

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, 4:30 P.M. ON MONDAY, January 18, 2022.

1. CALL TO ORDER

Mayor Linda Hudson called the January 18, 2022 Regular Meeting of the City Commission to order at 4:30 P.M.

2. OPENING PRAYER - Elder Joseph Smith with New Covenant Prayer Center

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Arnold Gaines; 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 January 03, 2022 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the Minutes from the January 3, 2022 Regular Meeting.

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

Passed

6. PROCLAMATIONS

7. LETTERS TO COMMISSION

- a. Email from Cathi Petagno, Senior Program Specialist with St. Lucie County's Transit Division, thanking the Public Works Department team for making the bus stop at Avenue I and 24th Street look great and safe for the community.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve the Agenda with the deletion of item 11g.

AYE: Commissioner Arnold Gaines, 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.

Phillip Voluck

10. **MISCELLANEOUS REPORTS**

11. **CONSENT AGENDA**

- a. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of \$3,938.64 against 706 N 24th Street, Fort Pierce, FL, Parcel ID# 2404-710-0046-000/0 owned by ZOG Ltd Partnership, by waiving the interest, penalties and a portion of the administrative costs in the amount of \$1,669.22, leaving a **balance due of \$2,269.42 payable in 60 days**. The applicant is asking to waive interest, penalties, administration fees and a portion of the hard costs in the amount of \$2,000.00 leaving a balance due of \$1,938.64 payable in 60 days, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.
- b. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of \$4,004.56 against 710 N 24th Street, Fort Pierce, FL, Parcel ID# 2404-710-0052-000/5 owned by ZOG Ltd Partnership, by waiving the interest, penalties and a portion of the administrative costs in the amount of \$1,685.14, leaving a **balance due of \$2,319.42 payable in 60 days**. The applicant is asking to waive the interest, penalties, administrative fees and a portion of the hard costs in the amount of \$2,000.00 leaving a balance due of \$2,004.56 payable in 60 days, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.
- c. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of \$3,707.28 against 708 N 24th Street, Fort Pierce, FL, Parcel ID# 2404-710-0051-000/8 owned by ZOG Ltd Partnership, by waiving the interest, penalties and a portion of the administrative costs in the amount of \$1,452.28, leaving a **balance due of \$2,255.00 payable in 60 days**. The applicant is asking to waive interest, penalties, administrative fees and a portion of the hard costs in the amount of \$2,000.00 leaving a balance due of \$1,707.28 payable in 60 days, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.
- d. Approve staff recommendation in response to request to reduce lot clearing fees in the amount of \$2,979.42 against 704 N 24th Street, Fort Pierce, FL, Parcel ID# 2404-710-0045-000/3 owned by ZOG Ltd Partnership, by waiving the interest, penalties and a portion of the administrative costs in the amount of \$1,275.00, leaving a **balance due of \$1,704.42 payable in 60 days**. The applicant is asking to waive interest, penalties, administrative fees and a portion of the hard costs in the amount of \$2,000.00 leaving a balance due of \$979.42 payable in 60 days, which requires the item be pulled from the Consent Agenda with a direct vote of the City Commission.
- e. Approval of First Amendment to March 23, 2021 Interlocal Agreement for Operation of Animal Shelter to provide for termination of the Interlocal Agreement on March 8, 2022.
- f. Approval of the Amended and Restated Agreement for Development of King's Landing.

- g. PULLED Approval of travel for Commissioner Arnold S. Gaines to attend the Institute for Elected Municipal Officials in St. Augustine, Florida from January 20, 2022 to January 22, 2022 in the amount of \$860.20.
- h. Approval to purchase CentralSquare Technologies., Lake Mary, FL for the annual software maintenance renewal in the amount not to exceed \$94,414.92.
- i. Approve award to Johnson-Davis, Incorporated for Ibis Avenue emergency drainage repairs in the amount not to exceed \$40,695.00
- j. Approve award of North 8th Street Roadway Improvements (Avenue D to Avenue E) Construction contract to PAV-CO Contracting, Inc., Stuart, FL in an amount not to exceed \$533,574.25.
- k. Approval for 10th Street Drainage and Roadway Emergency Repairs in an amount not to exceed \$153,192.00.
- l. Approve the CDBG FY2021 Grant Funding Agreement.

Commissioner Curtis Johnson pulled item 11 j.
item 11g was removed.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve items 11a, 11b, 11c, 11d, 11e, 11f, 11g, 11h, 11i, 11k. and 11l.

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

Passed

As to item 11 j

Commissioner Curtis Johnson inquired as to the elevation and pitch effecting Cedar Street drainage. City Engineer, John R Andrew explained that new inlets will be installed to address ponding.

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

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

Passed

12. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance No. 22-002 Rezoning a property from Medium Density Residential (RM) to Planned Development (PD) generally located on the west side of Oleander Road, approximately 664 feet north of Tumblin Kling Road;
PCN: 2433-144-0002-000-3 SECOND READING

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

ORDINANCE NO. 22-002

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA: REZONING OF ONE (1) PARCEL GENERALLY LOCATED ON THE WEST SIDE OF OLEANDER ROAD, APPROXIMATELY 664 FEET NORTH OF TUMBLIN KLING ROAD, MORE SPECIFICALLY KNOWN AS PARCEL ID 2433-144-0002-000-3, FROM CITY OF FORT PIERCE MEDIUM DENSITY RESIDENTIAL ZONE, R-4, UP TO 12 DWELLING UNITS PER ACRE, TO CITY OF FORT PIERCE PLANNED DEVELOPMENT, PD, UP TO 3.87 DWELLING UNITS PER ACRE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF 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 Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 22-002.

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

Passed

- b. Legislative Hearing - Ordinance 22-004 Modifying Chapter 111 regarding composition, qualifications and attendance requirements of Historic Preservation Board Members.
SECOND READING

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

ORDINANCE NO. 22-004

AN ORDINANCE AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES CHAPTER 111, ARTICLE II, DIVISION 2, SUBDIVISION II, AMENDING SECTION 111-89, REGARDING COMPOSITION AND QUALIFICATION OF HISTORIC PRESERVATION BOARD MEMBERS; REMOVING AND RESERVING SECTIONS 111-90 AND 111-91, REGARDING APPOINTMENT PROCEDURES AND TERMS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 Arnold Gaines to approve Ordinance No. 22-004.

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

Passed

- c. Quasi-Judicial Hearing - Preliminary Plat - Review and Approval to subdivide an approximate 12.92 parcel of land to develop as the Oleander Oaks 50-unit single family planned development to be generally located on the west side of Oleander Road, approximately 664 feet north of Tumblin Kling Road, more specifically located at Parcel Control Number: 2433-144-0002-000-3.

City Clerk Linda Cox introduced the Preliminary Plat Review and Approval

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.

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

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

Commissioner Arnold Gaines- No
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 the Quasi-Judicial hearing.

Staff Presentation-

Jennifer Hofmeister-Drew, Planning Director, sworn, presented the Preliminary Plat Review and Approval located on the west side of Oleander Road, north of Tumblin Kling Road. The Application for Preliminary Plat meets the criteria specified in Sections 121-9, and 125-195 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare. Therefore, Planning Staff recommends approval of the project with the following Condition:

1. Final Plat approval in accordance with Chapter 121 (Subdivisions) of the City Code shall be obtained prior to the issuance of the building final certification for development of the site.

Questions of Staff-

None

Questions of Applicant-

Blaine Bergstresser, Kimley- Horn, was available for questions

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 the Preliminary Plat with one condition.

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

Passed

- d. Quasi-Judicial Hearing - Site Plan (Development and Design Review) Approval to develop a 50-unit single family home development on approximately 12.92 acres of land generally located on the west side of Oleander Road, approximately 664 feet north of Tumblin Kling Road, more specifically located at Parcel Control Number: 2433-144-0002-000-3

City Clerk Linda Cox introduced the Site Plan Approval

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

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

Commissioner Arnold Gaines- No
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 the Quasi-Judicial hearing.

Staff Presentation-

Jennifer Hofmeister-Drew, Planning Director, sworn, presented the Site Plan Review and Approval located on the west side of Oleander Road, north of Tumblin Kling Road. The requested Site Plan (Development and Design Review) application is consistent with City Code, and the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare of the City of Fort Pierce.

Staff recommends that the Planning Board recommend APPROVAL of the requested application with the following conditions:

Pursuant to City Code Section 123-66.(d) - Tree protection and mitigation, a final

1. Tree Mitigation Plan shall be approved by staff prior to the issuance of a Building Permit.

2. At the time of Building Permit review, littoral plantings shall be provided on the Landscape Plan surrounding the lake area.

3. 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.

4. Should the subject PD not be issued a building permit within two (2) years from the date of PD approval, the zoning designation shall revert to the R-4 zoning district zone.

5. Add covered shelter to the concrete pad bus loading area.

Questions of Staff-

Commissioner Jeremiah Johnson inquired as to the location of the bus shelter, and will the sidewalk extend to the property line. Mrs. Hofmeister-Drew responded by pointing out the location on the proposed site plan of both the bus shelter location and the side walks that would extend to Oleander.

Commissioner Curtis Johnson inquired of the location of the community gates, and if lighting would be present. Mrs. Hofmeister-Drew located the gates on the proposed site plan and explained that signage will be present for the bus stop as well as lighting.

Mayor Hudson expressed her appreciation for the collaborative work of the Planning Staff, Planning Board, and the School District.

Questions of Applicant-

Blaine Bergstresser, Kimley-Horn, was available for questions.

Commissioner Curtis Johnson inquired if lighting would be present. Mr. Bergstresser explained that a photometric plan had been submitted for approval.

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 the Site Plan with five conditions.

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

Passed

- e. Quasi-Judicial Hearing - Review and Approval of an application for a Conditional Use and Site Plan (Development Review and Design Review) to construct approximately 104,167 square feet of self-storage and 1,050 square feet of office along with a covered RV storage area and associated site improvements more specifically located at Parcel Control Numbers: 2419-603-0003-000-4 and 2419-603-0004-000-1.

City Clerk Linda Cox introduced the Review and Approval of an application for a Conditional Use and Site Plan.

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

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

Commissioner Arnold Gaines- No

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 the Quasi-Judicial hearing.

Staff Presentation-

Jennifer Hofmeister-Drew, Planning Director, sworn, presented the application for Conditional Use and Site Plan Northeast of Jenkins and Okeechobee Road. The proposed Conditional Use and Site Plan (Development Review and Design Review) applications adhere to the requirements of the City Land Development Code and guidelines of the City's Comprehensive Plan and does not appear to adversely affect the public health, safety, convenience, and general welfare. Therefore, Staff recommends APPROVAL of the requested applications with the following condition:

1. Pursuant to City Code Section 123-66.(d) -Tree protection and mitigation, a final Tree Mitigation Plan shall be approved by staff prior to the issuance of a Building Permit.
2. A certified letter of completion by a landscape architect and landscape bond pursuant to City Code 123-6 shall be required prior to the issuance of the Final Certificate of Occupancy is approved for the site.

Questions of Staff-

Commissioner Curtis Johnson inquired if the connecting road would be private but with access. Mrs. Hofmeister-Drew explained that it would be private but accessible. Commissioner Gaines inquired if the rush hour traffic from Samuel S. Gaines Academy had been considered. Mrs. Hofmeister-Drew replied that it had been. Commissioner Jeremiah Johnson inquired had future expansion of right of way lines been discussed with County and City Staff. Mrs. Hofmeister-Drew explained that it had been taken into consideration during the review.

Questions of Applicant-

Alejandro Toro, Engineering, Design & Construction, Inc. was available for questions.

Commissioner Curtis Johnson commented that he is excited about the proposed project and inquired on the timetable. Mrs. Hofmeister-Drew explained that she expects groundbreaking within the year.

Mayor Hudson inquired if the property would be fenced. Mr. Toro explained that secured fencing would surround the property.

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 the Conditional Use and Site Plan with two conditions.

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

Passed

- f. Quasi-Judicial Hearing - Ordinance No. 22-001, Amending and Restating Ordinance No. 20-025 to include Phase 1A Site Plan and adopt Planned Development (PD) Guidelines for property generally located at or near 10050 West Midway Road

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record on First Reading

ORDINANCE NO. 22-001

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING AND RESTATING ORDINANCE NO. 20-025 TO INCLUDE PHASE 1A SITE PLAN AND ADOPT PLANNED DEVELOPMENT GUIDELINES FOR PROPERTY GENERALLY LOCATED AT OR NEAR 10050 WEST MIDWAY ROAD; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Commission regarding ex-parte communication and asked City Clerk to call the roll:

Commissioner Arnold Gaines- no
Commissioner Curtis Johnson Jr.- no
Commissioner Jeremiah Johnson- yes
Commissioner Thomas Perona – yes
Mayor Hudson- yes

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

Staff Presentation-

Jennifer Hofmeister- Drew, Planning Director, sworn, presented the Amending and Restating Ordinance No. 20-025 to include Phase 1A Site Plan and adopt Planned Development (PD) Guidelines for property generally located at or near 10050 West Midway Road. The proposed Amendment to the approved PD is consistent with and furthers the Goals, Objectives, and Policies of the City's Comprehensive Plan. The PD Amendment and Site Plan (Development and Design Review) applications meet Code requirements and are in character and support the surrounding area, land uses and zoning designations.

Staff recommends that the Planning Board recommend APPROVAL of the requested application with the following conditions:

- Prior to the issuance of a Building Permit, pursuant to City Code Section 123-66.(d) -
1. Tree protection and mitigation, a final Tree Mitigation Plan shall be approved by staff.
 2. Prior to the issuance of the Certificate of Occupancy, a certified letter of completion by a landscape architect and landscape bond pursuant to City Code 123-6 shall be submitted and approved by staff.
 3. Prior to City Commission approval, incorporate the proposed Phase 1 site plan, PD deviations and surf pool regulations into the adopted PD Ordinance No. 20-025, as an amendment.

Questions of Staff-

Commissioner Jeremiah Johnson inquired to the traffic study. Mrs. Hofmeister-Drew explained that the traffic impacts had been taken into consideration.

Applicant Presentation-

Lee Dobbins, Dean Mead, sworn, presented the conceptual master plan of the proposed site.

Questions of Applicant-

Commissioner Jeremiah Johnson as for an explanation of traffic considerations, how the wave pool would fair in a significant weather event, and where the makeup water comes from Mr. Dobbins explained that Midway will require expansion and property has been obtained from the County to accommodate the proposed project. Andrew Savage explained that the wave pool creator accounts for water evaporation and an overflow system have been factored in that moves into the storm water system, and a pipe system from the presented lake will bring water to the wave pool if needed. Commissioner Gaines inquired as to how the pest control will be addressed because the pool is not chlorinated. Mr. Dobbins explained wave pools do not benefit from chlorine and that other chemicals and systems will be used to treat the water, mosquito control will also be addressed.

Commissioner Perona inquired as to the wave directional choice. Mr. Dobbins explained that the space may be behind the decision, but he was not sure.

Commissioner Curtis Johnson inquired on construction firms and the opportunities this project could bring to the City and will that possible result be measured as he would appreciate that data. Mr. Dobbins explained that talks are taking place with interested parties and that data is possible.

Mayor Hudson inquired if the arrangement presented is standard for other wave parks. Mr. Dobbins explained that there are two with this type of inclusion.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 22-001.

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

Passed

- g. Quasi-Judicial Hearing - Ordinance No. 22-003, Amending and Restating Ordinance No. 20-012 to replace the previously approved conceptual master plan with a site plan for the property generally located at or near 322 North 2nd Street.

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

ORDINANCE NO. 22-003

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING AND RESTATING ORDINANCE NO. 20-012 TO REPLACE THE PREVIOUSLY APPROVED CONCEPTUAL MASTER PLAN WITH A SITE PLAN FOR PROPERTY GENERALLY LOCATED AT OR NEAR 322 NORTH 2ND STREET; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

Commissioner Arnold Gaines- Yes

Commissioner Curtis Johnson Jr.- Yes

Commissioner Jeremiah Johnson- Yes

Commissioner Thomas Perona – Yes

Mayor Hudson- Yes

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

Staff Presentation-

Jennifer Hofmeister-Drew, Planning Director, sworn, presented the Amending and Restating Ordinance No. 20-012 to replace the previously approved conceptual master plan with a site plan for the property located at 322 North 2nd Street.

Questions of Staff-

Commissioner Jeremiah inquired if the Planning Board had seen the project being presented, what was the final motion in Historic Preservation, did the hotel change prior to Planning review, did the Historic Preservation Board consider the residential aspect, what are the residential elements, and asked City Attorney Tanya Earley if there are any concerns to ensure the application has been approved through the standard process.

Planning Director Jennifer Hofmeister-Drew confirmed that the project being considered is what had been approved by the Planning Board and Historic Preservation Board.

City Attorney Tanya Early commented that based on the information provided this has met approval of the Historic Preservation Board and Planning Board advised to apply the code the same as any major site plan being considered.

Questions of Applicant-

Lee Dobbins, Dean Mead, Dale Matteson, Audubon Development, Pete Tesch, President of St Lucie EDC, and Charlotte Bireley, Director of Tourism St. Lucie County, sworn, provided an update on the project's outcomes over the last two years including underground concrete, contaminated water, existing electrical, and submerged land issues, and a brief presentation including local business participating in the project, parking, the proposed hotel, and aerial view of the project. Mr. Dobbins provided the positive economic impact for the City. Mr. Tesch provided the Fiscal/Economic Impact Analysis.

Mayor Hudson opened the public hearing,

Public Comment

Tim Gunther- For
Ryan Collins- Against
Holly Theuns- For
Beryl Muise- For
Mike Brown, Sr.- For
Becky Demanuel- For
Gary Morris – Against
John Malley – For
Hoyt Murphy, Jr. – For
Brook Harris- For
David Pierson – For
James Tobaschus- For
Leslie Olsen- Against
Tim O'Connell- For
Kara Wood - Against
Stan Synkowski – For
Barry Parker – For
James Clasby – Against

Applicant Comments -

Mr. Dobbins reiterated the height as presented including the architectural feature. Mayor Hudson closed the public hearing.

Comments from the Commission

Mayor Hudson commented the public has always wanted a downtown hotel. Comparing the project to Fort Myers, it has not lost its charm and caters to the needs of locals as well as tourist. Additionally, parking is being discussed for resolution.

Commissioner Curtis Johnson commented on the opportunities coming to the City and that the Commission is considering the future impact of their discussions. He

also requested clarification on the height and architectural feature. Mrs. Hofmeister-Drew clarified the height concern.

Commissioner Perona commented that we must rely on competent substantial evidence, addressed the parking concerns and the steps the Parking Committee are taking, height concerns and what impacts to the amended Master Plan must be addressed.

Commissioner Gaines commented on the height requirement, parking concerns and the impact of this project.

Commissioner Jeremiah Johnson provided property history, the impact to the City, Brightline, parking, construction staging, and expressed that this is a give and take.

City Manager Nick Mimms explained that he was unaware of how staging would take place but believes that during construction more information will be available and directed reminded that tonight is about the site plan.

City Attorney Tanya Earley echoed that this is regarding the site plan and reminded the Commission that this is the first reading.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 22-003.

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

Passed

- h. Quasi-Judicial Hearing - Ordinance No. 22-005 Rezoning the property generally located at or near the southeastern interchange of Seaway Drive and North U.S. Highway 1 from Marine Commercial Zone (C-6) to General Commercial Zone (C-3).
FIRST READING

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

ORDINANCE NO. 22-005
AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR THE SOUTHEASTERN INTERCHANGE OF SEAWAY DRIVE AND NORTH U.S. HIGHWAY 1 FROM MARINE COMMERCIAL ZONE (C-6) TO GENERAL COMMERCIAL ZONE (C-3); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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 Commission regarding ex-parte communication and asked City Clerk to call the roll:

Commissioner Arnold Gaines- No

Commissioner Curtis Johnson Jr.- No

Commissioner Jeremiah Johnson- Yes

Commissioner Thomas Perona – No

Mayor Hudson- Yes

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

Staff Presentation-

Vennis Gilmore, Senior Planner, sworn, presented the Zoning Atlas Amendment rezoning the property located near the southeastern interchange of Seaway Drive

and North U.S. 1 from Marine Commercial Zone to General Commercial Zone. Staff recommends approval of the request
Consistent with surrounding Zoning
Consistent with Section 125-136 of the City Code & Comprehensive Plan
Does not adversely affect the public health, safety, convenience, and general welfare

Questions of Staff-

Commissioner Perona inquired of the current zoning and allowable usage as he is concerned with the idea of a billboard. Mr. Gilmore explained that based on the size it is undevelopable, and the applicant suggests off site signage. Mrs. Hofmeister-Drew elaborated that under current zoning off site signage is not permitted but would be with the proposed change it would be allowable. The specifics of the signage are to be determined with the applicant based on conceptual.

Commissioner Curtis Johnson inquired about adjacent parcel . Mrs. Hofmeister Drew explained that it is right of way and will require clearing of the current signage and will require technical review.

Commissioner Jeremiah Johnson inquired if this is the only opportunity for Commission input. Mrs. Hofmeister- Drew explained that it is.

Questions of the Applicant-

Nicholas Geisler, Agent, Peter Angelo's Holding, sworn, thanked the Planning department before explaining that billboard use is not a consideration but instead, artwork.

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

Commissioner Jeremiah Johnson commented that there is a good opportunity and idea but asks that traffic patterns be considered.

Mayor Hudson commented that she has spoken to the applicant as efforts have been made to ensure it is tasteful.

Commissioner Perona commented that the Commission previously discussed being sensitive with City gateways and wants to ensure it remains tasteful and in line with the City.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Ordinance No. 22-005.

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

Passed

13. CITY COMMISSION

- a. Resolution 22-R03 establishing the City of Fort Pierce as the Fiscal Agent for the Highwaymen Specialty License Plate Revenue.

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

RESOLUTION NO. 22-R03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; ESTABLISHING THE CITY OF FORT PIERCE AS THE FISCAL AGENT FOR HIGHWAYMEN SPECIALTY LICENSE PLATE REVENUE AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Nick Mimms explained that this formalizes the agreement making the City the fiscal agent for proceeds of the sale of the Highwaymen license plate.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution No. 22-R03.

AYE: Commissioner Arnold Gaines, 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.

Debra McGrand

15. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms commended the Staff on their work, will address the Commission question before the second reading with the developer, thanked the Commission.

City Clerk Linda Cox – No comments

City Attorney Tanya Earley- No comments

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines thanked the Commission, City Manager, and City Clerk for all their assistance as he transitions.

Commissioner Jeremiah Johnson commented that this is a historic moment in the City's history, he is impressed with the updates provided by Staff, and gracious to Staff for their continued efforts.

Commissioner Curtis Johnson attended the MLK Parade and was happy to see the turn-out, witnessed the Brightline train run through town and the promise that comes with the current projects.

Commissioner Perona expressed that Commissioner Gaines compliments the Commission, gave him tenured direction, and commended the Staff.
Mayor Hudson believes the Commission made a good decision tonight.

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 9:04 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER