

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 4, 2021.**

1. CALL TO ORDER

Mayor Hudson called the meeting to order at 6:00 p.m.

2. OPENING PRAYER - Rev. Kenneth Mills, Save the Children

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

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

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Tanya Earley

5. APPROVAL OF MINUTES

- a. Approval of Minutes from September 7, 2021 Regular Meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the September 7, 2021 Regular Meeting.

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

Passed

- b. Approval of minutes from the September 7, 2021 Budget Meeting, the September 13, 2021 Special Meeting, the September 20, 2021 Special Meeting and the September 27, 2021 Special Meeting.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes from the September 7, 2021 Budget Meeting, the September 13, 2021 Special Meeting, the September 20, 2021 Special Meeting and the September 27, 2021 Special Meeting.

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

Passed

6. PROCLAMATIONS

7. LETTERS TO COMMISSION

- a. Email from Will Harkness thanking Mike Reals, Public Works Director, and his staff for all of their daily work that has made South Beach beautiful and well maintained; and commending the following Parks Division employees for the outstanding job recently completed on Coconut Drive: JR Mead, Foreman II, Troy Hall, Chief Tree Trimmer, Delbert Brunson, Equipment Operator III, Jessie Bryant, Grounds Maintenance Specialist, Marcus Sanders, Grounds Maintenance Specialist and Bernard Williams, Grounds Maintenance Specialist.
- b. Email from Peter Byrne commending Miriam Garcia and Latoya Ransom, Deputy City Clerks, for providing excellent service with the Short Term Rental Registration process.
- c. Letter from Doretha Hair Truesdell, President, Original Florida Hall of Fame Highwaymen, Inc., expressing gratitude to the City Manager and Audria Moore-Wells, Special Projects Coordinator, for their efforts in securing the Jackie Caynon Building for the operation of the Highwaymen Museum and African American Cultural Center.
- d. Letter from Mark Music CEO, MMPS Environmental, Inc., in appreciation of the support and service from the City of Fort Pierce that contributed to the success of The Annual Captain Don Voss Fort Pierce Inlet Cleanup Dive.
- e. Transcription of a voice message from Michelle Mayhew expressing her gratitude to Jacolby Washington, Solid Waste Division Manager, for being a diligent worker and promptly responding to her requests.
- f. Letter from Mark Music, President, MMPS Environmental, Inc. thanking Chief Hobleby-Burney and the Fort Pierce Police Marina Unit for doing a great job at their first Fort Pierce Inlet Cleanup dive and also thanking Officer Roberto Sarmiento and Officer Brian Avilla who were on duty and did a fantastic job.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to set the agenda.

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

Passed

9. 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.

Susan Parry
Dennis Corrick

10. MISCELLANEOUS REPORTS

- a. Economic Development Council of St. Lucie County 2021 Economic Progress Report

Mr. Pete Tesch, President of the Economic Development Council presented the St. Lucie County 2021 Progress Report. St. Lucie County has seen rapid growth with an estimated population of 344,000 with 62% of its workforce commuting outside of St. Lucie County. The current median home price is \$305,000. Mr. Tesch provided a project update for 2017-2021 and the January to June 2021 new project activity.

Commissioner Perona inquired if vocational concentration had been considered for job opportunities coming to the County. Mr. Tesch explained that they are working with various entities to address the need for qualified workers.

Commissioner Curtis Johnson Jr inquired to the wage gap for commuting workers and had affordable housing been considered for renters. Mr. Tesch stated that the jobs pay well, and that affordability is being considered for the residents of Fort Pierce.

Commissioner Jeremiah Johnson referenced commuting patterns, home price and affordability for residents. Mr. Tesch expressed that the building blocks for development/redevelopment are present for affordable housing.

Mayor Hudson expressed employers may be willing to train workers willing to learn.

Mr. Tesch invited the Commission to the EDC virtual lunch October 5, 2021, at 11:30.

11. CONSENT AGENDA

- a. Approve letter of support to the state legislators for the expansion of Project LIFT into the City of Fort Pierce
- b. Approval of a Blanket Purchase Order in the amount of \$150,000.00 for services provided by the Sunrise Humane Society for Fiscal Year 2022.
- c. Approve staff recommendation in response to request to reduce demolition and lot clearing fees in the amount of \$4,304.33 against 120 N 12th Street, Fort Pierce, FL, Parcel ID# 2409-516-0008-000/1 owned by Sunshine Forever Group LLC, **to deny the request and require the previously reduced amount due of \$4,304.33 be payable in 180 days**. The applicant is asking to waive a portion of the remaining balance due for hard costs related to a demolition lien and lot clearing liens, in the amount of \$3,304.33 leaving a balance due of \$1,000.00 payable in 60 days, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.
- d. Approve the Memorandum of Understanding between St. Lucie County, (St. Lucie County Sheriff's Office), and the City of Fort Pierce Police Department for a Justice Assistance Grant (JAG-Edward Byrne Memorial Grant) for 2021 funds in the total amount of \$20,785 to be shared equally between the City of Fort Pierce and the St. Lucie County Sheriff's Office (\$10,392.50 for each agency) for agency equipment improvements.
- e. Approval of Blanket Purchase Orders for the Indian Hills Golf Course for FY 2022 for a budgeted total of \$248,127.29.
- f. Approval to piggyback the City of Vero Beach's annual resurfacing contract no.26-2019 with C.W. Roberts Contracting, Inc.
- g. Approval of employment contract between the City of Fort Pierce and Tanya M. Earley, as City Attorney.

Commissioner Thomas Perona pulled item 11 b.
Commissioner Curtis Johnson, Jr. pulled item 11f.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by
Commissioner Jeremiah Johnson to approve items 11 a, c, d, e, and g.

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

Passed

As to item 11 b, Commissioner Perona inquired if the proposed increase will cover services, and what is the relationship with the County. Peggy Arraiz, Code Compliance Manager explained that the County will not continue the contract with the Sunrise Humane Society. Code Enforcement has been negotiating and identifying areas to offset additional cost. The change may be positive because it could increase services. Wording in the lease may need to be modified to add additional service that may increase the services, so they are less reliant on the City.

Commissioner Curtis Johnson inquired if the change was immediate, and what are the terms. He also stated he would like to have a better understanding of their financial projection and plans. Mrs. Arraiz explained the terms are sixty days' notice with cause, one hundred twenty days' notice without.

Commissioner Jeremiah Johnson echoed the sentiments of Commissioners Perona and Curtis Johnson and asked the subject to be added to the upcoming Joint Meeting.

Mayor Hudson expressed her disappointment with the outcome as so much work had gone into the partnership.

City Manager Nick Mimms stated that the County has expressed their intension but believes a discussion would be helpful requesting a letter from the Commission for a stay.

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

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

Passed

As to item 11 f, Jack Andrews, City Engineer presented the plan for the City of Fort Pierce resurfacing with surtax funding, piggybacking the contract with C. W. Roberts Contracting.

Commissioner Jeremiah Johnson inquired if the company will be providing a budget based on Mr. Andrew's request. Mr. Andrews stated that they would.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by
Commissioner Jeremiah Johnson to approve item 11 f.

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

Passed

12. PUBLIC HEARINGS

- a. Resolution No. 21-R56 and Quasi-Judicial Hearing – A hearing to allow the owners and/or parties of interest in the property identified as 513 N 18th Street 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. 21-R56 - A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 513 N 18TH 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 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 Linda Hudson asked all present to listen carefully to what City Attorney Tanya Earley would read regarding Quasi-Judicial Hearings as they apply to all subsequent Quasi-Judicial Hearings tonight.

Tanya Earley, City Attorney, reviewed the quasi-judicial hearing rules and procedures.

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

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.

Staff Presentation

Code Enforcement Manager, Peggy Arraiz, sworn, presented a history of the property at 513 N 18th street, and cause for condemnation and demolition. Staff recommends the City Commission approve Resolution No. 21-R56 declaring that the structure located at 513 N 18th Street be condemned and demolished in accordance with the Rules of Procedure for Condemnation and Demolition as adopted by the City Commission.

Question of Staff

Commissioner Jeremiah Johnson inquired as to the types of permits other than shingles where requested; Mrs. Arraiz confirmed that reshingle was the only permit.

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Comments from the Commission

Commissioner Jeremiah Johnson stated had the applicant provided rehab plans

his decision would be different. In addition, he reminded Staff about the foreclosure process for reimbursement. Commissioner Thomas Perona stated that structures like this pose a public safety issue. Commissioner Curtis Johnson explained that he had spoken with the current owners and was under the impression that evidence would be provided to show due diligence.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve Resolution No. 21-R56.

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

Passed

13. CITY COMMISSION

- a. Resolution No. 21-R53 determining that the structure located at 1822 S 32nd Street (carport only) is unsafe and has been condemned in accordance with the International Property Maintenance Code as adopted by the City Commission. In accordance with the International Property Maintenance Code, the Building Official declared the structure an imminent danger and ordered its immediate demolition. Per the Rules of Procedure for Condemnation and Demolition, when such an action is taken, the procedures for demolition shall commence as soon as reasonably possible after the fact. A hearing to determine this matter is scheduled before the City Commission on November 1, 2021.

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

RESOLUTION NO. 21-R53

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 1822 S 32ND STREET (CARPORT ONLY) 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 HAVE BEEN 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 NOVEMBER 1, 2021 AT 6:00 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-R53.

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

Passed

- b. Resolution No. 21-R54 authorizing the execution of a quitclaim deed releasing a right of reverter and mineral rights for the property located at Sun Citrus Blvd. and formerly known as the Hammond Road Landfill.

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

RESOLUTION NO. 21-R54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED RELEASING A RIGHT OF REVERTER AND MINERAL RIGHTS FOR THE FORMER HAMMOND ROAD LANDFILL; PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Tanya Earley recommends that the City release the reverter as it is likely unenforceable.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution No. 21-R54.

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

Passed

- c. Resolution No. 21-R55 determining that the structure located at 2202 Avenue I 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 November 1, 2021.

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

RESOLUTION NO. 21-R55

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 2202 AVENUE I 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 NOVEMBER 1, 2021 AT 6:00 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 Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution No. 21-R55.

AYE: 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.

Rebeca Guerra

15. COMMENTS FROM THE CITY MANAGER

a. Reports

Mr. Mimms provided the City Manager's Report which included remembering Florida Highwaymen Willie Daniels, restoration of three-hundred-year-old cannon by Keep Fort Pierce Beautiful, current private development, community clean up day on October 9, and the completion of the paving on North 17th street. In addition, Mr. Mimms presented the City's Purchase Report which includes the police department investing in a mobile outreach vehicle.

City Attorney Tanya Earley -no comments

City Clerk Linda Cox- no comments

16. COMMENTS FROM THE COMMISSION

Commissioner Perona thanked Rebeca Guerra for her service.

Commissioner Curtis Johnson, Jr. thanked Rebeca Guerra for her service and invited the community to participate in the upcoming clean up.

Commissioner Jeremiah Johnson thanked Rebeca Guerra for her service and asked if applicants are required to meet advertising requirements and referenced the City Managers Report asking that local vendors be considered for City opportunities.

City Clerk Linda Cox explained that the Planning Department verifies sign is placed on the property.

Mayor Hudson thanked Rebeca Guerra for her services and gave well-wishes. In addition, she commended the Police Department on the locating of the alleged perpetrator in the death of Yaceny Rodriquez Gonzalez.

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 Hudson adjourned the meeting at 7:49 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER