

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, December 20, 2021.

1. CALL TO ORDER

Mayor Hudson called the December 20, 2021 Regular Meeting of the City Commission to order at 4:30 P.M.

2. OPENING PRAYER - Reverend Tim Norton, Indian River Presbyterian 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
Acting City Manager Johnna Morris
City Attorney Tanya Earley

5. APPROVAL OF MINUTES

- a. Approval of Minutes from the December 06, 2021 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the Minutes of the December 6, 2021 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Fort Pierce Fire Hawks Proclamation

7. LETTERS TO COMMISSION

- a. Email from Jim Chruski, Community Services Director, City of Stuart, expressing his appreciation for the wonderful tour of the Fort Pierce CRA given by Mayor Hudson, Commissioner Curtis Johnson, Jr., City Manager Nick Mimms and city staff.
- b. Email from Sunrise Humane Society Staff and Board of Directors deeply thanking Animal Control Officer Kenny Nelson for his dedication and fortitude when assisting the Sunrise Humane Society over the last nine months.
- c. Letter from Charles C. Hayek thanking Police Officers Damian Spotts and Brian Avilla for service above and beyond the call of duty when assisting him with his vehicle in a remote parking lot.
- d. Email from Stuart Mayor Eula R. Clarke commending Fort Pierce elected officials and staff for an awesome tour of the Fort Pierce CRA area.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the agenda as set.

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 Public Comments

10. **MISCELLANEOUS REPORTS**

11. **CONSENT AGENDA**

- a. Approval of Community Development Block Grant Agreement for FY 2020
- b. Approval of North 17th Street Roadway Improvements Change Order No. 2 in the total amount of \$70,990.16.
- c. Approval of an amendment to twelve (12) month Lease Agreement between the City of Fort Pierce and Fort Pierce Resorts, LLC, for certain parcels along Indian River Drive, that are being utilized to provide additional parking spaces for the public.

Commissioner Curtis Johnson, Jr. pulled 11b

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve items a and c of the Consent Agenda.

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

Passed

As to 11b, Commissioner Curtis Johnson posed the question to Jack Andrews, City Engineer, if Comcast would be assisting with compensation for the additional work on the 17th Street Roadway improvements. Mr. Andrews indicated, he is seeking legal counsel on this matter.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve item 11b of the Consent Agenda.

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

Passed

12. **PUBLIC HEARINGS**

- a. Legislative Hearing - Ordinance 21-064 - extending the territorial limits of the City of Fort Pierce, include one (1) property at or near 3900 S. US Highway 1 in Fort Pierce, Florida.
FIRST READING

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

ORDINANCE NO. 21-064

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR 3900 S US HIGHWAY 1 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, 2022; 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.

Vennis Gilmore, Senior Planner, presented the voluntary application for annexation at or near 3900 S. US Hwy 1. Staff recommends approval.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Ordinance No. 21-064.

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

Passed

- b. Legislative Hearing - Ordinance No. 21-065 seeking a Future Land Use Map Amendment for property located at or near 2192 Peters Road in Fort Pierce, Florida from Low Density Residential (RL) to City of Fort Pierce General Commercial (GC) FIRST READING

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

ORDINANCE NO. 21-065

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 A PARCEL GENERALLY LOCATED 2192 PETERS ROAD FROM CITY OF FORT PIERCE LOW DENSITY RESIDENTIAL (RL) TO CITY OF FORT PIERCE GENERAL COMMERCIAL (GC); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Presentation

Jennifer Hofmeister-Drew, Planning Director, presented a Future Land Use Map Amendment for property located at or near 2192 Peters Road in Fort Pierce, Florida from Low Density Residential (RL) to City of Fort Pierce General Commercial (GC). • Staff recommends Approval of the request as it is

- Consistent with surrounding Future Land Uses and Zoning
- Consistent with Section 125-136 of City Code & the Comprehensive Plan
- Does not adversely affect the public health, safety, convenience and general welfare

Local Planning Agency/Planning Board Recommendation

- Recommended APPROVAL of the proposed
- Future Land Use Map Amendment and Zoning Atlas Map Amendment

Mayor Hudson opened the public hearing.

Attorney Lee Dobbins, Dean Mead Law Firm was available for questions.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Thomas Perona, to approve Ordinance No. 21-065

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

Passed

- c. Quasi-Judicial Hearing - Ordinance No. 21-066 Rezoning a property generally located at or near 2192 Peters Road from Single-Family, 2 dwelling units per acre (E-2) to General Commercial (C-3). FIRST READING

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

ORDINANCE NO. 21-066

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA: REZONING of A PARCEL GENERALLY LOCATED AT OR NEAR 2192 PETERS ROAD FROM CITY OF FORT PIERCE RESIDENTIAL SINGLE FAMILY (2) UNITS PER ACRE (E-2) TO CITY OF FORT PIERCE GENERAL COMMERCIAL (C-3); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communication and asked City Clerk to call the roll:

Commissioner Curtis Johnson Jr- No
Commissioner Jeremiah Johnson- Yes
Commissioner Thomas Perona- Yes
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

Jennifer Hofmeister-Drew, Planning Director, presented the Rezoning of a property generally located at or near 2192 Peters Road from Single-Family, 2 dwelling units per acre (E-2) to General Commercial (C-3)

Staff recommends Approval of the request as it is

- Consistent with surrounding Future Land Uses and Zoning
- Consistent with Section 125-136 of City Code & the Comprehensive Plan
- Does not adversely affect the public health, safety, convenience and general welfare

Questions for Staff

None

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve ORDINANCE No. 21-066.

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

Passed

- d. Legislative Hearing - Ordinance 21-067 Amending Code Section 2-270(c) regarding the maximum pension annuity payments for members hired prior to October 1, 2012. FIRST READING

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

ORDINANCE NO. 21-067

AN AMENDMENT TO THE CODE OF ORDINANCES FOR THE CITY OF FORT PIERCE; AMENDING CODE SECTION 2-270(c); ALIGNING MAXIMUM PENSION PAYMENTS FOR MEMBERS JOINING SYSTEM BEFORE OCTOBER 1, 2012, WITH PROVISIONS OF INTERNAL REVENUE CODE AND OTHER APPLICABLE LAW; PROVIDING FOR SEVERANCE; PROVIDING FOR REPEAL OF INCONSISTENT CODE PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Johanna Morris, Finance Director, presented information on Amending Code Section 2-270(c) regarding the maximum pension annuity payments for members hired prior to

October 1, 2012.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve ORDINANCE No. 21-067.

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

Passed

13. CITY COMMISSION

- a. Resolution 21-R67 establishing FPUAnet as a broadband communication service provider.

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

RESOLUTION NO. 21-R67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING BROADBAND AND OTHER COMMUNICATION SERVICES SYSTEMS AS OTHER UTILITY OPERATIONS; AUTHORIZING THE SUCH TO BE PROVIDED BY FPUAnet; AND PROVIDING FOR EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve RESOLUTION NO. 21-R67.

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

Passed

- b. Resolution 21-R68 Modifying the structure of the Arts and Culture Advisory Board.

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

RESOLUTION NO. 21-R68

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, MODIFYING THE APPOINTMENT PROCEDURES AND LENGTH OF TERMS OF THE ARTS AND CULTURE ADVISORY BOARD, REMOVING TERM LIMITS; ADDRESSING ATTENDANCE REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Curtis Johnson inquired of the residency requirement. Mrs. Cox replied that the residency requirement would be verified, but all other provisions of the original resolution remain in place.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve RESOLUTION NO. 21-R68.

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

Passed

- c. Resolution 21-R69 Modifying the structure of the Sunrise Theatre Advisory Board.

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

RESOLUTION NO. 21-R69

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, MODIFYING THE APPOINTMENT PROCEDURES FOR THE SUNRISE THEATRE ADVISORY BOARD, REMOVING TERM LIMITS, ADDRESSING ATTENDANCE REQUIREMENTS, AND PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve RESOLUTION NO. 21-R69.

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

Passed

- d. Resolution 21-R70 Modifying structure of Police Community Advisory Board.

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

RESOLUTION NO. 21-R70

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA MODIFYING THE APPOINTMENT PROCEDURES AND LENGTH OF TERMS OF THE POLICE COMMUNITY ADVISORY COMMITTEE; REMOVING TERM LIMITS; ADDRESSING ATTENDANCE REQUIREMENTS; MODIFYING PROCEDURES FOR REMOVAL FROM OFFICE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve RESOLUTION NO. 21-R70.

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

Passed

- e. Resolution No. 21-R71 Accepting the returns of the 12/7/2021 Special Election.

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

RESOLUTION NO. 21-R71

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ACCEPTING THE RETURNS OF THE SPECIAL ELECTION HELD ON DECEMBER 7, 2021, AS PROVIDED BY THE COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve RESOLUTION NO. 21-R71.

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.

No public comments.

15. COMMENTS FROM THE CITY MANAGER

Finance Director Johanna Morris has no comments
City Clerk Linda Cox has no comments.
Attorney Tanya Earley has no comments.

16. COMMENTS FROM THE COMMISSION

Commissioner Curtis Johnson, Jr. wished the Commission, Staff and City Happy holidays, is looking forward to 2022 and the swearing in of Commissioner Elect Gaines and applauded the success of the annual toy drive of the late Commissioner Alexander and his family.

Commissioner Thomas Perona wished the Commission, Staff and City Happy Holidays and reflected on the memory of Commissioner Alexander.

Commissioner Jeremiah Johnson wished the Commission, Staff and City Happy Holidays, thanked everyone for their efforts, and is looking forward to 2022 and the swearing in of Commissioner Elect Gaines.

Mayor Linda Hudson wished the Commission, Staff and City Happy Holidays and expressed her gratitude to the City for their graciousness all year.

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 5:20 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER