

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 6:00 P.M. ON MONDAY, OCTOBER 05, 2020.

**1. CALL TO ORDER**

Mayor Hudson called the October 05, 2020 Regular Meeting of the City Commission to order at 6:00 PM.

**2. OPENING PRAYER - Pastor Brian Jamison, Common Ground Vineyard 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

City Manager Nick Mimms was present by telephone conference call at 6:00 PM.  
Commissioner Sessions was present at 6:03 PM.  
Commissioner Alexander was present by telephone conference call at 6:18 PM.

**5. APPROVAL OF MINUTES**

- a. Approval of Minutes from September 08, 2020 Regular Meeting; September 14, 2020 Special Meeting; September 21, 2020 Regular Meeting, September 21, 2020 Special Meeting and September 28, 2020 Special Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from the September 08, 2020 Regular Meeting, September 14, 2020 Special Meeting, September 21, 2020 Regular Meeting, September 21, 2020 Special Meeting, and September 28, 2020 Regular Meeting.

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

**6. PROCLAMATIONS**

**7. LETTERS TO COMMISSION**

- a. Email from Phil Schwegler expressing his appreciation and gratitude for the City Commission approving an idle speed zone restriction for Jaycee Park.
- b. Email from Dan Cushman thanking Mike Reals, Public Works Director and his staff for their cooperative service-oriented attitude when resolving a small problem with curbside trash pickup at River's Edge.

**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**

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

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

**10. MISCELLANEOUS REPORTS**

None.

## 11. CONSENT AGENDA

- a. Approval of payment schedule of three annual payments for paying reduced demolition lien against 2152 S. Jenkins Road, Ft. Pierce, FL, Parcel ID Number 2418-333-0002-000-6 owned by BGDN LLC, 1820 Avenue K, Brooklyn, NY 11230. On August 17, 2020 the City Commission approved the request to reduce the demolition fees in the amount of \$38,241.68 to \$21,827.00 payable in 30 days.
- b. Approval of an agreement on the distribution of surplus funds related to the foreclosure sale of a property located at 118 Hialeah Avenue.
- c. Approval of request to reduce code enforcement fees in the amount of \$7,670.00 against 711 S Ocean Drive, Ft. Pierce, FL 34949, Parcel ID Number 2401-503-0079-000-5 owned by Fond De Blanc Inc, Jermaine Leclerc, 275 SW Lost River Road, Stuart, FL 34997. In accordance with previously established policy, staff recommends reducing the fines to \$1,200.00 payable in 90 days. If not paid within this time period, the lien will revert to the original amount. However, applicant is requesting a waiver of \$7,650.00 leaving a balance due of \$20.00 for recording fees which requires a direct vote by Commission.
- d. Approve letter of support to St. Lucie County Board of County Commissioners requesting a three (3) way stop sign at the intersection of Savannah Road and Indian River Drive.
- e. Approval of Way to Grow Lincoln Park Grant Award to JC Salon and Boutique LLC, 914 Avenue D, in the amount of \$3,000.00.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Jeremiah Johnson to approve items 11a, 11b, 11c, 11d, and 11e.

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

Passed

## 12. PUBLIC HEARINGS

*Any Public Comment on these Public Hearing 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. Legislative Hearing - Ordinance 20-025 REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 10050 WEST MIDWAY ROAD, FROM AG-2.5, AGRICULTURAL, 1 DU/2.5 AC (SAINT LUCIE COUNTY ZONING) TO PLANNED DEVELOPMENT (PD); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

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

### **ORDINANCE NO. 20-025**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 10050 WEST MIDWAY ROAD, FROM AG-2.5, AGRICULTURAL, 1 DU/2.5 AC (SAINT LUCIE COUNTY ZONING) TO PLANNED DEVELOPMENT (PD); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE SECOND READING.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 20-025.

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

Passed

- b. Legislative Hearing - ORDINANCE 20-023 AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY GENERALLY LOCATED AT OR NEAR 3000 OKEECHOBEE ROAD, FROM GENERAL COMMERCIAL, GC, TO MEDIUM DENSITY RESIDENTIAL, RM; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

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

**ORDINANCE NO. 20-023**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF PROPERTY GENERALLY LOCATED AT OR NEAR 3000 OKEECHOBEE ROAD, FROM GENERAL COMMERCIAL, GC, TO MEDIUM DENSITY RESIDENTIAL, RM; 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 Thomas Perona to approve Ordinance 20-023.

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

Passed

- c. Legislative Hearing - Ordinance 20-024 REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 3000 OKEECHOBEE ROAD, FROM C-3, GENERAL COMMERCIAL ZONE, TO R-4, MEDIUM DENSITY RESIDENTIAL ZONE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

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

**ORDINANCE NO. 20-024**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 3000 OKEECHOBEE ROAD, FROM C-3, GENERAL COMMERCIAL ZONE, TO R-4, MEDIUM DENSITY RESIDENTIAL ZONE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance 20-024.

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

Passed

- d. POSTPONED FROM SEPT. 21, 2020 - Quasi-Judicial Hearing - Application for Site Plan, Design Review, and conditional Use submitted by Property Owner, Arrow Investment Group, LLC and Representative, Michael Sanchez of Managed Land Entitlements, to construct a 112 unit Innovative Residential Multi-Family Development on a property located at 3000 Okeechobee Road in Fort Pierce, FL. The property is currently zoned General Commercial (C-3). There is an active rezoning application by the applicant to rezone the property to Medium Density Residential (R-4). Parcel ID: 2417-504-0020-001-6

City Clerk Linda Cox introduced the Application for Site Plan, Design Review and Conditional Use submitted by Property Owner, Arrow Investment Group, LLC and Representative, Michael Sanchez of Managed Land Entitlements, to construct a 112-unit innovative Residential Multi-Family Development on property located at 3000 Okeechobee Road, Fort Pierce FL.

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 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:

Planner Vennis Gilmore, sworn, provided an overview of the proposed application for Site Plan, Design Review and Conditional Use for construction and operation of a multi-family development with 112 units on property located at 3000 Okeechobee Road. Mr. Gilmore provided a site map, future land use map, and proposed zoning map to further identify the parcel. The request for Development Review, Design Review and Conditional Use is consistent with the City Code and Comprehensive Plan, does not adversely affect the public health safety, convenience, and general welfare, and is within proximity to key commercial and institutional amenities. Staff recommends approval subject to four conditions:

1. A Landscape Bond will need to be provided at the time of Certificate of Occupancy for each building pursuant to City Code 123-6. The Landscape Bond for the common areas, clubhouse, lakes, & parking areas shall be submitted before the Certificate of Occupancy is issued for the first building in each phase.
2. At the time of Building Permit submit a signed and sealed boundary and topographic survey to the City Engineering Department in accordance with City Code 119-2 (a)(7).
3. Remove the light gray from the color scheme and use colors from the blue-violet or blue-green color palette.
4. Include a landscaped area around base of the monument sign which extends a minimum distance of three (3) feet in all directions. Such landscaped area shall be completely covered by ground cover and shrubs, hedges or similar vegetative materials. Vegetation in the area surrounding said sign shall be maintained at a height of less than twelve (12) inches.

Planning Board has recommended approval of the Zoning Atlas Map Amendment, Development Review, Design Review and Conditional Use.

Commission questions for Staff:

Commissioner Johnson inquired if the project connects to South 31<sup>st</sup> Street. Mr. Gilmore confirmed it does not. Commissioner Johnson inquired about the landscape design around the entrance to the project. Director of Planning Jennifer Hofmeister indicated that DOT, Engineering, and a Tree Arborist has reviewed the plan and that further review will be done at time of building permitting. Commissioner Johnson would like adjustments done if the oak trees in the median obstruct a driver's line of vision in any way.

Applicant questions for Staff: None.

Applicant presentation:

Applicant Representative Michael Sanchez, sworn, of Land Entitlements was present and available to answer any questions. Mr. Sanchez stated that the intention on this project is to put forth a high-quality project with special attention to the site design, landscaping, architecture and site amenities to comply with the innovative design criteria. Mr. Sanchez further explained that there is a "safe site triangle" at the entrance to the project with the landscape set back so the visibility is not obstructed. They are required to put in a left-turn lane which will also provide a nice line of sight.

Commission questions for Applicant: None.

Public comment: None

Mayor Hudson closed the public hearing.

For the record, this item will require two votes, one for the Development and Design Review and one for the Conditional Use.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve Item 12d, Development Review and Design Review with the four (4) staff conditions.

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

Passed

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Item 12d, Conditional Use with the four (4) staff conditions.

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

Passed

- e. Resolution No. 20-R47 and Quasi-Judicial Hearing – A hearing to allow the owners and/or parties of interest in the property identified as 1311 Avenue E to show cause why the structure located on the premises should not be condemned and demolished.

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

**RESOLUTION NO. 20-R47**

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 1311 AVENUE E IN FORT PIERCE, FLORIDA 34950 IS UNSAFE AND A NUISANCE THAT CONSTITUTES A MENACE TO THE BUSINESS, HEALTH AND SAFETY OF THE COMMUNITY; AND THAT SAID BUILDING OR STRUCTURE SHALL BE DEMOLISHED; DECLARING THE PARTIES OF INTEREST WERE PROVIDED THE OPPORTUNITY TO BE HEARD AND ARE RESPONSIBLE FOR THE REMOVAL OF THE BUILDING OR STRUCTURE; AND ORDERING THE CITY OF FORT PIERCE TO PROCEED WITH SUCH REMOVAL AND PLACE A LIEN UPON THE PROPERTY IDENTIFIED IF COMPLETED BY THE CITY OF FORT PIERCE; PROVIDING FOR APPEAL; PROVIDING FOR NOTICE TO ALL PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor 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

Code Compliance Manager Peggy Arriaz, sworn, provided an overview including historical background of the proposed resolution. The owner has been unresponsive to all notices. A Property Maintenance Inspection Report (PMIR) was completed by Ed Smith, Building Inspector, on November 13, 2019. Due to continued deterioration and unsafe conditions, he recommends demolition of the structure. The utilities to the structure have been disconnected since 2008 and the structure is secured to prohibit unlawful entry and activities. A tax certificate was issued June 01, 2020 due to unpaid 2019 taxes. Notice of unsafe building was sent certified mail to the owner, Manuel Fuentes and the notice was returned unclaimed. The structure was posted with an unsafe building placard on January 09, 2020. Notice of Unsafe Building was sent regular USPS to the owner and has not been returned. Upon receipt of the title search, the following additional parties were notified of the hearing: Tax certificate holder, JPL Investments Corp and Lien holder, Logan Connie Taylor. There has been no response from the owner. The property is not occupied and has not been homesteaded. The Historic Preservation Board has approved the demolition of this structure.

Public comment:

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

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Thomas Perona to approve Resolution 20-R47.

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

Passed

- f. Legislative Hearing - Ordinance 20-028- Text amendment to Chapter 38, Reducing the distance of the No Wake Zone at Jaycee Park. FIRST READING

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

**ORDINANCE NO. 20-028**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 38, ARTICLE III, DIVISION 2 OF THE CODE OF ORDINANCES ENTITLED "NO WAKE AND MINIMUM WAKE ZONES"; AMENDING SECTION 38-99 – AREAS DEFINED, TO MODIFY LANGUAGE TO ALLOW FOR IDLE SPEED NO WAKE ZONE WITHIN 300' OF THE JAYCEE PARK BOAT RAMPS AS PROVIDED BY THIS CHAPTER OR ADMINISTRATIVE RULE. PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. FIRST READING.

Staff Presentation

Director of Public Works Mike Reals, sworn was present and provided an overview of the proposed text amendment to Ordinance 20-028. Mr. Reals provided a background of the Parks Advisory Committee's original recommendation to the City Commission. The text amendment brought forth is to revise the original 500' no wake zone to a 300' no wake zone. The original cost to establish the 500' no wake zone which included permit fees, pilings, channel markers, signage, and replacement of missing buoys was just under \$15,000.00. The new signs have been in place since June 2020.

Code Compliance Manager Peggy Arriaz stated that there is a large number of wave runners launched from this location. Code Compliance Officers are present at the ramp and educate operators on the rules and regulations. There was a learning curve in the beginning because there had been no previous enforcement. The Sherriff's Office and Fort Pierce Police Marine Unit have also participated in enforcement. Overall, most people follow the rules.

Both Commissioner Perona and Mayor Hudson commented that they have received many compliments regarding the improvement to Jaycee Park and it's due to the presence of Staff. Discussion continued regarding the current delineation of the swim area, where vessels can anchor off the beach, and the future use including amenities at Jaycee Park. Commissioner Sessions brought this Ordinance forward based on comments he received and his concern about everyone's safety. The consensus of the City Commission is that the current no-wake zone has not been in effect long enough to determine it is not working.

Mayor Hudson opened the Public Hearing.

Public Comment

David Underhill thanked Code Enforcement for their presence and feels it's safer for swimmers to leave the Ordinance as is.

Lisa Potter supports the current Ordinance as is and appreciates the enforcement of rules.

Delores Hogan Johnson supports the Ordinance remaining as is and appreciates the combined enforcement efforts.

Bruce Murray submitted in writing and read into the record by City Clerk, supports leaving the Ordinance as is.

William Perry supports the current Ordinance as is and thanked the Parks Advisory Committee.

Ron Hollman supports the current Ordinance and complimented the City Commission and Parks Advisory Committee.

Charlene Adair supports the current Ordinance and complimented Code and Law Enforcement.

Seeing no one else, Mayor Hudson closed the Public Hearing

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to disapprove Ordinance 20-028.

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

Passed

**13. CITY COMMISSION**

- a. Update on the demolition of 2607 Avenue D - Continued from February 18, 2020 as Resolution No. 20-R12

Code Compliance Manager Peggy Arraiz provided an update on the demolition of 2607 Avenue D. This item is continued from the February 18, 2020 City Commission Meeting, Resolution 20-R12 allowing additional time for the owner to move forward with plans for rehabilitation of the structure. Ms. Arraiz spoke to the property owner who has a contractor that she is working with to get plans drawn up. An application has not been made to date. Based on the current COVID-19 situation, Staff recommends an additional continuation for ninety (90) days.

Motion was made by Commissioner Reginald Sessions, seconded by Commissioner Rufus Alexander to continue Resolution 20-R12 for ninety (90) days.

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.

Tim Gunther  
Becky Daniels  
Julian Hewitt  
Berle Muise  
Jose Ruiz  
Chris Higgins  
Greg Rosslow  
Bonnie Turk  
Daniel Cedeno

#### 15. COMMENTS FROM THE CITY MANAGER

##### Rain Response

Engineer Jack Andrews stated that after a week of heavy rainfall, our system is recovering. There was some localized flooding but overall, we fared well. There was some overtopping of the Mayflower Canal and the Indian Hills Recreation Area is full and is probably at the highest level since it was constructed. The new lift station on Avenue E had some problems, but they have since been resolved. There was flooding in the beach area at the usual location; and there was an issue at the east end of Rio Vista where it ties into A1A. There is an application into DOT to tie into that drainage system. The Melbourne Weather Center estimated between 11" – 14" of rainfall in a short period of time. Commissioner Perona inquired where can residents call to report flooding and to find out if they need to evacuate. Mr. Andrews commented that Engineering and Public Works received numerous calls that were prioritized, and responded to them. There may be a delay in responding to calls from an identified private development because the City of Fort Pierce does not have jurisdiction to respond. Commissioner Perona would like some sort of notification system for people in areas prone to flooding where they can report incidents and receive information regarding the City's response to incidents.

Director of Public Works Mike Reals reported that crews were out first thing Thursday morning following the heavy rainfall. Most of the Public Works crews were focused on addressing the stormwater, structures, and responding to calls. Crews were placed on stand-by that evening knowing that more rain was expected.

The City Commission discussed possible options for public notification.

Mr. Mimms commended the Public Works, Engineering, and Police Department for their rapid response. We will look to improve communication.

##### Jaycee Park

Mr. Mimms echoed the City Commission's sentiment regarding Jaycee Park. Code Enforcement's presence at Jaycee Park has resulted in calm and compliance. When Code is unable to handle the conduct or behavior of individuals, Fort Pierce Police Department will be called.

##### Parklets

The Parklets were developed as a business capacity expansion program when businesses were restricted by the State of Florida. We found a way to help and accommodate local business during this temporary time. The Governor's Executive Order has expired, and the restrictions have been lifted; therefore, the Parklet program has come to an end. Barriers will be removed unless otherwise directed by this City Commission.

Commissioner Johnson has requested that the Commissioners be added to various informational emails from community partners.

City Attorney Peter Sweeney had no further comments.

City Clerk Linda Cox reported that the renewal season for Business Tax Receipts (BTR) has ended. This was the first year that we were able to offer online renewals and it was a great success. Over half of the BTR renewals received were through the online portal which was important during this pandemic and with City Hall being closed to the public. Ms. Cox commended the Information Technology Department for their efforts. We waited long and hard to have the online program and it worked as designed.

Mayor Hudson commented that it is a great customer service for our business. Thank you to the IT Department and to the City Clerk's office, welcome to the 21<sup>st</sup> Century!

City Clerk Linda Cox added that next Monday, October 12, 2020 the FPUA interviews of all candidates will be held during the time normally reserved for the Conference Agenda. The Conference Agenda has been canceled and a Special Meeting has been scheduled in its place.

#### a. Reports

**16. COMMENTS FROM THE COMMISSION**

Commissioner Alexander remains concerned about the COVID-19 virus. Commissioner Alexander inquired if Commissioner Perona had contact tracing done after testing positive. Commissioner Perona assured the City Commission that his quarantine period was between meetings and he was not in contact with anyone at City Hall during that time.

Commissioner Perona Regarding the Parklets, Commissioner Perona would like to hear from Shyanne regarding the positive, negative or issues relating to the program. He would like to accommodate the various types of business that are utilizing the program but wants to make sure we are not taking something from a business not using the program. There should be a way to extend this without a negative impact for any business; however, input from Staff and the Community is necessary. Staff needs to move forward with emergency response during flooding situations. Commissioner Perona commends the City Commission for the handling of the Jaycee Park no-wake zone issue tonight. Commissioner Perona would like to further discuss the future of Jaycee Park and its amenities.

Commissioner Sessions thanked the business owners who were present tonight to express their support for the Parklet Program. We need to work something out regarding the Parklets. COVID-19 is hurting all businesses. People need to remain cautious even though capacities have been increased. Please continue to wear masks and practice social distancing. We need to take all precautions to continue to protect the citizens of Fort Pierce. Commissioner Sessions wants to be sure the public has input for any changes or proposals to Jaycee Park or any park.

Commissioner Johnson agrees with the Commissioner's sentiments regarding the Parklet Program. Perhaps there are options or alternatives to the existing program. Commissioner Johnson is looking forward to the County's response to the Indian River Drive and Savannah Road stop sign request. Commissioner Johnson inquired about the long-term plan for the JC Penney parking lot and what the future is. Commissioner Johnson is looking forward to an update on the Greenway Trail. Mr. Mimms stated that the plans are moving forward for expansion. Engineer Jack Andrews gave a brief update. The first segment from the FEC Crossing on the southern side up to Indian Hills Drive is scheduled for construction. Pre-certification with DOT is underway. The second section, The Highwaymen Trail Gap will be from Indian Hills Drive to Georgia Avenue. Design plans have been requested from a consultant. This section will be brought before the Commission for approval to have Engineering Design Plans completed with 100% funding. The remaining phase through the downtown area has funding for the design of that section. However, there are many obstacles that need to be overcome such as getting over the Citrus Avenue Bridge, getting over the train tracks, and getting through the downtown to the North Causeway. Commissioner Johnson just wants everyone to keep in mind if the Greenway Trail does go through the downtown area, we have to start talking about parking infrastructure which is why the Second Street Bistro and JC Penney parking lot was brought up.

Mayor Hudson supports continuing the Parklet Program temporarily. Mayor Hudson agrees with Commissioner Sessions that the perception of the population is that it is still not safe to be in a crowded, closed in space. Mayor Hudson is happy about the stop sign at Indian River Drive and Savannah Road. Mayor Hudson appreciates Staff writing a letter to formally request this stop sign. Great things were on the agenda tonight.

Mr. Mimms stated that Staff can come up with solutions and a recommendation for the Parklet Program and will be reviewed under the City Commission portion at the October 19, 2020 City Commission Regular Meeting.

**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 **8:59 PM**.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER