

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 20, 2018.**

**1. CALL TO ORDER**

**2. OPENING PRAYER** - Deputy Chief of Police, Kenny Norris

**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 August 6, 2018 Regular Meeting.

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

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Commissioner Reginald Sessions  
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 Blades Robinson in recognition and commendation of the exceptional work performed by Solid Waste Supervisor Marlon Pryce and Sanitation Driver Robert Jackson, and for good management provided by Solid Waste Operations Manager Tysha Williams.
- b. Email from Gus Gutierrez in appreciation of the Planning Director, Rebecca Grohall's assistance and sincere effort to accommodate the procedures.

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

Eugene Williams with Tiffany Grant spoke on item 13 c.  
Mark Boston spoke on item 13 b.  
James Buchheit spoke on item 10 b.

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

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

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

**10. MISCELLANEOUS REPORTS**

- a. Presentation of Certification of Recognition to the City of Fort Pierce for 95 years as an ICMA recognized Commission/Manager form of government.

Lori LaVerriere, City Manager with Boyton Beach and District 4 Director of FCCMA, along with Howard Tipton, St. Lucie County Administrator and Dan Clark with the Town of Lake Clarke Shores presented the International City Manager Association award to the City Commission for their 95th year as a city council manager form of government. This form of government was created to separate administration from direct political influence and establish merit based practice in government creating healthy practices. She expressed the City Commission is doing an amazing job and the City of Fort Pierce's Mission Statement reflects why this community is so wonderful.

b. Presentation on City of Fort Pierce Recreation Activities

Mike Reals, Public Works Director and Cassandra Jackson, Recreation Coordinator expressed the proposed programs to promote further community activity are soccer, special needs adult and youth activities, mentoring, afterschool tutoring, adult programs, senior day programs and girls' dance programs. Ms. Jackson went into detail of the past and current events schedule, as well as goals for the future. Some of these include having a police officer stationed outside of the facility, and including both children and adult activities that will engage the community and bring them together. The adult activities would be conducted during times in which children are in school.

c. Third Quarter Financial Report

Johnna Morris, Finance Director, presented the Fund Evaluation Report for the quarter ending on June 30, 2018. All funds, with the exception of the Golf Course and the Sunrise Theatre continue to operate at a positive. Regarding the General Fund there is a projection of \$2.8 million overage in our revenue due to our FEMA reimbursement for Hurricanes Frances and Matthew. The Golf Course is about \$150K short due mainly to invoices and contracts that were not paid and sent over after the Golf Director commenced. Also temporary services were not budgeted for and this falls into the shortage. However, this number should go down. The Sunrise Theatre is short \$761K and there have not been any transfers to this account so this will need to be addressed as the end of the fiscal year comes to an end. There is a Sunrise Theatre Workshop for the City Commission to discuss this scheduled for Friday, August 24, 2018. Lastly, our special revenue funds and grant funds are doing well.

**11. CONSENT AGENDA**

- a. Approval for annual purchase of signal equipment from Econolite Controls in the amount of \$173,200.00.

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

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

Passed

**12. PUBLIC HEARINGS**

- a. Legislative Hearing - Ordinance 18-017 Rezoning five (5) parcels of land generally located at or near 2191 S. Jenkins Road, from PD, Planned Development to C-3, General Commercial. SECOND READING

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

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING FIVE (5) PARCELS GENERALLY LOCATED AT OR NEAR 2191 S. JENKINS ROAD FROM PD, PLANNED DEVELOPMENT, TO C-3, GENERAL COMMERCIAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF 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 Rufus Alexander, seconded by Commissioner Jeremiah Johnson 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. 18-018: Adoption hearing pertaining to an application submitted by the property owners, Spec Ft. Pierce, LLC, Applicant Structural Real Estate, and Representative Engineering Design & Construction, Inc. for a Future Land Use Map Amendment for five (5) parcels of land, 44.97 +/- acres in total, to change the future land use designation, within the Comprehensive Plan, from RL, Low Density Residential to GC, General Commercial. Said parcels are generally located south of Graham Road, east of interstate 95, north of Tedder Road, and west of S. Jenkins Road, or approximately 2191 South Jenkins Road. Parcel IDs: 2313-431-0000-000-1, 2313-441-0000-000-2, 2313-444-0040-000-3, 2313-443-0000-000-8, & 2313-434-0001-000-7. SECOND READING

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

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF FIVE (5) PARCELS GENERALLY LOCATED AT OR NEAR 2191 SOUTH JENKINS ROAD, FROM LOW DENSITY RESIDENTIAL, RL, TO GENERAL COMMERCIAL, GC; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 - Ordinance 18-025 Rezoning the property generally located at 3800 Selvitz Road, from IH, Industrial Heavy (St. Lucie County Zoning) to I-3, Heavy Industrial (City of Fort Pierce Zoning). FIRST READING

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

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT 3800 SELVITZ ROAD, FROM IH, INDUSTRIAL HEAVY (ST. LUCIE COUNTY ZONING), TO I-3, HEAVY INDUSTRIAL (CITY OF FORT PIERCE); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

Mr. Messer additionally confirmed that the only other 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; Commissioner Alexander, Commissioner Johnson, Commissioner Perona and Commissioner Sessions met with the applicant's representative.

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.

Brandon Creagan, Planning Analyst, indicated the former Cargill sites were annexed into the City in 2004 under Ordinance K-310. Some of the sites retained the County IH, Industrial Heavy designation as the City did not have a Heavy Industrial Designation at the time. The proposed City Zoning: I-3, Heavy Industrial. The Planning Board voted 6-0 to recommend approval of the request as presented. The requested Application for Zoning Atlas Amendment meets the criteria specified in Section 22-131 of the 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 along with Ordinance 18-025.

Mayor Hudson opened the Public Hearing.

Dennis Murphy with Culpepper & Terpening, the applicant's representative, presented himself to answer questions. He indicated the access would be part of the parcel to the north. Regarding code violations, they have secured demolition permits and are in the process of being cleaned up within the next few weeks.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve item 12 c.

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

Passed

- d. Quasi-Judicial Hearing - Ordinance 18-026 Rezoning the property generally located at 3802 Selvitz Road, from IH, Industrial Heavy (St. Lucie County Zoning) to I-3, Heavy Industrial (City of Fort Pierce Zoning). FIRST READING

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

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT 3802 SELVITZ ROAD, FROM IH, INDUSTRIAL HEAVY (ST. LUCIE COUNTY ZONING), TO I-3, HEAVY INDUSTRIAL (CITY OF FORT PIERCE); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Before commencing this Quasi-Judicial Hearing, James Messer, City Attorney, reminded the Commission they are still acting as a Quasi-Judicial Body and the laws and policies expressed in the prior Quasi-Judicial Hearing apply.

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; Commissioner Alexander, Commissioner Johnson, Commissioner Perona and Commissioner Sessions met with the applicant's representative.

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.

Brandon Creagan, Planning Analyst, indicated the current zoning with the County for the property is IH, Industrial Heavy and the proposed City zoning is I-3, Heavy Industrial.

The Planning Board voted unanimously to recommend approval of the request as presented. The requested Application for Zoning Atlas Amendment meets the criteria specified in Section 22-131 of the 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 along with Ordinance 18-026.

Mayor Hudson opened the Public Hearing.

Dennis Murphy with Culpepper & Terpening, the applicant's representative, presented himself to answer questions.

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 d.

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

Passed

- e. Quasi-Judicial Hearing - Ordinance 18-027 Approval of a Zoning Atlas Amendment (Rezoning) from I1, Light Industrial, to PD, Planned Development, along with Planned Development Plan for the Redhawk Rebar facility located at 4280 Bandy Boulevard , Fort Pierce, FL. FIRST READING

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

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT 4280 BANDY BOULEVARD, FROM I-1, LIGHT INDUSTRIAL ZONE, TO PD, PLANNED DEVELOPMENT; FURTHER APPROVING A DEVELOPMENT PLAN PURSUANT TO SECTION 22-40, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Before commencing this Quasi-Judicial Hearing, James Messer, City Attorney, reminded the Commission they are still acting as a Quasi-Judicial Body and the laws and policies expressed in the prior Quasi-Judicial Hearing apply.

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; only Commissioner Johnson met with the applicant's representative.

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.

Vennis Gilmore, Planning Analyst, indicated the applicant would like to have the subject site rezoned and is seeking authorization for development of an industrial facility specializing in rebar bending for a construction site. The proposed City zoning designation is PD, Planned Development. Standards specified per Section 22-131 of the City Code were met. All affected departments have reviewed the proposed Zoning Atlas Amendment and Planned Development with regards requirements of the City Code. The Planning Board voted unanimously to recommend approval. The request for a Planned Development is generally consistent with the processes outlined in the Land Development Code, the underlying intensity of the proposed use is consistent Future Land Use Element of the City's Comprehensive Plan for Industrial Districts; therefore, staff recommends the City Commission approve presented plan (PD) and rezoning request with the following conditions:

- 1) Open Space calculation revised to reflect the 20% required in the Land Development Code, Land Development Code 22-40(b)(3). This revision should be made prior to City Commission.
- 2) Site Lighting is provided in accordance with Land Development Code 22-60(j)(1) Off Street Parking and Loading at the time of Building Permit Review.
- 3) Building elevations be provided prior to City Commission in accordance with Land Development Code Section 22-59 (c)(1)j.
- 4) Provide an updated response to the City of Fort Pierce Engineering Department review dated June 29, 2018 prior to Building Permit application.

Mayor Hudson opened the Public Hearing.

Dennis Murphy with Culpepper & Terpening, the applicant's representative, presented himself to answer questions. The applicant is looking to employ approximately 20-30 employees and later on another additional 12 employees.

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

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve item 12 e with staff conditions.

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

Passed

f. Legislative Hearing - Ordinance 18-028 annexing property located at 3030 S. 25th Street.  
FIRST READING

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

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 3030 SOUTH 25TH STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2019; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Vennis Gilmore, Planning Analyst, indicated this was a voluntary application for annexation. The applicant is seeking to open a former gas station in the location. The proposed City zoning is C3, General Commercial and the proposed Future Land Use designation is GC, General Commercial. The Planning Board, at their July 10th, 2018 meeting, voted unanimously to recommend approval of the request as presented. As proposed, the annexation meets the standards of the City Code & Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends the City Commission approve the proposed voluntary annexation along with the zoning and future land use designations.

Mayor Hudson opened the Public Hearing.

Brian Nolan, the applicant's representative presented himself to answer any questions. Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve item 12 f.

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

Passed

g. Legislative Hearing - Ordinance 18-029 Building Department Fee Schedule - FIRST READING

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

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5, ARTICLE VII OF THE CODE OF ORDINANCES ENTITLED "PERMIT FEES"; AMENDING SECTION 5-266, TO CLARIFY DETERMINATION OF FEES AND VALUATIONS; AMENDING SECTION 5-267, TO UPDATE FEE COLLECTION, REORGANIZE SCHEDULE AND REMOVE FEES NOT INCLUSIVE TO PERMITS; CREATING SECTION 5-268, MISCELLANEOUS FEE SCHEDULE, TO PROVIDE FOR A SCHEDULE OF MISCELLANEOUS FEES NOT INCLUSIVE TO PERMITS; CREATING SECTION 5-269, INCENTIVE AND OPTIONAL SERVICE FEE SCHEDULE, TO PROVIDE FOR A SCHEDULE OF FEES FOR INCENTIVES AND OPTIONAL SERVICES THAT THE DEPARTMENT PROVIDES; CREATING SECTION 5-270, PENALTY FEE SCHEDULE, TO PROVIDE FOR A SCHEDULE OF FEES FOR PENALTIES THAT MAY BE ASSESSED DURING CONSTRUCTION ACTIVITIES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Paul Thomas, Building Official, proudly reported there have not been any changes to this since 2016. The issue now is that there were inconsistencies with the ordinance and thus

they rewrote it, striking through those inconsistencies to accommodate the changes. Sean Coss, Building Coordinator, expressed they'd received feedback stating the existing ordinance and fee schedule was hard to follow. Consequently, they've eliminated that section and rebuilt it into four main categories, these being permit fees, miscellaneous fees, incentive fees and penalty fees; each fee is in alphabetical order. Some costs have decreased and others increased. Among the decreased costs are the first renewal of a permit and cost of residential fence permits. Some of the ones that increased are the permits for moving structures and temporary construction trailers. The Building Department is required by State law to be self-sufficient and fully funded by incoming fees as opposed to funded by the General Fund. Mr. Thomas indicated the fees were also specific to our smaller community in comparison to a larger community like St. Lucie, Martin or Indian River County who have a larger population.

Mayor Hudson opened the Public Hearing.

Dottie Stonestreet, owner of Lenzi's Diner, spoke of her struggles while trying to get her diner relocated and opened.

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 g.

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

Passed

### 13. CITY COMMISSION

- a. Resolution No. 18-R39 determining that the structure located at 427 N 14th Street - Left Front Unit AKA Building #2 and the structure located at 427 N 14th Street - Left Rear Unit AKA Building #3 are unsafe and should be condemned and demolished. A hearing to determine this matter is scheduled before the City Commission on September 4, 2018.

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

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 427 N 14TH ST- FRONT LEFT UNIT AKA BUILDING #2 AND AT 427 N 14TH ST - REAR LEFT UNIT AKA BUILDING #3 IN FORT PIERCE, FLORIDA IS UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT ALL PARTIES OF INTEREST MUST SHOW CAUSE WHY THE STRUCTURE SHOULD NOT CONDEMNED AND DEMOLISHED IN ACCORDANCE WITH THE CHARTER OF THE CITY OF FORT PIERCE; AND NOTIFYING ALL PARTIES OF POTENTIAL ACTION BY THE CITY OF FORT PIERCE FOR FAILURE TO ACT; AND THAT A PUBLIC HEARING BE HELD AT THE REGULARLY SCHEDULED CITY COMMISSION MEETING ON SEPTEMBER 4, 2018 AT 6:30 PM, IN THE CITY COMMISSION CHAMBERS LOCATED AT 100 N US HWY 1, FORT PIERCE, FLORIDA; AND PROVIDING FOR NOTICE TO ALL PARTIES.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve item 13 a.

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

Passed

- b. John K. Tompeck, P.E., Director of Utilities; Nina B. Penick, CPA, Director of Financial Services and Murray Hamilton, Rate Consultant with Public Resources Management Group, presented the City Commission with the Utility Rate Study. Since 2007, FPUA has conducted a series of rate study updates to evaluate the revenue sufficiency of each utility system. The studies have demonstrated that the water, wastewater and gas systems do not stand alone financially in meeting the individual revenue requirements of each system while the electric rates produced surplus revenues. The electric rates were reduced in FY11, FY13 and FY14. FPUA has implemented smaller water, wastewater and gas adjustments over time to help cure a portion of the deficiencies. The wastewater and gas rates were last increased in FY 2014. The water rates were last increased in FY 2016. The projected FY 2018 annual average total deficiency from water, wastewater and gas rates is estimated at approximately \$4.3 million.

The need for rate increases stems from the need to maintain high quality and reliable service that safeguards the health and welfare of the community, keep up with inflation to maintain and improve the service level standards that benefit FPUA's customers, compliance with existing and evolving regulations, extending high quality services to new customers, retain adequate

cash reserves to address the working capital needs of the system and lastly, comply with the City Charter and the authorizing Bond Resolution.

FPUA reported that existing water, wastewater and natural gas rates are not sufficient to meet the current and projected revenue requirements of the system. As a result, it was recommended that the City Commission consider approving Resolutions UA 2018-06, UA 2018-07 and UA 2018-08 which would provide for a 3% increase in the water and wastewater rates and a 1.76% increase in the gas rates that were adopted by the FPUA Board on August 7, 2018.

1. Resolution No. UA 2018-06 which provides for a 3% increase in the water customer and volume charges.

Motion was made by Commissioner Perona, Mayor Hudson passed the gavel and seconded the motion to approve UA 2018-06 to increase in the water customer and volume charges.

AYE: Commissioner Thomas Perona, Mayor Linda Hudson

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

Failed

2. Resolution No. UA 2018-07 which provides for a 1.76% increase in the Natural Gas customer and commodity charges and adds a compressed natural gas rider.

Motion was made by Commissioner Johnson, seconded by Commissioner Perona to approve UA 2018-07 to increase in the Natural Gas customer and commodity charges and add a compressed natural gas rider.

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

NAY: Commissioner Reginald Sessions

Passed

3. Resolution No. UA 2018-08 which provides for a 3% increase in the wastewater customer and volume charges.

Motion was made by Commissioner Perona, Mayor Hudson passed the gavel and seconded the motion to approve a UA 2018-08 to increase in the wastewater customer and volume charges.

AYE: Commissioner Thomas Perona, Mayor Linda Hudson

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

Failed

4. Resolution No. UA 2018-09 related to new LED outdoor lights and streetlight rates and other minor changes to those electric tariffs.

Motion was made by Commissioner Johnson, seconded by Commissioner Perona to approve new LED outdoor lights and streetlight rates and other minor changes to those electric tariffs.

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

NAY: Commissioner Reginald Sessions

Passed

- c. Discussion on vacant commercial properties along Avenue D at the request of Commissioner Alexander.

Commissioner Alexander indicated he's spoken to several people who wish to open a business on Avenue D and have been turned away. He said he understands the City Clerk Department cannot do anything that is not allowed by the ordinance. Commissioner Sessions said he's also spoken to others wanting to open a business who claim to be brow beaten by Code Enforcement. He urged City staff to work with these individuals. Commissioner Johnson expressed some of the issues were because they are federally mandated. The Florida Building Code also changes and we are bound by that which Paul Thomas, Building Official, confirmed. Some buildings require a Change of Use, if for example a structure was at one point a church and then wants to be rented for a hair dressing businesses. Mr. Thomas indicated Caleta Scott, Lincoln Park Revitalization Coordinator was working on educating the public on current regulations to open a business and when a Change of Use may be needed. Commissioner Perona was of the opinion that new business owners can possibly sit with City staff so that they can be educated as to the hurdles they can possibly encounter with the particular business location they choose. That way, they know what all the requirements are in the beginning. City Manager, Nicholas Mimms, will present a Revitalization Plan for the City Commission during the September Conference Agenda.

#### **14. COMMENTS FROM THE PUBLIC**

Faith Owens  
Lashondra Grimsley  
James Buchheit  
Jeanne Arias  
Rick Reed

#### **15. COMMENTS FROM THE CITY MANAGER**

City Manager, Nicholas Mimms, reminded the City Commission that on Thursday, August 23, 2018 there will be Active Shooter Training for them and Department Heads that wished to participate so they are aware of how to avoid dangers. The second Sunrise Theatre Workshop will be held at the Commission Chambers at August 24, 2018 to provide the Commission with new data collected from our community. The City Clerk will present the City Commission with the applicants for the Police Advisory Committee so that they are able to appoint their selections at their next Regular Meeting on Tuesday, September 4, 2018. The County Administrator will be holding off on the Agape Center in order to consider all options other than the Hurston building.

City Attorney, James Messer, had nothing to add.

#### **16. COMMENTS FROM THE COMMISSION**

Commissioner Alexander expressed concerns for the Avenue D community.

Commissioner Perona had nothing to add.

Commissioner Sessions was content with the County's feedback regarding the Agape Center. He commended the community for voicing their opinions in this matter. He encouraged Commissioners from District 2 to come on a ride-a-long with him in District 1.

Commissioner Johnson said speaking of streets and sidewalks, we struggle with capital improvements. He indicated this was necessary for both District 1 and District 2. He is excited about WaWa's Grand Opening on Thursday, August 23, 2018 because it will benefit District 2 with jobs and the recent opening of Chic-Fil-A which reported 95 jobs for District 1. He's also excited about the rezoning approved tonight because those will also grant our community more jobs.

Mayor Hudson spoke of the Florida League of Cities Annual Conference. She expressed the first seminar was about sharing houses and rides like Uber and Lyft. They indicated this was the wave of the future. At the conference, they also encouraged cities to adapt to new rules and regulations of the Legislature. For the luncheon speaker they had the Air B&B CEO speak to them about how this aided in sharing housing. They celebrated the 50<sup>th</sup> Anniversary of Home Rule put in the Constitution in 1968. The Mayor of Parkland spoke of how they were working with schools, first responders and law enforcement to heal the Parkland community. Mayor Hudson expressed this was what Home Rule was about; it allows elected officials to be there for the people.

#### **17. ADJOURNMENT**

The meeting adjourned at 11:11 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER