

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, **JULY 20, 2020**

**1. CALL TO ORDER**

Mayor Hudson called the meeting to order at 6:30 PM.

**2. OPENING PRAYER - Reverend George Welch, White City Methodist 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

Commissioner Alexander was present by telephone conference call.

**5. APPROVAL OF MINUTES**

- a. Approval of Minutes from July 06, 2020 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from the July 06, 2020 Regular Meeting.

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

Passed

**6. PROCLAMATIONS**

**7. LETTERS TO COMMISSION**

- a. Email from Mike Oyler, CMI President, in support of Police Chief Diane Hopley-Burney and in appreciation of the assignment of two outstanding officers, John Fasenello and Damian Spotts, to their Colonnades COP program and Crime Watch program.
- b. Email from Allie Comer thanking Mayor Hudson and the City of Fort Pierce for supporting the downtown merchants by providing parklet spaces.
- c. Letter from Julie Oyler expressing great pride in the Fort Pierce Police Department and thanking Officer John Fasenello and Officer Damian Spotts for their contribution to the monthly Colonnades Crime Watch Program.
- d. Email from Joe Craft complimenting Police Chief Diane Hopley-Burney for her professionalism at the press conference regarding the recent incident at a mental health facility and for her swift action and transparency.
- e. Voice message from Veronica Fountain in appreciation of Tanya White, Executive Assistant, Public Works Department, excellent customer service.
- f. Letter from Rebecca and Eric Ascoli commending Officer Damian Spotts and Officer Caleb Gillette for their conduct and demeanor as well as for their concern for the citizens of Fort Pierce at the recent Town Hall Meeting at Renaissance on the River Condominium Association.

**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**

Commissioner Alexander would like to add discussion regarding the FPUA service termination dates as item 13f.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson 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. Monthly Financial Report for the Month Ending May 31, 2020

Johnna Morris, Finance Director presented an overview of the financial report for month ending May 31, 2020. Ms. Morris began the presentation with the Fund Evaluation Report and discussed funds which are not on target. Ms. Morris presented budget slides showing the revenue and expenditures for the fiscal year to date; Special Revenue Funds including FPRA, CDBG, Grant Administration and SHIP; and for the Enterprise Funds including the Marina, Solid Waste, Golf Course, Sunrise Theatre, Building and Stormwater funds.

## 11. CONSENT AGENDA

- a. Approval of purchase of office furniture for interior office space build out of third floor of Sunrise Center piggybacked via the State of Florida Contract Extension Contract number 425-001-12-1 valid March 2, 2012 through September 1, 2020 in an amount not to exceed \$75,038.26.
- b. Approve request to reduce the Building Department lien in the amount of \$23,340.00 against 1005 Ohio Avenue., Fort Pierce, FL 34950 - Parcel ID Number: 2415-703-0102-000-3 owned by Lisa M. Chase Pacheco, of the same address, to \$672.74 payable in 60 days.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson 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

Any Public Comment on these items, if not being offered in person, should be submitted by noon on the day of the meeting using the Sworn Public Comment Form which is available on the city's website at: <http://www.cityoffortpierce.com/DocumentCenter/View/8741/Sworn-Public-Comment-for-Public-Hearings>

- a. Quasi-Judicial Hearing - Review and Approval of an application for Conditional Use with no new construction submitted by property owner and applicant, Dreamchaser Preschool, LLC, to operate a 7,126 square foot preschool at 505 N. 7<sup>th</sup> Street. The property is zoned Medium Density Residential Zone (R-4), Parcel ID: 2410-601-0134-000-8.

City Clerk Linda Cox introduced an application for Conditional Use with no new construction submitted by property owner and applicant, Dreamchaser Preschool, LLC, to operate a 7,126 square foot preschool at 505 N. 7<sup>th</sup> Street. The property is zoned Medium Density Residential Zone (R-4).

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 - yes.  
Commissioner Perona - none.  
Commissioner Sessions - yes.  
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, Planner, provided an overview of the proposed conditional use application with no new construction to operate a preschool facility. The applicant, Dreamchaser Preschool, LLC is seeking to operate the preschool in an existing 7,126 sq. ft facility at 505 N. 7<sup>th</sup> Street. Mr. Gilmore presented maps including an aerial, future land use, and zoning which further described the property and location. The property is zoned Medium Density Residential (R-4). Notifications were mailed to sixty-four (64) adjacent property owners with zero (0) response in opposition and five (5) in favor.

Staff recommends approval of this application subject to one condition:

1) Per City Code Section 22-62 Sidewalks. b) Applicability: In order to provide continual access for pedestrians, sidewalks and sidewalk linkages shall be required to be provided by the property owner or permit applicant when one of the following events occur: Four (4) Plans submitted for site plan, conditional use, PUD/PUR, and subdivision review. Please install a sidewalk along Avenue E and Cedar Place connecting to the North 7th Street existing sidewalk or submit payment in-lieu to the City of Fort Pierce Engineering Department within ninety (90) days of Conditional Use Approval.

Commission questions for Staff: None

Applicant questions for Staff:

Claude Facey, Applicant, sworn, inquired about the requirement for sidewalks, and the details regarding where they are to start and stop. Staff will work together with the Applicant and Engineering to determine the specific plan.

Applicant presentation:

Claude Facey, Applicant, sworn, stated that the parking lot is currently owned by the City of Fort Pierce and indicated interest in obtaining ownership to address landscaping and drainage.

Commission questions for Applicant:

Commissioner Sessions inquired about the parking lot issues. Mr. Facey explained that when it rains, the drainage is insufficient, and part of the lot has pot holes which have caused deterioration of the surface not from lack of maintenance but weather related.

Public comment: None

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve item 12a, an application for Conditional Use with no new construction submitted by property owner and applicant, Dreamchaser Preschool, LLC, to operate a 7,126 square foot preschool at 505 N. 7<sup>th</sup> Street subject to the one staff condition.

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 owner and applicant, Tiffany Wood, a Vacation Rental at 1123 Hernando Street, Apt. B, offering lodging for less than six (6) months. The minimum rental period is identified as one (1) day. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A), Parcel ID: 2401-811-0018-000-6.

City Clerk Linda Cox introduced an application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wood, a Vacation Rental at 1123 Hernando Street, Apt. B, offering lodging for less than six (6) months. The minimum rental period is identified as one (1) day. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A).

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, Planner, provided an overview of the proposed application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wood, for a Vacation Rental at 1123 Hernando Street, Apt. B, offering lodging for less than thirty (30) days with a minimum rental period of one (1) day. Mr. Gilmore presented aerial, future land use and zoning maps which further described the property and location. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A). Seventy-five (75) notifications were mailed to adjacent property owners with five (5) returned in favor and seven (7) returned in opposition.

Staff recommends approval subject to five (5) conditions:

- 1) The property manager for the vacation 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 thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
- 4) There shall be a limitation of no more than no two (2) vehicles at the site.
- 5) The City of Fort Pierce Business Tax License number shall be included on all advertising.

Commission questions for Staff: None

Applicant questions for Staff: None

Applicant presentation:

Tiffany Wood, Applicant, sworn was present. Ms. Wood previously had a seasonal rental at this location and accepts the staff conditions. Ms. Wood does have a local manager who has been overseeing the property since 2011.

Commission questions for Applicant: None.

Public comment:

Paul Schall, sworn – Supports application.  
Michelle Longarzo, sworn – Supports application.  
Adeline Schmitz, sworn – Supports application.  
William Fearn, sworn – Opposed to application.

Mayor Hudson, seeing no one else, closed the public hearing.

Comments by the City Commission:

Commissioner Sessions suggest that people opposed to short term rentals should lobby to the State of Florida to have regulations changed.

Commissioner Perona has not heard competent substantial evidence to support the denial of this application. The history of seasonal rental at this location is evidence that it works for this property. Commissioner Johnson agrees with Commissioner Perona regarding competent substantial evidence and that the staff conditions are a good set of conditions. We have a competent Code Enforcement staff.

Mayor Hudson has echoed what Commissioner Sessions addressed. Florida legislature has directed that municipalities cannot regulate by duration or location for short term rentals. The Florida League of Cities' position is that everyone who owns a property has rights and this conditional use process is how we try to balance with owners and neighbors. Commissioner Sessions was right, whether you support or oppose short term rentals, you should contact your legislative representative and express your interest or concern.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Reginald Sessions to approve the application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wood, a Vacation Rental at 1123 Hernando Street, Apt. B, offering lodging for less than six (6) months. The minimum rental period is identified as one (1) day subject to Staff's five (5) conditions.

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 an application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wright-Ofeimu, a Vacation Rental at 715 S. Ocean Drive, Unit E, offering lodging for less than six (6) months. The minimum rental period is identified as two (2) days. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A), Parcel ID: 2401-504-0001-000.

City Clerk Linda Cox introduced an application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wright-Ofeimu, a Vacation Rental at 715 S. Ocean Drive, Unit E, offering lodging for less than six (6) months. The minimum rental period is identified as two (2) days. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A), Parcel ID: 2401-504-0001-000.

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 - yes.

Commissioner Perona - yes.

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, Planner, provided an overview of the proposed application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wright-Ofeimu, a Vacation Rental at 715 S. Ocean Drive, Unit E, offering lodging for less than six (6) months. The minimum rental period is identified as two (2) days. Mr. Gilmore presented aerial, future land use, and zoning maps which further described the property and location. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A). One Hundred Fifty-Eight (158) notifications were mailed to adjacent property owners with seven (7) returned in favor and sixteen (16) returned in opposition.

Staff recommends approval subject to five (5) conditions:

- 1) The property manager for the vacation 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 thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
- 4) There shall be a limitation of no more than no two (2) vehicles at the site.
- 5) The City of Fort Pierce Business Tax License number shall be included in all advertising.

#### Commission questions for Staff:

Commissioner Alexander inquired about the number of opposition received. Mr. Gilmore stated that most of the opposition that had comment was because it's a vacation rental. City Attorney Peter Sweeney advised the commission that the State of Florida directs that the City of Fort Pierce cannot regulate rentals when it comes to duration or location. Not liking a vacation rental does not qualify as competent substantial evidence to deny an application.

Applicant questions for Staff: None

#### Applicant presentation:

Tiffany Wright-Ofeimu, Applicant, sworn, was present and appreciates the opportunity to speak before the

City Commission. Ms. Wright-Ofeimu clarified that it was a prior agent that had the ex-parte conversations and not her current agent. Ms. Wright-Ofeimu vets her tenants and looks to compliment the community and not deter from it or her neighbors. As a landlord, she is helping to bring revenue to the community and being part of the growth. She has met or is in the process of meeting all five of the conditions outlined by staff. As a professor living out of state, having a vacation rental allows her to be able to come to Fort Pierce during short breaks to enjoy the city amenities while still being able to generate income during other weeks. Tenants, like herself, enjoy shopping and dining in this community.

Commission questions for Applicant:

Commissioner Sessions inquired about what brought Ms. Wright-Ofeimu to this community. Ms. Wright-Ofeimu stated she has visited Hutchinson Island in the past, but her purchase of this unit was based upon the recommendation of her realtor to come to Fort Pierce.

Public comment:

Paul Schall, sworn – Supports application.  
Gus Fort, sworn – Supports application.  
Michelle Longarzo, sworn – Supports application.  
Sarah Saffron, sworn – Supports application.

Mayor Hudson, seeing no one else, closed the public hearing.

Comments by the City Commission:

Commissioner Johnson discussed another application which was the first one at this complex. That first application had other conditions. After many meetings and conversations, the conditions presented by staff have evolved to accommodate and adapt to the residents and the vacation rental owners. Commissioner Johnson will support this application with staff conditions.

Commissioner Perona complimented Code Enforcement. We have the regulations in place and the enforcement to back up the regulations.

Mayor Hudson was impressed with the support shown by other residents in this building. They work well together and are hopeful of having continued positive experiences. The conditional use process is being worked on and improved and gives the City the right to make sure all property rights are protected.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve an application for Conditional Use with no new construction submitted by property owner and applicant, Tiffany Wright-Ofeimu, for a Vacation Rental at 715 S. Ocean Drive, Unit E, offering lodging for less than six (6) months with a minimum rental period of two (2) days subject to staff's five (5) conditions.

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

Passed

- d. Quasi-Judicial Hearing for a Conditional Use Approval with no new construction for a Vacation Rental located at 1014 S. 7th Street submitted by the applicant, Michelle Longarzo, for the property owner, Michael Robbins.

City Clerk Linda Cox introduced an application for Conditional Use with no new construction for a Vacation Rental located at 1014 S. 7th Street submitted by the applicant, Michelle Longarzo, for the property owner, Michael Robbins, offering lodging of less than six (6) months. The minimum rental period is identified as two (2) days.

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 - yes.  
Commissioner Perona - yes.  
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

Jennifer Hofmeister, Director of Planning, provided an overview of the proposed application for Conditional Use with no new construction submitted by applicant, Michelle Longarzo for the property owner, Michael Robbins, offering lodging for less than six (6) months. The minimum rental period is identified as two (2) days. Ms. Hofmeister presented aerial, location, future land use, and zoning maps which further described the property and location. The property is zoned Residential Low (RL) with a compatible zoning classification of Single-family Intermediate Density (R-2). Seventy-three (73) notifications were mailed to adjacent property owners with two (2) returned in favor and seven (7) returned in opposition.

Staff recommends approval subject to six (6) conditions:

- 1) The property manager for the vacation 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 thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
- 4) There shall be a limitation of no more than no two (2) vehicles at the site.
- 5) The City of Fort Pierce Business Tax License number shall be included on all advertising.
- 6) Pave the required parking spaces per City Code Section 22-60(c)(6) Surface Material:
  - a. Required parking spaces, access drives, and loading areas must be paved and maintained with concrete, asphalt or similar material of enough thickness and consistency to support anticipated traffic volumes and weights.
  - b. Alternative paving materials or parking surfaces (including pervious surfaces) may be approved by the city engineer if such materials or surfaces are demonstrated to exhibit equivalent wear resistance and load-bearing characteristics as concrete or asphalt.

Commission questions for Staff

Mayor Hudson inquired if this property had come before the City Commission in the past. Ms. Hofmeister indicated that this property did have a code violation for operating a vacation rental without a license. The application that was first submitted was denied. After reviewing the laws regarding short term rentals and revising the conditional use guidelines, and because there have been no further code violations, the applicant was allowed to re-submit after six months from the date of denial. The Department of Business and Professional Regulation (DBPR) is required to inspect this property annually as with all vacation rentals.

Applicant questions for Staff: None

Applicant presentation:

Michelle Longarzo, Applicant on behalf of the owner, sworn, was present. Ms. Longarzo wanted to state for the record that the Department of Business and Professional Regulation (DBPR) binding interpretation 179, March 03, 2020, was in favor of the short-term rental. Ms. Longarzo also mentioned the informal Opine 8027 that states enforcement cannot be anything more than done for a regular resident. The owner, Mr. Robbins is not waiving quasi-judicial. Ms. Longarzo quoted from the Supreme Court Ruling in Hail v. Hinkle regarding rules and regulations, codes, ordinances, policies, and executive orders are corporate by-laws. The property manager lives in Polk County. Ms. Longarzo will be assisting him because she lives here. Mr. Robbins does have the guide booklets and applications have been submitted to St. Lucie County, DBPR, and SunBiz. Ms. Longarzo agrees with the condition to include the Business Tax Receipt number on all advertisements. Ms. Longarzo does have an issue with the paving of the driveway requirement because he doesn't have to do that by property rights according to the Supreme Court Ruling and informal opine. Ms. Longarzo does not believe he can be made to change the existing driveway.

Commission questions for Applicant: None.

Public comment:

Paul Schall, sworn – Supports application.

Mayor Hudson, seeing no one else, closed the public hearing.

Comments by the City Commission:

Commissioner Perona was surprised that there were no neighbors in opposition considering the location. Jennifer Hofmeister stated there was much discussion regarding this property at the Planning Board meeting and there was a resolution made at that point. The existing driveway is typical of old Fort Pierce with poured concrete 18-inch tire guides which is great for drainage. By paving the driveway, it will encourage the parking of vehicles on the driveway and not in the street. Jennifer Hofmeister stated that it is in the code; however, with Engineering's approval, you can have alternative material. This condition will ensure that the property meets the code requirements which it does not in its current state. This is a single-family home and sidewalks are not required, but a paved driveway is required under code.

Commissioner Johnson is intrigued by the issue of the driveway. There are many options, it could be pervious, brick pavers, or concrete which is impervious. The condition is an enhancement to the property. One thing that was not brought up tonight regarding building code is the requirement of egress windows although it is not an issue tonight. Commissioner Johnson thinks that the driveway condition is a good addition.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to approve the application for Conditional Use with no new construction for a Vacation Rental located at 1014 S. 7th Street submitted by the applicant, Michelle Longarzo, for the property owner, Michael Robbins, offering lodging of less than six (6) months with a minimum rental period of as two (2) days subject to the six (6) staff conditions.

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

Passed

e. Legislative Hearing - Ordinance 20-014 adopting new Code of Ordinances. SECOND READING

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

ORDINANCE NO. 20-014

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE. SECOND READING.

Mayor Hudson opened the Public Hearing.

Public Comment

Curtis Johnson, Jr., sworn, would like this item to be postponed to allow more time for review of the Charter by the public.

Seeing no one else, Mayor Hudson closed the Public Hearing

Comments by the City Commission:

Commissioner Perona would like to hear from the City Attorney regarding the issue raised by public comment on this issue for clarity.

City Attorney Peter Sweeney stated this is a similar conversation to that which occurred during the first reading. Florida State Statute section 166.021 which is cited throughout, indicates the only items to be included in a charter, otherwise considered a limitation, are subjects related to annexations, mergers, the existence of the municipality, the terms of elected officers and manner of their election except for the selection of election dates and election periods, the distribution of powers among elected officers, matters described by the charter relating to appointed boards. Any change in the form of government or any rights of municipal employees is "any other limitation or power upon a municipality contained in any municipal charter enacted or adopted prior to July 01, 1973 is hereby nullified and repealed under this statute. A lot of the language that was in our charter pursuant to this statute was already nullified and repealed, it was just still in there. Any changes to the charter specifically reference the rationale for the change.

Attorney Sweeney's charge for this project was to find things that were not correct and that conflicted with state law and the state constitution to make sure we have a clean charter. The items removed were not legally valid to be in our charter. The items removed can be now reduced to ordinance because while they were not legally valid to be in the charter, they can still be an ordinance. Simply, nothing taken out of the charter legally belonged there. You will see a reference if it wasn't supposed to be in there because it wasn't properly passed in the first place by a referendum, or it should have been taken out pursuant to this statute years ago.

There is no rush to conclude however this is the process. When we change from our old code to our brand-new code, revisions cannot be made. We've had items in the pipeline particularly with the planning department, that have been on hold for about four months because of the transisistion. The intent is bringing the charter and code of ordinances to current day standards without contradiction, which has always been the intent.

Commissioner Perona added it was his understanding is that we were cleaning up contradictions. We were dealing with a set of rules and regulations that didn't work. It may appear that there have been substantive changes, but there wasn't. The changes made were already made for us by state law. All we are doing is making our records correct.

Commissioner Alexander asked why this was being done now when there is an election coming up and said the three-two vote is on the edge and why isn't that being considered.

Mayor Hudson inquired of the City Attorney who confirmed each department was given ample opportunity to review in-depth sections that related to their department. Some departments made significant clean-ups of the language and some departments didn't have much to add. Mayor Hudson inquired if a department made a change, they know they now have to create an ordinance in its place. City Attorney Sweeney fully expects many ordinances to follow.

Commissioner Alexander stated that no department heads or legal department spoke to him regarding this.

Commissioner Sessions said we can all agree that we had a charter that was a dinosaur in terms of where we are modernly. So, where do we go from here? We upgrade it so that we can meet standards and cut out bureaucracy to move forward towards growth and development. Changes that were made, were made to illegal or forbidden items. Issues or discrepancies that come up now may be addressed by way of an ordinance that our charter allows us to do. The charter was established to make sure we have a smooth operation and that everyone is entitled to their rights as a citizen as well as our ability to be able to legislate the charter from a legal perspective. Anything in the absence of doing so from any of the parties can be done by way of a change from the ordinance. City Attorney Peter Sweeney agreed with Commissioner Sessions.

Commissioner Perona stated that if we make a mistake or there is something that we didn't catch, we want to be able to fix it. We will have a clean charter, so we are not mixing two things.

Being no further discussion, Mayor Hudson entertained a motion.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance 20-014.

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

Passed

- f. Legislative Hearing - Ordinance 20-015 - extending the territorial limits of the City of Fort Pierce, Florida, to include 4114 Poinsetta Avenue in Fort Pierce, Florida. FIRST READING

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

ORDINANCE NO. 20-015

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE 4114 POINSETTA AVENUE IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2021; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING.

Brandon Creagan, Planner provided an overview of the proposed ordinance. Mr. Creagan provided a site aerial map, future land use map and zoning map to further describe and identify the property. The property is currently a part of another parcel that is within city limits, and the property owner has half of the property outside the city limits and half within the city limits. As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the City Commission approve the proposed annexation along with the Future Land Use Designation of RM and Zoning of R-4.

Commission questions for staff: None.

Mayor Hudson opened the Public Hearing.

Public Comment:

Mario Wilcox, sworn, neither opposed or supports.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 20-015.

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

Passed

Commissioner Sessions inquired about the status of annexations on the north side of Fort Pierce. Jennifer Hofmeister, Planning Director advised the City Commission that there will be a Conference Agenda item in August regarding the status of the annexation progress.

### 13. CITY COMMISSION

- a. Discussion of the South Beach Western Peninsula Charrette Report at the request of Commissioner Alexander.

Commissioner Alexander requested a letter from Harold H. Smyth regarding Western Peninsula Charrette Report be read into the record.

"On September 17, 2012, the city of Fort Pierce " Adopted" the South Beach Western Peninsula Charrette by a unanimous vote of 5-0.

In the minutes, it was Commissioner Sessions who asked after the Charrette was adopted "where do they go?"

Mr. Margotta said the Planning staff will create a Resolution and bring this plan to the city commission via the Planning Board for formally adopt it as part of their Comp Plan.

It is also noted that Commissioner Alexander asked if they are going to try to implement a partnership with the private citizen?

Mr. Margotta said, "it is a must'.

Unfortunately, Mr. Margotta the Planning Director was soon called to active duty and subsequently never returned, and the city manager soon left, leaving no one to follow through with the Resolution.

When the new city manager was hired, and the new Planning Director came on board they did not consider this a priority and therefor put it on the back burner.

In the private sector when a new CEO comes on board it is up to him and his staff to complete unfinished projects otherwise the business cannot move forward.

It is my sincere request that the city move forward with the Planning staff to create a Resolution and bring this plan, with their analysis of it, to the Planning Board and then to the City Commission for formally adopt it as part of their Comp Plan, as recommended by then Planning Director Mr. Margotta. Otherwise this will be unfinished business for the city and the future."

Nick Mimms, City Manager, commented that the leadership that heard and made this charrette possible was two generations before he took office. Every year, we hold a Strategic Planning Session where the City Commission comes together to determine the direction, action items, strategic items, goals, and initiatives we can carry forward and complete. Mr. Mimms would be happy to include this as one of the strategic initiatives if the City Commission sees fit to move forward in that direction. We have accomplished some of the next steps as presented in the charrette report.

Commissioner Sessions said this was an action of the previous administration, that the public heard, and a resolution was voted on unanimously. Our word is our word.

Commissioner Perona commented that the plan hinges on the movement of the wastewater plant and the condition was that the City will not pay for it. We have not identified funding. We have this beautiful plan and good partners but moving the wastewater plant is the biggest problem we have. The plant is a functional facility that could last another 50 years and still provide low-cost service to residents. Eight years later, we are closer to moving that plant. We have a meeting scheduled with FPUA. The county is on board and interested in what we are doing with all of that property. We need to concentrate on moving the wastewater plant. The Federal Government may be able to offer some funding.

Mayor Hudson said the county and FPUA have paid for a study; and FPUA has committed twenty-million dollars to the movement of the wastewater plant.

Commissioner Johnson said after the charrette was adopted, we didn't take it from the staff/commission level and go to the planning/commission process which is a resolution for land development code changes and Comprehensive Plan amendments. This will start a whole new planning process that goes to the State of Florida, comes back to us, then goes to the Planning Board with public hearings depending on what they decide, or the public decides for us.

Commissioner Perona said we made a resolution with the property owner and that was our commitment to walk with them and try to do this together.

Commissioner Johnson indicated this parallels the conversation of the utilities' authority in planning and setting up the future for a new wastewater treatment plant, wherever it might be. The board and staff have committed to getting that infrastructure in place at the southwest section of the City of Fort Pierce territorial limits. It wasn't adopted, it was accepted by the commission eight years ago and it has taken a long time, but the process is a long one. Commissioner Johnson requested the City Manager report on the planning process, and how we can fit this in the Strategic Plan to keep it going.

City Manager, Nick Mimms stated we can fit this into our daily and strategic work plan. One of the strategic objectives is to relocate the wastewater plant from the island to the mainland. We have been working on this every year. Mr. Tompeck is here and can speak to that as well. The County is vested in this, and we have had a wastewater relocation committee that gave a report to the Commission. There will be a joint City of Fort Pierce and FPUA meeting on August 13, 2020, at which time we will be discussing the finalization of the destination of the new plant.

The planning staff can put this through the process of land development regulation, but it will not happen within the next ninety (90) days. We still have items in the queue that backed up due to the COVID-19 situation, but it may happen within the next four to six months so you can have a decision for the Comprehensive Plan Amendment.

Commissioner Johnson commented that a resource that is available to us at all times is the Treasure Coast Regional Planning Council (TCRPC). The TCRPC just voted on their budget and reviewed the preliminary budget for next year; there are budget dollars available for partnerships just like this. The TCRPC can do a technical and professional review along with our planning department staff and also look at the transportation aspects. They can call the TPO and pull all the information together from the report bring it into 2020 terms.

Commissioner Sessions requested the developer be updated by a letter from the Mayor or City Manager.

Commissioner Perona asked what the deliverable will be from this meeting.

City Manager, Nick Mimms said we will review the 2012 charrette report, analyze that and compare it to 2020 conditions, and then we will move forward with the Comprehensive Plan Amendment process. We will provide the commission with interim reports as we move forward.

b. Resolution 20-R33 establishing Building Department fees.

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

RESOLUTION NO. 20-R33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;  
ESTABLISHING PERMIT AND PLAN REVIEW FEES, INCENTIVE AND OPTIONAL SERVICE FEES,  
PENALTY FEES, CONTRACTOR LICENSING FEES AND MISCELLANEOUS SERVICE FEES;  
PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Linda Cox explained that when we did the code re-write, all fees that were incorporated into the code were removed and now establishes those fees by resolution. No changes were made to any of the fees.

Commissioner Johnson would like the permit fees reviewed to avoid double fees if a permit is pulled after work has started.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 20-R33.

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

Passed

c. Resolution 20-R34 establishing Planning Department fees.

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

RESOLUTION NO. 20-R34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;  
ESTABLISHING BY RESOLUTION THE PLANNING DEPARTMENT FEES; AND PROVIDING FOR AN  
EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution 20-R34.

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

Passed

d. Resolution 20-R35 appointing members to the Civil Service Appeals Board following a vote.

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

RESOLUTION NO. 20-R35

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

Applicant submissions:

- Frank Amandro
- J. Gaines
- Ellen Gillette
- Ellen Mancini
- Dee Meely
- Harry Williams

Voting commenced.

Commissioner Alexander:	Harry Williams,	J. Gaines
Commissioner Sessions:	Harry Williams,	J. Gaines
Commissioner Perona:	J. Gaines,	Frank Amandro
Commissioner Johnson:	J. Gaines,	Frank Amandro
Mayor Hudson:	J. Gaines,	Frank Amandro

The City Commission voted on applications received and results were tallied using a weighted

point-based system. The results are J. Gaines has been voted as a regular member, and Harry Williams as an alternate member of the Civil Service Appeals Board.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution 20-R35 and appoint J. Gaines as a Regular Member and Harry Williams as an Alternate Member to the Civil Service Appeals Board.

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

Passed

- e. Resolution 20-R36 modifying the meeting times of City Commission meetings and establishing a 3rd meeting to accommodate any unfinished business continued from a meeting earlier in the month.

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

RESOLUTION NO. 20-R36

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; SETTING THE TIME OF CITY COMMISSION MEETINGS; SCHEDULING A THIRD MEETING EACH MONTH; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Peter Sweeney provided the new start times for the City Commission meetings held monthly effective September 01, 2020:

First Monday: 6:00 PM Start time.  
Third Monday: 4:30 PM Start time.

In the event the first or third Monday falls on a legal holiday, the meeting will be held on Tuesday of that week.

A third meeting will be scheduled to be held on the last Monday of each month to complete unfinished business from either preceding meeting. In the event there is no unfinished business, this third meeting will be canceled.

Commissioner Sessions is opposed to changing the times and expressed concern with the ability of the public to attend meetings at these times. Commissioner Sessions is opposed to adding a third meeting, especially during this pandemic.

Commissioner Alexander also agrees with Commissioner Sessions.

Commissioner Perona commented that in today's age, we have televised meetings and other ways for the public to have their comments heard.. Tonight at 9:17 PM, other than staff, there are only two members of the public present. By making the meetings earlier, they can run longer without hitting the midnight hour. The commission meeting is so we can conduct City business and invite the public to be a participant in the business. If the new times do not work, we can change it back.

Commissioner Johnson commented that the reason for the third meeting is if there is a heavy item with many people expected to come out, the third meeting allows for just that one item to be heard, and not with four or five items with people present for those as well. It allows for better social distancing and safety for the commission, staff, and the community. He believes we are going above and beyond to accommodate the community during this pandemic. There are also people in our community who are unable to attend at 6:30 because of their schedules, they may work retail, a second or third shift and are prevented from attending or, may have childcare issues and because of that, it may be better to have one morning meeting. We are creating efficiencies with staff. If it does not work, we can change it but believes this change is a good compromise.

Mayor Hudson has given this topic a lot of thought and is concerned with the impression that we are making it more difficult for the community to attend. It may be more convenient for someone to attend straight from work. We are giving an opportunity to different people that may want to participate.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Resolution 20-R36.

AYE: Mayor Linda Hudson, Commissioner Jeremiah Johnson, Commissioner Thomas Perona

NAY: Commissioner Rufus Alexander, Commissioner Reginald Sessions

Passed

- f. ADDED ON ITEM - Request of Commissioner Alexander and Commissioner Sessions to discuss cut-off dates for delinquent utility accounts with the FPUA

Add-on Item at the request of Commissioner Alexander and Commissioner Sessions to discuss service termination for delinquent utility accounts with FPUA.

Commissioner Alexander would like to initiate the conversation regarding the shut-off's resuming for utility customers. The virus is still growing strong, and we should not be shutting off utilities when it is 100 degrees. Children are out of school and home, how are they to keep cool?

Commissioner Sessions feels that the FPUA's policy failed. Two thousand-one hundred citizens are facing service termination amidst a pandemic. Mustard Seed Ministries did not work. The money was not distributed. We set ourselves up to fail. People are still out of work, or sick. We need to find a funding source to assist the families that are struggling. If they couldn't afford their bill for the past three months, adding another month or two to that debt is creating a larger burden on already struggling families.

Commissioner Perona would like to hear from FPUA about what is going on and their response.

John Tompeck, Director of Utilities, was present. Mr. Tompeck acknowledged this is a difficult situation. As of today, 1,674 customers are on the disconnect list. This amount is approximately \$806,000.00 of outstanding bills. The number would be higher, but the FPUA has offered a special payment plan of which 359 customers have taken advantage. The payment plan is 12-months with no interest and accounts for \$205,000.00. Thirty-two (32) commercial customers have also applied and accounts for \$36,000.00. FPUA has done all they can to encourage customers to come in a workout a payment plan. The FPUA has dropped the PCA by two dollars which may not sound like much but equates to \$1,600,000.00 which goes back to the customers and that will remain as long as we can afford to leave it there. FPUA has waived all the late fees and charges which accounts for \$280,000.00. Regarding Mustard Seed Ministries and ALPI, we have \$100,000.00 and are willing to seed another \$100,000.00. Our customers need to be responsible enough to make an appointment, come in, and fill out the application so we can release the money. We requested that Mustard Seed vet the applications. Another resource for customers is the CARES Act Grant which is being administered by St. Lucie County. There is approximately \$16,500,000.00 available to help with their mortgage, rent, and utilities. The grant will provide an individual up to \$4,000.00 on an annual basis. There are programs out there for customers; we have done our best to inform customers of these options through our website, social media, bill inserts, and radio spots. Additionally, all potential service-termination customers were provided with a letter earlier this month and a follow-up call was made last week. Mr. Tompeck is concerned that FPUA is running approximately \$2,800,000.00 behind based on billings from last year. Mr. Tompeck would also like to advise the commission that FPUA is not the first utility to resume disconnects. Other utilities have already begun their terminations.

Mayor Hudson commented that evictions and foreclosures will be resuming now too. Perhaps by delaying the terminations and allow for the extra time will give us a chance to work with the customers. There is money out there to assist them.

Mr. Tompeck said that another month will not make a difference except that the customer will incur a larger debt. Mayor Hudson stated that it will allow those customers more time to seek assistance with finding programs and completing the applications needed for assistance. Mr. Tompeck advised the commission that the 60-day termination period is part of the FPUA's bond covenants. FPUA is in technical violation of the covenant but he has spoken to the bond agencies and was reassured they are not particularly concerned so far. Mr. Tompeck will add the request for an extension to the FPUA agenda for the July 21, 2020 meeting.

City Manager, Nick Mimms, stated that St. Lucie County has reached out to the City of Fort Pierce regarding their ability to hire personnel to assist residents with completing applications or at least getting them the information. The last thing we want is for residents to go without power, water, gas, or other utilities. This is a global crisis and we need to think outside the box. Let's identify personnel either through the county, the city, or FPUA and help these people fill out the applications and get the funding to assist them. The effort needs to be put into getting the word out.

Commissioner Sessions commented that the NAACP has a list of every church and pastor in the City of Fort Pierce and perhaps working with them will assist with getting the information out to the public regarding funding opportunities.

#### **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  
Harold Albury, III

#### **15. COMMENTS FROM THE CITY MANAGER**

City Manager Nick Mimms, has forwarded to the City Commission his report and is available to answer any questions.

Commissioner Perona inquired if the City of Fort Pierce plans to do any further COVID-19 testing. Mr. Mimms stated that we currently do not have any testing scheduled. We are working with St. Lucie County Emergency Operations staff to get a recurring test location and dates in Fort Pierce. The testing agents are in high demand and short supply. As soon as the supplies are available to St. Lucie County and a location is designated, we will resume testing.

Mr. Mimms advised the commission that the City of Fort Pierce continues to form partnerships with churches, organizations, and non-profits. We are forming as many partnerships as we can to help our people.

City Attorney, Peter Sweeney had no further comments.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Alexander had no further comments.

Commissioner Perona inquired about a property located at 701 Seaway Drive which is vacant. Mr. Mimms does not know the current story of the property but did work with the developer of the property several years ago. Mr. Mimms will task staff to get a report on the status of that property, what is going on with it, and how we can help to rejuvenate it. Commissioner Perona stated that there is vacant property all around it and perhaps it is hindering development. Commissioner Johnson mentioned that it is rumored to have had faulty materials used which caused a deterioration of the plumbing, but that is just rumor.

Commissioner Sessions paid tribute to Representative John Lewis of Georgia. He was a true icon and a leader for civil rights. Commissioner Sessions repeated his desire to have 17<sup>th</sup> Street developed in a similar fashion to roads on Hutchinson Island. He has requested fairness by the Commission with this decision.

Commissioner Johnson said in response to Commissioner Sessions comments, the City Commission is fair and does a good job with balancing decisions. The time to adjust plans is in the infancy stage. When the 17<sup>th</sup> Street project came before the City Commission and the City Commission was provided with the design plans for that project before funding was approved. Commissioner Johnson applauds staff on their hard work with the design of this project. To ask for revisions in the eleventh hour is not the appropriate time. Commissioner Johnson is committed to continue to review future design plans for the best possible options and being fair and balanced.

Commissioner Johnson is looking forward to the review of annexations, policies of the city, and where we are headed next. Commissioner Johnson applauds all our partners and non-profit groups who are diligently working to do good in our community.

Mayor Hudson would like to thank the ladies of the Circle of Prayer for Unity and New Beginnings. There have been two prayer sessions at Dreamland Park and law enforcement from the city, county and surrounding communities came together with our community. After an hour of prayer, we left with a commitment to do something positive for the community with support of law enforcement.

**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 **10:35 PM**.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER