

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, **OCTOBER 1, 2018.**

1. CALL TO ORDER

2. OPENING PRAYER - Mayor Linda Hudson

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: Interim City Attorney Benjamin Bryan
City Clerk Linda Cox
City Manager Nicholas Mimms

5. APPROVAL OF MINUTES

- a. Approval of the minutes for the September 4, 2018 budget hearing and the September 10, 2018 special meeting for budget ordinances.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander 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 minutes from the September 17, 2018 Regular Meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 5 b.

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

6. PROCLAMATIONS

- a. Mayor Hudson issued the following Proclamation:
Proclamation recognizing Cheryl Glenn-Reed

7. LETTERS TO COMMISSION

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

- a. Letter from Charles C. Hayek personally acknowledging the great service he receives from Susan Keller, Permit Specialist, in the Building Department.

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

Rick Reed spoke on item 13 e.

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 as presented.

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

10. MISCELLANEOUS REPORTS

There were no reports.

11. CONSENT AGENDA

- a. Approval to submit and accept the OJJDP FY 2018 Gang Suppression Planning Grant Program and a corresponding letter of support.
- b. Approval to submit and accept the VOCA 2018-2019 Victims Advocacy Grant in an amount not to exceed \$75,000.00.
- c. Approval to enter into a 3 year contract with International Golf Maintenance, Inc. (IGM) followed by two optional years consistent with the city of Lauderhill's contract for Golf Course Maintenance, RFP Number 2017-037 in an amount not to exceed \$567,476.00 annually.
- d. Request approval of a \$1,265,000 construction contract award issued to Johnson-Davis, Inc. as required for emergency restoration and hardening of the Mayflower Canal between Gardenia Avenue and Virginia Avenue.
- e. Request to reduce code enforcement lien in the amount of \$44,040.00 against 619 S 17th Street, Ft. Pierce, FL 34950 - Parcel ID #2409-712-0120-000-4 - owned by Shawnawati Bisesar, 105 S. 21st Street, Ft. Pierce, FL 34950 to \$500.00 payable in 30 days and to waive the \$250.00 administration fee that may be imposed by the City Commission.
- f. Approval to install an above-ground diesel storage tank at 510 Wisteria Avenue.
- g. Approval of installation of above ground one (1) 120- gallon LP tank at 1606 Frances Avenue.
- h. Approval of letter to oppose the Federal Communications Commissioner's (FCC) Declaratory Ruling regarding the siting of small cell wireless infrastructure.

Commissioner Perona pulled item 11 e for discussion.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve items 11 a, 11 b, 11 c, 11 d, 11 f, 11 g, and 11 h.

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

Commissioner Perona requested clarification as to why staff was recommending reduction of a lien and waiving of the \$250 administrative fee. Ms. Peggy Arriaz, Code Enforcement Manager, indicated there'd been a misunderstanding between the inspector and the property owner, where the owner thought all had been resolved. Additionally, Ms. Arriaz pointed to the physical case file's thinness providing visual proof that there'd not been many violations to begin with and the owner had been compliant, thus staff's recommendation to reduce the lien and waive the administrative fee.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve item 11 e.

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

12. PUBLIC HEARINGS

- a. Quasi Judicial Hearing - Application for Development Review of a Site Plan submitted by property owner, City of Fort Pierce and Applicant Greg Powers, CEO of Beachside Hospitality Group, to construct a new restaurant (Crabby's Dockside) consisting of 7, 035 sq. ft. and 199 seats. The property is zoned Planned Unit Redevelopment Zone (PUR). Parcel ID: [2410-503-0041-030-7](#).

Before commencing this Quasi-Judicial Hearing, Ben Bryan, Jr., Interim 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. That means 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 Johnson and Commissioner Sessions were the only ones who spoke to the individuals during the preliminary process.

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 sought approval to demolish and develop a new restaurant, Crabby's Dockside Grill. Mr. Gilmore presented the City Commission with the site and floor plan, as well as photos illustrating what the completed project will look like. This project has been approved by the Historic Preservation Board. All affected departments have reviewed the proposed Development Review and Design Review Applications with regards to requirements of the City Code. The proposed Site Plan meets the criteria and promotes and protects the public health, safety and general welfare; therefore, staff recommends that the City Commission approve the proposed Development Review and Design Review Applications.

Mayor Hudson opened the public hearing.

Mike Menard and Mike Jacquin both confirmed they were sworn in and presented themselves to answer any questions.

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

Commissioner Sessions inquired about the status of the contracts. Mr. Nicholas Mimms, City Manager, answered they'd met with the design team that day and have continued negotiations with the highest ranked proposer during the RFP process, Crabby's Dockside. They've discussed public improvements, and other details, none insurmountable, which will culminate with the construction of the new restaurant.

Commissioner Perona asked the City Manager if he thought the site would be completed by 2019. Mr. Mimms deferred to Mr. Mike Jacquin.

Mayor Hudson re-opened the public hearing.

Mike Jacquin stated they are trying to be underway by April 2019 provided all goes well with demolition. Building this structure will be difficult because there are not many entryways but they will work diligently and efficiently to minimize the impact to surrounding areas like the Farmer's Market.

Mayor Hudson inquired if anyone else wished to speak.

Seeing no one, the Mayor closed the Public Hearing.

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

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

Passed

- b. Quasi Judicial Hearing - Application for a Conditional Use with No New Construction submitted by property owner and applicant, Larry Winter, to establish Dwelling Rentals, offering lodging for less than six (6) months; with a minimum of one (1) month at 1931 & 1933 Crestview Drive, Fort Pierce, FL. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A), Parcel ID: [2401-810-0010-000-7](#).

Before commencing this Quasi-Judicial Hearing, Mayor Hudson asked if anyone required Ben Bryan, Jr., Interim City Attorney, to re-read the Quasi-Judicial Hearing information again. No one requested it be re-read.

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; there was no communication between the City Commission members and the parties involved in this Conditional Use application.

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 this was a Conditional Use application to establish two dwelling rentals at 1931 and 1933 Crestview Drive near Hernando Street. 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. 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 per unit.

The Planning Board has suggested adding the following conditions:

- 6) Include the City of Fort Pierce Business Tax License number on all advertising.
- 7) Register as a Certified Property Manager with St. Lucie County.

Mayor Hudson opened the public hearing.

Marcia Baker confirmed she was sworn in. Ms. Baker was not in favor of some of the conditions listed and thought this Conditional Use application should be approved without these conditions.

Larry Winter, the applicant, was sworn in. He indicated it was his understanding that the Planning Board had tabled condition #7 for further discussion. He was aware of all other conditions. Commissioner Alexander questioned how important this last condition is.

Rebecca Grohall, Planning Manager, was sworn in. Ms. Grohall explained the process of Mr. Winter registering as a Property Manager.

Commissioner Johnson asked Mr. Winter if he had any objections on conditions 1-6. He did not.

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 b with conditions #1-6.

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 a Conceptual Development Plan submitted by property owner, Oleander Oaks, LLC. and representative Green Mill Holdings, LLC, which conceptualizes establishment of an 80-100 unit affordable housing complex exclusively for seniors 55 and older, located at 4001 Oleander Avenue in Fort Pierce, Florida. The property is zoned R-4 Medium Density Residential (south 12.88 acres) and C-3, General Commercial (north 4.3 acres). The development of this project would commence on the south 12.88 acres zoned R-4. The parcel ID for the property is 2433-144-0001-000-6

Before commencing this Quasi-Judicial Hearing, Mayor Hudson asked if anyone required Ben Bryan, Jr., Interim City Attorney, to re-read the Quasi-Judicial Hearing information again. No one requested it be re-read.

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; there was no communication between the City Commission members and the parties involved with this application.

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 this was an application for Development Review and Conceptual Development Plan. Mr. Creagan presented the City Commission with the site aerial map and the Conceptual Development Plan view to develop this housing complex for seniors 55 and older, located at 4001 Oleander Avenue. The Planning Board voted unanimously to recommend approval of the request as presented. Staff recommends the City Commission review the Conceptual Development Plan and approve the conceptual parameters of the proposal with the following condition:

1. Formal Site Plan, Design Review, & Concurrency review will be required before this project can be developed on this site.

Looking at 12.88 acres on the south side of the site aerial map, Commissioner Johnson indicated there is a canal that traverses from Sunrise Boulevard to the east and asked if this was connected to St. Lucie County's waste water system. After being sworn in, Jack Andrews, City Engineer, answered it does go into the county's system because of the lack of city facilities.

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 Reginald Sessions to approve item 12 c with staff's condition.

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

- d. Quasi Judicial Hearing - Review and approval of an application for Site Plan & Design Review, submitted by the property owner & Applicant, Real Sub, LLC, & representative CWH Real Estate Services. to demolish and reconstruct the Publix at Taylor Creek Plaza at 1889 N. US Highway 1, Fort Pierce, FL. The demolitions will take place on the existing Publix store and the back side of the former West Marine store. The rest of the plaza will remain. The new Publix will total 46,013 sq. ft. The property is zoned General Commercial Zone (C-3). Parcel ID: 1433-440-0005-000-0.

Before commencing this Quasi-Judicial Hearing, Mayor Hudson asked if anyone required Ben Bryan, Jr., Interim City Attorney, to re-read the Quasi-Judicial Hearing information again. No one requested it be re-read.

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; there was no communication between the City Commission members and the parties involved with this application.

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, presented this Application for Development Review & Design Review. The applicant is seeking to demolish to Publix located in the Taylor Creek Plaza on US Highway 1 and reconstruct it into a larger location consisting of 46,013 square feet. The applicant has taken into consideration the necessary parking and handicap parking spaces, landscaping and facade design. A rendering of what the new Publix will look like was presented to the City Commission. The Planning Board voted unanimously to recommend approval as presented. The requested Applications for Development Review & Design Review meet the requirements of the City Code and are found to be consistent with the City's Comprehensive Plan; therefore, Staff also recommends that the City Commission approve the request as presented. No conditions were specified.

Mayor Hudson opened the public hearing.

William Hanks confirmed he was sworn in and explained they are remodeling the facade of the rest of the plaza to look like they were also demolished and constructed from the ground up, but not impacting their existing businesses since they have leases. They spoke about containing construction traffic and making it easier for people to navigate to and from the plaza, as well as within the plaza itself. They expect to open mid-December of 2019. They will do what they can to accommodate first responder parking.

Dorothy Stonestreet confirmed she was sworn in. Ms. Stonestreet expressed concern about going in and out through Juanita Avenue and the time expected to open since she is a customer of this particular Publix for her place of business.

Alice Jefferson confirmed she'd been sworn in and inquired about ADA compliance for her handicapped daughter.

William Hanks returned to the podium and stated he would try to make this process go as smoothly as possible and would do all that was required, as well as what they could in regards to all the issues presented by the public.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson 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 - Review and approval of an application for a Conditional Use with No New Construction submitted by property owner, The Love Center Regeneration Ministries and Applicant Natalee Edwards, to operate a private K-12 school with a proposed max enrollment of 120 students at 907 N. 13th Street, Fort Pierce, FL. The property is zoned Planned Unit Redevelopment Zone (PUR), Parcel ID(s): 2404-813-0031-000-8, 2404-813-0034-000-9, 2404-813-0033-000-2, & 2404-813-0032-000-5.

Before commencing this Quasi-Judicial Hearing, Mayor Hudson asked if anyone required Ben Bryan, Jr., Interim City Attorney, to re-read the Quasi-Judicial Hearing information again. No one requested it be re-read.

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; there was no communication between the City Commission members and the parties involved with this application.

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, presented this Conditional Use Application showing an aerial view of the site. This school will offer both a virtual and a traditional setting for learning with a maximum anticipated enrollment of 120 students, but no more than 12 students per classroom. The anticipated first year enrollment consists of 30-50 students with five classrooms and grades kindergarten through twelfth. The Planning Board voted unanimously to recommend approval of the request as presented. The requested Application for

Conditional Use with New Construction is found to be consistent with the requirements of the City Code and the Comprehensive Plan; therefore, staff recommends that the City Commission approve the request with the following conditions:

1. A Change of Use permit must be filed and with the Building Department and approved before the school can begin operations.
2. A landscape plan that demonstrates compliance with City Code 22-187, General Landscaping requirements must be submitted with the Change of Use building permit.
3. A lighting plan or photometric survey must be submitted with the Change of Use building permit that verifies lighting in the parking lot is in accordance with City Code 22-60 (j).

Mayor Hudson opened the public hearing.

After being sworn in, the applicant, Natalee Edwards stated they had a designated area where the children could run around without the risk of harm and their staff will coordinate what times they are let out so they are not all there at once. The virtual school will work via the use of Florida Virtual School.

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 e with staff conditions.

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

Passed

- f. Quasi Judicial Hearing - Review and approval of an application for Subdivision (Minor Replat) submitted by the applicant Carriage Pointe Investors LLC & Representative Brian Nolan of Lucido & Associates to re-plot the Carriage Pointe Subdivision located at the intersection of Ralls Road and Selvitz Road. The Property is zoned PD, Planned Development, with a Future Land Use of RL, Low Density Residential. Parcel ID: [2430-503-0139-000-4](#), et al (Complete Carriage Pointe Subdivision).

Before commencing this Quasi-Judicial Hearing, Mayor Hudson asked if anyone required Ben Bryan, Jr., Interim City Attorney, to re-read the Quasi-Judicial Hearing information again. No one requested it be re-read.

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; there was no communication between the City Commission members and the parties involved with this application.

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 applicant is requesting a Minor Replat for the Carriage Pointe Planned Development located at the intersection of Ralls Drive and Selvitz Road. The proposed effect to replat the development is to account for the relocation of drainage and utility easements that are changing to accommodate the proposed setback modifications that are being requested in the application for Major Amendment to the Planned Development Plan. The Planning Board voted unanimously to recommend approval of the request as presented. The Minor Replat meets the standards of the City's Land Development Code and Comprehensive Plan; therefore, staff recommends the City Commission approve the request as presented.

Mayor Hudson opened the public hearing.

Lee Dobbins, 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 Thomas Perona, seconded by Commissioner Jeremiah Johnson 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 18-033 - Review and approval of an application for Major Amendment to a Planned Development along with an amended and restated Development Agreement by Applicant; Carriage Pointe Investors, LLC, to allow for eight (8) modifications for the subdivision known as Carriage Point, located at the intersection of Ralls Road and Selvitz Road, Fort Pierce, FL. The property is currently zoned PD, Planned Development. 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 PLANNED DEVELOPMENT PLAN FOR PROPERTY GENERALLY LOCATED AT THE INTERSECTION OF RALLS ROAD AND SEVITZ ROAD AND KNOWN AS CARRIAGE POINTE; AMENDING AND RESTATING THE DEVELOPMENT AGREEMENT; 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 Jeremiah Johnson, 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

- h. Legislative Hearing - Ordinance 18-034 - Review and approval of an application for Major Amendment to a Planned Development by Applicant; LGI Homes, to allow for eight (8) modifications in the subdivision known as Celebration Point, located at approximately 5501 Peterson Road, Fort Pierce, FL. The property is currently zoned PD, Planned Development. 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 PLANNED DEVELOPMENT PLAN FOR LOTS 319 THROUGH 610 FOR THE SUBDIVISION KNOWN AS CELEBRATION POINTE GENERALLY LOCATED AT 5501 PETERSON ROAD; 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 Thomas Perona, seconded by Commissioner Rufus Alexander to approve item 12 h.

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

Passed

- i. Legislative Hearing - Ordinance 18-035 - Amending Chapter 5, Article II of the Code of Ordinances Entitled "Contractors" - 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 II OF THE CODE OF ORDINANCES ENTITLED "CONTRACTORS"; AMENDING SECTION 5-19, TO PROVIDE ADDITIONAL RULES FOR BOARD OF EXAMINERS OF CONTRACTORS MEMBERS; AMENDING SECTION 5-20, PROVIDING BOARD SECRETARY DUTIES; AMENDING SECTION 5-21, TO PROVIDE CONDUCT OF BOARD MEMBER REQUIREMENTS; AMENDING SECTION 5-31, PROVIDING CONTRACTOR REGISTRATION REGULATIONS; AMENDING SECTION 5-33, TO CLARIFY CREDIT REQUIREMENTS FOR CERTIFICATE OF COMPETENCY APPLICANTS; AMENDING SECTION 5-36, TO PROVIDE FOR ADDITIONAL FEES; AMENDING SECTION 5-48, TO UPDATE RECIPROCITY PROCEDURES; AMENDING SECTION 5-49, TO CLARIFY THE EFFECT OF CERTIFICATE OF COMPETENCY

ISSUANCE; AMENDING SECTION 5-51, MODIFYING CONTRACTOR DISCIPLINARY PROCEDURES; AMENDING SECTION 5-53, TO CHANGE THE VENUE OF CITATION ADMINISTRATIVE HEARINGS TO THE SPECIAL MAGISTRATE; AMENDING SECTION 5-55, TO CLARIFY EMERGENCY LICENSING PROCEDURES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Paul Thomas, Building Official, indicated the purpose of this ordinance is to bring the Building Department and the board into consistency with state regulations and facilitate a proper way of doing business, as well as make certain processes easier and with less time constraints for contractors to comply with their client contracts.

Mayor Hudson opened the Public Hearing.
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 i.

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

13. CITY COMMISSION

- a. Resolution 18-R45 appointing Mary Myers and Holly Theuns to the Arts and Culture Advisory 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 ARTS AND CULTURE ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, 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. Resolution 18-R46 concerning Amendment 1 and the impacts on the City of Fort Pierce.

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, CONCERNING AMENDMENT 1 TO THE FLORIDA CONSTITUTION, WHICH, IF ADOPTED, WOULD CREATE ADDITIONAL INEQUITIES IN FLORIDA'S TAX SYSTEM BY GRANTING CERTAIN TAX BREAKS TO SOME TAXPAYERS AT THE EXPENSE OF OTHER TAXPAYERS; PROVIDING FOR AN EFFECTIVE DATE

Mayor Hudson indicated the Florida League of Cities determined that Amendment I could cost as much as \$640 million for local governments throughout the state being that it gives a certain tax reduction to a very small number of people. In Fort Pierce, only 10% of residents would acquire this benefit and the remaining 90% would very possibly have to make up the difference. St. Lucie County is estimated to lose \$12 million, while the City of Fort Pierce will lose over \$300,000 if this amendment passes. Florida TaxWatch has also risen against this amendment. This resolution lets the public know why this amendment is not a fair one; it is a tax shift and not a tax reduction.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson 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-R47 establishing a Food for Fines Program for the City of Fort Pierce.

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 APPROVING A CITY OF FORT PIERCE PROGRAM TO BE KNOWN AS "FOOD FOR FINES"; ALLOWING FOR PAYMENT OF CERTAIN PARKING CITATIONS, OR PORTION THEREOF, TO BE PAID WITH DONATIONS OF CANNED FOOD OR NON-PERISHABLE FOOD ITEMS; AND PROVIDING FOR EFFECTIVE DATES.

Peggy Arraiz, Code Enforcement Manager, indicated this had been discussed in the last Conference Agenda and each item would be equivalent to \$2.00, thereby, 25 items would cover a \$50 citation which is the standard citation fine. They are looking to include vouchers with the fines to let those cited know this is another way to pay their fine. This will also be advertised on social media so that we get the word out there.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve item 13c.

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

- d. Resolution 18-R48 appointing Jovona Parker to the Planning Board as Commissioner Sessions' appointee.

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.

This will be appointing Jovana Parker to the Planning Board as Commissioner Sessions' appointee.

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

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

- e. Resolution 18-R49 appointing James Edwards to the Police Community Advisory Committee as Commissioner Sessions' representative.

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 POLICE COMMUNITY ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

This will be appointing James Edwards to the Police Community Advisory Committee to represent Commissioner Sessions.

An update will be provided by the City Manager's office as to when this committee will have their first meeting.

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

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

14. COMMENTS FROM THE PUBLIC

Dorothy Stonestreet
Frances Powell
Betty Bradwell
Henry Duhart
Kim Denmark
Terry Shelton
Rick Reed

15. COMMENTS FROM THE CITY MANAGER

a. City Manager's Report & Purchase Order Report

Nicholas Mimms, City Manager, indicated the City Manager's Report is complete and uploaded to our site. We had the Lincoln Park Business Expo and a lot of the businesses and community came out in support. The Engineering Department is participating in the Water Lettuce Removal Program. The Sunrise Theatre Director position will be advertised this week. At the Conference Agenda for Monday, October 8, 2018, there will be talk about the recommendations made by the Parks & Recreation Advisory Committee to the City Commission regarding the naming of our parks, facilities and buildings, as well as formalizing a procedure to do so. Additionally, a discussion will ensue regarding the Humane Society; there will be representation from the administration, as well as the board to participate in this discussion.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander began with saying he had a bitter taste in his mouth regarding the boards and the people they wanted to appoint to the board. He felt Mike Perri did an outstanding job as an FPUA Board member and he deserved a proclamation.

Commissioner Perona thanked staff for all the work they did for the Amendment 14 workshops both locally and in Port St. Lucie.

Commissioner Sessions expressed his excitement for the new Publix which will be torn down and re-developed. He said he knows there is a homelessness problem around the area and hopes this can be addressed as the site is developed.

Commissioner Johnson has been meeting with several homeowner association groups to discuss Amendment 14 and educate city residents as to what this amendment entails and how it will benefit our community. He thanked staff for all their efforts in putting these together.

Mayor Hudson indicated she'd already drafted a letter thanking Mike Perri for his service on the FPUA Board and asked the Commission for their support in providing each member that retires from any board with a letter from the entire City Commission. Linda Cox, City Clerk, indicated the letter usually goes out from the City Clerk's office now, but a letter can also come directly from the City Commission showing their appreciation.

17. ADJOURNMENT

The meeting adjourned at 8:56 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER