

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, October 18, 2021.

**1. CALL TO ORDER**

Mayor Hudson called the Regular Meeting to order at 4:30 P.M.

**2. OPENING PRAYER** - Associate Pastor Dr. Pauline Williams, St. Paul A.M.E. Church

**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 the September 20, 2021 and October 4, 2021 regular meetings.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the minutes from the September 20, 2021 and October 4, 2021 Regular Meeting.

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

**6. PROCLAMATIONS**

- a. Breast Cancer Awareness Month Proclamation being received by Dana Neville, Breast Cancer Survivor.

**7. LETTERS TO COMMISSION**

- a. Letter from George Martin commending Officer Martin Ortiz for issuing a warning ticket in order to protect the safety of the public.
- b. Email from Rafael Marques expressing his appreciation for the City Clerk's Department and Brittany Meredith being very well organized.
- c. Letter from Mark Music, President, MMPS Environmental, commending the Fort Pierce Marine Unit, Officer Roberto Sarmiento, and Officer Juan Alvarez for their outstanding work that contributed to the success of the Fort Pierce Breakwater Cleanup Dive.
- d. Voice message from Anne Marie Collins with Jackson Way North Beach Association thanking Mayor Hudson for the City's rapid response to the homeless camps in their community.

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

Mr. Mimms asked that an item be added to the agenda as Item 13e seeking approval of a Letter of Support for the Fort Pierce Youth Council to enter into a video conference.

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

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.

No comments

**10. MISCELLANEOUS REPORTS**

- a. Presentation of Slow the Flow by Dr. Edith Widder, President, CEO & Senior Scientist, Ocean Research & Conservation Association, Inc.

Dr. Edith Widder, CEO and Senior Scientist, Ocean Research & Conservation Association, Inc. presented Slow the Flow, which highlights the impact of harmful algae blooms. Toxins found in the algae blooms can cause long term health issues. Kilroy devices have been placed in the County to collect data. Pollutants are being carried by storm water run-off. The desire of Slow the Flow is to be a green filter rather than a gray funnel, slowing the water with the use of buffered shorelines.

Mayor Hudson inquired who could be contacted if someone was interested in implementing this in their landscaping; to which Dr. Widder shared the University of Florida IFAS and ORCA.

Commissioner Jeremiah Johnson commented on the importance of this information moving forward.

Commissioner Curtis Johnson inquired as to the location of the kilroy's as he has concerns with runoff canals and the citizens that fish and consume them. Dr. Widder indicated that ORCA has a citizen science program that focuses on fish. Findings prove that fish are being affected by the contaminants. Warren Falls, Managing Director, ORCA, stated that two kilroys are in St. Lucie County at Moore's Creek and Taylor Creek. Studies are to follow on analyzed fish.

**11. CONSENT AGENDA**

- a. Approve the naming of the Sunrise Theatre Mezzanine to the Earl Little Mezzanine.
- b. Approve the renaming of the Law Enforcement Memorial Park/Hayes Road to the Sgt. Danny Parrish Fallen First Responders Park.

- c. Approval of travel for Mayor Linda Hudson to attend the Florida League of Cities Annual Legislative Conference, November 3-5, 2021 in the total amount of \$631.04.
- d. Approval of Amended and Restated Interlocal Agreement between the Fort Pierce Police Department, Saint Lucie County Sheriff's Office, Port Saint Lucie Police Department, Saint Lucie County Fire District, and Saint Lucie County for a shared Computer Aided Dispatch (CAD) and Records Management System (RMS) with an additional cost to the City of Fort Pierce over five years of \$199,495.28.
- e. Approval of an Interlocal Agreement with the Treasure Coast Regional Planning Council (TCRPC) authorizing TCRPC to provide the necessary services to develop an Interlocal Agreement between the City of Fort Pierce and the Fort Pierce Utilities Authority (FPUA) for the relocation of the Wastewater Treatment Plant in an amount not to exceed \$51,700.00.
- f. Approval of annual blanket purchase orders for the Police Department for FY2022 for a total of \$469,233.
- g. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of \$1,712.24 against 521 Douglas Court, Fort Pierce, FL, Parcel ID# 2409-501-0091-000/3 owned by INA Group LLC, by waiving the interest, penalties and a portion of the administrative costs in the amount of \$757.24, leaving a **balance due of \$955.00 payable in 60 days**. The applicant, 2nd Generation Building Corp. is asking to waive all associated costs and fees in the amount of \$1,712.24 leaving a balance due of \$0.00, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.
- h. Approve individual vendor blanket purchase orders over \$50,000 for the Sunrise Theatre.
- i. Approve Individual Vendor Blanket Purchase Orders over \$10,000, but not exceeding \$50,000 for the Sunrise Theatre.
- j. Approve letter of support for United Against Poverty St. Lucie County's nomination for the Florida Blue Sapphire Award this year.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the Consent Agenda.

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

Passed

## 12. PUBLIC HEARINGS

- a. Resolution 21-R61 and Quasi-Judicial Hearing – A hearing to allow the owners and/or parties of interest in the property identified as 435 N 16th 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-R61

A RESOLUTION DETERMINING THAT A CERTAIN BUILDING OR STRUCTURE LOCATED AT 435 N 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 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 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 swore in those wanting to speak during this Quasi-Judicial hearing.

#### Staff Presentation

Code Enforcement Manager, Peggy Arraiz, sworn, presented a history of the property at 435 N 16th Street, and cause for condemnation and demolition. Staff recommends the City Commission approve Resolution No 21-R61 declaring that the structure located at 435 N 16th street be condemned and demolished in accordance with the Rules of Procedure for Condemnation and Demolition as adopted by the City Commission.

#### Questions of Staff

Commissioner Jeremiah Johnson inquired as to how many structures are on the property as a second is seen. Mrs. Arraiz responded this would be verified with the Building Department.

Commissioner Curtis Johnson, Jr. inquired who owned the property. Mrs. Arraiz responded that the property is owned by the Wallace family who did not respond to repeated requests.

City Manager Nick Mimms advised the Commission that a Building Department official indicated that any additional structures on the property would require removal.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No 21-R61.

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

Passed

- b. Quasi-Judicial Hearing - Review and approval of an application for Conditional Use with New Construction submitted by Property Owner, Yo No Se, LLC, and Representative, Velcon Engineering & Surveying, LLC c/o M. Randall Rodgers, P.E., to construct a 31,200 square foot Self-Storage Facility with 217 units, at 481 Ohio Avenue in Fort Pierce, FL. The property is zoned General Commercial Zone (C-3). Parcel ID: 2415-311-0003-000-6.

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.- No

Commissioner Jeremiah Johnson- No

Commissioner Thomas Perona- No

Mayor Hudson- No

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing.

Senior Planner, Vennis Gilmore, sworn presented the application for Conditional Use with New Construction submitted by Property Owner, Yo No Se, LLC and Representative, Velcon Engineering & Surveying, LLC. Staff recommends approval of the application.

Questions of Staff

Mr. Gilmore confirmed that access to the neighboring tore is not impacted by this project.

Questions of the Applicant

Commissioner Perona commented on the previous issues with underground utilities and advised the applicant to make note of them.

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 Jeremiah Johnson to approve the application for Conditional Use of Yo No Se, LLC

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

Passed

- c. Quasi-Judicial Hearing - Review and approval of applications for Site Plan and Design Review submitted by Property Owner, Yo No Se, LLC, and Representative, Velcon Engineering & Surveying, LLC c/o M. Randall Rodgers, P.E., to construct a 31,200 square foot Self-Storage Facility with 217 units, at 481 Ohio Avenue in Fort Pierce, FL. The property is zoned General Commercial Zone (C-3). Parcel ID: 2415-311-0003-000-6.

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.- No

Commissioner Jeremiah Johnson- No

Commissioner Thomas Perona- No

Mayor Hudson- No

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing.

Senior Planner, Vennis Gilmore, sworn presented the site plan and design review submitted by Yo No Se, LLC and Representative, Velcon Engineering & Surveying, LLC. Staff recommends approval with the following conditions.

1. A certified letter of completion by a landscape architect and landscape bond pursuant to City Code 123-6 shall be required before the Final Certificate of Occupancy is approved for the site.

2. Prior to the issuance of any site clearing permits, the applicant shall provide a Tree Mitigation Survey and coordinate with the City of Ft. Pierce Arborist for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity.

3. Install vinyl fencing to secure the site.

### Questions of Staff

Commissioner Jeremiah Johnson inquired as to the location of the gate access, vinyl fencing, if code allows this type of fencing, and if the applicant is opened to changing the type of fencing. Mr. Gilmore confirmed gate access is at the entrance area, vinyl fencing surrounds the structure with buffered landscaping, and vinyl is common in commercial areas.

Commissioner Curtis Johnson inquired if the fence is in front of or behind the landscaping, if the entrance and exit are one, if the dumpster is parallel to Walgreens, and if it will be landscaped. Mr. Gilmore indicated that the vinyl fencing will be behind landscaping and that there is one entrance in and out.

Commissioner Perona inquired as to lighting. Mrs. Hofmeister-Drew stated that the TRC recommended the proposed lighting.

Mayor Hudson inquired if the fencing could withstand a hurricane. Mr. Gilmore stated that it must pass building code.

### Applicant Questions of Staff

None

### Questions for the Applicant

Commissioner Jeremiah Johnson inquired if the applicant is open to changing the fence material, and the reason the dumpster is outside the security gate. Mr. Randall Rodgers replied the applicant is open to changes and that the dumpster is not for patrons.

Mr. Rodgers shared that the units are accessed by key code and through property management via phone.

### Comments from the Public

Resident, Leslie Stocks, sworn, is concerned about illegal dumping, irrigation, and the space being unattended.

### Questions of Applicant

Applicant did not want the dumpster, but code requires it. The property management company will access the property regularly.

Commissioner Curtis Johnson inquired about property surveillance. Mrs. Hofmeister-Drew added that surveillance could be included as a condition. Mr. Mimms explained that the City could request surveillance as a condition, but City enforcement is not plausible.

Mayor Hudson inquired of the business hours, to which Mr. Rodgers replied 8 am to 6 pm.

Mayor Hudson closed the public hearing.

### Comments from the Commission

Commissioner Jeremiah Johnson expressed concern with condition number three and security. Mrs. Hofmeister-Drew responded that applicant could display signage for surveillance and property management contact information.

Commissioner Perona feels that the site fits and believes security is probably part of the applicant's business plan. He also requested clarification on fence specification expressed by Commissioner Jeremiah Johnson in condition number three.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve the applications for Site Plan and Design review with the following conditions:

1. A certified letter of completion by a landscape architect and landscape bond pursuant to City Code 123-6 shall be required before the Final Certificate of Occupancy is approved for the site.
2. Prior to the issuance of any site clearing permits, the applicant shall provide a Tree Mitigation Survey and coordinate with the City of Ft. Pierce Arborist for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity. 1.
3. Install decorative metal fencing to secure the site.

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

Passed

- a. Resolution 21-R57 approving the award of Bid No. 2021-025 for the Sale of Surplus Property at 133 North 10th Street to highest ranked respondent, Brenda V. Smith and John D. Bess and authorizing the sale.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.  
RESOLUTION NO. 21-R57

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 133 NORTH 10TH STREET, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE CITY OF FORT PIERCE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS AND PROVIDING AN EFFECTIVE DATE

Staff Presentation

Economic Development Manager, Shyanne Harnage presented a brief overview of the property at 133 N 10th Street. Staff recommends approval of Resolution No 21-R57.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution 21-R57.

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

Passed

- b. Resolution 21-R58 authorizing the sale of 701 North 14th Street to the successful bidder, Telco Investments, LLC.

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

RESOLUTION NO. 21-R58

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 701 NORTH 14TH STREET, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE CITY OF FORT PIERCE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Resolution No 21-R58.

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

Passed

- c. Resolution 21-R59 appointing an at-large member to the Fort Pierce Utilities Authority Board.

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

**RESOLUTION NO. 21-R59**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF A MEMBER OF THE FORT PIERCE UTILITIES AUTHORITY BOARD; PROVIDING FOR AN EFFECTIVE DATE.**

The Commission was provided with ballots to vote.

Commissioner Jeremiah Johnson- Craig Francisco  
Commissioner Curtis Johnson Jr.- Nichelle Clemons  
Commissioner Thomas Perona Larry Lammers  
Mayor Hudson – Larry Lammers

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to appoint Larry Lammers to the Fort Pierce Utilities Authority Board.

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

Passed

- d. Resolution 21-R60 Adopting the Saint Lucie County Local Mitigation Strategy Plan to remain eligible for FEMA mitigation grant programs.

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

**RESOLUTION NO. 21-R60**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ADOPTING THE SAINT LUCIE COUNTY LOCAL MITIGATION STRATEGY PLAN; DIRECTING THE CITY CLERK TO PROVIDE A COPY TO SAINT LUCIE COUNTY; AND PROVIDING AN EFFECTIVE DATE.**

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No 21-R60.

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

Passed

- e. ADDED ON ITEM: Approval of Letter of Support for the Fort Pierce Youth Council.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. for approval of Letter of Support for the Fort Pierce Youth Council.

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.

Shirley Pullins  
Jackie Fitzpatrick  
Mark Derosa

**15. COMMENTS FROM THE CITY MANAGER**

The November 18, 2021 Joint Meeting time has been changed to begin at 9 am. This is City Government Week. Scooters have returned, and the City has an Interlocal Agreement with the County that may address maintenance with Indian River Drive.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Perona – No comments  
Commissioner Jeremiah Johnson- No comments  
Commissioner Curtis Johnson Jr- wants to bring light and look into young people using the change in elevation on local roads for thrills. He is excited about FPUA, and visited Fort Pierce Westwood Highschool.  
Mayor Hudson is excited about the Mainstreet Ghost Walk.

**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.

Meeting was adjourned at 6:36 p.m.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER