

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 5:05 P.M. ON TUESDAY, SEPTEMBER 6, 2022.

1. CALL TO ORDER

Mayor Hudson called the September 6, 2022, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Elder Ruben Mitchell with Victory and Praise Worship 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 August 15, 2022 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Arnold Gaines to approve the minutes of the August 15, 2022 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Childhood Cancer Awareness Month
- b. Suicide Prevention Awareness Month
- c. Hunger Action Month

7. LETTERS TO COMMISSION

- a. Email from Bruce Murray thanking the Fort Pierce Police Department's Command, training, support, and front-line staff for maintaining the best possible standards.
- b. Letter from Rhea-Lyn Gerstenkorn, President, Florida Crime & Intelligence Analyst Association, Inc. in appreciation of the Police Department's Crime Analysis Unit Supervisor, April Lee, serving as their Vice President of Membership.

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

Passed

9. BUDGET HEARING

- a. Mayor to announce the tentative millage rate which is 6.9; the millage rate exceeds the roll-back rate (6.2883), by 9.73%

Mayor Hudson announced that the City of Fort Pierce is proposing a millage rate of 6.90 and the rate exceeds the roll-back rate of 6.2883 BY 9.73%.

- b. Overview of the proposed budget - Johnna Morris, Finance Director

Johnna Morris, Finance Director, presented an overview of the 2023 proposed budget which included General Fund's 2023 proposed budgets balance of \$52,412,646; a \$4,889,150 increase from 2022 and budget highlights.

- c. **PUBLIC HEARING** -- Tentative Millage Rate and Proposed 2022-23 General Fund Budget for the City of Fort Pierce

- d. Consider any proposed amendments to the 2022-23 General Fund Budget

Mayor Hudson inquired if there were any amendments to the proposed 2022-2023 Budget?

Seeing no amendments to the budget, there is no need to re-compute the proposed millage rate.

- e. Adopt proposed Millage Rate and recompute if necessary. The proposed millage rate is 6.9.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to adopt the millage rate of 6.90.

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

Passed

- f. Adoption of tentative 2022-23 General Fund Budget.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the FY 2023 General Fund Budget.

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

Passed

10. **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

11. **MISCELLANEOUS REPORTS**

a. 2022 Firefighter National Challenge Competition

Rick Hatcher, President and CEO, Play Treasure Coast Sports Tourism presented and Matt Coney, SLCFD 2021-2022, Firefighter of the year, and discussed the 2022 Firefighter National Challenge Competition September 22-24 at the A.E.Backus Museum parking lot.

Commissioner Perona inquired if the Worlds' competition will return to Fort Pierce. Mr. Hatcher stated that they are working on it.

b. Pamela E. Carithers of Lincoln Park Main Street, will give an update on the NW Pioneer Park Plaque Selection and Implementation.

Pamela E. Carithers, Lincoln Park Main Street, provided an update on the NW Pioneer Park Plaque Selection and Implementation Program.

Mayor Hudson inquired if the selections would be prioritized and provided her order recommendations. Mrs. Carithers commented that they are open to prioritizing the selections.

Commissioner Gaines commented on his lineage in the City.

Commissioner Curtis Johnson inquired where they are in the process, what they desire to accomplish, and how the Commission plays a part in the outcomes. Mrs. Carithers commented that they are vetting information with Mike Reals of Public Works and determining if funds are available.

Commissioner Perona commented that he appreciated the discovery process and sees the value in the process.

Commissioner Jeremiah Johnson inquired as to what the next step in the process looks like. Mike Reals, Public Works Director commented on the original plan and the Parks Advisory recommendation for bronze plaques large enough for a picture with information with the opportunity to expand.

City Manager Nick Mimms explained that a policy must be established including who receives and reviews policy which may require a resolution.

Mayor Hudson commented that the pioneers should be distinguished separately from the contemporaries.

Commissioner Perona commented that criteria should be included in the policy.

Mr. Mimms inquired if these criteria should be specific to NW Pioneer Park. Mayor Hudson responded that it should be.

12. CONSENT AGENDA

- a. Approval of Second Amendment to Agreement for Purchase and Development of Fisherman's Wharf to provide additional time to cure title and survey objections with a new deadline of March 1, 2023.
- b. Approve the CDBG FY2020 Grant Funding Agreement in the amount of \$609,429.00.
- c. Approval of travel for Commissioner Curtis Johnson, Jr. to attend the Florida League of Cities Legislative Policy Committee in Kissimmee, Florida September 15, 2022 to September 16, 2022 in the amount of \$309.24.
- d. Approval of travel for Commissioner Curtis Johnson Jr. to attend the Florida League of Cities 2022-2023 Legislative Policy Committee in Kissimmee, Florida October 06, 2022 to October 07, 2022 in the amount of \$309.24.
- e. Approval of travel for Mayor Linda Hudson to attend the Florida League of Cities 2022-2023 Legislative Policy Committee in Kissimmee, Florida October 06, 2022 to October 07, 2022 in the amount of \$309.24.
- f. Approval of a twelve (12) month Lease Agreement between the City of Fort Pierce and the Woods Family Limited Partnership II, for 7 parcels along Seaway Drive that are being utilized to provide additional free parking for the public.
- g. Authorize staff to apply for and accept a grant amount of \$300,000.00 for the FY2022 Safe Streets and Roads For All Grant (SS4A) from the United States Department of Transportation.
- h. Approval to piggyback Sourcewell Contract #010521-LTS to purchase playground equipment for the Pinewood Park Playground Project, in amount not to exceed \$53,280.79, from Miracle Recreation Equip Co., Monett, MO.
- i. Approval of Interlocal Agreement with St. Lucie County for administration of the Utility Assistance Program.
- j. Authorize staff to enter into negotiations with GrayRobinson to provide Lobbyist Services as the only responsive bidder to RFP 2022-024.

Commissioner Gaines pulled item 12g
Mayor Hudson pulled item 12h

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve items 12a-12f 12i and 12j.

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

Passed

As to item 12 g

Commissioner Gaines inquired if this was just authorization to apply for the grant. Mr. Mimms introduced Jack Andrews, City Engineer to provide the necessary information. Mr. Andrews explained that this is the first step to apply for the grant and then a study would be completed to determine where funds are needed.

Commissioner Jeremiah Johnson commented that this grant provides funds for a study upfront rather than after the study is completed.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to authorize staff to apply for and accept a grant amount of \$300,000.00 for the FY2022 Safe Streets and Roads for All Grant (SS4A) from the United States Department of Transportation.

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

Passed

As to item 12h

Mayor Hudson commented that this project is not a community build but is excited to reclaim this neighborhood park.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Sourcewell Contract #010521-LTS to purchase playground equipment for the Pinewood Park Playground Project.

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

Passed

13. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance 22-019 amending Chapter 103, Article IX, Section 103-343 "Clean and Safe Community Initiative". FIRST READING

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

ORDINANCE NO. 22- 019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 103, ARTICLE IX, SECTION 103-343 "CLEAN AND SAFE COMMUNITY INITIATIVE"; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Peggy Arraiz, Director of Community Response presented the amending of the Ordinance to establish procedures by which the Clean and Safe Community Initiative may be amended, continued or terminated.

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

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Arnold Gaines to approve Ordinance No 22-019.

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

Passed

- b. Legislative Hearing - Ordinance 22-022 - Review and approval of an application of a Future Land Use Map Amendment submitted by property owner Brent Moody of the Freedom Roads Property Company, LLC and applicant Alejandro Toro of the Engineering Design & Construction, Inc, to change the Future Land Use from General Commercial, GC to High Density Residential, RH at 2101 and 2151 S Jenkins Road Fort Pierce, fl 34947. Parcel IDs: 2313-800-0002-000-7 and 2313-800-0004-000-1. FIRST READING

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

ORDINANCE NO. 22-022

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 PROPERTY GENERALLY LOCATED AT OR NEAR 2101 AND 2151 S JENKINS RD, FROM GENERAL COMMERCIAL, GC, TO HIGH DENSITY RESIDENTIAL, RH; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Vennis Gilmore, Senior Planner, presented review and approval of an application of a Future Land Use Map Amendment to change the Future Land Use from General Commercial, GC to High Density Residential, RH at 2101 and 2151 S Jenkins Road Fort Pierce, 34947. Staff recommends APPROVAL of the proposed FLUMA from GC, General Commercial, to RH, High Density Residential.

Commissioner Jeremiah Johnson inquired of the zoning to the south of these parcels. Mr. Gilmore stated that it is low density residential.

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 22-022.

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

Passed

- c. Quasi-Judicial Hearing - Ordinance 22-023 - Review and approval of an application of a Zoning Atlas Map Amendment submitted by property owner Brent Moody of the Freedom Roads Property Company, LLC and applicant Alejandro Toro of the Engineering Design & Construction, Inc, to change the Zoning from General Commercial, C-3, to High Density Residential, R-5, at 2101 and 2151 S Jenkins Road Fort Pierce, FL 34947. Parcel IDs: 2313-800-0002-000-7 and 2313-800-0004-000-1. FIRST READING

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

ORDINANCE NO. 22-023

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; **REZONING** THE PROPERTIES GENERALLY LOCATED AT OR NEAR **2101 AND 2151 S JENKINS RD**, FROM GENERAL COMMERCIAL (C-3) TO HIGH-DENSITY RESIDENTIAL (R-5); 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 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 the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No

Commissioner Curtis Johnson Jr.- Yes

Commissioner Jeremiah Johnson - No

Commissioner Thomas Perona- No

Mayor Hudson - No

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

Staff Presentation:

Vennis Gilmore, Senior Planner, presented the review and approval of an application of a Zoning Atlas Map Amendment to change the Zoning from General Commercial, C-3, to High Density Residential, R-5, at 2101 and 2151 S Jenkins Road Fort Pierce, FL 34947. Staff recommends APPROVAL of the proposed Rezoning from C-3, General Commercial, to R-5, High Density Residential.

Questions of Staff:

None

Mayor Hudson opened the public hearing.

Applicant Questions of Staff:

Alejandro Toro, EDC, had no questions of staff and introduced Hillpointe Residential.

Questions of Applicant:

None

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Ordinance No 22-023.

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

Passed

14. CITY COMMISSION

- a. Resolution 22-R31 reappointing Barbara Marshall-Bennett as the District 1 representative on the Fort Pierce Utilities Authority Board.

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

RESOLUTION NO. 22-R31

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

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution 22-R31.

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

Passed

- b. Resolution 22-R32 authorizing the execution of a Reconstruction Agreement with Outfront Media to remove the existing sign at 3362 South US Highway 1 and construct a replacement sign pursuant to Florida Statutes.

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

RESOLUTION NO. 22-R32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
PIERCE, FLORIDA, AUTHORIZING THE EXECUTION OF A
RECONSTRUCTION AGREEMENT WITH OUTFRONT MEDIA TO REMOVE
THE EXISTING SIGN LOCATED AT 3362 SOUTH US HIGHWAY 1 AND
CONSTRUCT A REPLACEMENT SIGN PURSUANT TO FLORIDA STATUTES.

City Manager Nick Mimms explained that this agreement is to remove the existing sign and reconstruct a sign for community informational use. In addition, the City will receive a donation of \$10,000 annual for neighborhood beatification and sustainability.

Commissioner Curtis Johnson inquired if the sign would be digital. Mr. Mimms responded that he believed it will be.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution 22-R32.

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

Passed

- c. Resolution 22-R33 accepting the returns of the August 23, 2022 Primary Election.

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

RESOLUTION NO. 22-R33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
PIERCE, FLORIDA, ACCEPTING THE RETURNS OF THE PRIMARY
ELECTION HELD ON AUGUST 23, 2022, AS PROVIDED BY THE COUNTY
SUPERVISOR OF ELECTIONS; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Resolution 22-R33.

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

Passed

- d. Submittal of applications for the Communitywide Council.

- e. Appointment of Commissioner Gaines to serve on the Homeless Advisory Committee as the City of Fort Pierce representative.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve the appointment of Commissioner Gaines to serve on the Homeless Advisory Committee as the City of Fort Pierce representative.

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

Passed

15. 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.

Jonathan Nolli
Dwight M. Henry
Lou Dubey
Aaron Fried

16. COMMENTS FROM THE CITY MANAGER

- a. Reports

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

17. COMMENTS FROM THE COMMISSION

Commissioner Gaines thanked Mr. Mimms and the staff of the Fire Hawks and congratulated North Side and Gifford.

Commissioner Perona commented on the build date of Jaycee Park and requested community volunteers and sponsors October 11-16th.

Commissioner Curtis Johnson referenced his meetings with religious leaders every second Tuesday 11am to noon at the Up Center, various topics are discussed.

Commissioner Jeremiah Johnson received an updated tour of the Wastewater treatment plant and met with Congressman Mast as there are bills and funds for projects available to the City. He also commented on the addition of new boats to the marina. Mayor Hudson commented on the increase in boats and how the manage their waste. Mr. Mimms commented that this is a growing concern as the waters are governed by the State. He can try to get representatives from Florida Fish and Wildlife and the Coast Guard to offer direction on how the waters are handled.

Mayor Hudson commented that staff is working on a solution for Pierce Cider and brought in the check for the infrastructure improvement grant.

18. 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 6:55 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER