

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, MAY 1, 2023.

1. CALL TO ORDER

Mayor Hudson called the May 01, 2023, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Bishop Craig Cobb with City of Faith

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 Manager Nicholas Mimms
City Attorney Tanya Earley
Deputy City Clerk Latoya Ransom

5. APPROVAL OF MINUTES

- a. Approval of minutes of the April 17, 2023 regular meeting.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the April 17, 2023 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Lupus Awareness Month
- b. Mental Health Awareness Month
- c. Letter Carriers' Food Drive Day

7. LETTERS TO COMMISSION

- a. Email from Diana Johnson with Spanish Lakes Fairways HOA thanking Teresa Miller, Grants Division's Administrative Assistant, for her helpfulness.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Michael Broderick 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.

No comments

10. MISCELLANEOUS REPORTS

- a. Presentation of Fort Pierce Youth Council Activity Update

The Commission commended the Fort Pierce Youth Council for their work on The Empower Youth Conference and their legislative days' participation.

11. CONSENT AGENDA

- a. Approve purchase of one (1) 2024 Peterbilt Model 520 automated side load refuse collection truck for the Solid Waste Division in an amount not to exceed \$381,989.00.
- b. Approve the Emergency Purchase of Elevator Door Locking Monitoring Devices from KONE Inc., Orlando FL, in the amount of \$85,935.48.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve 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. Quasi-Judicial Hearing - Review and approval of an application for a Final Plat Review submitted by applicant Regina Karner of Karner Surveying Inc., to subdivide 1 parcel into 4 platted lots at 1602 Surfside Drive, more specifically located at Parcel ID: 2412-501-0132-000-3.

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.

Deputy City Clerk Latoya Ransom 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

Deputy City Clerk Latoya Ransom swore in those wanting to speak during this Quasi-Judicial hearing.

Staff Presentation:

Ryan Altizer, Senior Planner, presented the review and approval of an application for a Final Plat Review submitted by applicant Regina Karner of Karner Surveying Inc., to subdivide 1 parcel into 4 platted lots at 1602 Surfside Drive.

RECOMMENDATION:

Staff's recommendation is for City Commission to vote APPROVAL of the proposed final plat with one condition:

The applicant will supply two (2) mylars for appropriate signatures and then the plat is recorded with St. Lucie County Clerk of Courts in accordance with Florida State Statute 177.111

Questions of Staff:

The Commission inquired if it meets the requirements for a four-unit development and inquired on resilience and how the process was changed to accommodate it. Mr. Freeman commented that the building department will be handling the flood requirements.

Mayor Hudson opened the public hearing.

Question of the Applicant:

William Stoddard, Schulke, Bittle and Stoddard, was available for questions.

Commissioner Broderick inquired on the original application.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve the application for final plat with (1) condition.

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

Passed

- b. Legislative Hearing - Ordinance 23-027 - Review and approval of an ordinance by the City Commission of the City of Fort Pierce, Florida; Rezoning the property generally located at or near 4483 south 25th street, from PD, Planned Development Zone to R-1, Single-Family Low Density Zone; Subject Property: Parcel ID: 2325-111-0001-000-2. SECOND READING

Deputy City Clerk Latoya Ransom introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 23-027

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR 4483 SOUTH 25th STREET, FROM PD, PLANNED DEVELOPMENT ZONE TO R-1, SINGLE-FAMILY LOW DENSITY ZONE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND 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 23-027.

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

Passed

- c. Legislative Hearing - Ordinance 23-028: Review and approval of an ordinance extending the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near approximately 750 feet east of the Southeast Corner of South US Highway 1 and Dixieland Drive in Fort Pierce, Florida. The parcel ID is 2427-801-0085-000-5. SECOND READING

Deputy City Clerk Latoya Ransom introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 23-028

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR APPROXIMATELY 750 FEET EAST OF THE SOUTHEAST CORNER OF SOUTH US HIGHWAY 1 AND DIXIELAND DRIVE 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. 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 23-028.

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

Passed

- d. Legislative Hearing - Ordinance 23-029 Amending Chapter 103, Article V, Amending Section 103-203 Regulation of Stormwater Run-off. SECOND READING

Deputy City Clerk Latoya Ransom introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 23-029

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING CHAPTER 103, ARTICLE V, AMENDING SECTION 103-203 – REGULATION OF STORMWATER RUN-OFF; REQUIRED SLOPE TO PROVIDE FOR ENGINEERED DRAINAGE PLAN REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; and PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

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

The Commission discussed concerns with the Ordinance and requested additional information and the specifics on the requirement for whom can certify, accessory structures, defining who is considered a “professional, cost, and exemptions.

Mr. Mimms clarified the purpose of the Ordinance.

Paul Thomas, Building Official, offered several alternative solutions and answered questions presented by the Commission.

Mr. Mimms made the recommendation to continue with a professional engineer and add exemptions.

City Attorney Earley suggested that the process begin again with another version of the Ordinance, first and second reading. This would lead to a motion to deny.

Commissioner Gaines commented on the need to expedite the process in a timely manner.

City Attorney Earley inquired if this needed to be revisited at a Conference Agenda meeting.

Mr. Mimms commented that was not a requirement and asked the Commission to be mindful that if a professional engineer certifies a drawing, they are responsible for the liability associated with it.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Michael Broderick to deny Ordinance 23-029.

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

Passed

- e. Legislative Hearing - Ordinance 23-030 An application of a parcel of land approximately 6.79 acres, located west of US Highway 1 on the South side of Weatherbee Road. Parcel ID: 3403-502-0015-000-5. FIRST READING

Deputy City Clerk Latoya Ransom introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 23-030

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR WEST OF US HIGHWAY ON THE SOUTH SIDE OF WEATHERBEE ROAD, 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. FIRST READING

Staff Presentation:

Ryan Altizer, Senior Planner, presented an application for annexation for a parcel of land approximately 6.79 acres, located west of US Highway 1 on the South side of Weatherbee Road.

RECOMMENDATION:

Staff's recommendation is for the City Commission to vote APPROVAL of the proposed annexation.

Commissioner Broderick inquired if there were any conditions for the application.

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

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No 23-030.

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

Passed

13. CITY COMMISSION

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.

Dale Barnes

15. COMMENTS FROM THE CITY MANAGER

a. Reports

City Manager Nick Mimms commented on the Empower Youth Conference, the 100th year celebration of the Police Department at Causeway Cove Marina, and the agenda for the Conference Agenda meeting on May 8th.

Deputy City Clerk Latoya Ransom - No comments.

City Attorney Tanya Earley - No comments.

16. COMMENTS FROM THE COMMISSION

Commissioner Curtis Johnson commented on public works, the employee picnic, and thanked Mr. Mimms for recognizing and rewarding City employees.

Commissioner Gaines commented on graduation season, youth council, Mia Morrison's achievements, and the growing concerns of citizens with the increased chicken population.

Commissioner Jeremiah Johnson encouraged the residents to utilize see click fix for reporting issues and concerns.

Commissioner Broderick commented on the growing concerns of chickens and peacocks, the youth council, the 100th anniversary police department celebrations and the 100th anniversary events coming for the Sunrise Theatre.

Mayor Hudson commented on the Back the Blue and 100th anniversary celebrations.

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 6:37 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER