

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. MONDAY DECEMBER 19, 2022.

1. CALL TO ORDER

Mayor Hudson called the December 19, 2022, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Reverend Liz Roundtree with Antioch Missionary Baptist Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Michael Broderick; Commissioner Arnold Gaines; Commissioner Curtis Johnson, Jr.; Commissioner Jeremiah Johnson; 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 December 05, 2022 Regular Meeting

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the Minutes of the December 05, 2022 Regular Meeting.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson

Passed

6. PROCLAMATIONS

7. LETTERS TO COMMISSION

- a. Congratulations to the Sunrise Theatre and staff from Senator Gayle Harrell as being selected as one of the 2022 Best of the Best Community Choice Awards.
- b. Congratulations to the Sunrise Theatre and staff from Msebenzi Masondo, Broker Associate Engel & Volkers as being the winner of the TCPalm 2022 Best of the Best Community Choice Awards.
- c. Letter from Gary Porter, Director of Community Relations, thanking the entire City of Fort Pierce team for their Kick-Off Sponsorship of Treasure Coast Food Bank's 8th annual "Pack the House" event.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Staff pulled item 11a

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the agenda as amended.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
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.

Cathy Townsend-King
Raymond Selph
Mark Walters
Richard Hunt
Gregory Simmons
Brian Combs
Jarrod Wells
Mike Jacquin
Rick Modine
Bryce Doughty
Jim Freitas
Kevin Keene
Mike Jenkins
Taylor Shull
Christa Stone
Joey Clanton

10. MISCELLANEOUS REPORTS

11. CONSENT AGENDA

- a. POSTPONED FROM 11/21/2022 AND PULLED AT STAFF'S REQUEST - Authorization to terminate Fisherman's Wharf Bulkhead Boat Ramp and Basin (Phase I) Project Agreement with St. Lucie County
- b. Approval to purchase Microsoft O365 product licenses in the amount not to exceed \$108,231.40 per year for the next three years under a new agreement from SHI., Somerset, NJ.
- c. Approval of contract with Swagit, Plano, Tx for the annual renewal of ADA compliance for FPTV services in the amount not to exceed \$68,328.00
- d. Approval of annual renewal of software maintenance and support for CentralSquare in the amount not to exceed \$99,135.68.
- e. Approval of Specific Work Authorization No. 5 to RFQ 2016-014 providing professional services for the preliminary design and permitting of the Fort Pierce Seaplane Base in an amount not to exceed \$78,225.00.

- f. Approval of proposal from Beemats, New Smyrna Beach, FL, in the amount of \$171,072.00 for the annual harvesting, maintenance and re-nourishment of vegetated mats at the Indian Hills Recreation Area.
- g. Approval of travel for Commissioner Michael Broderick to attend the Institute for Elected Municipal Officials in St. Augustine, Florida from January 20, 2022 to January 22, 2022 in the amount of \$1096.03
- h. Approval for Mayor to execute participant agreement for the potential settlement of Opioid Litigation.
- i. Approval to award the Oaks at Moore's Creek Phase II Infrastructure Improvements to the sole bidder, PRP Construction Group, LLC, in an amount not to exceed \$635,449.15. This award request is \$495.00 higher than the submitted bid which was corrected due to an error in addition by the proposer.
- j. Approval to renew Congressman Mast's lease for office space at City Hall for two (2) years commencing January 3, 2023.

Staff pulled item 11a

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

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

12. PUBLIC HEARINGS

- a. Legislative Hearing - Ordinance No. 22-036 amending Chapter 34 - Article I and Chapter 34 - Article II establishing Parking Regulations. **SECOND READING**

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

ORDINANCE NO. 22-036

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 34, ARTICLE I TO REDUCE THE NUMBER OF RESERVED SECTIONS; AMENDING CHAPTER 34, ARTICLE II, BY DELETING SECTIONS 34-35 THROUGH 34-62; AMENDING CHAPTER 34, ARTICLE II BY TITLE, AMENDING CHAPTER 34, ARTICLE II BY ADDING SECTIONS 34-16 THROUGH 34-62 TO ESTABLISH PARKING REGULATIONS; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; 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 Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Ordinance No 22-036.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- b. Legislative Hearing - Ordinance No. 22-038 Amendments to Chapter 109 of the Code of Ordinances entitled Floodplain Management. SECOND READING

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

ORDINANCE NO. 22-038

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA BY AMENDING CHAPTER 109 OF THE CODE OF ORDINANCES ENTITLED "FLOODPLAIN MANAGEMENT," TO AMEND DEFINITIONS; TO CLARIFY BASE FLOOD ZONE ELEVATION DETERMINATION CRITERIA; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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 Ordinance No 22-038.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- c. Legislative Hearing - Ordinance 22-040 - Amending the Code of Ordinances of the City at Chapter 121-Subdivisions, Sections 121-8, 121-9 and, 121-10 relating to the general provisions, review, and procedure for platting property. FIRST READING

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

ORDINANCE NO. 22-040

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 121 – SUBDIVISIONS, SECTION 121-8, GENERAL PROVISIONS APPLICABLE TO SUBDIVISION OF LAND; SECTION 121-9, PLAT PROCEDURE; CITY PLANNING BOARD REVIEW; AND SECTION 121-10, PLAT SPECIFICATION; AMENDING THE PRELIMINARY PLAT SUBMITTAL REQUIREMENTS; STREAMLINING THE PRELIMINARY PLAT PROCESS; PROVIDING FOR AN OPTIONAL PRELIMINARY PLAT; AND SPECIFYING A FINAL PLAT BE CONSISTENT WITH STATE STATUE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Kevin Freeman, Planning Director, presented the proposed Text Amendment to the Code of Ordinances, Chapter 121 - Subdivisions Sec. 121-8, 121-9 and 121-10. Plat specification. The proposed amendments are based on the recommendations of the St. Lucie County Development Review Task Force (2016). The task force comprised the St. Lucie Economic Development Council, the St. Lucie County Chamber of Commerce, and the Treasure Coast Builders Association (TCBA). The amended text incorporates the recommendations to:

- 1) Incorporate an Optional Preliminary Plat process.
- 2) Require that Final Plat follow State Statue (local requirements eliminated).

Staff recommendation is for the City Commission to approve the amendments to streamline the City's plat process.

The Commission discussed the preliminary plat process and inquired on the ability for staff to bypass processes to final plat for efficacy and the planning boards involvement. Mr. Freeman explained that may be possible for staff to bypass processes and addressed the optional involvement of the planning board.

Mayor Hudson opened the public hearing.

Lee Dobbins, Dean and Mead Law Firm, commented on the preliminary process in the surrounding municipalities.

Mr. Freeman commented on the current process and addressed the hold up in the process.

Kris Einstein commented on her current issues with the plat process.

Dennis Murphy commented on how this amendment will streamline the process and referenced section 121(10)(3)(G) and the approval process.

Mayor Hudson closed the public hearing.

The Commission inquired if any adjustments made would affect tonight's approval and on State Statutes.

City Attorney Tanya Earley clarified that this would not be a legislative matter but rather a quasi-judicial hearing. Minor changes would not impact the ability of the ordinance moving forward for approval on second reading.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Jeremiah Johnson to approve Ordinance No 22-040.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- d. Legislative Hearing - Ordinance 22-046: Review and approval of a Voluntary Annexation by owners, St Joseph FTP LLC and representative, Chris Ossa, P.E. – Kimley-Horn & Associates, Inc., to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near 2605 Kerr Street in Fort Pierce, FL 34947. The proposed Future Land Use designation for the subject property is GC, General Commercial, with a proposed Zoning designation of C-3, General Commercial Zone. Parcel ID: 2313-332-0000-010-0 FIRST READING

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

ORDINANCE NO. 22-046

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR 2605 KERR STREET IN FORT PIERCE, FLORIDA AND SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2024; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; DIRECTING FILING OF THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT AND CHIEF ADMINISTRATIVE OFFICER OF ST. LUCIE COUNTY; DIRECTING REVISION OF THE CHARTER BOUNDARY ARTICLE TO BE FILED WITH THE DEPARTMENT OF STATE AND SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Vennis Gilmore, Assistant Planning Director, presented the review and approval of a Voluntary Annexation by owners, St Joseph FTP LLC and representative, Chris Ossa, P.E. – Kimley-Horn & Associates, Inc., to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near 2605 Kerr Street in Fort Pierce, FL 34947. Planning Staff recommends approval of the proposed annexation along with the Future Land Use designation of GC, General Commercial and the Zoning designation of C-3, General Commercial Zone.

Commissioner Jeremiah Johnson inquired on the roadway included in the annexation and bringing it to City standards.

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Ordinance 20-046.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- e. Quasi-Judicial Hearing - Review and approval of an application for a Conditional Use submitted by Brighter Care Adult Daycare Center LLC to operate an adult daycare at 415 Avenue A Street Fort Pierce FL 34950. Parcel ID: 2410-506-0005-000-3

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.- No
Commissioner Jeremiah Johnson -No
Commissioner Michael Broderick-No
Mayor Hudson - No

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

Staff Presentation:

Vennis Gilmore, Assistant Planning Director, presented the application for a Conditional Use submitted by Brighter Care Adult Daycare Center LLC to operate an adult daycare at 415 Avenue A. The proposed use offers a provision of an adult daycare as a limited commercial use that is compatible with the surrounding neighborhood and is generally consistent with the City's Comprehensive Plan and Land Development Code with appropriate restrictions. Therefore, Staff recommends APPROVAL.

Questions of Staff:

Commissioner Broderick inquired as to the cause for conditional use approval. Mr. Gilmore explained that the allowed use table requires conditional use for daycares.

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

Motion was made by Commissioner Michael Broderick, seconded by
Commissioner Arnold Gaines to approve the application for Conditional Use.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- f. Quasi-Judicial Hearing - Review and approval of an application for a Site Plan (Development and Design Review) with a Conditional Use to construct a 114-unit multi-family innovative residential development with a 2,534 square foot clubhouse, 800 square foot pool, and associated site improvements at or near 4701 Regina Drive in Fort Pierce, Florida, more specifically located at Parcel Control Number: 3403-501-0025-000-5.

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 Jeremiah Johnson - Yes

Commissioner Michael Broderick-Yes

Mayor Hudson - No

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

Staff Presentation:

Vennis Gilmore, Assistant Planning Director, presented the application for a Site Plan (Development and Design Review) with a Conditional Use to construct a 114-unit multifamily innovative residential development with a 2,534 square foot clubhouse, 800 square foot pool, and associated site improvements at or near 4701 Regina Drive.

RECOMMENDATION:

The proposed Site Plan (Development and Design Review) and Conditional Use 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 conditions:

Prior to the issuance of Building Permit approval, provide colored elevations to demonstrate that the proposed building conforms to the specifications of City Code 125-314, Design Review.

Incorporate littoral zone plantings around the lake/retention pond per City Code Section 123-6.

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.

Prior to the issuance of any site clearing permits, the applicant shall provide a

Tree Mitigation Survey and coordinate with the City of Ft. Pierce Arborist for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity.

Questions of Staff:

Commissioner Jeremiah Johnson inquired on the area surrounding the lake, technical review requirements, and code requirements for parking. Mr. Gilmore commented that is why condition 2 was added, St. Lucie County Schools bus requirement has been met, and 203 parking spaces are being provided.

Commissioner Broderick inquired if the bus area will be covered. Mr. Gilmore deferred the question to the applicant.

Mayor Hudson opened the public hearing.

Applicant Questions of Staff:

None

Applicant Presentation

Dan Sorrow, Coteleur-Hearing, presented Ballarena Multi Family community and answered question posed by the Commission.

Questions of the Applicant:

None

Public Comment:

Juan Hernandez expressed several concerns and posed several questions

Applicant Response to Public Comments:

Dan Sorrow answered questions posed by the public.

Mayor Hudson closed the public hearing

The Commission discussed the application for Conditional Use.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the application for a Conditional Use with four conditions.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- g. Legislative Hearing - Ordinance 22-041 - Review and approval of a Future Land Use Map Amendment by owners 135058, 136681 and 11765663 Canada, Inc and applicant Rebecca Grohall of MBV Engineering to change the future land use from General Commercial, GC to Medium Density Residential, RM, at approximately 3000 Virginia Avenue Fort Pierce, FL 34947. Parcel IDs: 2419-111-0002-000-7 & 2419-113-0001-000-6 . FIRST READING

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

ORDINANCE NO. 22-041

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 3000 VIRGINIA AVE, FROM GENERAL COMMERCIAL, GC, TO MEDIUM DENSITY RESIDENTIAL, RM; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Vennis Gilmore, Assistant Planning Director presented the review and approval of a Future Land Use Map Amendment by owners 135058, 136681 and 11765663 Canada, Inc and applicant Rebecca Grohall of MBV Engineering to change the future land use from General Commercial, GC to Medium Density Residential, RM, at approximately 3000 Virginia Avenue.

The requested Application for a Future Land Use Map Amendment meets the criteria specified in Section 125-136 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare. Therefore, Staff recommends APPROVAL of the proposed FLUMA from GC, General Commercial, to RM, Medium Density Residential.

Questions of Staff:

Commissioner Jeremiah Johnson inquired as to the density change and the address. Mr. Freeman explained and defined the change. Mr. Gilmore explained the address issue.

Commissioner Curtis Johnson inquired if the change would allow for commercial use. Mr. Gilmore commented that the change would allow for light commercial use.

Mayor Hudson opened the public hearing.

Lee Dobbins, Dean Mead, for the applicant, briefly explained the plans for the project, parcel annexation and community involvement on the proposed project.

Debra Fawnier- addressed concerns

Pat Ruby-addressed concerns

Lee Dobbins addressed the concerns posed by the public.

Commissioner Broderick inquired on the daily trip count as he has concerns with traffic and tasked the planning department to look into traffic further.

Susan O'Rourke. O'Rourke Engineering and Planning attempted to confirm the trip count.

Commissioner Jeremiah Johnson commented on the application and explained that additional information will be provided on the site plan.

Mr. Mimms commented that the planning staff is not tasked with traffic regulations.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No 22-041.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

Commissioner Curtis Johnson commented on the Ordinance and that this is merely a change of designation and reduction of density.

- h. Quasi-Judicial Hearing - Ordinance 22-042 - Review and approval of a Zoning Map Amendment by owners 135058, 136681 and 11765663 Canada, Inc and applicant Rebecca Grohall of MBV Engineering to change the zoning from General Commercial, C-3, to Medium Density Residential, R-4, at approximately 3000 Virginia Avenue Fort Pierce, FL 34947. Parcel IDs: 2419-111-0002-000-7 & 2419-113-0001-000-6. FIRST READING

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

ORDINANCE NO. 22-042

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 3000 VIRGINIA AVE, FROM GENERAL COMMERCIAL (C-3) TO MEDIUM DENSITY RESIDENTIAL (R-4); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; 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 - No
Commissioner Curtis Johnson Jr.- No
Commissioner Jeremiah Johnson - Yes
Commissioner Michael Broderick-Yes
Mayor Hudson - Yes

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

Staff Presentation:

Vennis Gilmore, Assistant Planning Director presented the review and approval of a Zoning Map Amendment by owners 135058, 136681 and 11765663 Canada, Inc and applicant Rebecca Grohall of MBV Engineering to change the zoning from General Commercial, C-3, to Medium Density Residential, R-4, at approximately 3000 Virginia Avenue.

The requested Application for Zoning Atlas Map Amendment meet the criteria specified in Section 125-136 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare. Therefore, Staff recommends APPROVAL of the proposed Rezoning from C-3, General Commercial, to R-4, Medium Density Residential.

Questions of the Applicant:

Lee Dobbins, Dean Mead, was available for questions.

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 Jeremiah Johnson to approve Ordinance No 22-042.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- i. Quasi-Judicial Hearing - Ordinance 22-043 - Review and approval of a Zoning Map Amendment by owners, Red Hawk Rebar, LLC and the representative, Culpepper & Terpening, Inc. for a Major Amendment to an approved Planned Development by reducing the proposed building footprint from 40,000 square feet to 32,000 square feet, and site improvement changes, at 4280 Bandy Boulevard, Fort Pierce, FL 34981. Parcel ID: 2431-505-0008-000-6 FIRST READING

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

ORDINANCE NO. 22-043

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE PLANNED DEVELOPMENT PLAN FOR THE PROPERTY GENERALLY LOCATED AT OR NEAR 4280 BANDY BOULEVARD AND KNOWN AS RED HAWK REBAR PLANNED DEVELOPMENT; 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 - No

Commissioner Curtis Johnson Jr.- No

Commissioner Jeremiah Johnson - No

Commissioner Michael Broderick - No

Mayor Hudson - No

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

Staff Presentation:

Vennis Gilmore, Assistant Planning Director presented the review and approval of a Zoning Map Amendment by owners, Red Hawk Rebar, LLC and the representative, Culpepper & Terpening, Inc. for a Major Amendment to an approved Planned Development by reducing the proposed building footprint from 40,000 square feet to 32,000 square feet, and site improvement changes, at 4280 Bandy Boulevard.

RECOMMENDATION:

The requested Application for a Major Amendment to a Planned Development meets the criteria specified in Sections 125-136 and 125-212 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare; Therefore, Staff recommends that the Planning Board forward a recommendation of APPROVAL to the City Commission with the following condition:

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.

Questions of Staff:

Commissioner Jeremiah Johnson inquired had the applicant provided offsite improvements. Gilmore deferred the question to the applicant.

Questions of the Applicant:

Dennis Murphy, Culpepper & Terpening, Inc. explained the proposed project and answered the question posed by Commissioner Jeremiah Johnson.

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 22-043 with one condition.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- j. Legislative Hearing - Ordinance 22-044 - Review and approval of a Future Land Use Amendment by owners, Kiva Development, LLC, and representative, Matthew H. Scott, Esq. of Dunay, Miskel, & Blackman, LLP, to change the future land use from General Commercial, GC, to Medium Density Residential, RM, at or near 3037 S Jenkins Road Fort Pierce, FL 34981. Parcel ID: 2325-111-0001-000-2. FIRST READING

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

ORDINANCE NO. 22-044

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 ONE (1) PARCEL GENERALLY LOCATED AT OR NEAR 3037 SOUTH JENKINS ROAD, FROM CITY OF FORT PIERCE (GC) GENERAL COMMERCIAL TO CITY OF FORT PIERCE (RM) MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Presentation:

Vennis Gilmore, Assistant Planning Director presented the review and approval of a Future Land Use Amendment by owners, Kiva Development, LLC, and representative, Matthew H. Scott, Esq. of Dunay, Miskel, & Blackman, LLP, to change the future land use from General Commercial, GC, to Medium Density Residential, RM, at or near 3037 S Jenkins Road.

RECOMMENDATION:

The requested Applications for Future Land Use Map Amendments meets the criteria specified in Section 121-136 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare; Therefore, Staff recommends APPROVAL to the City Commission.

Questions of Staff:

Commissioner Jeremiah Johnson inquired on the previous zoning designation.

Mayor Hudson opened the public hearing.

Matthew H. Scott, Dunay, Miskel, & Blackman, was available for questions, answered the question posed by Commissioner Jeremiah Johnson, and explained the proposed project.

Eddie Cruz posed concern with proximity due to church activities.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No 22-044.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

- k. Quasi-Judicial Hearing - Ordinance 22-045 - Review and approval of a Zoning Map Amendment by owners, Kiva Development, LLC, and representative, Matthew H. Scott, Esq. of Dunay, Miskel, & Blackman, LLP, to change the zoning from General Commercial, C-3, to Medium Density Residential, R-4, at or near 3037 S Jenkins Road Fort Pierce, FL 34981. Parcel ID: 2325-111-0001-000-2. FIRST READING

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

ORDINANCE NO. 22-045

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 3037 SOUTH JENKINS ROAD, FROM C-3, GENERAL COMMERCIAL ZONE TO R-4, MEDIUM DENSITY RESIDENTIAL ZONE; 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.- Yes

Commissioner Jeremiah Johnson - Yes

Commissioner Michael Broderick-Yes

Mayor Hudson - No

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

Staff Presentation:

Vennis Gilmore, Assistant Planning Director presented the Review and approval of a Zoning Map Amendment by owners, Kiva Development, LLC, and representative, Matthew H. Scott, Esq. of Dunay, Miskel, & Blackman, LLP, to change the zoning from General Commercial, C-3, to Medium Density Residential, R-4, at or near 3037 S Jenkins Road.

RECOMMENDATION:

The requested Application for a Zoning Atlas Map Amendment meets the criteria specified in 125-207 and 126-136 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare; Therefore, Staff recommends APPROVAL to the City Commission.

Mayor Hudson opened the public hearing.

Matthew H. Scott, Dunay, Miskel, & Blackman, was available for questions, thanked staff and commented that he would be willing to speak to Mr. Cruz from the neighboring church.

Eddie Cruz posed concern with proximity due to church activities.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Michael Broderick to approve Ordinance No 22-045.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines,
Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Mayor Linda Hudson

Passed

13. CITY COMMISSION

- a. Submission of applications to serve on the Affordable Housing Advisory Committee (AHAC).

City Clerk Linda Cox explained the voting process and the attached sample ballot.

- b. Resolution 22-R48 authorizing the execution of a Florida Job Growth Infrastructure Grant Agreement with the State of Florida Department of Economic Opportunity supporting Downtown Waterfront Corridor infrastructure improvements.

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

RESOLUTION NO. 22-R48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE EXECUTION OF A FLORIDA JOB GROWTH INFRASTRUCTURE GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY SUPPORTING DOWNTOWN WATERFRONT CORRIDOR INFRASTRUCTURE IMPROVEMENTS; ADOPTING FINDINGS; PROVIDING AN EFFECTIVE DATE.

City Manager Nick Mimms explained the project, job creation and grant agreement to follow.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution No 22-R48.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, Mayor Linda Hudson

Passed

- c. Resolution 22-R49 Supporting the 2023 Legislative Priorities of the Florida League of Cities

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

RESOLUTION NO. 22-R49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, SUPPORTING THE 2023 LEGISLATIVE PRIORITIES OF THE FLORIDA LEAGUE OF CITIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No 22-R49.

AYE: Commissioner Michael Broderick, Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson, 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.

Will Goulet

15. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms commented that public works has completed hurricane debris removal and resumed regular debris removal, engineering is administering construction projects, and The Chief of Police will be investigating overnight parking.

City Clerk Linda Cox-No comments

City Attorney Tanya Earley- No comments

16. COMMENTS FROM THE COMMISSION

Commissioner Broderick commented on upcoming planning board meeting, IEMO meeting and commented on the “One Fort Pierce” initiative.

Commissioner Curtis Johnson thanked the Commission for attending Commissioner Alexanders annual event, wished everyone happy holidays, commented on the need for adequate living for senior and infrastructure, and presented Commissioner Broderick with his “One Fort Pierce” pin.

Commissioner Gaines commented on Commissioner Alexanders annual event, wished everyone happy holiday, encouraged everyone to reach out to others during this season, inquired on ways to reduce inaccurate information, and commented on the information provided by Pierce Cider.

Commissioner Jeremiah Johnson commented on change, expansion, Edgartown, Fisherman’s Warf, and “One Fort Pierce”, BMATS, and wished everyone happy holiday.

Mayor Hudson commented on the inclusivity of “One Fort Pierce” the pleasure to work as a unified commission and wished everyone happy holiday.

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 8:42 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER