

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, **MARCH 16, 2020.**

**1. CALL TO ORDER**

**2. OPENING PRAYER** - Reverend Killick Saintil, Cornerstone Church of Fort Pierce

**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 March 02, 2020 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from the March 02, 2020 Regular Meeting.

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

**6. PROCLAMATIONS**

- a. Vietnam Veterans Day proclamation being received by Linda Ford Gallup, Regent of CSHCNSDAR, Linda Bartz and Vietnam Veterans.
- b. Eta Kappa Lambda Chapter of Alpha Phi Alpha Fraternity proclamation being received by Kevin G. Perry, Ph.D.

**7. LETTERS TO COMMISSION**

- a. Letter from Danielle Terrell, Executive Director, Commission for Florida Law Enforcement Accreditation, Inc. notifying Chief Hogley-Burney of the official reaccredited status of the Fort Pierce Police Department.
- b. Letter from Doretha Hair Truesdell, President, Original Florida Hall of Fame Highwaymen, Inc. expressing their appreciation for the organization of the Florida Highwaymen Festival at Moore's Creek Park by Caleta Scott, Grants Administration Manager and the staff of the City.
- c. Email from Cathy Cain commending the staff at Indian Hills Golf Course for their professional knowledge to oversee course maintenance, customer service, pro shop amenities and individual and group instruction and for Indian Hills becoming a fantastic golf course.

**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.

None.

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

Items pulled from Agenda:

Item 10a has been pulled at the request of the presenter and will be re-scheduled.

Item 11b has been pulled by the City Manager.

Items added to Agenda:

Item 10b has been added to the Agenda – Novel Coronavirus (COVID-19) Update.

Item 10c has been added to the Agenda – Observation Deck/Fishing Update.

Item 10d has been added to the Agenda – Animal Shelter Status.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve and set the Agenda as amended.

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

Passed

**10. MISCELLANEOUS REPORTS**

- a. (PULLED - This item will be rescheduled for a future date) Presentation of Solar and Energy Loan Fund (SELF) updated overview by Doug Coward, Executive Director and Duanne Andrade, Chief Strategic and Financial Officer.

- b. ADDED: Coronavirus Update

Sheritta Johnson, Risk Manager reported that as of today, there are no positive test results for the Novel Coronavirus (COVID-19) in St. Lucie County. The City of Fort Pierce is closely monitoring the status of the virus. We are committed to protecting our citizens and employees. The City of Fort Pierce staff has taken pro-active measures such as increased cleaning of common areas and restrooms in City Hall. Testing of Florida residents is ongoing. The elections will proceed as scheduled. The St. Lucie County School Board will provide school-aged children drive-through meals. The Boys & Girls Club is also providing resources for the children in our community. Many events in the community have cancelled. The City of Fort Pierce will continue to monitor recommendations issued by our local partners, the State of Florida, CDC and the Federal Government.

Mr. Mimms added that a joint press conference will be held by St. Lucie County at the St. Lucie County Commission Chambers. St. Lucie County is preparing its Declaration of Emergency and the City of Fort Pierce is also considering a declaration as well. All city employee business-related travel has been suspended. All previously approved city employee travel has been suspended and no new applications for travel will be approved at this time. The Fort Pierce Police Department will be on the front line and every Police Department employee is an essential employee as we move forward with this emergency response. For Purchasing and Finance, all bids have been suspended until further notice including Fisherman's Wharf and The Oaks at Moore's Creek. The City Marina is working with local restaurants with provisions they have in place from the CDC including Cobb's Landing and Little Jim's. There has been consideration given to limiting public access to City Hall. Essential services will continue. Garbage will be picked up as scheduled. The Police Department will enforce the law. We will continue to provide the best possible service we can to the citizens of the City of Fort Pierce. Updates will be given every day. The most current information will be provided on the City's website. A minimum of one update per day will be provided by press-release, website, radio, tv or social media.

- c. ADDED: Observation Deck/Fishing Update

Jack Andrews, City Engineer provided an update on the observation deck at the South Bridge. The observation decks are open with reports of people fishing from the new decks. Jim Oppenborn, Marine Resource Coordinator for St. Lucie County is working to get the facility permitted for fishing. The National Marine Fisheries Service has concerns with continued maintenance, clean up of discarded fish, discarded fishing debris and lines. The City and County are working with local bait stores and dive shops who are organizing volunteer clean-ups. This information will be put forth in a permit package which will be sent to the National Marine Fisheries Service. Mr. Oppenborn has requested a letter of support from the Florida Fish and Wildlife. One of the conditions the National Marine Fisheries Service is looking at is prohibiting putting lights on the deck. They are concerned with lights attracting too many fish. It was never the intention of the City of Fort Pierce to restrict fishing from the observation deck. We will pursue all avenues to restore fishing legally.

- d. ADDED: Animal Shelter Status

Peggy Arriaz, Code Compliance Manager provided an update regarding the interlocal agreement negotiation with St. Lucie County for the Savannah Road Animal Shelter and status of the temporary animal shelter. Staff met two weeks ago with the County regarding the interlocal agreement negotiations. The negotiations are down to two remaining items which should be settled soon. The finalized agreement terms will be brought before the City Commission for approval. City Attorney, Peter Sweeney explained that this interlocal agreement was drafted in a short period of time from scratch. Careful consideration needed to be given to all terms and conditions drafted as this is a document whose terms will last for twenty years. What will be presented will be in its best final form for approval by the City Commission. Once the agreement is finalized, the County has offered a wide array of resources to assist in the rehabilitation of the facility and structure.

## 11. CONSENT AGENDA

- a. Approval of Change Order No. 9 with CW Roberts Contracting for the final closeout of contract for Avenue A and Avenue B Reconstruction in the total amount of \$14,005.33.
- b. PULLED - Review and approval of an Interlocal Agreement with St. Lucie County for the rehabilitation and operation of the Animal Shelter located on Savannah Road. (attachment to be added soon)

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

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

Passed

## 12. PUBLIC HEARINGS

- a. Quasi-Judicial Hearing - Review and Approval of an application for Site Plan and Design Review submitted by property owner, Prickett Partners, LLLP & applicant/representative Sara Battles of Kimley-Horn & Associates, Inc to construct a 10,750 square foot, Commercial Building at 5000 Okeechobee Road, Fort Pierce, FL. The property is zoned General Commercial (C-3). Parcel ID: 2419-602-0001-000-7.

City Clerk Linda Cox introduced the application for Site Plan and Design Review into the record.

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 - none.  
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:

Vennis Gilmore, Planning Analyst, provided an overview of the proposed application to construct a 10,750 square foot, Commercial Building at 5000 Okeechobee Road, Fort Pierce, FL. Mr. Gilmore provided maps showing the location. The subject property is currently zoned General Commercial (C-3). The current Future Land Use is General Commercial (GC). The current building is occupied by Cowboy's Restaurant which is 6,332 square feet with 85 parking spaces, four (4) being ADA compliant. The proposed building would be 10,750 square feet and have 88 parking spaces, four (4) being ADA compliant. The proposed site improvements include the removal of the existing building, existing asphalt, and the construction of the new 10,750 sq. ft. commercial plaza with modifications to parking, lighting, water, and sewer to serve the new building. In compliance with City Code Section 22-187 General Landscaping Requirements; landscaping improvements are included in the applicant's site plan. Staff recommends approval subject to three conditions:

1. A completion certification by a landscape architect and landscape bond pursuant to City Code 22-180 shall be required before the final Certificate of Occupancy is approved for the site.
2. Prior to the issuance of any site clearing permits, the applicant shall coordinate with the City of Ft. Pierce for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity.
3. Provide a separate gated entrance to the refuse collection area for employee access.

Commission questions for Staff:

Mr. Gilmore stated that the applicant is aware of the mitigation of landscaping if impact is created. Staff is unaware of any opposition by the applicant for the proposed conditions. Regarding the second condition as to mitigation, rather than calculating at the end of the process, it will now be done at the beginning so the costs are clear to everyone. For this project, a total of sixty (60) trees and two hundred forty-five (245) shrubs will be planted.

Applicant questions for Staff:

None.

Commissioners have no further questions, Staff was excused.

Applicant presentation:

Mr. Albert Fasano, Applicant, sworn, was present and available to answer any questions. Mr. Fasano has no objection to the conditions presented by Mr. Gilmore.

Public comment: None

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Thomas Perona to approve item 12a. with the following three conditions:

1. A completion certification by a landscape architect and landscape bond pursuant to City Code 22-180 shall be required before the Final Certificate of Occupancy is approved for the site.
2. Prior to the issuance of any site clearing permits, the applicant shall coordinate with the City of Ft. Pierce for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity.
3. Provide a separate gated entrance to the refuse collection area for employee access.

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

Passed

- b. Quasi-Judicial Hearing - Review and Approval of an application for Conditional Use with No New Construction submitted by property owners, Vincent & Vanessa Reyda and applicant, Arlene Bauer to establish a Dwelling Rental offering lodging for less than six (6) months; with a minimum of thirty-one (31) days at 3034 Windward Drive, Unit 1305, Fort Pierce, FL. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A). Parcel ID: 2507-888-0017-000-2.

City Clerk Linda Cox introduced an Application for Conditional Use with No New Construction into the record.

Mayor Hudson called the public hearing to order and reminded the Commission and Public that this proceeding is a Quasi-Judicial Hearing and that City Attorney Peter Sweeney has read the legal requirements into the record.

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 - none.  
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:

Vennis Gilmore, Planning Analyst, provided an overview of the proposed application for Conditional Use with No New Construction to establish a Dwelling Rental offering lodging for less than six (6) months; with a minimum thirty-one (31) days at 3034 Windward Drive, Unit 1305, Fort Pierce, FL. The subject condominium unit is approximately 1,679 gross square feet with two bedrooms and two bathrooms. The unit is located within Ocean House Condominiums which is within the Ocean Village gated community. 189 notifications were mailed to adjacent property owners within 500 feet. Nine were returned in favor; eight were returned opposed. The property is zoned Hutchinson Island Medium Density Residential (R4-A).

Staff recommends approval subject to six (6) conditions:

1. The property manager for the dwelling rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
2. Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources to minimize conflicts.
3. The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within 30 days of Conditional Use approval.
4. There shall be a limitation of no more than two (2) vehicles at the site.
5. The City of Fort Pierce Business Tax License number shall be included in all advertising.
6. The maximum occupancy of the home shall ensure compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit.

Commission questions for Staff:

None.

Applicant questions for Staff:

None.

Commissioners have no further questions, Staff was excused.

Applicant presentation:

Arlene Bauer, Applicant, sworn, was present and available to answer any questions. Ms. Bauer stated that use of this unit as a rental for a minimum of 31 days is approved in the Condominium Association by-laws.

Public comment:

None

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Item 12b. subject to six (6) conditions:

1. The property manager for the dwelling rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
2. Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources to minimize conflicts.
3. The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within 30 days of Conditional Use approval.
4. There shall be a limitation of no more than two (2) vehicles at the site.
5. The City of Fort Pierce Business Tax License number shall be included in all advertising.
6. The maximum occupancy of the home shall ensure compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit.

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

Passed

- c. Legislative Hearing - Ordinance 19-033 - An Ordinance amending the City's Comprehensive Plan pursuant to the Evaluation and Appraisal Review based amendments. SECOND READING

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

ORDINANCE NO. 19-033

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE CITY'S COMPREHENSIVE PLAN PURSUANT TO THE EVALUATION AND APPRAISAL REVIEW BASED AMENDMENTS; TO INCLUDE REVISIONS TO THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, INFRASTRUCTURE ELEMENT, CONSERVATION ELEMENT, COASTAL MANAGEMENT ELEMENT INCLUDING A COASTAL HIGH HAZARD AREA MAP, HOUSING ELEMENT, RECREATIONAL AND OPEN SPACE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, PUBLIC FACILITIES MANAGEMENT ELEMENT, AND THE PUBLIC SCHOOLS FACILITIES ELEMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Ordinance No.19-033.

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

Passed

- d. Legislative Hearing - Ordinance 20-006 Text Amendment of Chapter 3 and Chapter 22 Eliminating the Four-Fifths Vote requirement of City Commission when certain applications are recommended for denial by Planning Board or 20% of surrounding community owners object to application. SECOND READING

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

ORDINANCE NO. 20-006

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA CHAPTER 3, SECTION 3-9, ELIMINATING SUBSECTION 3-9(4) FOR THE REQUIREMENT OF A FOUR-FIFTHS VOTE BY CITY COMMISSION IN THE EVENT THAT THE PLANNING BOARD RECOMMENDS DISAPPROVAL OF A WAIVER OF DISTANCE FOR THE ISSUANCE OF AN ALCOHOL LICENSE FROM THE STATE OF FLORIDA; RENUMBERING CHAPTER 3, SECTION 3-9; AMENDING CHAPTER 22, SECTION 22-76, ELIMINATING SUBSECTION 22-76(2) FOR THE REQUIREMENT OF A FOUR-FIFTHS VOTE BY CITY COMMISSION IN THE EVENT THAT THE PLANNING BOARD RECOMMENDS DISAPPROVAL OF A CONDITIONAL USE OR IN THE CASE OF A PROTEST AGAINST AN APPLICATION SIGNED BY 20% OF THE OWNERS WITHIN 500 FEET OF SAID APPLICATION; RENUMBERING CHAPTER 22, SECTION 22-76; AMENDING CHAPTER 22, SECTION 22-128, ELIMINATING THE REQUIREMENT OF A FOUR-FIFTHS VOTE BY CITY COMMISSION IN THE EVENT OF A PROTEST AGAINST AN APPLICATION AMENDING THE TEXT OF THE ZONING ORDINANCE OR THE ZONING ATLAS THAT IS SIGNED BY 20% OF THE OWNERS OF EITHER THE LOTS INCLUDED IN SUCH PROPOSED CHANGE OR THOSE WITHIN 500 FEET OF THE AREA INCLUDED IN THE PROPOSED CHANGE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Thomas Perona, seconded by Commissioner Rufus Alexander to approve Ordinance No. 20-006.

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

Passed

- e. Legislative Hearing - Ordinance 20-007 - Impact Fee Moratorium within Urban Infill and Redevelopment Area. SECOND READING.

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

ORDINANCE NO. 20-007

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR A MORATORIUM ON THE IMPOSITION AND COLLECTION OF CITY IMPACT FEES FOR A PERIOD OF 12 MONTHS WITHIN THE BOUNDARIES OF THE CITY'S DESIGNATED URBAN INFILL AND REDEVELOPMENT AREA REQUIRED BY SECTIONS 22-408, 22-415 THROUGH AND INCLUDING 22-419 OF THE CITY CODE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; 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 Reginald Sessions to approve Ordinance No. 20-007.

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

Passed

- a. Resolution No. 20-R15 determining that the structure located at 604 N 25th Street is unsafe and should be condemned and demolished. A hearing to determine this matter is scheduled before the City Commission on April 20, 2020.

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

RESOLUTION NO. 20-R15

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 604 N 25TH ST IN FORT PIERCE, FLORIDA, 33162 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 BE 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 APRIL 20, 2020 AT 6:30 PM, IN THE CITY COMMISSION CHAMBERS LOCATED AT 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA; AND PROVIDING FOR NOTICE TO ALL PARTIES.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 20-R15.

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

Passed

- b. Resolution No. 20-R17 determining that the structure located at 1909 N 16th Street is unsafe, has been condemned in accordance with the International Property Maintenance Code as adopted by the City Commission and should be demolished. A hearing to determine this matter is scheduled before the City Commission on April 20, 2020.

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

RESOLUTION NO. 20-R17

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 1909 N 16TH ST IN FORT PIERCE, FLORIDA, 34982 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 BE 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 APRIL 20, 2020 AT 6:30 PM, IN THE CITY COMMISSION CHAMBERS LOCATED AT 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA; AND PROVIDING FOR NOTICE TO ALL PARTIES.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution 20-R17.

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

Passed

- c. Resolution No. 20-R18 appointing a member to the Keep Fort Pierce Beautiful Committee.

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

RESOLUTION NO. 20-R18

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.

The Commission each indicated their choice as follows:

Commissioner Alexander – Matt Samuel

Commissioner Johnson – Matt Samuel

Commissioner Perona – Matt Samuel

Commissioner Sessions – Matt Samuel

Mayor Hudson – Matt Samuel

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve Resolution 20-R18 re-appointing Matt Samuel to the Keep Fort Pierce Beautiful Committee.

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

Passed

- d. Resolution No. 20-R19 establishing procedures for appeal hearings before the City Commission.

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

**RESOLUTION NO. 20-R19**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ESTABLISHING APPELLATE PROCEDURES FOR THE CITY COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Peter Sweeney, City Attorney provided an overview of the proposed Resolution. The only other board with quasi-judicial proceedings is the Historic Preservation Board. There is currently a need for a formal appellate process to these quasi-judicial hearings. There is an upcoming hearing on April 06, 2020, for the Historic Preservation Board to appeal a previous decision. The purpose of this Resolution is so that uniform rules be in place for all parties to understand and abide by. The appeal process is modeled after the appellate process in a Court. The process will not be open for public comment; however, it will focus on whether or not if there is competent substantial evidence in the record to support the decision in question. guidelines.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 20-R19.

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

Passed

**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.

None.

**15. COMMENTS FROM THE CITY MANAGER**

City Manager, Nick Mimms had no further comments.

City Attorney Peter Sweeney acknowledged Nick Mimms and Linda Cox for their input on the appellate draft resolution.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Alexander has no further comments.

Commissioner Perona commented that it is important to learn about the issues with this virus and follow recommendations. Commissioner Perona is pleased that Ordinance 20-006 was approved. Commissioner wishes everyone good health.

Commission Sessions wants the public to take the COVID-19 information seriously and to stay informed. We have to come together as a community.

Commissioner Johnson reported that our unemployment rate continues to improve over last year. Commissioner Johnson thanked Staff for the efforts put forth to the preparation and negotiation of the interlocal agreement for the animal shelter. The Census has been mailed.

Mayor Hudson would like everyone to be conscious of what the experts are recommending

and follow their advice. Mayor Hudson encourages everyone in our community to participate in the Census. Mayor Hudson wishes everyone good health.

**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 **8:18 PM**

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER