

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 03, 2020.**

**1. CALL TO ORDER**

Mayor Hudson called the February 03, 2020 Regular Meeting of the City Commission to order at 6:30 PM.

**2. OPENING PRAYER - Pastor Obed Rivera, Iglesia de Dios Pentecostal**

**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 the January 21, 2020 regular meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from the January 21, 2020 Regular Meeting.

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

**6. PROCLAMATIONS**

- a. Arbor Day Proclamation being received by Mike Reals, Paul Bertram, and the Keep Fort Pierce Beautiful Board.
- b. 2-1-1 Awareness Week proclamation being received by Colleen Philips of 211 Treasure Coast.

**7. LETTERS TO COMMISSION**

- a. Email from Charlene Adair thanking Paul Thomas, Building Official, for his dedication to fulfilling his role while acknowledging his responsibility to the City and citizens of Fort Pierce.
- b. Letter from Jaris Miranda thanking the Fort Pierce Police Department for their benevolent response to their nephew's stolen Christmas gift, and for working hard every day to keep his neighborhood safe.

**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.

No comments.

**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

No Miscellaneous Reports.

## 11. CONSENT AGENDA

- a. Approval of RFP No. 2018-004 Change Order No. 3 to Gator Dredging for the Intra-Coastal Water Way dredging in the amount of \$523,900.00.
- b. Approve grant award for Fenee Russ, owner of 1004 Avenue D, in the amount of \$5000.00, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program.
- c. Approve grant award for Tiffany Treston, owner of BGM Beauty Supply LLC, in the amount of \$10,000.00, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program.
- d. Approve grant award for Tiffany Treston, owner of A&K Grocery LLC, in the amount of \$9,992.06, as an eligible recipient under the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program.
- e. Approval of First Amendment to Developer's Agreement for Development of King's Landing between FPRA, City of Fort Pierce and Audubon.

Commissioner Perona pulled Items 11b, 11c, and 11d for discussion.

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

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

Passed

As to Items 11b, 11c, and 11d, Commissioner Perona acknowledged that this is a wonderful program. Ms. Caleta Scott, Grant Administration Manager provided an overview of how the Way to Grow Lincoln Park Historic Avenue D Business District Small Business Startup/Relocation Grant Program is administered. The application process requires a meeting with the Lincoln Park Revitalization Coordinator to confirm the applicant's business is in line with the community's vision and is the type of business that will thrive in this neighborhood. These applicants are long time business owners and young new business owners. The Commission inquired as to why there are not more applications being received. Ms. Scott explained that there are many variables that go into opening a new community business. There are some applications that have fallen through because of rent constraints or other factors. Commissioner Alexander would like to recognize Allegany Franciscan Ministries as our partner and supporter of this grant program.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve Items 11b, 11c, and 11d.

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

Passed

## 12. PUBLIC HEARINGS

- a. Resolution No. 20-R09 and Quasi-Judicial Hearing – A hearing to allow the owners and/or parties of interest in the property identified as 913 Avenue B to show cause why the structure located on the premises should not be condemned and demolished.

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

RESOLUTION NO. 20-R09

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 913 AVENUE B IN FORT PIERCE, FLORIDA 34950 IS UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT SAID BUILDING OR STRUCTURE SHALL BE CONDEMNED AND DEMOLISHED; DECLARING THE PARTIES OF INTEREST WERE PROVIDED THE OPPORTUNITY TO BE HEARD AND ARE RESPONSIBLE FOR THE REMOVAL OF THE BUILDING OR STRUCTURE; AND ORDERING THE CITY OF FORT PIERCE TO PROCEED WITH SUCH REMOVAL AND PLACE A LIEN UPON THE PROPERTY IDENTIFIED IF COMPLETED BY THE CITY OF FORT PIERCE; PROVIDING FOR APPEAL; PROVIDING FOR NOTICE TO ALL PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Linda Hudson asked all present to listen carefully to what City Attorney, Peter Sweeney, would read regarding Quasi-Judicial Hearings as they apply to all subsequent Quasi-Judicial Hearings tonight.

Before commencing this Quasi-Judicial Hearing, Peter Sweeney, City Attorney, reminded the City Commission that they serve in both a legislative and quasi-judicial role. When acting as a legislative body, the commission engages in law-making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the commission applies those laws and policies and is held to stricter procedural requirements.

Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than the normal commission meeting. Quasi-judicial proceedings must follow basic standards of notice and due process; and, decisions must be made based on competent substantial evidence.

Therefore, Commissioners have a duty to conduct the quasi-judicial proceedings more like judges than legislators. That is why the commission has established the uniform procedures for quasi-judicial hearings that will be followed this evening.

Mayor Linda 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 and asked City Clerk to call the roll:

Commissioner Alexander - yes.  
Commissioner Johnson - none.  
Commissioner Perona - none.  
Commissioner Sessions - none.  
Mayor Hudson – none.

Mayor Linda Hudson opened the public hearing.

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.

Staff Presentation: Ms. Peggy Arriaz, Code Compliance Manager was present. Ms. Arriaz has a presentation ready; however, due to a development on Friday afternoon, she is requesting this hearing be postponed for sixty (60) days. Ms. Arriaz spoke to the demolition contractor who has been contracted by the property owner for the demolition and removal of the building. This time extension will allow time for the permit application process and any pre-demolition remediation that may be required by law.

Property Owner, Mr. R. Duke Nelson, was present and confirmed to the City Commission that he has entered into a contract with L.E.B. Demolition & Consulting Contractors, Inc. to demolish the structure he owns at 913 Avenue B. In the future, Mr. Nelson plans to develop the land in an effort to make Fort Pierce a better place to live. Mr. Nelson is requesting the extension on this hearing to allow him time to have the demolition completed.

Public comment: None

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to postpone this hearing at the recommendation of Staff.

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

It was later clarified that there would be an update on the Resolution at the April 06, 2020 City Commission Regular Meeting.

- b. Legislative Hearing - Ordinance No. 20-001 amending Chapter 2 - Administration, Article XIII - Municipal Code Enforcement. SECOND READING

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

ORDINANCE NO. 20-001

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE XIII – MUNICIPAL CODE ENFORCEMENT; AMENDING SECTION 2-244 – ENFORCEMENT PROCEDURE TO REFERENCE STATE STATUTE 162; DELETING SECTION 2-247 – ADMINISTRATIVE FINES; LIENS; DELETING SECTION 2-248 – DURATION OF LIEN; DELETING SECTION 2-249 – APPEALS; DELETING SECTION 2-250 – NOTICES; RE-NUMBERING SECTION 2-251 PROVISIONS OF ARTICLE SUPPLEMENTAL; AMENDING CHAPTER 2, ARTICLE XIII.5 – SUPPLEMENTAL MUNICIPAL CODE ENFORCEMENT PROCEDURES; AMENDING SECTION 2-260 (B) CLASSES OF VIOLATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the Public Hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Jeremiah Johnson to approve Item 12b, Ordinance 20-001.

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

- c. Legislative Hearing - Ordinance No. 20-002 amending Chapter 12 Parks, Recreation and Special Events, Article I - General, Section 12-101 Enforcement and Penalties. SECOND READING

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

ORDINANCE NO. 20-002

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 12 PARKS, RECREATION AND SPECIAL EVENTS, ARTICLE I - GENERAL, SECTION 12-101 ENFORCEMENT AND PENALTIES BY AMENDING THE TITLE AND THE ENFORCEMENT AUTHORITY, PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

RESOLUTION NO. 20-R08

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Item 12c, Ordinance 20-002.

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

**13. CITY COMMISSION**

- a. Resolution 20-R08 appointing Derrick Gibbons to the Police Community Advisory Committee as Commissioner Perona's appointee.

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

RESOLUTION NO. 20-R08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF DERRICK GIBBONS TO THE POLICE COMMUNITY ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 20-R08 and appoint Derrick Gibbons to the Police Community Advisory Committee as Commissioner Perona's appointee.

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

- b. Submittal of applications for Fort Pierce Youth Council

Mr. Mimms, City Manager, informed the City Commission that no new applications have been received since the last City Commission meeting. The City Commission discussed whether to keep searching for candidates who reside within the city limits only, or to expand the search to include candidates that either live within the city limits or attend a secondary school in Fort Pierce and may live outside the city limits. This would also include students that attend Fort Pierce Westwood High School. The Fort Pierce Youth Council, when in place will consist of five (5) council members and two (2) alternates who are in grades nine (9) through twelve (12). Search for candidates will continue. A new Resolution will be presented along with appointments at the next City Commission 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.

Mario Wilcox  
Alvin Turner  
Rick Reed

**15. COMMENTS FROM THE CITY MANAGER**

City Manager, Nick Mimms commented that the 5<sup>th</sup> Annual City of Fort Pierce Job Fair had 92 employers, 30 community partners and 643 job seekers. The City of Fort Pierce is committed to economic development and this event is the largest job fair on the Treasure Coast.

Mr. Mimms commented that the next Conference Agenda will be held on February 10, 2020. Items to be included on the agenda are: Jaycee Park no-wake zone; feedback from the Engineering and Police Departments regarding speed issues on Indian River Drive; a new Delaware Avenue cross section; Indian Hills Golf Course financial sustainability plan; license agreements for non-motorized watercraft and bicycle rentals which are coming to an end; Northwest Pioneer's Park; potential fitness station at the intersection of Indian River Drive and Seaway Drive; and, a Sunrise Theatre update. On February 15, 2020 will be the Moore's Creek Quarterly Cleanup; and also the 5<sup>th</sup> Annual Highwayman Art Show and Festival.

City Attorney Peter Sweeney had no updates.

- a. Reports

**16. COMMENTS FROM THE COMMISSION**

Commissioner Perona commented on the wonderful Strategic Planning Event. It is exciting to see that the bar set is moving in the right direction.

Commissioner Sessions commented on how beneficial the Strategic Planning Event was. It is great to see the previous planning session items coming to fruition. Commissioner Sessions was pleased with Staff and Department Heads' contributions and input on the plan. Commissioner Sessions also commented on the improvement of the county unemployment rate. There are plenty of available jobs out there and everyone should be working. The 5th Annual City of Fort Pierce Job Fair was a great event.

Commissioner Alexander commented that the Strategic Planning Event was fruitful. Commissioner Alexander expressed that the entire city needs to be included when discussing improvements. Commissioner Alexander is disappointed that the Lincoln Park Theatre has not been included, and they should be provided with similar financial assistance just like the Sunrise Theatre or golf course. Mr. Mimms commented that the Lincoln Park Theatre has been invited to attend the April FPRA meeting. Commissioner Alexander also requested the Police Community Advisory Committee come before the City Commission to give a status report along with an attendance report.

Commissioner Johnson commented that on February 13, 2020, there will be a South Beach Association meeting. Kim Delaney from the Treasure Coast Regional Planning Council will be the guest speaker. Commissioner Johnson has some upcoming meeting conflicts: February 05, 2020, for the Treasure Coast Council of Local Governments which Mayor Hudson will attend as the alternate; and, February 05, 2020, the Transportation Planning Organization meeting which Commission Sessions will attend as the alternate.

Mayor Hudson spoke with a representative from the VA Medical Center at the 5<sup>th</sup> Annual City of Fort Pierce Job Fair. They are always successful at our event in assisting our local Veterans and helping with job placement. Mayor Hudson is excited about the upcoming Highwayman Festival and the Moore's Creek Cleanup. Mayor Hudson would like to acknowledge the SWORD and the Marine Cleanup Initiative for all they do in our community.

**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 **7:44 PM**

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER