

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

**1. CALL TO ORDER**

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

**2. OPENING PRAYER - Pastor Martin with Fort Pierce Haitian United Methodist Church**

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL**

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

Absent: Commissioner Jeremiah Johnson

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to excuse Commissioner Jeremiah Johnson from the July 18, 2022 Regular Meeting.

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

Passed

**5. APPROVAL OF MINUTES**

- a. Approval of the minutes from the July 5, 2022 regular meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve the minutes of the July 5, 2022 Regular Meeting.

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

Passed

**6. PROCLAMATIONS**

- a. Recognition of Fort Pierce Youth Council Graduating Seniors: Lilly Crawford (Lincoln Park Academy), Grace Fee (John Carroll), and Lishonda Franklin (Fort Westwood)

**7. LETTERS TO COMMISSION**

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

City Clerk Linda Cox requested that item 13a be pulled.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Arnold Gaines to approve the agenda as amended.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,  
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.

**10. MISCELLANEOUS REPORTS**

- a. Presentation by St. Lucie County on Tax Abatement Referendum.

Mark Satterlee, Deputy County Administrator provided a presentation on the Tax Abatement Referendum including an explanation of the abatement tax, incentives, success stories, and its other benefits. Early voting begins August 13th - 20th and election day is August 23, 2022.

- b. Fort Pierce Utilities Authority update - Javier Cisneros, Director of Utilities

Javier Cisneros, Director of Utilities FPUA, Jacob Williams, General Manager and CEO of the FMPA, and Rachel Tenant Public Affairs and Sustainability Manager provided a detailed update on the FPUA including an overview of the electric industry rates and how the FPUA is communicating with its customers.

**11. CONSENT AGENDA**

- a. Approval of a Partial Release of Unity of Title near 2398 Peters Road.
- b. Authorize the Mayor, City Clerk and City Attorney to take all necessary actions to transfer the property held by the city for the use and benefit of Fort Pierce Utilities Authority in accordance with Resolution 22-R26 following the required advertisement.
- c. Approval of allocation of funding for Jaycee Park playground equipment and materials in an amount not to exceed \$650,475.00 (The Kiwanis Club has pledged \$300,000.00 toward this project).
- d. Approve letter to the Fort Pierce Utilities Authority offering the City's support and agreement to jointly submit a grant application for potential financial assistance from the State of Florida Resilient Florida Grant Program to offset the total project costs of the Wastewater Reclamation Facility relocation.

- e. Approval to enter into an Early Lease Renewal with the Yamaha Motor Corporation for 65 New Golf Carts for a 48 month Term beginning on December 1, 2022 in an amount not to exceed \$54,600 annually, with 5 carts from our current lease being owned by the City at no additional charge.

Commissioner Perona pulled item 11 c  
Commissioner Gaines pulled item 11 d

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve items 11a, 11b and 11 e of the Consent Agenda.

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

Passed

As to item 11c

Commissioner Perona commented that the Sunrise Kiwanis Club has increased its funding efforts for the improvement of Jaycee Park with build dates in October 2022. Opportunities for support of finances and time are appreciated.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve item 11c of the Consent Agenda.

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

Passed

As to item 11d

Commissioner Gaines inquired if this is a new grant and once the grants are received will customers see a rate reduction. Javier Cisneros commented that the grant is to cover the remaining portion and any funds above that will be used to reduce rates.

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

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

Passed

## 12. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance 22-017: An Ordinance by the City Commission of the City of Fort Pierce, Florida: Rezoning four parcels of land generally located on the east side of South US Highway 1 at the intersection of Dickson Drive and lying north of the existing Gator Trace Planned Development, from General Commercial (C-3) and Planned Development (PD) to Planned Development (PD), for the residential project to be known as Savannah Preserve; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. SECOND READING

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

ORDINANCE NO. 22-017

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA: REZONING FOUR PARCELS OF LAND GENERALLY LOCATED ON THE EAST SIDE OF SOUTH US HIGHWAY 1 AT THE INTERSECTION OF DICKSON DRIVE AND LYING NORTH OF THE EXISTING GATOR TRACE PLANNED DEVELOPMENT, FROM GENERAL COMMERCIAL (C-3) AND PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), FOR THE RESIDENTIAL PROJECT TO BE KNOWN AS SAVANNAH PRESERVE; 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.

Comments from the applicant

Dennis Murphy Culpepper and Terpening Inc. requested approval of the application.

David Earle, Ross, Earle and Bonan & Ensor representing Gator Trace Master Association reiterated the concerns for approval and addressed condition number six.

Bernard Bouffand - expressed concerns with flooding.

Cliff Savage - expressed concerns with drainage.

Aurora Matta - expressed concerns with drainage.

Timothy Miller – expressed drainage concerns.

Dennis Murphy addressed concerns from the public.

Mayor Hudson closed the public hearing.

Questions of staff:

Commissioner Curtis Johnson inquired of staff comments. Kevin Freeman, Planning Director, commented that construction plans are reviewed in detail and a close eye will be kept on stormwater and encouraging developers to meet regularly with South and North properties, and if changes are made staff will bring those changes to the Commission.

Mayor Hudson inquired that no drainage concerns exasperate the existing properties. Mr. Freeman expressed that the plans comply with the City's ordinance to protect its residents.

Commissioner Perona inquired if the requirements for number five and six would be defined, will the Commission have the opportunity to review, and is maintenance standard. Mr. Freeman expressed that any changes would come back before the Commission, at the moment the conditions do not mandate that they come before the Commission, and the maintenance agreement is mandated by Engineering.

Commissioner Gaines commented if conditions are not met the project does not move forward. Mr. Freeman explained that is correct unless it comes back before the Commission for an amendment to add or remove.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No 22-017 with the following six conditions:

1. Civil Plans shall be reviewed and approved by all applicable City departments prior to the issuance of a site permit. The plans shall include details of any off-site improvements such as any stormwater control berm.
2. All required regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers, shall be obtained by the applicant and copies provided to the City prior to the commencement of any development activities.
3. The applicant shall provide a conceptual stormwater design and an engineer's statement attesting that the PD's storm water system will be in compliance with all required stormwater treatment requirements.
4. The driveway at the entrance of Dickson Dr shall be realigned to provide access to parcels abutting to the north, (Parcel ID# 2427-801-0051-000-8 and

Parcel ID# 2427-801-0037-000-4).

5. The applicant shall provide confirmation of the approval of St. Lucie County for the location of the berm and stormwater discharge outfall into the Right of Way and Drainage easement (Parcel # 2434-112-0001-000-0), which bifurcates the site, also running along the southern boundary of the site prior to the commencement of any development activities.
6. The applicant shall provide confirmation of a maintenance agreement with St. Lucie County for the installation of the berm and, if applicable, the stormwater discharge outfall into the Right of Way and Drainage easement (Parcel # 2434-112-0001-000-0), which bifurcates the site, also running along the southern boundary of the site prior to the commencement of any development activities. The maintenance agreement shall be approved by the City Engineer and comply with Chapter 119 Stormwater Management and Site Development Technical Regulations of the City of Fort Pierce Code of Ordinances in perpetuity.

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

Passed

Commissioner Gaines inquired if Commissioner Perona approved the six conditions.

Commissioner Perona commented that he wanted the portion about maintenance entered into the record.

Commissioner Gaines inquired of City Attorney Tanya Earley if the statement made by Commissioner Perona is sufficient for the record. City Attorney Earley advised that item six will be clarified, and that specific language be added to the motion.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No 22-017 with condition number six and that any maintenance agreement must take into account chapter 119 of the City's Code of Ordinance, thereafter a maintenance agreement be approved by the City Engineer held in perpetuity for this development.

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

Passed

- b. Quasi-Judicial Hearing Postponed from June 21, 2022 and July 5, 2022 - Review and approval of an application for Preliminary Plat, submitted by Property Owner(s) Karma Capital Investments, LP and Applicant, Kolter Land Partners, LLC (Culpepper & Terpening, Inc.), to subdivide approximately 132.7 acres of land (more or less) for The Preserve at Savannah Lakes Planned Development located at or near the east side of S US Highway 1 at the intersection of Dickson Drive and lying North of the existing Gator Trace Planned Development in Fort Pierce, FL. The Developer/Applicant is required to enter into an agreement with the City of Fort Pierce and post the appropriate bond regarding the completion of the outstanding site work during the Final Plat approval process. The property is currently zoned General Commercial (C-3) and Planned Development (PD) Parcel Control Numbers: 2427-433-0002-000-1, 2427-433-0001-000-4, 2434-121-0001-000-8, 2426-333-0015-000-5.

Mayor Linda Hudson asked all present to listen carefully to what City Attorney Tanya Earley would read regarding Quasi-Judicial Hearings.

Tanya Earley, City Attorney, reviewed the quasi-judicial hearing rules and procedures and notified the Commission that two petitions to intervene were received and granted.

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 communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - Yes

Commissioner Curtis Johnson Jr.- Yes

Commissioner Thomas Perona- Yes

Mayor Hudson - Yes

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

Staff Presentation:

Vennis Gilmore, Senior Planner presented the review and approval of an application for Preliminary Plat, submitted by Property Owner(s) Karma Capital Investments, LP and Applicant, Kolter Land Partners, LLC (Culpepper & Terpening, Inc.), to subdivide approximately 132.7 acres of land (more or less) for The Preserve at Savannah Lakes Planned Development located at or near the east side of S US Highway 1 at the intersection of Dickson Drive and lying North of the existing Gator Trace Planned Development. Staff

recommends APPROVAL to the City Commission with one (1) condition:

Prior to the submittal of the Final Plat address all the City of Fort Pierce Engineering Comments on the Plat document.

Mr. Kevin Freeman, Planning Director, commented that the PD conditions will be added to the preliminary plat.

Mayor Hudson inquired if it would have to go back to the planning board. Mr. Freeman indicated that it would go back to the planning board if changes were made.

Commissioner Gaines inquired on the location of the berm as it appears to have moved from south to north. Mr. Gilmore clarified that the location of the berm was recommended by the planning board.

Commissioner Curtis Johnson inquired if the change to PD that was just approved, and its conditions must go before the planning board. Mr. Freeman explained that was not included in the condition, but it is within the power of the Commission to attach those to the preliminary plat.

Applicant questions of staff:

None

Party intervenor number 1:

David Earle, Ross, Earle, Bonan & Ensor on behalf of Gator Trace Master Property Owners Association, Inc. inquired if the preliminary plat is pending should it indicate natural and man-made features, the berm location and size of the nearest sewer to serve the subdivision and reflect the location and size of the nearest sewer and drainage lines. Mr. Freeman commented yes, the plat should indicate natural and man-made features, may not indicate the location of the berm, should indicate the location and size of the nearest water and sewer to serve the subdivision but does not reflect the nearest water sewer lines.

Party intervenor number 2:

John Carrigan, Ross, Earle, Bonan & Ensor on behalf of High Point of Fort Pierce Condominium Section II Association, Inc. Inquired if the June 21, 2022 report is the latest staff report, will ensure minimal impacts, include criteria met in Section

121 of the City Code of Ordinances, the application was recommended for approval, assessed drainage impacts, what was used to make this determination, can any member of staff indicate what was reviewed. Mr. Gilmore clarified that the report was the latest staff report which included criteria met in Section 121 of the City's Code of Ordinances, was recommended for approval, was reviewed by the city Engineering Department and was approved, and drainage impacts were assessed. Mr. Gilmore was unable to answer what was looked at. Mr. Freeman commented that he cannot speak for the internal review by the Engineering Department, but city Ordinances were considered, the review was done and was approved no information was provided to the Commission as they rely on the comments of Engineering to proceed with applications.

Follow-up questions of staff:

Mayor Hudson inquired on the process completed by Engineering. Mr. Gilmore explained nothing is brought before the Commission without Engineering approval.

Commissioner Curtis Johnson inquired if the plat was provided to Engineering and the type of information that goes to them. Mr. Freeman explained that the plat was provided to Engineering and that per Florida Statutes the plat must be prepared by a professional surveyor and conform with Chapter 177 of Florida Statutes the review is processed by Engineering and does not come back before the Board.

Commissioner Perona inquired if all the requirements had been met for this hearing. Mr. Freeman commented that they had been.

Mayor Hudson inquired if all the items were included that were previously mentioned or should they be included in this stage or the next. Mr. Freeman commented that everything should be reviewed at this stage. City Attorney Tanya Earley explained that the items in Chapter 121-10 (a)3 must be provided by the applicant which includes seventeen items.

Mr. Freeman explained that from a cursory review the items highlighted by intervenor number 1 conditions on the PD for the berm and sewer are not indicated or agreed upon.

Applicant presentation:

Dennis Murphy Culpepper and Terpening Inc. defined a plat as a map with lines depicting property line or egress that is why interpretive actions are being take versus practical, and the applicant is willing to provide any required documents to the Commission. Mr. Murphy addressed comments of the intervenor based on High Points permits from the 1970s -80's drainage does not impact them but is split, the berm will not be located to the north because of southern flow, feels that the preceding may be moving in a different direction.

Mayor Hudson inquired on the concerns with the southwest corner flooding in Gator Trace. Mr. Murphy explained that the concern is with the northwest corner and that there is no impact because the flow will move southward.

Commissioner Curtis Johnson inquired on what Mr. Murphy meant by "moving in a direction". Mr. Murphy explained that he believed the application would be deferred until a strict application is presented.

Intervener number 1 questions of applicant:

None

Intervener number 2 questions of applicant:

Has the applicant met with anyone from High Point regarding surface water management, if the Commission where to defer, would the applicant be willing to meet with representatives of High Point, have conditions on 3h and 3m been met. Mr. Murphy commented that no one had met with residents of High Point, the applicant will be willing to meet with representative of High Point, and 3h and 3m are not listed on the preliminary plat presented.

Commission questions of the applicant:

None

Intervener 1 presentation:

Mr. Earle had no presentation but had several comments and arguments. Section 121-10 plat specification item 3, applicant admitted specific items were not presented in the plat and affirms that the definition of a plat provided is inaccurate as the plat should contain conditions for development. Mr. Earle suggested that the application should not be approved as presented.

Intervener 2 presentation:

Mr. Carrigan commented that the Commission is not in the position to approve the application and referenced section 121-9 (a) 4 of the City's Code of Ordinance, competent substantial evidence and introduced Cliff Savage, High Point maintenance and landscaper to offer testimony.

City Attorney Tanya Earley commented that Intervener 1 only had an argument and wanted to ensure all sides can ask questions.

Mr. Carrigan reiterated that there is water flowing northward on southeast and southwest corners and must be addressed if the application is to be resubmitted and requested that tonight's testimony be considered for any conditions.

Staff questions of Intervener number 1:

None

Staff questions of Intervener number 2:

None

Applicant questions of Intervener 1:

None

Applicant questions of Intervener 2:

No questions of Intervener but questions of Cliff Savage.

Mr. Carrigan inquired had he been employed for thirty-eight years and aware of water flow issues. Mr. Savage indicated that he has been employed with High Point for thirty-eight years and the southwest corner of the property has issues with flood water moving from Gator Trace during major flooding events.

Questions of Intervener 1 to Intervener 2:

None

Questions of Intervener 2 to Intervener 1:

None

Commission follow-up questions for Intervener 1 and 2:

Commissioner Curtis Johnson requested a larger map to indicate the area of High Point 1, 2 and 3 and Gator Trace.

Mayor Hudson opened the public hearing.

Robbie Creswell -berm concerns

Patricia Gomes-flooding concerns

Mayor Hudson closed the public hearing.

Applicant comments:

Mr. Murphy requested that the Commission take no action at this time if a denial is forthcoming.

Intervener number 1:

David Earle, Ross, Earle, Bonan & Ensor on behalf of Gator Trace recommended disapproval of the application by the Commission.

Intervener number 2:

John Carrigan Earle, Ross, Earle, Bonan & Ensor on behalf of High Point recommended denial of the application by the Commission.

Applicant comments:

Request the application be withdrawn rather than disapproved.

City Attorney Tanya Earley referenced the code, procedures, and explained that a court would reference the plain language of the City's code, and that we can not advise the applicant.

The applicant Dennis Murphy withdrew the application.

Commissioner Perona requested of staff to address the issues and process made present. Mr. Freeman commented that he is actively reviewing procedures.

- c. Quasi-Judicial Hearing - Ordinance 22-018: An Ordinance by the City Commission of the City of Fort Pierce, Florida; Rezoning the property generally located at or near 511 South Ocean Drive, from Hutchinson Island Medium Density Residential Zone (R4-A) to Planned Development (PD); providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. Subject Property: Parcel ID: 2401-502-0026-000-6.  
FIRST READING

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

ORDINANCE NO. 22-018  
AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 511 SOUTH OCEAN DRIVE, FROM HUTCHINSON ISLAND MEDIUM DENSITY RESIDENTIAL ZONE (R4-A) TO PLANNED DEVELOPMENT (PD); 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 the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - Yes  
Commissioner Curtis Johnson Jr.- No  
Commissioner Thomas Perona- Yes  
Mayor Hudson – Yes

Staff Presentation:

Vennis Gilmore, Senior Planner presented Ordinance 22-018: An Ordinance by the City Commission of the City of Fort Pierce, Florida; Rezoning the property generally located at or near 511 South Ocean Drive, from Hutchinson Island Medium Density Residential Zone (R4-A) to Planned Development (PD). Staff recommends APPROVAL to the City Commission.

Dennis Murphy Culpepper and Terpening Inc. presented Coral Sands at Hutchinson Island.

Commissioner Perona inquired on the maximum building height, is the private roadway gated, and if he owned the property across the street east of A1A. Phil Thompson, Developer, explained that the height is about thirty-eight feet which is within the maximum of City Code, the roadway is not gated but privately maintained, and he does not own the property east of A1A.

Commissioner Curtis Johnson inquired if the community is an HOA. Mr. Thompson commented that it is.

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 22-018.

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

Passed

- d. Quasi-Judicial Hearing- Review and approval of a Major Amendment to a Site Plan (Development and Design Review) to construct a 34,065 square foot Retail Warehouse Expansion with associated site improvements at or near 4145 S US Highway 1, more specifically located at Parcel Control Number(s): 2434-314-0003-000-4, 2434-314-0005-000-8

City Clerk Linda Cox introduced the Review and Approval of a Major Amendment to a Site Plan.

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 communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No

Commissioner Curtis Johnson Jr.- No

Commissioner Thomas Perona- No

Mayor Hudson – No

Staff Presentation:

Ryan Altizer, Planner, presented the review and approval of a Major Amendment to a Site Plan (Development and Design Review) to construct a 34,065 square foot Retail Warehouse Expansion with associated site improvements at or near 4145 S US Highway 1. Staff recommends APPROVAL of the requested applications with the following conditions:

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

2. Bicycle Parking shall be provided at a ratio of 1 space per every 10 parking spaces pursuant to City Code 125-315 (f)(1)(a).

3. Provide an auto-turn movement showing how trucks will back into the new loading bays.

4. A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be conducted before the issuance of a Building Permit.

Questions of Staff:

Commissioner Curtis Johnson inquired on the location of the access road and the maximum truck size for truck movement. Mr. Altizer commented that the access road is on Tumblin King Road for semi-truck entrance. Mr. Freeman explained the changes from the original plan to the amended plan.

Applicant Presentation:

Ryan Mclean, Project Manager, MBV Engineering, presented the amended changes to the site plan.

Questions of applicant:

None

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the review and approval of a Major Amendment to a Site Plan with four conditions.

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

Passed

- e. Quasi-Judicial Hearing - Review and approval of an application for Preliminary Plat, submitted by Property Owner(s) Fort Pierce Redevelopment Agency and Applicant, OMCII LLC, to subdivide approximately 3 acres of land (more or less) for The Oaks at Moore's Creek (Phase II) located at or near 1206 Avenue B (Lot 1) and Lots 1-10 and 16-24, South of Moore's Creek and North of Avenue B in Fort Pierce, FL. The Developer/Applicant is required to enter into an agreement with the City of Fort Pierce and post the appropriate bond regarding the completion of the outstanding site work during the Final Plat approval process. The property is currently zoned Medium Density Residential (R-4) Parcel Control Number(s):  
2409-518-0001-000-8, 2409-517-0033-000-8, 2409-517-0032-000-1,  
2409-517-0031-000-4, 2409-517-0030-000-7, 2409-517-0029-000-7,  
2409-517-0028-000-0, 2409-517-0027-000-3, 2409-517-0026-000-6,  
2409-517-0025-000-9, 2409-517-0024-000-2, 2409-517-0038-000-3,  
2409-517-0041-000-7, 2409-517-0043-000-1, 2409-517-0044-000-8,  
2409-517-0045-000-5.

City Clerk Linda Cox introduced the Review and approval of an application for Preliminary Plat.

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 communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No

Commissioner Curtis Johnson Jr.- No

Commissioner Thomas Perona- No

Mayor Hudson – No

Staff Presentation:

Vennis Gilmore, Senior Planner presented the review and approval of an application for Preliminary Plat, submitted by Property Owner(s) Fort Pierce Redevelopment Agency and Applicant, OMCII LLC, to subdivide approximately 3 acres of land (more or less) for The Oaks at Moore's Creek (Phase II) located at or near 1206 Avenue B (Lot 1) and Lots 1-10 and 16-24, South of Moore's Creek and North of Avenue B in Fort Pierce, FL.

Questions of Staff:

None

Applicant presentation:

Corey O'Gorman, President, Place, was available for questions.

Commissioner Curtis Johnson inquired on the program for attainable housing.

Mr. O'Gorman explained that targeted sales are between 80-120% of median income with down payment assistance through the SHIP program. They are identifying buyers for prequalification on the four 3/2 models, but no price point is currently available.

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 the review and approval of an application for Preliminary Plat.

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

### 13. CITY COMMISSION

- a. Resolution 22-R27 establishing polling places for the August 23, 2022 primary election.

PULLED AT THE REQUEST OF STAFF

- b. Resolution 22-R28 Setting the time of City Commission meetings on the first and third Monday of each month.

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

RESOLUTION NO. 22-R28

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; SETTING THE TIME OF CITY COMMISSION MEETINGS; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson passed the gavel to Mayor Pro Tem Curtis Johnson.

Commissioner Gaines commented that Commissioner Jeremiah Johnson was not in favor of the change, in his absence, the meeting time should remain the same and inquired if the agenda items could be rearranged to accommodate the public hearings.

Commissioner Perona commented on consistency, time, staff, the community and prefers earlier rather than later.

Commissioner Curtis Johnson commented on the availability of public comments on the agenda twice and that he will maintain availability and approves the time change.

City Clerk Linda Cox commented that the agenda order is based on City Ordinance

Motion was made by Mayor Linda Hudson, seconded by Commissioner Thomas Perona to approve Resolution No. 22-R28.

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

NAY: Commissioner Arnold Gaines

Passed

Mayor Hudson inquired on the effective date of the change. City Clerk Linda Cox explained that the advertisement must be met and can be changed from August 16, 2022 to August 15, 2022.

Commissioner Perona commented that the maximum amount of time must be given to the community to reflect the change.

Motion was made by Commissioner Thomas Perona, seconded by Mayor Linda Hudson Hudson to approve the effective date change to August 15, 2022.

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

Passed

Gavel was returned to Mayor Hudson.

**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**

City Manager Nick Mimms – No comments  
City Clerk Linda Cox – No comments  
City Attorney Tanya Earley- No comments

**16. COMMENTS FROM THE COMMISSION**

Commissioner Perona - No comments

Commissioner Curtis Johnson, Jr. - No comments

Commissioner Gaines commented that the Commission hears the community.

Mayor Hudson commented on the importance of communication with the community.

**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 8:55 P.M.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER