

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 P.M. ON MONDAY, JUNE 6, 2022.

1. CALL TO ORDER

Mayor Hudson called the June 6, 2022 , Regular Meeting of the City Commission to order at 6:00 P.M.

2. OPENING PRAYER - Father John Liebler with St. Simon the Cyrenian

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 the May 16, 2022 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the May 16, 2022 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Juneteenth Proclamation
- b. National Garden Week Proclamation

7. LETTERS TO COMMISSION

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the Agenda as set.

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.

No comments

10. MISCELLANEOUS REPORTS

11. CONSENT AGENDA

- a. Approval of travel for Mayor Linda Hudson to attend the Florida League of Cities 2022 Annual Conference in Hollywood, Florida from August 10, 2022 to August 14, 2022 in the amount of \$1744.60.
- b. Approval of travel for Commissioner Arnold Gaines to attend the Florida League of Cities 2022 Annual Conference in Hollywood, Florida from August 10, 2022 to August 14, 2022 in the amount of \$1744.60.
- c. Approval of travel for Commissioner Curtis Johnson, Jr. to attend the Florida League of Cities 2022 Annual Conference in Hollywood, Florida from August 10, 2022 to August 14, 2022 in the amount of \$1744.60.
- d. Approval of travel for Commissioner Jeremiah Johnson to attend the Florida League of Cities 2022 Annual Conference in Hollywood, Florida from August 10, 2022 to August 14, 2022 in the amount of \$1744.60
- e. Approval for Mayor to execute participant agreement for the potential settlement of Opioid Litigation.
- f. Approval to contract with FPUA for the purchase and installation of street lighting along Beach Court between Florida Avenue and Delaware Avenue at a cost not to exceed \$74,540.19.
- g. Approve award of the Beach Court Roadway Improvements construction contract to the second-lowest bidder, PRP Construction Group, LLC, in an amount not to exceed \$599,223.35.
- h. Approval of a proposed 12-month Lease Agreement between the City of Fort Pierce and Fort Pierce Resorts, LLC, to lease six (6) parcels along Indian River Drive, that are being utilized to provide additional parking spaces for the public.
- i. Approval of travel for Commissioner Curtis Johnson, Jr. to the Luminary Hotel on June 24, 2022, for educational research of Mainsail lodging and development properties in the total amount of \$545.11. Updated cost is \$326.57 as of 6/6/2022.

Commissioner Jeremiah Johnson pulled 11i.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve 11a - 11h of the Consent Agenda.

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

Passed

As to item 11 i

Commissioner Jeremiah Johnson inquired on the purpose of the travel request.

Commissioner Curtis Johnson explained that he has concerns with Mainsail and will be meeting with the General Manager as well as Fort Myers council members to discuss the growth.

Commissioner Perona expressed his excitement that a representative of the Commission will have first-hand perspective on the project as it moves forward and thanked Commissioner Curtis Johnson for taking the initiative.

City Manager Nick Mimms explained that he had the opportunity to see the facility, and it has been highlighted for what it has brought to the downtown Fort Meyers area, as has the mayor. He thinks this is a great opportunity for the Commissioners to see.

Commissioner Jeremiah Johnson asked the Commission be mindful of the yearly budget.

Mayor Hudson expressed her excitement with much of the Commission attending the Florida League of Cities conference as it is beneficial and will show support for the Vice Mayor of Port Saint Lucie Jolien Caraballo who will be sworn in as the president of the Florida League of Cities.

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

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

Passed

12. PUBLIC HEARINGS

- a. Ordinance 22-014 Amending Chapter 22, Section 22-32 to provide for a 5% increase in business tax fees for businesses, professions, or occupations. FIRST READING

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

ORDINANCE NO. 22-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 22, ARTICLE II, BUSINESS TAX, SECTION 22-32 - TAX, TO PROVIDE FOR A 5% INCREASE IN BUSINESS TAX FEES FOR BUSINESSES, PROFESSIONS, OR OCCUPATIONS AS CONTAINED IN RESOLUTION 22-R23; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the public hearing.

Mike Carey expressed dissatisfaction with the business tax receipt timeline.

Mayor Hudson closed the public hearing.

Commissioner Gaines explained that he has received comments from the public on the business tax receipt timeline, and expressed concern with the increase of five percent.

Mayor Hudson explained that the fee had been reduced during the pandemic and this increase will bring it back to the pre-pandemic fee.

Commissioner Curtis Johnson inquired of City Clerk Linda Cox the business tax process and commented on the move to an automated process.

City Clerk Linda Cox expressed that the process had failed Mr. Carey and that procedures have been updated to ensure this does not happen to anyone else.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona to approve Ordinance No 22-014.

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

NAY: Commissioner Arnold Gaines

Passed

13. CITY COMMISSION

- a. Resolution 22-R22 appointing Todd McVey to the Arts and Culture Advisory Board as an appointee of the Board.

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

RESOLUTION NO. 22-R22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE ARTS AND CULTURE ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution No 22-R22.

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

Passed

- b. Applications for reappointment to Sunrise Theatre Advisory Board as a result of the revised structure.

City Clerk Linda Cox explained that under the revised structure each Commissioner will appoint an individual Fort Pierce resident and recommended that the additional resident seat remain on the board as this keeps the numbers on the same.

Commissioner Gaines inquired if it is appropriate to make a motion tonight. Mrs. Cox commented no, each name is required.

Commissioner Curtis Johnson inquired if they are to pick from the list and what will happen if one person is considered by multiple Commissioners. Mrs. Cox explained they are to pick from the Fort Pierce residents and if one person is picked, the Commission will be notified.

- c. Discussion regarding granting authority to the Mayor to issue letters of support on behalf of the City of Fort Pierce without seeking formal approval on an agenda for local organizations seeking grants that do not require any obligation of the City.

Mayor Hudson explained that she often receives requests for letters of support that fall outside scheduled meetings and deadlines.

Commissioner Perona explained that the Mayor should have the function to authorize letters of support as long as communication is had with the Commission in the event there is an issue.

Mayor Hudson inquired of City Clerk Linda Cox if a process could be

implemented to allow communication with the other members of the Commission. Mrs. Cox explained they could be contacted via email and given twenty-four hours to respond for or against it.

Commissioner Jeremiah Johnson commented that if a Commissioner had an issue with the protocol it could be revisited, and inquired on a draft template to be used by the Commissioners.

Commissioner Perona commented that if one member of the Commission does not agree with the request it should come before the Commission for discussion.

Commissioner Gaines inquired if the proposed process aligns with the Sunshine Law. City Attorney Tanya Early expressed that caution should be taken circulating materials between board members or using staff as a clearing house, and recommended against circulating drafts.

Commissioner Gaines requested clarification that the process will give authority to the Mayor and suggested that this be considered more during an upcoming conference agenda.

Commissioner Curtis Johnson commented that he understood the intent, but it puts pressure on the Mayor to make the decision, and if there is a way to receive information that will not impact the Sunshine Law. Mrs. Earley commented that the Attorney General will allow one way communication, but two-way communication is considered a conversation.

Commissioner Perona expressed that giving up authority is uncomfortable and believes more research should be done by staff to determine best practices.

Commissioner Jeremiah Johnson inquired if there is anything in the Charter that would prevent the Mayor or Commission from authorizing letters of support on behalf of the City.

Mayor Hudson commented that the Mayor of Port St. Lucie has authority to authorize letters of support.

Commissioner Gaines commented that research may be required to determine the steps taken by Port St. Lucie for the City.

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 comments

15. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms commented that a policy will be presented during the budget workshop requiring those requesting sponsorship go through the City Managers office to be placed on the Agenda for consideration. Upcoming City events include Juneteenth Celebrations on June 17th; at Station 15 on Avenue D unveiling a mural in honor of Commissioner Alexander, the inaugural Freedom Block Party Sponsored by the City at Means Court Center hosted by INC., and June 13th Missoula Children's Summer Camp at the Sunrise Theater with the first performance of Rumpelstiltskin on June 17th. The City Managers report reflects that building permits are still doing well and are above the national average, the June 13th Conference Agenda meeting will include Keep Fort Pierce

Beautiful discussing neighborhood identification and Jetty Park operations, sponsorship of public facilities by the Parks Advisory Committee, parks and playground updates by public works, Project Lift updates, the possible development of a parcel east of the Square Grouper, and Cares Act funding.

City Clerk Linda Cox - No comments.

City Attorney Tanya Earley - No comments.

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines commented on the number of shooting incidents in District 1, commended the Police Department, solicited the Commission for additional financial support, and congratulated the Youth Council graduates.

Commissioner Curtis Johnson, Jr, reiterated Commissioner Gaines sentiments on the shootings in District 1 and expressed concerns with excessive speed incidents, inquired of law enforcement can come before the Commission to discuss plans. Mr. Mimms commented that he will contact the police chief and members of the department, so the conversation can take place during the next conference agenda.

Commissioner Jeremiah Johnson commented on his support of the conversation as he has met with the police chief regarding the budget and other initiatives that the Commission can support. In addition, he is meeting with the TDC and the Director of IRSC regarding the new Hospitality Institute and would like the City to embark upon a flood awareness campaign. Mr. Mimms expressed the strides made toward safety by the police department of the last five years.

Mayor Hudson expressed her concern with the recent issues as the City has worked diligently on its reputation for safety and informed the Commission that Jacob Williams will be giving a presentation on the rational on energy costs at 4 p.m. at the FPUA board meeting.

Commissioner Perona commented that we must support the mission of gang suppression by the police department and is excited about the June 11th reveal of the artistic renderings of Jaycee Park with food and fun for kids.

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 7:16 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER