

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, **AUGUST 6, 2018.**

1. CALL TO ORDER

2. OPENING PRAYER - Associate Pastor Dr. Pauline Williams, St. Paul AME Church

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 Meeting Minutes for the June 25, 2018 Special Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 5 a.

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

- b. Approval of the Meeting Minutes for the July 16, 2018 Regular Meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve item 5 b.

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

6. PROCLAMATIONS

No Proclamations were issued.

7. LETTERS TO COMMISSION

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

- a. Voice message from Danny Drawdy to Deputy Chief Frank Amandro in appreciation of the Police Department's increased presence at a nearby property.
- b. Letter from Mrs. Rodella Ervin in recognition of Heather Debevec for being an outstanding code officer who cares about the property owners as well as the residents.
- c. Email from Bruce A. Murray, South Hutchinson Island resident, thanking Police Chief Hobley-Burney for addressing their complaints about weekend activity in South Beach parks, especially Jaycee Park.
- d. Letter from Dr. Pinkie W. Hendley, Pastor, thanking Police Chief Hobley-Burney for the improvement of the law enforcement department and for the generous donation to their church.

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

Rick Reed spoke on item 7 d.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

City Attorney, James Messer, indicated item 12 b was requested to be addressed at a future date.

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

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

10. MISCELLANEOUS REPORTS

- a. Consulting Attorney's recommendation regarding City Attorney's Office.

Richard Lawton, has consulted with the City of Fort Pierce for decades and recommended Rebecca Vose, who has conducted similar investigations and has also been a City Attorney. His recommendation included the City Commission requesting factual findings, seeing what, if any, are the violations and possible corrective action, or lack thereof, based on the findings.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to follow the advice of attorney, Richard Lawton.

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

- b. Treasure Coast Sports Commission Update

The Treasure Coast Sports Commission (TCSC) reported they have several events that will be going on in our beautiful city, some in conjunction with the Tourist Development Council. Events include the Firefighter Challenge which will take place on September 14 and September 15, 2018. This event will have a children's challenge. The Skeeter Skoot 50K Ultra Run (31 miles) is scheduled for December 9, 2018. It can be run as a relay-race composed of up to five contestants. If this goes well, they expect to kick it up to a 100-miler next year. Matt Cooney, a St. Lucie County Firefighter and paramedic for almost two decades explained what the course was composed of and how many people come from all over the United States, as well as from abroad to compete in the Firefighter Challenge. Both events still have room for sponsorships. The TCSC is currently planning a triathlon at Jetty Park scheduled for December 16, 2018.

- c. Restoring the Village Update

Ms. Teresa Bishop explained that Restoring the Village Youth Initiative partners with over 30 community partners and social services agencies. These efforts have contributed to violent crime going down 32%, violent crime with the use of guns has gone down 34% and violent gang crime has gone down 56%. This program also has aided in providing pro-social activities and mentoring for more than 130 youth in which 68% received job training that lead to securing jobs and 61% participated in mental health and substance abuse programs. Ms. Monica Jakobsen expressed they utilize the Comprehensive Gang Model program to assist with these results which is composed of community mobilization, organizational change and development, suppression, social intervention and opportunities provision. Ms. Jakobsen indicated the City of Fort Pierce has been used as the model site because of all of the improvements they have achieved together. Mr. Raheem Hall is the epitome of this program. He explained to the City Commission how the program has affected him and worked hard to assist him and because of this he now has a job and a home of his own and is able to provide for his family.

11. CONSENT AGENDA

- a. Approval of travel costs for Commissioner Reginald Sessions to attend the Florida League of Cities Annual Conference in the amount of \$1554.95.
- b. Approval of travel costs for Commissioner Rufus Alexander to attend the Florida League of Cities Annual Conference in the amount of \$1554.95.
- c. Approval of travel costs for Mayor Linda Hudson to attend the Florida League of Cities Annual Conference in the amount of \$1,330.95.

- d. Approval of a \$2,020,900.00 construction contract issued to Johnson-Davis, Inc. as required for emergency restoration and hardening of the Mayflower Canal located between Edwards Road and Gardenia Avenue.
- e. Approval to submit and accept a grant from the Department of Justice, Edward Byrne Memorial, Justice Assistance Grant Program (JAG) - Local for funding in the amount of \$26,749 by the Police Department.
- f. Approval to submit and accept a grant from the Department of Justice, Edward Byrne Memorial, Justice Assistance Grant Program (JAG) for funding in the amount of \$32,942 by the Police Department.
- g. Approval to submit and accept a grant from the Florida Coalition Against Domestic Violence for funding in an amount not to exceed \$100,000 by the Police Department.
- h. Approve security expansion in parking garage in an amount not to exceed \$134,296.36.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve items 11 a - h.

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

12. PUBLIC HEARINGS

- a. Presentation and Public Hearing #2 for the 2018-2019 Community Development Block Grant (CDBG) Action Plan

Ms. Elizabeth Woodruff presented the City Commission with the one-year plan for the previously approved Community Development Block Grant (CDBG) for the city's fiscal year starting October 1, 2018 and ending in September 30, 2019. The activities established are economic development (\$120,000); public services (\$80,000); public facilities (\$20,000); owner-occupied housing rehab assistance (\$40,000); neighborhood revitalization (\$183,422); and program administration (\$109,876).

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

- b. Legislative Hearing - Ordinance 16-023 - (Please pull this ordinance at the request of the applicant's representative. It will be brought back at a later date). Approving the Planned Development for Mayfair at Lawnwood – [2416-504-0199-000-1](#), [2416-504-0199-050-6](#) & [2416-504-0199-200-3](#) SECOND READING

This item has been postponed.

- c. Quasi-Judicial Hearing (waived) - Conditional Use - Prescribed Pediatric Extended Care/Childcare Center - 2401 Frist Boulevard.

Ms. Maria Lewica, Historic Preservation Officer, indicated Prescribed Pediatric Extended Care is a mildly ill childcare center which provides service for children who require medical care not found in traditional childcare centers. Children can attend a Prescribed Pediatric Extended Care up to a maximum of 12 hours per day while receiving nursing services, personal care, development therapies, and caregiver training. The proposed hours of operation are from 7:00 AM to 5:30 PM. The Technical Review Committee reviewed the request for a Conditional Use. The Planning Board voted unanimously, to recommend approval of the requested Conditional Use with the following condition: Comply with City Code Section 22-60. Off-street parking and loading (j) Lighting (1)a. It is requested that the lighting plan be provided with a minimum average of two (2) footcandles. The requested Conditional Use is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare. Staff recommends that the City Commission approve the request with the aforementioned condition.

Mayor Hudson opened the Public Hearing.
Rochelle Scavella, the applicant, assured the Commission they would not leave a child by themselves if their parents were late. Additionally, she indicated the kids could be there for up to 12 hours or less.
Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 12 c with staff conditions.

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

d. Quasi- Judicial Hearing - Conditional Use - Zietz Dwelling Rental - 462 Granada Street, Unit B

Before commencing this Quasi-Judicial Hearing, James Messer, City Attorney, reminded the Commission when acting as a Quasi-Judicial Body they apply the laws and policies established and are held to stricter procedural requirements, following basic standards established and are held to stricter procedural requirements, following basic standards of notice and due process based on substantial evidence. As such, they conduct these proceedings as judges instead of legislators.

Individuals that may be heard are people who might have relevant information and their comments are limited to three (3) minutes each. Members of the public may be permitted to present their non-expert opinions, but the Commission must know that public sentiment is not relevant to the decision which must be based on competent, substantial evidence.

Mayor Hudson called the proceeding to order.

City Clerk, Linda Cox, confirmed the City complied with advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications; no one had.

City Clerk, Linda Cox, 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 they were sworn in at such time as they were asked to come forward to testify.

Mr. Vennis Gilmore, Planning Analyst, indicated the applicant is seeking to convert this into a dwelling rental of less than six months with a minimum of one month for unit B only; unit A will remain an annual rental. All affected City Departments have reviewed the proposed Conditional Use and have provided approval with conditions based on compliance with requirements of the City Code. The Planning Board voted unanimously in favor to recommend Approval. Staff recommends that the City Commission approve the request with the following conditions:

- 1) The maximum occupancy ensures compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;
- 2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;
- 3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and
- 4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.
- 5) Limit no more than 2 vehicles.

Mayor Hudson opened the Public Hearing.

Lisa Cataline, the applicant's representative, was sworn in. She indicated the owner wants consistent revenue, thus why they only decided to request a Conditional Use for unit B only. Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve item 12 d with staff conditions.

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

e. Quasi-Judicial Hearing (Waived) - Conditional Use with New Construction - Braun Residence - 1661 Binney Drive

Mr. Vennis Gilmore, Planning Analyst, indicated the applicant is seeking to build a three-story single-family home of 4,236 square feet with a height extension of 34.4 feet. All affected City Departments have reviewed the proposed Conditional Use and have provided approval based on compliance with requirements of the City Code. The Planning Board voted unanimously in favor to recommend approval. Staff recommends that the City Commission approve the requested application with a building height of up to 34.4 feet.

Mayor Hudson opened the Public Hearing.

Mike Menard, the applicant, indicated the base flood is 2-1/2 feet above the existing grade. They've gone with a 5-12 pitch to provide mechanical space if the height seems too high. The pitch can be lowered, however, this would make the structure look like a commercial building. They are doing a stem-wall construction. He believes this is a great asset to the community.

Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve item 12 e as presented.

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

Passed

13. CITY COMMISSION

- a. Approval and Acceptance of the FPUA FY2019 Annual Budget and FY 2018 Amended Budget.

FPUA presented their proposed budget for FY 19 along with amendments to the FY 18 budget. A lengthy discussion ensued centered on capital expenditures, employee raises and various other aspects of the budget.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to disapprove the budget.

After discussion, Commissioner Sessions withdrew his motion and Commissioner Johnson withdrew his second.

Motion was made by Commissioner Johnson, seconded by Commissioner Sessions to decrease the line item for personnel costs by 1% to provide a maximum salary increase for employees of 3%.

AYE: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Reginald Sessions

NAY: Commissioner Thomas Perona, Mayor Linda Hudson

Failed

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to decrease the line item for capital expenses from \$27,366,662 to \$25,000,000.

AYE: Commissioner Jeremiah Johnson, Commissioner Reginald Sessions

NAY: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Thomas Perona
Failed

Mayor Hudson passed the gavel to Commissioner Johnson.

Motion was made by Commissioner Thomas Perona, seconded by Mayor Linda Hudson to approve the budget and waive the 30-day waiting period.

AYE: Mayor Linda Hudson, Commissioner Thomas Perona

NAY: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Reginald Sessions

Failed

- b. Resolution 18-R37 Removing the requirement that appointees to the Police Community Advisory Committee must reside within the district of the appointing Commissioner.

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 REMOVING THE REQUIREMENT THAT APPOINTEES MUST RESIDE WITHIN THE DISTRICT OF THE APPOINTING COMMISSIONER FOR THE POLICE COMMUNITY ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

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

Passed

- c. Resolution 18-R38 Reappointing Tim O'Connell as an at-large member of the Planning 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 APPOINTMENT OF MEMBERS TO THE CITY PLANNING BOARD**; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 13 c.

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

Passed

14. **COMMENTS FROM THE PUBLIC**

Henry Duhart
Marina Santos
Marjorie Harrell
June Raymond

15. **COMMENTS FROM THE CITY MANAGER**

- a. -City Manager's Report
-Purchase Orders between \$10,000 and \$50,000 approved by the City Manager from May 30, 2018 to June 30, 2018

City Manager, Nicholas Mimms, indicated how proud he was of the show the city employees, as well as our local police enforcement put on at the Sunrise Theatre. He thanked the Sunrise Theatre staff that helped with this show. At this event, there were awards given to eight nominees that were recognized for their efforts and achievements for things they've done for our community. Many city staff members have participated in putting together our local football team and cheer program which launched just last week. Nine teams played and of those nine the City of Fort Pierce played against top notch teams from other municipalities and seven of our teams won. In the City Manager's Report, pictures of Unity in Our Community, as well as, Golf Junior Camp were featured. August 15, 2018 is City Hall Selfie Day. Chick-Fil-A will be opening on August 9, 2018. At the August 13, 2018 Conference Agenda there will be a discussion of the utilization of city parks and water-based businesses on city property. A report and update will be provided of the False Alarm Program and the income that it has generated. The Old City Hall building will be discussed since it will be available for lease once again. The Public Works Department will give an update on the Gateway Access Improvements Community Input Meeting from May 2018. Purchase Orders will be provided to the City Commission on a monthly basis from the City Manager's office for them to be privy to any monies that are being spent.

City Attorney, James Messer, had no comments to add.

16. **COMMENTS FROM THE COMMISSION**

Commissioner Alexander said he was still standing.

Commissioner Perona reminded the public that with school still starting there will be different bus schedules on the road and with that a Tunnel of Hope to welcome the kids to their first day of the school year. He indicated that while there were disagreements on the dais that he could appreciate that because it meant they all had different perspectives to find the best solutions for the citizens.

Commissioner Sessions agreed about the disagreements and appreciated the considerations extended across the board when these arise. Along with the Boys & Girls Club, he will be hosting the Boys to Men Summit. This will be held on a Saturday from 9 a.m. to 3:30 p.m. He's looking to have more than there were at the last event held at the Percy Peek Gym recently. He feels whole-heartedly that our beaches should be used especially by giving our youth something to do so as to rear them in the right direction. The Zora Neale Hurston building located at 809 N. 9th Street is the County's property and while this is true he would like to get an update as to what will happen to the location.

Commissioner Johnson indicated he'd spoken to the County regarding the 809 N. 9th Street location and there is extensive rehab of the structure will be approximately \$80,000 - \$90,000. He wanted to confirm that the residents that inquired about 29th Street traffic had been reached out and spoken to and Mr. Mimms confirmed the Police Department, as well as our Engineering Department spoke them. Annual MainStreet Conference was in Vero Beach and the Galeria of Fort Pierce received an award. There is a Planning Conference coming up in September in West Palm Beach which he feels the members of the Planning Board should attend. SROs were discussed last week and the Sheriff Department's Captain spoke about training with SROs. Chief Hobley-Burney confirmed three of the selected officers were indeed in training. Commissioner Johnson would like to see funding allocated for officers to patrol our schools. Mr. Mimms said the earliest this could happen due to lack of funding is in January 2019.

Mayor Hudson indicated on August 7, 2018 the Economic Development Council Luncheon will discuss the Sales Tax Referendum and she encouraged all to do their due diligence and investigate this because it will be a great help with our aging infrastructure.

17. ADJOURNMENT

The meeting adjourned at 10:27 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER