

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, **FEBRUARY 4, 2019.**

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

2. OPENING PRAYER - Pastor Wayne Hewlitt, Macedonia Seventh Day Adventist Church Fort Pierce

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Jeremiah Johnson; Commissioner Reginald Sessions

Absent: Commissioner Thomas Perona

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Peter Sweeney

Linda Cox, City Clerk, indicated Commissioner Perona had advised he would not be present for this meeting.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to excuse Commissioner Perona from this meeting.

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

Passed

5. APPROVAL OF MINUTES

- a. Approval of the minutes for the January 22, 2019 Regular Meeting.

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

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

Passed

6. PROCLAMATIONS

Mayor Hudson issued the Proclamations.

- a. Proclamation recognizing Arbor Day
b. 2-1-1 Awareness Week
c. Billion Steps Challenge

7. LETTERS TO COMMISSION

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

- a. Letter from Lee Spector, Criminal Justice Institute Director, Indian River State College, expressing their sincere appreciation for the participation of the following officers in their celebration of fifty years of service as a law enforcement training center: Officer Jose Maldonado, Officer Charles Montano, Officer Alexander Quiles, Detective Al Garcia, Sergeant Tyrone Campbell, Sergeant Graham Kelley and Sergeant Diego Palacio.

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

There were no public comments.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Nicholas Mimms, City Manager, indicated that late last week Commissioner Perona requested he draft a letter to St. Lucie County Board of County Commissioners in support of an enhanced County-wide Anti-Tethering movement to eradicate the cruelty to animals that are tethered. Mr. Mimms asked for this letter to be added to the City Commission section of the agenda.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve the agenda as presented with the addition of the letter of support regarding anti-tethering to St. Lucie County Board of County Commissioners as item 13 c.

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

Passed

10. MISCELLANEOUS REPORTS

- a. Update on the Energy Performance Savings Contract with ConEdison.

Michael Reals, Public Works Director, and Steven Schwerman with Con Edison Solutions presented to the City Commission. Mr. Schwerman indicated when they began looking at saving the city money, they were to find a positive return on investment for energy conservation and to do this they looked at lighting and controls, street lighting, water conservation, HVAC controls and demand, and the controlled ventilation for heating and cooling system the city has. The verified annual savings exceeded Con Edison's guarantees by \$37,327. There were significant capital renewal projects completed as well.

- b. First Quarter Financial Report

Johnna Morris, Finance Director, indicated all funds with the exception of the Golf Course and the Sunrise Theatre are on target as projected. Improvements were done at the Indian River Hills Golf Course that were not budgeted for but needed to be done. Ms. Morris explained Danny Visconti, Golf Course Director, has been doing most of the work himself so as to not incur additional costs to the city. The Sunrise Theatre has increased their fiscal net resources this year by \$583,235, however, they still need to address the 2017 fiscal year shortage that is in this fund. The City Commission inquired and discussed funds for street repairs and repaving. Mr. Mimms indicated he'd have staff report on capital funds to the City Commission so they are aware what was being done and repaired.

11. CONSENT AGENDA

There was no Consent Agenda.

12. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance 19-001 seeking a major amendment to Oak Alley Planned Development to revise the previously-approved site plan for a new building layout and add religious institution as an approved use for Discovery Church at 4403 South 25th Street. **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; MODIFYING THE OAK ALLEY PLANNED DEVELOPMENT TO REVISE THE PREVIOUSLY-APPROVED SITE PLAN FOR A NEW BUILDING LAYOUT AND ADD RELIGIOUS INSTITUTION AS AN APPROVED USE ON PROPERTY GENERALLY LOCATED AT 4403 SOUTH 25TH STREET; 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 Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve item 12 a.

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

Passed

- b. Legislative Hearing - Ordinance 19-002 Amending the Future Land Use Map of the Comprehensive Plan to change the designation of property generally located at 1237 Grose Road from St. Lucie County IND, Industrial to City of Fort Pierce I, Industrial and to change the designation of property generally located at 3340 Enterprise Road from INST, Institutional to I, Industrial. 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 TWO (2) PARCELS GENERALLY LOCATED AT OR NEAR 1237 GROSE ROAD & 3340 ENTERPRISE ROAD FROM ST. LUCIE COUNTY IND, INDUSTRIAL TO CITY OF FORT PIERCE I, INDUSTRIAL AND FROM FORT PIERCE INST, INSTITUTIONAL TO FORT PIERCE I, INDUSTRIAL; 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 Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve item 12 b.

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

Passed

- c. Legislative Hearing - Ordinance 19-003 - Review and approval of an application for Major Amendment to the Harbour Isle Planned Development to allow for the construction of an 11,050 sqft retail building with associated improvements for a parcel in Harbour Isle located at 825 Seaway Drive, 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; MODIFYING THE HARBOUR ISLE PLANNED DEVELOPMENT TO REVISE THE PREVIOUSLY-APPROVED SITE PLAN FOR A RETAIL BUILDING ON PROPERTY GENERALLY LOCATED AT 825 SEAWAY DRIVE; 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.
Annette Rudd, resident of Harbour Isle, indicated she was in opposition.
Seeing no one else, the Mayor closed the Public Hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve item 12 c.

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

Passed

13. CITY COMMISSION

- a. Resolution 19-R04 appointing members to the Keep Fort Pierce Beautiful Advisory Board following a vote by the Commission

Ms. Cox indicated there was one open position on the Keep Fort Pierce Beautiful board and four candidates had submitted applications to be considered. Ms. Cox passed the ballots for the City Commission members to vote on.

Commissioner Alexander voted for Jane Zezeck.
Commissioner Johnson voted for Jane Zezeck.
Commissioner Sessions voted for Jane Zezeck.
Mayor Hudson voted for Jane Zezeck.

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 OR REAPPOINTMENT OF MEMBERS TO THE KEEP FORT PIERCE BEAUTIFUL ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Cox indicated along with Ms. Zezeck's appointment, Shyanne Helms, Communications Manager, is being reappointed as the city's representative by this resolution.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve item 13 a appointing Jane Zezeck to the Keep Fort Pierce Beautiful Board and reappointing Shyanne Helms as the city's representative.

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

Passed

- b. Resolution 19-R05 authorizing the creation and recordation of a 50' wide Avenue B Right-of-Way located between North 2nd Street and Indian River Drive.

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, AUTHORIZING AND DIRECTING THE MAYOR-COMMISSIONER AND CITY CLERK OF THE CITY OF FORT PIERCE TO APPROVE THE CREATION AND RECORDATION OF A 50' PUBLIC ROAD RIGHT-OF-WAY EXTENDING FROM NORTH 2ND STREET TO INDIAN RIVER DRIVE, COMMONLY KNOWN AS AVENUE B, AND DIRECTING THE CLERK TO FILE A RIGHT-OF-WAY MAP IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ST. LUCIE COUNTY, FLORIDA.

Jack Andrews, City Engineer, reminded the City Commission a while ago a citizen came and asked about private access from Avenue B to the lots that face Marina Way. Avenue B was never officially a public right-of-way since it was constructed on property that FPUA owned at one time and then reverted back to the city. This resolution establishes that road is now a public right-of-way that gives access to the north and south of that road. The City Commission deliberated on whether they should keep or change the street name in the future.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Reginald Sessions to approve item 13 b.

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

Passed

- c. ADD ON ITEM: Approval of Letter of Support to St. Lucie County encouraging them to adopt a tethering ordinance.

Nicholas Mimms, City Manager, indicated since many residents do not know if their home falls within the county or city's jurisdiction, it was a good idea to collaborate in this effort so there is no questioning the boundaries and we can mutually help each other with this anti-tethering movement.

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 Reginald Sessions

Passed

14. COMMENTS FROM THE PUBLIC

Susan Parry
Klip Kluppelberg
Ron Hobbard
Lisa Potter
Don Perry
Kathy Norton
Lesafa Murphy

15. COMMENTS FROM THE CITY MANAGER

a. City Manager's Report and Purchase Order Report

Nicholas Mimms, City Manager, was enthusiastic as he spoke about how Downtown Fort Pierce was vibrant and full of people last Friday with Sinbad performing at the Sunrise Theatre. Saturday there was also a group called iLuminate that brought so many people to our city that there were lines to get into various restaurants in town. We are definitely seeing our downtown thrive and it has become an attraction for many. On Monday, February 11 during the Conference Agenda, the City Commission will have an opportunity to discuss the utilization of Old City Hall since its last tenant moved out. There will be a review of Code Enforcement practices. Additionally, the Historic Preservation Board, Board of Adjustments and the Construction Board of Adjustments and Appeals will be reviewed. The decisions of these boards are final and can be appealed at the local appellate court. Thus, the City Commission will have the opportunity to discuss if they'd prefer to reconstitute these as advisory boards instead allowing the City Commission to have the final say. The Parks Advisory Committee completed their research and our Public Works Department are ready to discuss Special Use Permits. St. Lucie County notified us that they have been contacted by Florida Wildlife Committee (FWC) about the utilization of the manatee boat ramp that leads into Moore's Creek. Due to reduced presence of manatees in Moore's Creek there has been a request by FWC to reopen the boat ramp throughout the year. On that same date and time, Congressman Mast will be holding a discussion on the Lake Okeechobee Regulation Schedule (LORS) taking place in Stuart. Nicole Fogarty, our Legislative Affairs Director, will be attending on our behalf due to our schedule conflicting and she will make us privy to what was discussed. There will also be an FPRA meeting immediately after the Conference Agenda and the King Plant development will be discussed.

Peter Sweeney, City Attorney, reminded the City Commission that the Shade Meeting relating to the Hollander v. City of Fort Pierce case would also be held on the same date at 1:30 p.m.

16. COMMENTS FROM THE COMMISSION

Commissioner Alexander expressed his concerns regarding the jet skis and the safety of the community. The Commission discussed the jurisdiction, signage, and possibly banning these. They concluded the Parks Committee should review this and the uses of Jaycee Park.

Commissioner Sessions had no comments tonight.

Commissioner Johnson felt the Manatee Observation and Education Center should get involved with the FWC's request to open the boat ramp year round. He wasn't sure if the Manatee Observation and Education Center would agree with there being fewer manatees now than before meriting the opening of the boat ramp year round. He preferred they be involved before a decision was made. If they do decide to open the boat ramp year round, they would need to look at different uses for that area. Regarding Old City Hall use, Commissioner Johnson would like the square footage of the area. He understands there were no bids submitted with the first RFP advertised. As for the Humane Society, he felt it was time to get on board with the County or at least have a plan in place since it was easy to see this is a recurring problem. Commissioner Alexander agreed. He would like the administration to speak to each City Commission member individually to let them know what is happening and get an update. Mr. Mimms indicated he has a meeting scheduled at the end of February to get an update already.

Mayor Hudson indicated the Lord Mayor of Cork City in Ireland will be visiting the City of Fort Pierce March 10-12, 2019 and will be accompanied by his CEO. They will be in the United States for St. Patrick's Day. As a result, the Irish-American Organization called Fort to Fort are putting together this trip. They believe this area is very much like Cork, Ireland. She requested the City Commission's participation in coming to any events they can attend while the Lord Mayor is here. There will be an Irish sporting event called Hurling on Sunday afternoon. They will be meeting with the Economic Development Council of St. Lucie County (EDC) and Tourist Development Council (TDC) as well. She indicated she'd keep the

Commission privy to the events scheduled so that they may attend.

17. ADJOURNMENT

The meeting adjourned at 8:37 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER