

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 4:30 P.M. ON MONDAY, **May 17, 2021**

**1. CALL TO ORDER**

Mayor Hudson called the May 17, 2021 Regular Meeting of the City Commission to order at 4:30 PM.

**2. OPENING PRAYER - Pastor Ames Pittman, Westside Church**

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL**

Present: Commissioner Curtis Johnson, Jr.; Commissioner Jeremiah Johnson;  
Commissioner Thomas Perona; Mayor Linda Hudson

Absent: Commissioner Rufus Alexander

Staff Present: City Clerk Linda Cox  
City Manager Nicholas Mimms  
City Attorney Peter Sweeney

Commissioner Rufus Alexander participated by phone beginning at 4:49 PM.

**5. APPROVAL OF MINUTES**

- a. Approval of Minutes from the May 3, 2021 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the Minutes from The Regular Meeting May 3, 2021.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,  
Commissioner Thomas Perona, Mayor Linda Hudson

Passed

**6. PROCLAMATIONS**

- a. Public Works Week Proclamation
- b. Haitian Flag Day Proclamation being received by Carol King, President of the Treasure Coast Cultural Festival, Inc.
- c. Building Safety Month Proclamation

**7. LETTERS TO COMMISSION**

- a. Email from William Perry thanking Mayor Hudson for her prompt response to his concerns about noise pollution and also in appreciation of Deputy Chief Ridle's professional, knowledgeable and helpful responses to his questions.
- b. Email from Christine Kesl in recognition of Susan (Soo) Keller's, Permit Specialist, Building Department, quick response and outstanding customer service provided over the years.

**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.

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

Mayor Linda Hudson added 11 h St. Lucie County Cultural Affair Grant request. Commissioner Jeremiah Johnson added 13 e Letter from the City Commission to FPUA 11 b was pulled by staff.

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

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,  
Commissioner Thomas Perona, Mayor Linda Hudson

Passed

**10. MISCELLANEOUS REPORTS**

- a. Presentation by Tom Kindred, Regional Director of IRSC Small Business Development Center's activities

The IRSC Small Business Development Center provides business assistance. Mr. Kindred explained the regional and local impact of the pandemic, and how the IRSC is able to support business with grant programs. They have partnered with the Main Street Cities across the region including Lincoln Park and Fort Pierce to initiate the Better Business Program. This program provides five nights of training for local business. In addition, they have partnered with Center State Bank to launch the Profit Mastery program, a 16-hour financial management program.

Commissioner Thomas Perona asked how the staff adapts and moves forward to assist local businesses to which Mr. Kindred replied they are working with the community to provide information on grants and programs to assist in rebuilding.

The SBDC contact information that business owners can call 772-336-6255 and speak with Katie Maldone. The only investment for businesses is \$15.00.

**11. CONSENT AGENDA**

- a. Approval to submit Florida Department of Community Affairs grant application for General Operating Support in the amount up to \$150,000 for the Sunrise Theatre.
- b. \* REMOVED FROM AGENDA - Approval of Communitywide Council recommendation for PY 2020-2021 Public Service Grant Awards in the amount of \$23,000.
- c. Approval of North 17th Street Roadway Improvements Change Order No. 1 in the total amount of \$211,431.88.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Curtis Johnson, Jr. to approve item 11 c.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- d. Approve request to reduce Code Enforcement lien in the amount of \$21,200.00, against 1202 N 13th Street, Fort Pierce, FL 34950 - Parcel ID Number 2409-517-0011-000/8, owned by 2nd Generation Building Corp, 966 NW Leonardo Circle, Port St. Lucie, FL 34986, to \$1,250.00 to be paid within 30 days.
- e. Approval of an Interlocal Agreement with FPUA, the City of Fort Pierce and St. Lucie County creating a Municipal Services Benefit Unit (MSBU) to fund the cost of providing potable water to the Mura area in unincorporated St. Lucie County.
- f. Approve letter of support for the Manatee Observation and Education Center's (MOEC) grant application to the Florida Division of Cultural Affairs.
- g. Approval to provide cost of living adjustments for Teamsters Union and Non-Bargaining Employees for a total cost of \$353,545.00 in accordance with a tiered approach.
- h. ADD ON ITEM: Approval of letter of support for the St. Lucie County Cultural Alliance grant application to the Florida Division of Cultural Affairs.

Commissioner Curtis Johnson, Jr. and Commissioner Rufus Alexander pulled item 11 c.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the Consent Agenda items 11 a, b, d, e, f, g, and h.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

As to item 11 c, Commissioner Curtis Johnson, Jr inquired as to the change order. John Andrews, City Engineer explained the change order adjustments. The project is nearing completion with a minor issue with Comcast being resolved. Mr. Andrews further explained that the pavers will match those made during 13th streets improvements.

Commissioner Rufus Alexander inquired as to the increase to the change order and why additional cost are not covered by the FPUA. Mr. Andrews explained that the original plan did not account for force main requirements, and the removal of four banyan trees to prevent drainage problems. These changes were not covered by FPUA because the City's contractor was utilized.

Motion was made by Commissioner Rufus Alexander, seconded by Commissioner Curtis Johnson, Jr. to approve item 11 c.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

## 12. PUBLIC HEARINGS

- a. Continued from April 19, 2021 - Quasi-Judicial Hearing - Application for Conditional Use with No New Construction submitted by property owner, Andres Guarnizo and Suhail Santiago and applicant, Gary K. Oldehoff, Esq., to operate a Vacation Rental with a rental period of 30 days or less located at 1507 Faber Court. The property is zoned Single-family Intermediate Residential Zone (R-2). Glynda Cavalcanti, Terry Shafer and Irving Shafer, collectively, have been granted Intervenor status and will be represented by Michael Lawlor.

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.

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 Rufus Alexander – No.  
Commissioner Curtis Johnson Jr–Yes.  
Commissioner Jeremiah Johnson - Yes.  
Commissioner Thomas Perona – Yes  
Mayor Hudson – Yes.

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 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, Planning Director, sworn, provided an overview of the request and the staff recommendation for approval of the Conditional Use Application with five 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 per unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

Ms. Hofmeister indicated that the planning board recommended denial of the application for the following reasons:

- The property is in a neighborhood that is not accurately described in the report and is not compatible with the proposed use.
- The proposed use would be very inappropriate in that area as it is in a dead-end cu-de-sac and it would cause great detriment to the safety and wellbeing of the neighborhood.

- It would affect the health, safety, good order and appearance, convenience, and general welfare.
- Although there were no specific violations on the property, the owner illegally applied for a Homestead Exemption on two (2) properties in the state of Florida, which would be a violation of the law and should be considered a factor in the denial.

Commission questions of staff:

Commissioner Thomas Perona inquired if in 2001, R1 and R2 was approved conditional use zoning which staff confirmed.

Commissioner Rufus Alexander inquired if the City Attorney has any objection to the conditional use application and Mr. Sweeney clarified that his office has no position.

Attorney Gary Oldehoff, representing the applicant, inquired of Attorney Pete Sweeney if the applicant would have the ability to cross-examine, and if extended time for presentation would be offered. Mr. Sweeney confirmed that the time would be given as previously outlined and that cross-examination of the public is prohibited.

Mr. Oldehoff objected to the inability to cross-examine members of the public.

Applicant Questions for Staff:

Mr. Oldehoff inquired if the application was reviewed by St. Lucie County Fire District, and if there was no objection based on road width or location to which staff confirmed that the Technical Review Committee had reviewed the application with no objections.

Intervenor Questions for Staff:

Mr. Michael Lawlor inquired if the Fire District had visited the property, and who on the Planning Board recommended denial of the application. Staff has no knowledge of the Fire District visiting the property. Mr. Lawlor inquired as to why Staff has an opposite opinion from the planning board and how are their recommendations determined. Staff reviews applications based upon code compliance, the police department input, and the Technical Review Committee. City Manager Nick Mimms interjected to explain the role of the Technical Review Board.

Applicant Presentation:

Mr. Oldehoff, Suhail Santiago, and Andres Guarnizo, sworn, provided an overview of their future goals, plans, use and their approach to the conditional use of the property.

Commission Questions for Applicant:

Commissioner Jeremiah Johnson inquired that if the applicant accepts transfer of funds, is this a business operation, and if the property manager is a licensed real estate agent. Mr. Oldehoff responded that it is not a business operation but is considered residential use. The applicant will meet all compliance for the property manager requirements.

Mr. Oldehoff indicated that the applicant has no objection to additional conditions in response Commissioner Curtis Johnson, Jr.  
Mayor Linda Hudson indicated that the applicant's primary residence is in Boynton Beach which has no regulations for short term rentals.

Staff Questions for Applicant:

None

Intervenor Questions for Applicant:

The intervenor inquired as to how the applicant can guarantee the type of people they will rent to, and if relying on background checks, what will be the cost.

Mr. Oldehoff indicated that the applicant is using demographics to market to renters. Mr. Guarnizo responded that they will require all persons staying at the property to be on the rental document and to have a background check. The cost is \$50 for the background check.

Intervenor Presentation:

Mike Lawlor, Terry Shaffer, Irvine Shaffer, and Glynda Cavalcanti, sworn, presented made a presentation in opposition of the issuance of Conditional Use.

Commission Question for Intervenor:

Commissioner Jeremiah Johnson inquired if the intervenor had experience with any road depth or width issues within the cul-de-sac to which Mrs. Shaffer indicated that they had.

Commissioner Thomas Perona inquired if there are any reports from the City of an engineer on the current status of the roads. Mrs. Shaffer expressed she did not have documentation because she had no cooperation from the City.

Commissioner Rufus Alexander expressed concern that the Applicant is being blamed for the conditions of the road.

Applicant Cross-Examination of the Intervenor:

Mr. Oldehoff asked Mrs. Shaffer any one lives on the property now since it is an existing property. In addition, how is the condition of the road impacted by the property being used as a vacation rental.

Mrs. Shaffer expressed she has no issue with someone living in the property, but does not feel the neighbors should be responsible for updating renters. Additionally, renters pose a safety concern because they are unaware of the road issues.

Mr. Oldehoff asked Mrs. Cavalcanti if she has rental properties in the area with similar road conditions and how does the number of cars impact the road conditions.

Mrs. Cavalcanti expressed she does have properties in the area but is unaware if the road dimensions are similar.

Public Comments:

Calise Scott Fremone- Against Approval

Dave Underhill- Against Approval

Mr. Oldehoff objects to being unable to cross-examine.

Anne Supina - Against Approval

Timothy Bankston- Against Approval

Calli Estes- For Approval

Alisha Bianke- Against Approval

Eddy Jones- Against Approval

Ross Cripten- Against Approval

Eugene Cochran - Against Approval

Jonathan Joseph - For Approval

City Clerk Linda Cox read sworn statements from the following into record:

Sally Griffith - Against Approval

Mike Nole - For Approval

Tiffany Ofeimu- For Approval

Darren Simmons - For Approval

Larry Winter -For Approval

Sharon Scalone- For Approval

Susan Baker - For Approval

Applicant Closing Statement:

Applicant reiterated the reasons they believe the Conditional Use Permit should be granted.

Party Intervenor Closing Statement:

Terry and Irvine Shaffer restated why the Conditional Use Permit should not be issued. Mike Lawlor asked the Commission to consider the Planning Boards conditions and the long term impact of issuing the Conditional Use Permit.

Staff Closing Statement:

Jennifer Hofmeister addressed the question if the property manager must be a licensed realtor and clarified the requirements.

Applicant Rebuttal:

Mr. Oldehoff provided additional conditions with which the applicant would be willing to comply.

Mayor Hudson closed the public hearing.

Comments by the City Commission:

Commissioner Curtis Johnson requested clarification from Attorney Sweeney on the Conditional Use staying with the home, not the applicant. Attorney Sweeney briefly explained Conditional Use as staying with the property and the reasons for which it could be termination.

Mayor Linda Hudson quoted the CRA plan on neighborhood redevelopment. She addressed the possible issues with absentee landlords, continuation of cohesive neighborhoods, safety due to community age, roads, and lack of sidewalks.

Commissioner Rufus Alexander expressed his understanding of the safety concerns posed by the current residents, but sees no reason to deny conditional use.

Commissioner Thomas Perona expressed that he heard no Competent Substantial Evidence to deny Conditional Use.

Mayor Linda Hudson addressed a statement made regarding previously issued Conditional Use permits on Thumb Point Drive explaining there had been only one issued for vacation rental. She stated that Competent Substantial Evidence had been presented based on the experience of the neighborhood.

Commissioner Curtis Johnson expressed his angst with Vacation Rental Conditional Use as he sees both the perspective of homeowner and the neighborhood.

Commissioner Jeremiah Johnson expressed that a vote for this Conditional Use would be a violation of the CRA previously voted on and accepted.

Motion was made by Commissioner Jeremiah Johnson to deny the conditional use permit on the basis of safety of community, street conditions, drainage, high traffic, historical design of the cul-de-sac, and it violates the CRA Plan. The Mayor passed the gavel and seconded the motion.

Commissioner Thomas Perona commented on the legislative effect on the City's governing of Conditional Use.

Mayor Linda Hudson addressed not only the property owner rights, but the rights of the Commission as it pertains to governing of Conditional Use.

Commissioner Perona commented on the safety and welfare of the community, but sees no evidence to support the denial of the Conditional Use.

Mayor Hudson stated that Competent Substantial Evidence had been presented as the neighborhood is established as residential issues currently for that reason.

Commissioner Perona commented that perception can not drive the decision to deny Conditional Use, evidence must be present.

Mayor Hudson stated the assumption can be made that issues may present themselves in the future.

Commissioner Perona commented the Commission needs evidence and factual information to make an informed decision.

Commissioner Rufus Alexander expressed agreement with Commissioner Perona.

Commissioner Jeremiah Johnson expressed his views that the burden of proof had been met to deny Conditional Use.

AYE: Commissioner Jeremiah Johnson, Mayor Linda Hudson

NAY: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Thomas Perona

Failed

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Rufus Alexander to approve the Conditional Use with the seven (7) additional conditions specified by the applicant, and that the Conditional Use ends with the owner and is non-transferrable.

Attorney Pete Sweeney expressed that the conditions stated in the above motion may require research as conditions are being added and may cause conflict. City Manager Nick Mimms voiced his concern with the additional conditions of the motion.

Motion was rescinded by Commissioner Curtis Johnson, Jr. and Commissioner Rufus Alexander.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Rufus Alexander to approve item 12a with five (5) staff conditions.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Thomas Perona

NAY: Commissioner Jeremiah Johnson, Mayor Linda Hudson

Passed

- b. Legislative Hearing - Ordinance 21-004 - extending the territorial limits of the City of Fort Pierce, to include two (2) properties at or near 2398 Peters Road in Fort Pierce, Florida. SECOND READING

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

ORDINANCE NO. 21-004

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE TWO (2) PARCELS AT OR NEAR 2398 PETERS ROAD 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.

Mayor Linda Hudson opened the public hearing.  
Seeing no one, she closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Rufus Alexander to approve ORDINANCE NO. 21-004.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- c. Legislative Hearing - Ordinance 21-012 Amending Chapter 103, Article IX, Property Maintenance Ordinance and Housing Code and creating Article XI, Mobile and Manufactured Homes. SECOND READING

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

ORDINANCE NO. 21-012

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 103, CREATING ARTICLE XI, OF THE CODE OF ORDINANCES ENTITLED "MOBILE AND MANUFACTURED HOMES"; PROVIDING FOR ADOPTION OF THE FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES MOBILE/MANUFACTURED HOME REPAIR AND REMODELING GUIDELINES; PROVIDING FOR APPLICABILITY AND NATURE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Linda Hudson opened the public hearing.  
Seeing no, she closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Rufus Alexander to approve ORDINANCE NO. 21-012.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- d. Legislative Hearing - Ordinance 21-013 - extending the territorial limits of the City of Fort Pierce, to include one (1) property at or near 2192 Copenhaver Road in Fort Pierce, Florida. SECOND READING

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record.  
ORDINANCE NO. 21-013

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR 2192 COPENHAVER ROAD 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.

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve Ordinance No 21-013.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

### 13. CITY COMMISSION

- a. Resolution No. 21-R26 determining that the structure located at 1909 N 16th Street is unsafe, has been condemned in accordance with the International Property Maintenance Code as adopted by the City Commission and should be demolished. A hearing to determine this matter is scheduled before the City Commission on June 21, 2021.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.  
RESOLUTION NO. 21-R26

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 1909 NORTH 16TH STREET 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 ALL PARTIES OF INTEREST MUST SHOW CAUSE WHY THE STRUCTURE SHOULD NOT BE DEMOLISHED IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF FORT PIERCE; AND NOTIFYING ALL PARTIES OF POTENTIAL ACTION BY THE CITY OF FORT PIERCE FOR FAILURE TO ACT; AND THAT A PUBLIC HEARING BE HELD AT THE REGULARLY SCHEDULED CITY COMMISSION MEETING ON JUNE 21, 2021 AT 4:30 PM, IN THE CITY COMMISSION CHAMBERS LOCATED AT 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA; AND PROVIDING FOR NOTICE TO ALL PARTIES.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No 21-R26.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- b. Resolution No. 21-R27 determining that the structure located at 427 N 14th Street, Building #3 (rear) is unsafe, has been condemned in accordance with the International Property Maintenance Code as adopted by the City Commission and should be demolished. A hearing to determine this matter is scheduled before the City Commission on June 21, 2021.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.  
RESOLUTION NO. 21-R27

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 427 NORTH 14TH STREET 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 ALL PARTIES OF INTEREST MUST SHOW CAUSE WHY THE STRUCTURE SHOULD NOT BE DEMOLISHED IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF FORT PIERCE; AND NOTIFYING ALL PARTIES OF

POTENTIAL ACTION BY THE CITY OF FORT PIERCE FOR FAILURE TO ACT; AND THAT A PUBLIC HEARING BE HELD AT THE REGULARLY SCHEDULED CITY COMMISSION MEETING ON JUNE 21, 2021 AT 4:30 PM, IN THE CITY COMMISSION CHAMBERS LOCATED AT 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA; AND PROVIDING FOR NOTICE TO ALL PARTIES.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve RESOLUTION NO. 21-R27

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- c. Resolution 21-R28 appointing Jamiebeth Galinis to the Board of Adjustment as Commissioner Perona's appointee.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.  
RESOLUTION NO. 21-R28

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No 21-R28.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- d. Resolution 21-R29 Establishing an Auditor Selection Committee

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

RESOLUTION NO. 21-R29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA ESTABLISHING AN AUDITOR SELECTION COMMITTEE, IN ACCORDANCE WITH SECTION 218.391, FLORIDA STATUTES (2020); PROVIDING FOR COMMITTEE PURPOSE, MEMBERSHIP, AND DUTIES; AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution No 21-R29.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

Passed

- e. ADD ON ITEM: Memo to Fort Pierce Utilities Authority Board transmitting the Aqualia unsolicited proposal and requesting a joint meeting to discuss the proposal.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve proposal requesting a joint meeting with the FPUA.

AYE: Commissioner Rufus Alexander, Commissioner Curtis Johnson, Jr.,  
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor  
Linda Hudson

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.

Eusimio Lopez III

**15. COMMENTS FROM THE CITY MANAGER**

City Manager Nick Mimms responded to a question posed by Commissioner Rufus Alexander on the City ordinance regarding aerial utilities. A resolution to the utility issue is being discussed with Comcast and the City Engineers.

City Attorney Peter Sweeney has no comments.  
City Clerk Linda Cox provided a reminder of the Joint Budget Meeting Friday with the FPUA on May 21,2021.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Jeremiah Johnson- none.  
Commissioner Curtis Johnson, Jr. encouraged the Commission to take notice of the Public Housing Sector.  
Commissioner Rufus Alexander reminded the Commission of the value in the City of Fort Pierce.  
Commissioner Thomas Perona stated the importance of hearing from the community.  
Mayor Linda Hudson toured the Coast Guard Facility and expressed to the Commission their desire to have a stronger presence in the community.

**17. ADJOURNMENT**

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

Mayor Linda Hudson adjourned the meeting at 9:14

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER