

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, **DECEMBER 16, 2019.**

1. CALL TO ORDER

Mayor Linda Hudson called the December 16, 2019 regular meeting of the City Commission to order at 6:30 PM.

2. OPENING PRAYER - Father Bernard Sheffield, St. Julian of Norwich Old Catholic 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 Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Peter Sweeney

5. APPROVAL OF MINUTES

- a. Approval of Minutes from December 02, 2019 Regular Meeting.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve the Minutes from the December 02, 2019 regular meeting.

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

6. PROCLAMATIONS

- a. Presentation of Years of Service Award plaque to Commissioner Reginald B. Sessions for 20 years of service by Mark Sittig, Manager of Membership Resources, Florida League of Cities.
- b. Zeta Phi Beta Proclamation being received by LaShonda H. Henderson
- c. Local Foods Local Places Proclamation being received by Caleta Scott, Steering Committee Leader.

7. LETTERS TO COMMISSION

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

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

There were no comments from the public.

9. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve and set the agenda.

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

10. MISCELLANEOUS REPORTS

a. Presentation of the Scooter Share Program by Zagster

Ms. Christy Jensen, a representative of Zagster, gave an update on the Scooter Share Program. In Fort Pierce, there are currently 250 e-scooters and 50 bicycles as part of the Zagster Bike-Share that is contracted with St. Lucie County. The goal is to provide a complete micro-mobility network. In a recent survey that had over 250 responses, 55% of the people polled work in the City of Fort Pierce and 33% of users are replacing automobile trips in Fort Pierce. Since the launch in September, there have been 29,101 e-scooter rides by 14,400 users. The average age range is 19-29 years old. The average ride time is 30 minutes. Feedback from the community shows people want more scooters and a wider ride zone. The ride zones are designated with advice from Staff on locations. They would like to expand the ride zones north, west and south of the current zone. Areas that may be problematic or unsafe for riders will be blocked off. Zagster plans to add up to 200 more upgraded scooters which are more durable. Zagster would like to have the contract with the County assigned to the City as a no-cost contract.

11. CONSENT AGENDA

- a. Approval of Swagit originally approved under Bid No. 2017-002 for streaming services in the amount of \$68,328.00.
- b. Approval and acceptance of the 2019 Keep Fort Pierce Beautiful Program Litter Control and Prevention Grant Agreement in the amount of \$16,000.00.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve items 11a and 11b.

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

12. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance 19-072 - Text amendment to Chapter 21, Designating a No Wake Zone at Jaycee Park. SECOND READING

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

ORDINANCE NO. 19-072
AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 21, ARTICLE V OF THE CODE OF ORDINANCES ENTITLED "NO WAKE AND MINIMUM WAKE ZONES"; AMENDING SECTION 21-79 – AREAS DEFINED, TO MODIFY LANGUAGE TO ALLOW FOR IDLE SPEED NO WAKE ZONE WITHIN 500' OF THE JAYCEE PARK BOAT RAMPS AS PROVIDED BY THIS CHAPTER OR ADMINISTRATIVE RULE. PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

Staff was available to answer questions.

Mayor Hudson opened the Public Hearing.

- Jose A. Ruiz – Opposed to Ordinance 19-072.
- Bruce Murray – Supports Ordinance 19-072.
- Michelle Longarzo – Opposed to Ordinance 19-072.
- Christy Jensen – No bicycle or scooter injuries have been reported.
- Tommy Nieman – Opposed to Ordinance 19-072.
- Britt Reynolds – Opposed to Ordinance 19-072.
- Nick Danaluk – Opposed to Ordinance 19-072.

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

The Commission discussed the proposed Ordinance at length expressing concerns about the need to pass the ordinance at all, the size of the existing swim area, enforcement, and if the 500 feet was needed to be that large.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance No. 19-072.

AYE: Mayor Linda Hudson, Commissioner Thomas Perona, Commissioner Reginald Sessions

NAY: Commissioner Rufus Alexander, Commissioner Jeremiah Johnson

Passed

- b. Legislative Hearing - Ordinance 19-073: Transmittal Hearing for an application submitted by the property owner Cone & Graham, Inc, and Applicant/representative Brian Nolan, AICP, ASLA of Lucido & Associates, for a Future Land Use Map Amendment for twelve (12) parcels of land, 10.31 acres in total, to change the Future Land Use designation for parcel IDs 2417-342-0006-000-9, 2417-343-0001-100-8, 2417-343-0001-000-7, 2417-343-0001-150-3, 2417-343-0003-000-1, 2417-343-0002-000-4, 2417-343-0004-000-8, 2417-342-0007-000-6, 2417-343-0003-010-4, 2417-342-0008-000-3, 2417-342-0008-010-6, 2417-343-0006-000-2, from General Commercial (GC) to Medium Density Residential (RM). FIRST READING

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

ORDINANCE NO. 19-073

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 TWELVE (12) PARCELS GENERALLY LOCATED AT OR NEAR 1919 SOUTH 35TH STREET FROM CITY OF FORT PIERCE GENERAL COMMERCIAL (GC) TO CITY OF FORT PIERCE MEDIUM DENSITY RESIDENTIAL (RM); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Brandon Creagan, Planner, provided an overview of the proposed ordinance. Mr. Creagan presented an aerial map of the location for the proposed future land use change which will allow for a proposed development of a multi-family apartment complex. This proposal is consistent with Section 22-131 of the City Code and the Comprehensive Plan; and, it does not adversely affect the health safety, convenience and general welfare of the public. Staff recommends approval.

Mayor Hudson opened the Public Hearing.

Attorney Lee Dobbins, of the Dean Mead Law Firm, representing the applicant was present and available to answer any questions.

There were no questions for Staff or the Applicant.

Seeing no one else, Mayor Hudson closed the Public Hearing

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve Ordinance No. 19-073.

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

Passed

13. CITY COMMISSION

- a. Resolution 19-R49 Appointing members to the Historic Preservation Board

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

RESOLUTION NO. 19-R49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OR REAPPOINTMENT OF MEMBERS TO THE HISTORIC PRESERVATION BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Linda Cox, City Clerk distributed weighted ballots to the Commission. After the tally of votes, with all votes being cast for Ms. Holly Theuns and Mr. Charlie Hayek, they were re-appointed to the Historic Preservation Board.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Resolution No. 19-R49.

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

Passed

- b. Resolution 19-R50 Removing existing members pursuant to Ordinance 19-044 and appointing new members to the Board of Adjustment.

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

RESOLUTION NO. 19-R50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, REMOVING EXISTING BOARD MEMBERS AND CERTIFYING THE APPOINTMENT OF MEMBERS TO THE BOARD OF ADJUSTMENT, PROVIDING FOR AN EFFECTIVE DATE.

Appointment by Commission Members to the Board of Adjustment are as follows:

Commissioner Perona – Appoints Bill Nunn
Commissioner Johnson – Appoints James Crist
Commissioner Alexander – Appoints Stanley Hula

Commissioner Sessions and Mayor Hudson will seek candidates for appointment.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution No. 19-R50 and appoint Mr. Bill Nunn, Mr. James Crist and Mr. Stanley Hula to the Board of Adjustments.

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

Passed

- c. Submittal of applications for appointment to the Parking Committee.

The applications for appointment to the Parking Committee will come back to the City Commission in the form of a resolution at the January 06, 2020 regular meeting.

14. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

Tiffany Ofeimu
Michelle Longarzo

15. COMMENTS FROM THE CITY MANAGER

City Manager Nick Mimms would like to acknowledge and thank the Commission for working so well on the many accomplishments of the City of Fort Pierce in 2019 and in the past decade. Mr. Mimms looks forward to continued progress and success for the City of Fort Pierce in 2020.

City Attorney Peter Sweeney agreed with Mr. Mimms' sentiments.

16. COMMENTS FROM THE COMMISSION

Commissioner Perona is concerned that the City of Fort Pierce's own policy and code may prevent someone's progress in developing a business that was previously approved with Conditional Use by the Commission. Commissioner would like to know what is preventing the forward momentum of an item that was approved by the City Commission. It is his understanding that a State of Florida regulation has to be accomplished before the plan can become a reality. Mr. Mimms clarified that Ms. Longarzo applied for a conditional use of her property for a vacation rental for less than 30 days. The Building Official and the City Clerk must follow State of Florida rules, regulations and statutes. All rules, regulations and guidelines are available online at the City's website. Specifically, Ms. Longarzo has a differing opinion of the Building Official decision. There is a specific process to properly

appeal the decision of the Building Official which is through the Florida Building Commission. Mr. Mimms's stated that the City of Fort Pierce welcomes development and no new rules or regulations have prevented this process. Commissioner Perona would like to know more about the process that is unfolding. Ms. Longarzo is the first applicant, and there are applications being presented behind her. Perhaps the Building Official can come before the Commission to clarify the process so that each Commissioner has a better understanding. Mr. Mimms suggested that the City Commission review the process at a future Conference Agenda meeting. Commissioner Perona would like to have a review of the State Laws, City Ordinance, Building Codes, and applicable regulations as it pertains to Vacation Rentals. Commissioner Johnson reminded the Commission that policy makers cannot regulate the Building Official who carries a license independent to the City of Fort Pierce's City Commission, which authorizes and requires him to administer the State of Florida Building Code.

Commissioner Perona would like to share that the City of Fort Pierce is the place where serious athletes come. This past weekend was the Skeeter Skoot which is a 50k and 100k race in Bear Point. The Game On Treasure Coast Triathlon with over 300 participants also came through Fort Pierce. TDC and the TC Sports Commission did a fantastic job this weekend.

Commissioner Sessions would like to acknowledge and commend the great strides which have been made in our City this past year. Commissioner Sessions would like to see more done to protect and prevent our young citizens from crime and harm. Prevention must be a priority. He is concerned that youth are in possession of firearms which they should never have access to. There needs to be a zero tolerance for this behavior. These crimes can be prevented if you see something say something.

Commissioner Alexander would like to always be able to speak to citizens when they are at the podium. Commissioner Alexander would like to wish everyone a Merry Christmas.

Commissioner Johnson would like to thank the City of Fort Pierce employees for all their efforts to make the recent holiday celebrations a success. Commissioner Johnson would like to share that the Sunrise Theatre has a great line-up for 2020. Happy Holidays and Merry Christmas to all.

Mayor Hudson shared that there is a new Cyber Security Bill being proposed in Tallahassee and supported by the Florida League of Cities. There is also a Bill being proposed to ban all smoking in all public parks also supported by the Florida League of Cities. Mayor Hudson would like to remind everyone that Sounds of the Season is being presented at the Sunrise Theater this Friday evening. This is a free event but you must obtain a ticket in advance to attend. Coffee with Mayor is this Friday, December 20, 2019 and is sponsored by Centerstate Bank and Fort Pierce Jazz and Blues Society. Mayor Hudson wishes everyone a Merry Christmas and Happy, Safe New Years.

17. ADJOURNMENT

Immediately following adjournment, please move toward the doors and exit the chambers.

This allows for the safe and courteous exit of all persons, and those on the dais. Conversations after the meeting should be held outside of chambers, in the foyer or elsewhere, but not in the commission chambers where lights will be out as soon as the chambers are empty.

Mayor Linda Hudson adjourned the meeting at 9:10 PM

ATTEST:

CITY CLERK

MAYOR COMMISSIONER