECTING OF TAXES FOR THE CITY OF FORT PIERCE, FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018**, FOR THE PURPOSE OF RAISING SUCH AMOUNT AS MAY BE NECESSARY TO CARRY ON THE GOVERNMENT OF SAID CITY DURING SAID FISCAL YEAR AND TO PAY FUNDS SO COLLECTED INTO THE ACCOUNTS PROVIDED THEREFOR; **ADOPTING THE CITY OF FORT PIERCE 2017-18 FISCAL YEAR FINAL MILLAGE RATE**; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The final millage rate of the City of Fort Pierce, Florida, for the Fiscal Year 2017-18 is hereby levied at the rate of 6.9000 per thousand dollar valuation for general City purposes; said rate being in excess of the roll-back rate by 6.46%.

SECTION 2. The City Commission of the City of Fort Pierce, Florida hereby levies a tax of 6.9000 per thousand dollar valuation on all real and personal property within the corporate limits of said City, subject to tax on the first day of January 2017, provided however that such 6.9000 shall not be levied upon property in the City of Fort Pierce exempt under state statute or federal constitution.

SECTION 3. That the City Manager is hereby instructed and directed to certify to the St. Lucie County Property Appraiser the above and forgoing enumerated Millage to be levied for all purposes, for the 2017-18 fiscal year in the said City of Fort Pierce, Florida, pursuant to the provision of the laws of the State of Florida and the Charter of the City of Fort Pierce.

SECTION 4. This ordinance shall be and become effective October 1, 2017.

Johnna Morris, Finance Director, indicated a 6.35% increase was seen citywide in total property tax evaluation, therefore, the City will keep the same millage rate from past the two years.

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 Reginald Sessions to approve Ordinance 17-030.

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

- f. Ordinance 17-031 Adopting a Final Budget for Fiscal Year 2018, beginning October 1, 2017 and ending September 30, 2018. FIRST READING

City Clerk, Linda Cox, introduced the ordinance, read in its entirety, into the record.

AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA; **ADOPTING A FINAL BUDGET FOR THE CITY OF FORT PIERCE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018**; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The City Commission of Fort Pierce, Florida after having held a public hearing, hereby adopts as its final budget for the operation of the government of said City for the fiscal year beginning October 1, 2017 and ending September 30, 2018, the estimates made by the City Manager of said City presented to the City Commission on September 05, 2017, which detailed amended estimates are now on file with the City Clerk and the Director of Finance.

SECTION 2. That it shall be the duty of the City Manager to set up the aforesaid appropriation of revenues and expenses on the account records of said City, to keep such accounts thereof, as required by the Charter of said City, as may be directed from time to time by the City Commission.

SECTION 3. This ordinance shall be and become effective October 1, 2017.

Nicholas Mimms, City Manager, said this Ordinance cemented the City's anticipated \$36.8 million budget for the 2018 Fiscal Year.

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

Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve Ordinance 17-031.

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

Passed

- g. Legislative Hearing - Ordinance 17-032, Amending City Code Section 22-22 - Allowed Uses, specifically within the Commercial Parkway Zone (CP-1) ; to classify Wholesale Trade as a permitted use within the subject district. FIRST READING

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

ORDINANCE NO. 17-032 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 22, ARTICLE III, BASIC ZONING DISTRICTS, SECTION 22-22, ALLOWED USES TO CLASSIFY WHOLESALE TRADE AS A PERMITTED USE IN THE COMMERCIAL PARKWAY, CP-1, ZONE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Kori Benton, Senior Planner, explained the CP-1 district is established for the purpose of providing space for large lot development along with principal vehicular approaches into the city. This is a mixed use district which should provide for certain types of office, commercial, and industrial operations which are typically characterized by a business park setting. The Planning Board unanimously voted to recommend approval of the amendment based upon compliance with City Code Section 22-131-Basic amendment standards and the Comprehensive Plan.

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

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve Ordinance 17-032.

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

Passed

12. MISCELLANEOUS REPORTS & REQUESTS

There were no miscellaneous reports or requests presented.

13. CITY COMMISSION

- a. Resolution 17-R30 designating 502 N 19th Street as Historic Property and a Locally Significant Site.

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

RESOLUTION NO. 17- R30 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, DESIGNATING, 502 N 19th STREET AS HISTORIC PROPERTY AND A LOCALLY SIGNIFICANT SITE; PROVIDING FOR AN EFFECTIVE DATE.

Kori Benton, Senior Planner, advised The Triumph Church & Kingdom of God filed a Historic Designation Request for their existing location on 502 N. 19th Street (corner of 19th Street and Avenue D). Built in the 1950s, it is associated with the Post War II Period (1946-1960) in Fort Pierce history. The structure is in good standing and the Staff recommends approval of the Historic Designation based upon the cultural and architectural significance to our community's history.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve Resolution 17-R30.

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

Passed

- b. Resolution No. 17-R31 establishing a fee for the Clean and Safe Community Program as provided in Sec. 5-369 of the City Code of Ordinances

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

RESOLUTION NO. 17-R31 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ADOPTING A CLEAN AND SAFE COMMUNITY INITIATIVE FEE AS PROVIDED FOR IN CHAPTER 5, ARTICLE XIII, SECTION 5-369 "CLEAN AND SAFE COMMUNITY INITIATIVE"; REQUIRING FUNDS COLLECTED TO BE PLACED IN A RESTRICTIVE FUND; REQUIRING AN ANNUAL REPORT AND AUDIT ON THE EXPENDITURES; PROVIDING FOR A SUNSET PROVISION; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arraiz, Code Enforcement Manager, established the fee by resolution is \$1 net dollar per month on the utility bill within the city limits. It will be placed in a restricted fund for the abatement of commercial and residential structures in a dilapidated state, with an annual audit, along with a sunset provision in three years.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution 17-R31.

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

NAY: Commissioner Reginald Sessions

Passed

- c. Resolution 17-R33 Appointing a Member to the FPUA Board.

Commissioner Rufus Alexander and Commissioner Reginald Sessions voted for Angelo Otero. Commissioner Jeremiah Johnson, Commissioner Thomas Perona and Mayor Linda Hudson voted for Glynda Cavalcanti.

Commissioner Rufus Alexander and Commissioner Reginald Sessions expressed their concern for the lack of representation from District 1 to the FPUA Board.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution 17-R33.

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

NAY: Commissioner Rufus Alexander, Commissioner Reginald Sessions

Passed

14. COMMENTS FROM THE PUBLIC

Curtis Moore

Mario Wilcox

Betty Bradwell

Annette Brown

15. COMMENTS FROM THE CITY MANAGER

City Manager, Nicholas Mimms, provided a post-Irma storm update.

16. COMMENTS FROM THE COMMISSION

Commissioner Thomas Perona thanked the Public Works Department, and all the city employees involved in their efforts during hurricane Irma and exhorted all to continue to hone their swords to be even better the next time around.

Commissioner Reginald Sessions also extended his appreciation to the Public Works Department and all the employees and volunteers during the storm.

Commissioner Rufus Alexander said he felt the compassion and comradery within the community during this time and also thanked everyone for coming together.

Commissioner Jeremiah Jones thanked all the employees, including the Police Department and Public Works Department for stepping up and working arduously to help the city and the community to come together.

Mayor Hudson thanked everyone for all the work the city employees and volunteers put in and

the long hours worked during the storm.

17. ADJOURNMENT

ATTEST:

CITY CLERK

MAYOR COMMISSIONER