

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, **JANUARY 2, 2018.**

1. CALL TO ORDER

2. OPENING PRAYER - Reverend Bryan L. Wenger, Indian River Presbyterian Church

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 Attorney James Messer

City Clerk Linda Cox

City Manager Nicholas Mimms

Commissioner Reginald Sessions arrived at 6:33 p.m.

5. APPROVAL OF MINUTES

a. Approval of minutes from the December 18, 2017 Regular Meeting

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve item 5 a.

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

Passed

6. PROCLAMATIONS - There were no proclamations.

7. LETTERS TO COMMISSION

The following letters will be kept on file in the City Clerk's Office.

a. Email from Erick Gill, Communications Director, St. Lucie County, thanking the City and staff (especially Shyanne Helms, Communications Manager and Joe Sweat, Marketing Specialist) for a wonderful holiday lights trolley tour.

b. Letter from Dr. Ellen J. Meyers Gould commending the entire City Marina staff for excellent service, and in particular Becky Vasata, Customer/Store Assistant, whose service was outstanding.

c. Email from Melissa Bagby with a special thank you to Shyanne Helms, Communications Manager and Joe Sweat, Marketing Specialist for all their hard work and for the delightful time her family had on the Holiday Light Trolley Tour.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the agenda as presented.

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

Passed

10. MISCELLANEOUS REPORTS

a. Preliminary Fourth Quarter Financial Report

Johnna Morris, Finance Director, presented the fourth quarter financial report. With the exception of the Golf Course and Sunrise Theatre, all the other financial budgets ended on a good note, inclusively, the revenue total was much more than originally projected. Ms. Morris proceeded to go into details per division and where the revenue increases came from.

Commissioner Alexander had concerns with the Golf Course's budget and Nicholas Mimms, City Manager, explained the hiring of the new Golf Director, Danny Visconti, in October 2017 coincided with the financial fourth quarter. He's met with Mr. Visconti several times who has expressed various ideas he'd like to execute to improve revenue, however, he's aware he'd have to adhere to the budget already approved by the City Commission in doing so.

Regarding the Sunrise Theatre, Ms. Morris elaborated that she'd wait to get closer to the audit process to do a transfer for the Sunrise Theatre, however, she will not ask for the entire deficit amount in order to see what the adjustments have been as of the first quarter before she proceeds.

b. Monthly Financial Report for the Month October 31, 2017

Johnna Morris, Finance Director, presented the monthly financial report for October 31, 2017. Ms. Morris went into detail per department as to where the monies came from, expenses, and which negative balances were moved over from the 2017 Fiscal Year to the 2018 Fiscal Year, mainly the Golf Course and Sunrise Theatre deficits. In regards to the Golf Course, the net resources showed negatively for the month which had a lot to do with the accrued compensation payout for employees who left the golf course; as the Mayor noted, this is an unusual expense.

With the Sunrise Theatre, Ms. Morris noted that while we will see a positive increase in the October and November reports these will not be an accurate reflection of the reports since we will not see expenses corresponding to that revenue until the show(s) take place. This revenue will be mainly from tickets sold.

The Building Department had a negative net resources balance as a result of the large capital purchase of software not previously budgeted for, but required by law.

c. Monthly Financial Report for the Month Ending November 30, 2017

Johnna Morris, Finance Director, presented the monthly financial report for November 30, 2017. We had about 4.2 million received in ad valorem money. We'd received 11% of projected revenue and, while the expenses were 5.8 million and the net resources are at a negative point, this is customary in conjunction with when the ad valorem tax revenue is received. Most of the negatives in the report are from early on due to influx of revenue from December to April and that's when we will see the larger amounts.

11. CONSENT AGENDA

- a. Approval of an extension for the Planned Development (PD) Approval for the project known as Mayfair at Lawnwood, located at 1801 Nebraska Avenue. This project was originally approved on November 21st, 2017. The new date for the site plan expiration would become May 21st, 2018.
- b. Approval of the installation by David Hicks of two (2) 120 gallon aboveground propane tanks at 1502 Thumb Point Dr.
- c. Approval of the removal and replacement by Walmart Stores of two (2) 400 gallon, one (1) 700 gallon, one (1) 200 gallon and one (1) 25 gallon aboveground storage tanks at 5100 Okeechobee Road.
- d. Approval of blanket purchase orders for Indian Hills Golf Course in the total amount of \$121,000.00.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve items 11 a - d.

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

12. PUBLIC HEARINGS

a. Legislative Hearing - Ordinance No. 17-029 amending Chapter 15 - Signs and Billboards. SECOND READING

City Clerk Linda Cox 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, SEC 1 DEFINITIONS BY AMENDING THE DEFINITION OF A MURAL AND SEC. 15-7 PERMITTED SIGNS BY ESTABLISHING SIGN SIZES FOR R4, R4A AND R5 ZONING DISTRICTS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL 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 Reginald Sessions, seconded by Commissioner Thomas Perona to approve item 12 a.

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

b. Legislative Hearing - Ordinance No. 17-039 Amending Chapter 4 - Animals to resolve issues identified by staff during the first year of enforcement efforts regarding tethering. SECOND READING

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; CHAPTER 4 – ANIMALS; AMENDING ARTICLE I – GENERAL; SEC. 4-1 – DEFINITIONS, AMENDING ARTICLE II – ANIMAL CONTROL; SEC. 4-22 – RESTRAINT OF ANIMALS, GENERALLY; PROVIDING FOR A SEVERABILITY CLAUSE; AND 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 item 12 b.

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

c. Quasi-Judicial Hearing - Review and approval of an application for Final Plat (Minor Replat), submitted by Property Owner(s) Smigiel Partners XIX Ltd. and Representative, Jason M. Gunther, P.E., to subdivide a 3.17 acre tract of land into two (2) lots, located at 4008 Okeechobee Road, Fort Pierce, FL. The property is zoned General Commercial (C-3), Parcel IDs: 2417-332-0009-000-9 & 2417-333-0001-000-6.

Linda Cox, City Clerk, indicated the applicant waived their right to a quasi-judicial hearing.

Kori Benton, Senior Planner, presented the final plat request, whereby the applicant is seeking to sub-divide this collection of parcels into two parcels to provide for a Dollar Tree parcel and another future parcel to the east for future development considerations. Staff recommends approval based on the consistency from the applicant to adhere to the City code with on the following conditions:

1. The ingress/egress easement is maintained, or appropriately adjusted during development review of Lot 2, to accommodate shared access with adjacent uses.
2. The applicant completes installation of, or filing of a surety for, the sidewalk connection along Hartman Road prior to recording of the Plat, in accordance with City Code Section 18-13.

Mayor Hudson opened the Public Hearing.
Jason Gunther, the applicant, presented himself to answer any questions. No questions were asked.
Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item 12 c.

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

13. CITY COMMISSION

- a. Resolution 18-R01 approving the Mayor's reappointment of Patricia Diaz to the Housing Authority Board

City Clerk Linda Cox 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 MAYOR'S REAPPOINTMENT OF PATRICIA DIAZ AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE CITY OF FORT PIERCE; PROVIDING FOR AN EFFECTIVE DATE.

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

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

- b. Selection of Mayor Pro Tem, pursuant to Section 23 of the City Charter which requires the city commissioners to shall select one (1) of their number as Mayor Pro Tem at the first regular meeting following January 1.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to nominate Commissioner Jeremiah Johnson for Mayor Pro Tem.

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

14. COMMENTS FROM THE PUBLIC

There were comments from the public.

15. COMMENTS FROM THE CITY MANAGER

- a. City Manager's Report

Nicholas Mimms, City Manager, congratulated UCF on their National Football Championship win.
James Messer, City Attorney's comment was "Roll tide".

16. COMMENTS FROM THE COMMISSION

Commissioner Thomas Perona expressed his appreciation to staff for their superb job during the Holiday Season and said it energized him and made him proud to be a member of this community and City.

Commissioner Rufus Alexander agreed wholeheartedly with Commissioner Perona's comment. On another note, he expressed concern for the lack of street lights and the safety of the residents and those passing through 25th Street and Orange Avenue. Mr. Mimms, City Manager, said staff is aware of this situation and he will be moving forward with an investigation; ultimately FDOT is responsible for the approval.

Commissioner Reginald Sessions asked who was responsible for fixing the street lights, the City or the FPUA. Mr. Mimms clarified the City is responsible. Commissioner Sessions wished everyone a happy new year.

Commissioner Jeremiah Johnson reminded all there is a cold front coming through and to seek shelter if necessary. Mr. Mimms expressed a Press Release was issued in relation to this and the shelters available would be on the City website.

Mayor Linda Hudson tested the City's application SeeClickFix; she congratulated Staff for their work on this app. Additionally, she congratulated the Staff involved in organizing the Holiday Lights competition, as well as, those involved in the Holiday Trolley Tours.

17. ADJOURNMENT

ATTEST:

CITY CLERK

MAYOR COMMISSIONER