

MINUTES OF A SPECIAL 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 10:00 A.M. ON MONDAY, JUNE 25, 2018.

1. **CALL TO ORDER** - Mayor Hudson called the meeting to order at 10:00 a.m.  
The meeting recessed at 10:02 a.m. and resumed at 10:08 a.m.

2. **PLEDGE OF ALLEGIANCE**

3. **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  
Deputy City Clerk Miriam Garcia  
City Manager Nicholas Mimms

Commissioner Sessions arrived at 10:08 a.m.

4. **QUASI-JUDICIAL HEARING**

- a. Quasi-Judicial Hearing - A hearing to allow the owners and/or parties of interest in the property identified as 1635 Thumb Point Drive to show cause why the structure located on the premises should not be condemned and demolished.

Miriam Garcia, Deputy City Clerk, read the agenda item indicating it is a quasi-judicial hearing.

James Messer, City Attorney, explained the quasi-judicial procedures.

Miriam Garcia confirmed that the advertising was met for the agenda item.

Linda Hudson, Mayor, asked the Commission if they would disclose if they had any ex-parte communication. Mayor Hudson stated that she received emails and a phone call. Commissioners Jeremiah Johnson and Thomas Perona stated that they received emails and phone calls. Commissioners Rufus Alexander and Reginald Sessions stated that they received emails.

Deputy City Clerk, Miriam Garcia, was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm if they were sworn in.

Margaret (Peggy) Arraiz, Code Enforcement Manager, presented her case as to why the structure at 1635 Thumb Point Dr. should be condemned and demolished.

There were no party intervenors in this case.

Peggy called the following witnesses to come forward.

Christopher Hodge

Sylvia Krchnak  
David Sowerby  
Charlie Hayek

Brad Culverhouse, the respondent presented his case and called the following witnesses.

Paul Thomas  
Richard B. Reed

In the closing arguments, Ms. Arraiz informed the Commission of the three options below:

- If sufficient evidence was presented by the City to support its recommendation to condemn the structure and order its removal, the Commission may adopt Resolution No. 18-R31.
- If the City Commission believes there is sufficient evidence to declare the property "condemned" but order rehabilitation, the Commission may amend the Resolution and include a date by which the rehabilitation must be completed.
- If the City did not present sufficient evidence to support its recommendation to condemn the structure and order its removal, the Commission may choose not adopt Resolution No. 18-R31.

In his closing arguments, Mr. Culverhouse explained that his medical conditions prevented him from proceeding with building the home. He asked for a realistic timetable. He explained that he needed more time to find the funds to rebuild the home.

The Commission asked Ms. Arraiz and Mr. Culverhouse a series of questions during closing arguments.

The Commission proceeded with comments and deliberation.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to remove the posting sign from the property and extend the permit beyond July 2018 giving 10 months to complete the construction of the home.

AYE: Commissioner Rufus Alexander, Commissioner Reginald Sessions

NAY: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona  
Failed

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to remove the red tag and extend the permit beyond July 2018 giving 8 months to complete the construction of the home.

AYE: Commissioner Rufus Alexander, Commissioner Reginald Sessions

NAY: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona  
Failed

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to adopt Resolution No. R-31 which determines that 1635 Thumb Point Dr. is a nuisance and that said building or structure shall be condemned and demolished.

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

NAY: Commissioner Rufus Alexander, Commissioner Reginald Sessions  
Passed

**5. ADJOURNMENT** - The meeting adjourned at 4:06 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER