

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 MONDAY, MARCH 06, 2023.

1. CALL TO ORDER

Mayor Hudson called the March 06, 2023, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Commissioner Arnold Gaines

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 February 21, 2023 Regular Meeting

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the Minutes from the February 21, 2023 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. Email from Rudy Lopez thanking Mayor Hudson and the City of Fort Pierce for the permanent disc golf course at the Indian Hills Recreation Area.
- b. Email from Brian LaPorte, Treasure Coast Disc Golf Club treasurer, thanking the Mayor and City Commissioners for having concrete pads at the Indian Hills Recreation Area.
- c. Email from Erick Gill, Treasure Coast Disc Golf Club secretary, thanking the Mayor and City Commissioners for the completion of Phase 2 of the new disc golf course at the Indian Hills Recreation Area.
- d. Email from Ron Iwanko thanking Mayor Hudson for the funding of the disc golf course at the Indian Hills Recreation Area.

- e. Letter from Treasure Coast Kennel Club of Florida, Inc. President Kaaren Koroly, commending Summer Rulapaugh, Sunrise Humane Society's Operations Manager, for her positivity, genuine love of the animals in her care, and hard work.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

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

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.

Diane Korby
Dennis Speck
Matthew Wyatt
Christa Stone
Timothy White
Gene Horne
Rick Modine
Kevin Keene
Michael Jenkins

10. MISCELLANEOUS REPORTS

11. CONSENT AGENDA

- a. Approval of travel for Commissioner Curtis Johnson to attend the Legislative Action Days in Tallahassee, Florida from April 03, 2023 to April 05, 2023 in the amount of \$1392.06.
- b. Approval of Third 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 September 1, 2023.
- c. Approval of the Agreement between the City of Fort Pierce and St. Lucie Public Schools for the Student Perks Coffee Cart Program.

Commissioner Jeremiah Johnson pulled item 11b

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve items 11a and 11c of the Consent Agenda.

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

Passed

As to item 11b,

Shayanne Harnage, Economic Development Manager provided a presentation on the Fisherman's Wharf timeline.

The Commission discussed the Fisherman's Wharf project including the participation of the Fort Pierce Redevelopment Agency, the processes required prior to the boat ramp, protecting the interest of the City and its residents, confirmation of a site dedication, state reverter provision and property protections, requested extension, and the timeline.

City Attorney Tanya Earley explained that the extension is to work through title issues, the interlocal agreement, and is being done at staffs request.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve item 11b 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 23-020 - Review and approval of a Future Land Use Map Amendment by owner J T J Enterprises Inc., to change the future land use from Neighborhood Commercial, NC, to General Commercial, GC, at approximately 1503 S. 33rd Street Fort Pierce, FL 34947. Parcel IDs: 2417-601-0008-000-7 & 2417-601-0009-000-4. SECOND READING.

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

ORDINANCE NO. 23-020

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 PROPERTIES GENERALLY LOCATED AT OR NEAR 1503 S. 33RD STREET, FROM NEIGHBORHOOD COMMERCIAL, NC, TO GENERAL COMMERCIAL, GC; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

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 No. 23-020.

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

Passed

- b. Legislative Hearing - Ordinance 23-021 - Review and approval for a Zoning Atlas Map Amendment by owners J T J Enterprises Inc., of two (2) parcels of land to change the zoning classification from Neighborhood Commercial. C-2, to General Commercial, C-3, generally located at 1503 S. 33rd Street Fort Pierce, FL 34947. Parcel IDs: 2417-601-0008-000-7 & 2417-601-0009-000-4. SECOND READING

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

ORDINANCE NO. 23-021

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTIES GENERALLY LOCATED AT OR NEAR 1503 S. 33RD STREET, FROM NEIGHBORHOOD COMMERCIAL (C-2) TO GENERAL COMMERCIAL (C-3); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.
SECOND READING

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. 23-021.

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

Passed

- c. Quasi-Judicial Hearing - Review and approval of a Site Plan (Development and Design Review) to construct a 216-unit multi-family development (Privilege North), located east of Sunrise Boulevard and North of Dade Road in Fort Pierce. Parcel IDs: 2428-601-0252-000-6 & 2428-321-0001-000-3.

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 Michael Broderick-No
Commissioner Arnold Gaines - No
Commissioner Curtis Johnson Jr.- No
Commissioner Jeremiah Johnson - No
Mayor Hudson - No

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

Staff Presentation:

Ryan Altizer, Planner, presented the review and approval of a site plan to construct a 216 unit multifamily development located east of Sunrise Boulevard and North of Dade Road.

Recommendation:

Staff recommendation is for the City Commission to vote for approval with (2) 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 site.
- 2) Prior to the issuance of Building Permit approval. A Unity of Title with St. Lucie County Clerk of Courts and Parcel Combination with the St. Lucie County Property Appraiser shall be provided.

Questions of Staff:

Commissioner Jeremiah Johnson inquired if the access to Sunrise Blvd is accurate, is it a County road, were traffic studies presented and approved by the County, the railroad spur, drainage and zoning. Mr. Altizer confirmed the access to Sunrise Blvd, it is a County road, and traffic study, drainage, and zoning were all reviewed by staff.

Commissioner Curtis Johnson inquired on drainage.

Commissioner Broderick inquired on the site plan. Mr. Altizer confirmed all requirements have been met as presented.

Applicant Questions of Staff:

No questions

Applicant Presentation:

Brad Currie, EDC, provided a presentation on the proposed property.

Questions of the Applicant:

Commissioner Broderick inquired if the proposed property is rental units or condominiums. Mr. Currie clarified that it is rental units.

Commissioner Jeremiah Johnson inquired what can be done with sidewalk parameters and drainage. Mr. Currie commented on the possibility of temporary sidewalks and the County's sidewalk fund and drainage.

Commissioner Curtis Johnson inquired on the proposed sidewalk installation and the population expected. Mr. Currie commented that they are required to install sidewalks on all frontage on County roadways.

Mayor Hudson inquired on property management, gates, and students walking to local schools. To which Mr. Currie explained that there would be onsite property management with after hours emergency services, provided the location of the gates and confirmed students access to local schools.

Commissioner Broderick commented on the need for this type of development.

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 the application for site plan with (2) conditions.

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

Passed

- d. Quasi-Judicial Hearing - Review and approval of an application for a Final Plat Review submitted by applicant Brian Nolan of Lucido and Associates, Inc., to subdivide 1 parcel into 88 platted lots that include a reconfigured right-of-way and 88 single-family residential lots at 829 Bent Creek Drive, more specifically located at Parcel Control Number: 2407-700-0024-000-8

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 Michael Broderick-Yes (Planning Board)

Commissioner Arnold Gaines - No
Commissioner Curtis Johnson Jr.- No
Commissioner Jeremiah Johnson No
Mayor Hudson - No

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

Staff Presentation:

Ryan Altizer, Planner, presented the review and approval of an application for a Final Plat Review to subdivide 1 parcel into 88 platted lots that include a reconfigured right-of-way and 88 single-family residential lots at 829 Bent Creek Drive.

Recommendation:

Staff recommends that the City Commission votes approval of the Final Plat.

Questions of Staff:

None

Applicant Questions of Staff:

None

Brian Nolan, Lucido and Associates, Inc. requested that the clerk delay recording the plat until evidence of road acceptance is officially issued by the County. City Clerk Linda Cox requested this be added as a condition for approval.

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 Plat with (1) condition.

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 Site Plan (Development and Design Review) by property owner, William Wallace Enterprises, LLC, and applicant, Lee Smith, President of Wallace Auto Group to construct an approximately 25,740 square foot Automobile Sales and Service Facility with associated site improvements at or near 5553 South US Highway 1 in Fort Pierce, Florida, more specifically located at Parcel Control Number: 3410-211-0003-000-7.

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 Michael Broderick-No
Commissioner Arnold Gaines - No
Commissioner Curtis Johnson Jr.- No
Commissioner Jeremiah Johnson – No
Mayor Hudson - No

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

Staff Presentation:

Kevin Freeman, Planning Director, presented the review and approval of a site plan to construct an approximately 25.740 square foot automobile sales and service facility at or near 5553 South US Highway 1.

Recommendation:

Staff recommendation is for the City Commission to APPROVE the subject Site Plan (Development Review & Design Review), noting the two (2) recommended conditions.

Conditions of Development (Site Plan-Development Review & Design Review):

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. 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 comments of public works staff. Mr. Freeman explained that there were none and that vehicle movements are considered in the process.

Applicant Questions of Staff:

None

Scott Montgomery, responded to the question posed by Commissioner Jeremiah Johnson.

Commissioner Jeremiah commented on public waste concerns and the wetlands. Mr. Montgomery indicated they will take the suggestions into consideration.

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

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Michael Broderick to approve the application for Site Plan with (2) conditions.

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

Passed

13. CITY COMMISSION

- a. Resolution 23-R23 appointing Stephen Lyons as the consumer representative to the Board of Examiners of Contractors.

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

RESOLUTION NO. 23-R23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE BOARD OF EXAMINERS OF CONTRACTORS; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Resolution No. 23-R23.

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

Passed

- b. Resolution 23-R24 appointing Rick Fusco to the Arts & Culture Advisory Board as Commissioner Johnson's appointee.

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

RESOLUTION NO. 23-R24

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

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 23-R24.

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

Passed

- c. Resolution 23-R25 Revising the Quasi-Judicial procedures

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

RESOLUTION NO. 23-R25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REVISING QUASI-JUDICIAL PROCEDURES FOR THE CITY COMMISSION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Linda Cox explained the revision of the quasi-judicial procedures.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Resolution No. 23-R25.

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.

No comments

15. 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

16. COMMENTS FROM THE COMMISSION

Commissioner Jeremiah Johnson inquired on the Joint Meeting, thanked the community for being involved in City activities, suggested ways to celebrate and engage the city's youth.

Commissioner Gaines reiterated celebrating and engaging the youth, commented on the FBC LEO conference, the diligent work of the Commission for the City and congratulated Mia Morrison on winning The Boys and Girls Club Youth of the Year again.

Commissioner Curtis Johnson commented on determining the national youth day to highlight the youth, FBC LEO conference and his concern with Dade Road.

Commissioner Broderick commented on Freebee and the weekend activities including Friday Fest.

Mayor Hudson commented on the Great American Clean Up, Officer Goz as School Resource Officer at C A Moore Elementary, officers assisting in the Clean Up, the first legislative call, solid waste and private providers, bill to reduce homestead cap, short term rental cost cap and several other bills that would affect the municipality.

17. ADJOURNMENT

Immediately following adjournment, please move toward the doors and exit the chambers. This allows for the safe and courteous exit of all persons, and those on the dais. Conversations after the meeting should be held outside of chambers, in the foyer or elsewhere, but not in the commission chambers where lights will be out as soon as the chambers are empty.

Mayor Linda Hudson adjourned the meeting at 7:21 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER